

51. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BENISHEK OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. BENISHEK OF MICHIGAN**

At the end of subtitle C of title XII, add the following:

1 **SEC. 12317. SCIENTIFIC AND ECONOMIC ANALYSIS OF THE**
2 **FDA FOOD SAFETY MODERNIZATION ACT.**

3 (a) IN GENERAL.—The Secretary of Health and
4 Human Services (referred to in this section as the “Sec-
5 retary”) may not enforce any regulations promulgated
6 under the FDA Food Safety Modernization Act (Public
7 Law 111–353) until the Secretary publishes in the Fed-
8 eral Register the following:

9 (1) An analysis of the scientific information
10 used in the final rule to implement the FDA Food
11 Safety Modernization Act with a particular focus
12 on—

13 (A) agricultural businesses of a variety of
14 sizes;

15 (B) regional differences of agriculture pro-
16 duction, processing, marketing, and value added
17 production;

1 (C) agricultural businesses that are diverse
2 livestock and produce producers; and

3 (D) what, if any, negative impact on the
4 agricultural businesses would be created, or ex-
5 acerbated, by implementation of the FDA Food
6 Safety Modernization Act.

7 (2) An analysis of the economic impact of the
8 proposed final rule to implement the FDA Food
9 Safety Modernization Act with a particular focus
10 on—

11 (A) agricultural businesses of a variety of
12 sizes; and

13 (B) small and mid-sized value added food
14 processors.

15 (3) A plan to systematically evaluate the regula-
16 tions by surveying farmers and processors and devel-
17 oping an ongoing process to evaluate and address
18 business concerns.

19 (b) ANNUAL REPORT.—Not later than 1 year after
20 the date of enactment of this Act and annually thereafter,
21 the Secretary shall submit to the Committee on Agri-
22 culture, Nutrition, and Forestry of the Senate and the
23 Committee on Agriculture of the House of Representatives
24 a report on the impact of implementation of the regula-

1 tions promulgated under the FDA Food Safety Mod-
2 ernization Act.



52. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BACHUS OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY Mr. Bachus**

At the end of title XII, add the following new section:

1 **SEC. 12317. IMPROVED DEPARTMENT OF AGRICULTURE**
2 **CONSIDERATION OF ECONOMIC IMPACT OF**
3 **REGULATIONS ON SMALL BUSINESS.**

4 The Secretary of Agriculture shall complete procedures consistent with the requirements of subsection (b)
5 of section 609 of title 5, United States Code, whenever
6 the Department of Agriculture promulgates any rule
7 which will have a significant economic impact on a substantial number of small entities.



53. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SINEMA OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. SINEMA OF ARIZONA**

Page 629, after line 4, insert the following:

1 **SEC. 12317. PRODUCE REPRESENTED AS GROWN IN THE**
2 **UNITED STATES WHEN IT IS NOT IN FACT**
3 **GROWN IN THE UNITED STATES.**

4 (a) **TECHNICAL ASSISTANCE TO CBP.**—The Sec-
5 retary of Agriculture shall make available to U.S. Customs
6 and Border Protection technical assistance related to the
7 identification of produce represented as grown in the
8 United States when it is not in fact grown in the United
9 States.

10 (b) **REPORT TO CONGRESS.**—The Secretary shall
11 submit to the Committee on Agriculture of the House of
12 Representatives and the Committee on Agriculture, Nutri-
13 tion, and Forestry of the Senate a report on produce rep-
14 resented as grown in the United States when it is not in
15 fact grown in the United States.



54. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WITTMAN OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. WITTMAN OF VIRGINIA**

At the end of title XII, add the following new sub-
title:

1 **Subtitle D—Chesapeake Bay**
2 **Accountability and Recovery**

3 **SECTION 12401. SHORT TITLE.**

4 This subtitle may be cited as the “Chesapeake Bay
5 Accountability and Recovery Act of 2013”.

6 **SEC. 12402. CHESAPEAKE BAY CROSSCUT BUDGET.**

7 (a) **CROSSCUT BUDGET.**—The Director, in consulta-
8 tion with the Chesapeake Executive Council, the chief ex-
9 ecutive of each Chesapeake Bay State, and the Chesa-
10 peake Bay Commission, shall submit to Congress a finan-
11 cial report containing—

12 (1) an interagency crosscut budget that dis-
13 plays—

14 (A) the proposed funding for any Federal
15 restoration activity to be carried out in the suc-
16 ceeding fiscal year, including any planned inter-
17 agency or intra-agency transfer, for each of the

1 Federal agencies that carry out restoration ac-
2 tivities;

3 (B) to the extent that information is avail-
4 able, the estimated funding for any State res-
5 toration activity to be carried out in the suc-
6 ceeding fiscal year;

7 (C) all expenditures for Federal restoration
8 activities from the preceding 2 fiscal years, the
9 current fiscal year, and the succeeding fiscal
10 year; and

11 (D) all expenditures, to the extent that in-
12 formation is available, for State restoration ac-
13 tivities during the equivalent time period de-
14 scribed in subparagraph (C);

15 (2) a detailed accounting of all funds received
16 and obligated by all Federal agencies for restoration
17 activities during the current and preceding fiscal
18 years, including the identification of funds which
19 were transferred to a Chesapeake Bay State for res-
20 toration activities;

21 (3) to the extent that information is available,
22 a detailed accounting from each State of all funds
23 received and obligated from a Federal agency for
24 restoration activities during the current and pre-
25 ceeding fiscal years; and

1 (4) a description of each of the proposed Fed-
2 eral and State restoration activities to be carried out
3 in the succeeding fiscal year (corresponding to those
4 activities listed in subparagraphs (A) and (B) of
5 paragraph (1)), including the—

6 (A) project description;

7 (B) current status of the project;

8 (C) Federal or State statutory or regu-
9 latory authority, programs, or responsible agen-
10 cies;

11 (D) authorization level for appropriations;

12 (E) project timeline, including benchmarks;

13 (F) references to project documents;

14 (G) descriptions of risks and uncertainties
15 of project implementation;

16 (H) adaptive management actions or
17 framework;

18 (I) coordinating entities;

19 (J) funding history;

20 (K) cost sharing; and

21 (L) alignment with existing Chesapeake
22 Bay Agreement and Chesapeake Executive
23 Council goals and priorities.

1 (b) MINIMUM FUNDING LEVELS.—The Director shall
2 only describe restoration activities in the report required
3 under subsection (a) that—

4 (1) for Federal restoration activities, have fund-
5 ing amounts greater than or equal to \$100,000; and

6 (2) for State restoration activities, have funding
7 amounts greater than or equal to \$50,000.

8 (c) DEADLINE.—The Director shall submit to Con-
9 gress the report required by subsection (a) not later than
10 30 days after the submission by the President of the Presi-
11 dent's annual budget to Congress.

12 (d) REPORT.—Copies of the financial report required
13 by subsection (a) shall be submitted to the Committees
14 on Appropriations, Natural Resources, Energy and Com-
15 merce, and Transportation and Infrastructure of the
16 House of Representatives and the Committees on Appro-
17 priations, Environment and Public Works, and Commerce,
18 Science, and Transportation of the Senate.

19 (e) EFFECTIVE DATE.—This section shall apply be-
20 ginning with the first fiscal year after the date of enact-
21 ment of this Act for which the President submits a budget
22 to Congress.

1 **SEC. 12403. RESTORATION THROUGH ADAPTIVE MANAGE-**
2 **MENT.**

3 (a) **IN GENERAL.**—Not later than 1 year after the
4 date of enactment of this Act, the Administrator, in con-
5 sultation with other Federal and State agencies, and with
6 the participation of stakeholders, shall develop a plan to
7 provide technical and financial assistance to Chesapeake
8 Bay States to employ adaptive management in carrying
9 out restoration activities in the Chesapeake Bay water-
10 shed.

11 (b) **PLAN DEVELOPMENT.**—The plan referred to in
12 subsection (a) shall include—

13 (1) specific and measurable objectives to im-
14 prove water quality, habitat, and fisheries identified
15 by Chesapeake Bay States;

16 (2) a process for stakeholder participation;

17 (3) monitoring, modeling, experimentation, and
18 other research and evaluation technical assistance
19 requested by Chesapeake Bay States;

20 (4) identification of State restoration activities
21 planned by Chesapeake Bay States to attain the
22 State's objectives under paragraph (1);

23 (5) identification of Federal restoration activi-
24 ties that could help a Chesapeake Bay State to at-
25 tain the State's objectives under paragraph (1);

1 (6) recommendations for a process for modifica-
2 tion of State and Federal restoration activities that
3 have not attained or will not attain the specific and
4 measurable objectives set forth under paragraph (1);
5 and

6 (7) recommendations for a process for inte-
7 grating and prioritizing State and Federal restora-
8 tion activities and programs to which adaptive man-
9 agement can be applied.

10 (c) IMPLEMENTATION.—In addition to carrying out
11 Federal restoration activities under existing authorities
12 and funding, the Administrator shall implement the plan
13 developed under subsection (a) by providing technical and
14 financial assistance to Chesapeake Bay States using re-
15 sources available for such purposes that are identified by
16 the Director under section 12402.

17 (d) UPDATES.—The Administrator shall update the
18 plan developed under subsection (a) every 2 years.

19 (e) REPORT TO CONGRESS.—

20 (1) IN GENERAL.—Not later than 60 days after
21 the end of a fiscal year, the Administrator shall
22 transmit to Congress an annual report on the imple-
23 mentation of the plan required under this section for
24 such fiscal year.

1 (2) CONTENTS.—The report required under
2 paragraph (1) shall contain information about the
3 application of adaptive management to restoration
4 activities and programs, including level changes im-
5 plemented through the process of adaptive manage-
6 ment.

7 (3) EFFECTIVE DATE.—Paragraph (1) shall
8 apply to the first fiscal year that begins after the
9 date of enactment of this Act.

10 (f) INCLUSION OF PLAN IN ANNUAL ACTION PLAN
11 AND ANNUAL PROGRESS REPORT.—The Administrator
12 shall ensure that the Annual Action Plan and Annual
13 Progress Report required by section 205 of Executive
14 Order 13508 includes the adaptive management plan out-
15 lined in subsection (a).

16 **SEC. 12404. INDEPENDENT EVALUATOR FOR THE CHESA-**
17 **PEAKE BAY PROGRAM.**

18 (a) IN GENERAL.—There shall be an Independent
19 Evaluator for restoration activities in the Chesapeake Bay
20 watershed, who shall review and report on restoration ac-
21 tivities and the use of adaptive management in restoration
22 activities, including on such related topics as are suggested
23 by the Chesapeake Executive Council.

24 (b) APPOINTMENT.—

1 (1) IN GENERAL.—The Independent Evaluator
2 shall be appointed by the Administrator from among
3 nominees submitted by the Chesapeake Executive
4 Council.

5 (2) NOMINATIONS.—The Chesapeake Executive
6 Council may submit to the Administrator 4 nomi-
7 nees for appointment to any vacancy in the office of
8 the Independent Evaluator.

9 (c) REPORTS.—The Independent Evaluator shall sub-
10 mit a report to the Congress every 2 years in the findings
11 and recommendations of reviews under this section.

12 (d) CHESAPEAKE EXECUTIVE COUNCIL.—In this sec-
13 tion, the term “Chesapeake Executive Council” has the
14 meaning given that term by section 307 of the National
15 Oceanic and Atmospheric Administration Authorization
16 Act of 1992 (Public Law 102–567; 15 U.S.C. 1511d).

17 **SEC. 12405. DEFINITIONS.**

18 In this subtitle, the following definitions apply:

19 (1) ADAPTIVE MANAGEMENT.—The term
20 “adaptive management” means a type of natural re-
21 source management in which project and program
22 decisions are made as part of an ongoing science-
23 based process. Adaptive management involves test-
24 ing, monitoring, and evaluating applied strategies
25 and incorporating new knowledge into programs and

1 restoration activities that are based on scientific
2 findings and the needs of society. Results are used
3 to modify management policy, strategies, practices,
4 programs, and restoration activities.

5 (2) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of the Environ-
7 mental Protection Agency.

8 (3) CHESAPEAKE BAY STATE.—The term
9 “Chesapeake Bay State” or “State” means the
10 States of Maryland, West Virginia, Delaware, and
11 New York, the Commonwealths of Virginia and
12 Pennsylvania, and the District of Columbia.

13 (4) CHESAPEAKE BAY WATERSHED.—The term
14 “Chesapeake Bay watershed” means the Chesapeake
15 Bay and the geographic area, as determined by the
16 Secretary of the Interior, consisting of 36 tributary
17 basins, within the Chesapeake Bay States, through
18 which precipitation drains into the Chesapeake Bay.

19 (5) CHIEF EXECUTIVE.—The term “chief exec-
20 utive” means, in the case of a State or Common-
21 wealth, the Governor of each such State or Common-
22 wealth and, in the case of the District of Columbia,
23 the Mayor of the District of Columbia.

1 (6) DIRECTOR.—The term “Director” means
2 the Director of the Office of Management and Budget.
3 et.

4 (7) STATE RESTORATION ACTIVITIES.—The
5 term “State restoration activities” means any State
6 programs or projects carried out under State author-
7 ity that directly or indirectly protect, conserve, or re-
8 store living resources, habitat, water resources, or
9 water quality in the Chesapeake Bay watershed, in-
10 cluding programs or projects that promote respon-
11 sible land use, stewardship, and community engage-
12 ment in the Chesapeake Bay watershed. Restoration
13 activities may be categorized as follows:

14 (A) Physical restoration.

15 (B) Planning.

16 (C) Feasibility studies.

17 (D) Scientific research.

18 (E) Monitoring.

19 (F) Education.

20 (G) Infrastructure development.

21 (8) FEDERAL RESTORATION ACTIVITIES.—The
22 term “Federal restoration activities” means any
23 Federal programs or projects carried out under ex-
24 isting Federal authority that directly or indirectly
25 protect, conserve, or restore living resources, habitat,

1 water resources, or water quality in the Chesapeake
2 Bay watershed, including programs or projects that
3 provide financial and technical assistance to promote
4 responsible land use, stewardship, and community
5 engagement in the Chesapeake Bay watershed. Res-
6 toration activities may be categorized as follows:

- 7 (A) Physical restoration.
- 8 (B) Planning.
- 9 (C) Feasibility studies.
- 10 (D) Scientific research.
- 11 (E) Monitoring.
- 12 (F) Education.
- 13 (G) Infrastructure development.



55. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HERRERA BEUTLER OF WASHINGTON OR HER DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. HERRERA BEUTLER OF
WASHINGTON**

At the end of subtitle C of title XII, add the following:

1 **SEC. 123__ . SILVICULTURAL ACTIVITIES.**

2 Section 402(1) of the Federal Water Pollution Control
3 Act (33 U.S.C. 1342(1)) is amended by adding at the end
4 the following:

5 “(3) SILVICULTURAL ACTIVITIES.—

6 “(A) NPDES PERMIT REQUIREMENTS FOR
7 SILVICULTURAL ACTIVITIES.—The Adminis-
8 trator shall not require a permit or otherwise
9 promulgate regulations under this section or di-
10 rectly or indirectly require any State to require
11 a permit under this section for a discharge of
12 stormwater runoff resulting from the conduct of
13 the following silviculture activities: nursery op-
14 erations, site preparation, reforestation and
15 subsequent cultural treatment, thinning, pre-
16 scribed burning, pest and fire control, har-

1 vesting operations, surface drainage, and road
2 use, construction, and maintenance.

3 “(B) PERMITS FOR DREDGED OR FILL MA-
4 TERIAL.—Nothing in this paragraph exempts a
5 silvicultural activity resulting in the discharge
6 of dredged or fill material from any permitting
7 requirement under section 404.”.



56. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CRAWFORD OF ARKANSAS OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. CRAWFORD OF ARKANSAS**

At the end of subtitle C of title XII, add the following:

1 **SEC. 12317. APPLICABILITY OF SPILL PREVENTION, CON-**
2 **TROL, AND COUNTERMEASURE RULE.**

3 (a) IN GENERAL.—The Administrator, in imple-
4 menting the Spill Prevention, Control, and Counter-
5 measure rule with respect to any farm, shall—

6 (1) require certification of compliance with such
7 rule by—

8 (A) a professional engineer for a farm
9 with—

10 (i) an individual tank with an above-
11 ground storage capacity greater than
12 10,000 gallons;

13 (ii) an aggregate aboveground storage
14 capacity greater than or equal to 42,000
15 gallons; or

16 (iii) a history that includes a spill, as
17 determined by the Administrator; or

1 (B) the owner or operator of the farm (via
2 self-certification) for a farm with—

3 (i) an aggregate aboveground storage
4 capacity greater than 10,000 gallons but
5 less than 42,000 gallons; and

6 (ii) no history of spills, as determined
7 by the Administrator; and

8 (2) exempt from all requirements of such rule
9 any farm—

10 (A) with an aggregate aboveground storage
11 capacity of less than or equal to 10,000 gallons;
12 and

13 (B) no history of spills, as determined by
14 the Administrator.

15 (b) CALCULATION OF AGGREGATE ABOVEGROUND
16 STORAGE CAPACITY.—For the purposes of subsection (a),
17 the aggregate aboveground storage capacity of a farm ex-
18 cludes—

19 (1) all containers on separate parcels that have
20 a capacity that is less than 1,320 gallons; and

21 (2) all storage containers holding animal feed
22 ingredients approved for use in livestock feed by the
23 Food and Drug Administration.

24 (c) DEFINITIONS.—In this section, the following defi-
25 nitions apply:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) FARM.—The term “farm” has the meaning
5 given such term in section 112.2 of title 40, Code
6 of Federal Regulations.

7 (3) GALLON.—The term “gallon” refers to a
8 United States liquid gallon.

9 (4) HISTORY OF SPILLS.—The term “history of
10 spills” has the meaning used to describe the term
11 “reportable discharge history” in section 112.7(k)(1)
12 of title 40, Code of Federal Regulations (or suc-
13 cessor regulations).

14 (5) SPILL PREVENTION, CONTROL, AND COUN-
15 TERMEASURE RULE.—The term “Spill Prevention,
16 Control, and Countermeasure rule” means the regu-
17 lation promulgated by the Environmental Protection
18 Agency under part 112 of title 40, Code of Federal
19 Regulations.



57. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CRAWFORD OF ARKANSAS OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. CRAWFORD OF ARKANSAS**

At the end of subtitle C of title XII, add the following:

1 **SEC. 123 . AGRICULTURAL PRODUCER INFORMATION**
2 **DISCLOSURE.**

3 (a) **DEFINITIONS.**—In this section:

4 (1) **ADMINISTRATOR.**—The term “Adminis-
5 trator” means the Administrator of the Environ-
6 mental Protection Agency.

7 (2) **AGENCY.**—The term “Agency” means the
8 Environmental Protection Agency.

9 (3) **AGRICULTURAL OPERATION.**—The term
10 “agricultural operation” includes any operation
11 where an agricultural commodity crop is raised, in-
12 cluding livestock operations.

13 (4) **LIVESTOCK OPERATION.**—The term “live-
14 stock operation” includes any operation involved in
15 the raising or finishing of livestock or poultry.

16 (b) **DISCLOSURE OF INFORMATION.**—

17 (1) **PROHIBITION.**—Except as provided in para-
18 graph (2), the Administrator, any officer or em-

1 ployee of the Agency, or any contractor of the Agen-
2 cy, shall not make public the information of any
3 owner, operator, or employee of an agricultural oper-
4 ation provided to the Agency by a farmer, rancher,
5 or livestock producer or a State agency that has
6 been obtained in accordance with the Federal Water
7 Pollution Control Act (33 U.S.C. 1251 et seq.) or
8 any other law, including—

9 (A) names;

10 (B) telephone numbers;

11 (C) email addresses;

12 (D) physical addresses;

13 (E) Global Positioning System coordinates;

14 or

15 (F) other identifying location information.

16 (2) EFFECT.—Nothing in paragraph (1) af-
17 fects—

18 (A) the disclosure of information described
19 in paragraph (1) if—

20 (i) the information has been trans-
21 formed into a statistical or aggregate form
22 at the county level or higher without any
23 information that identifies the agricultural
24 operation or agricultural producer; or

1 (ii) the producer consents to the dis-
2 closure; or

3 (B) the authority of any State agency to
4 collect information on livestock operations.

5 (3) CONDITION OF PERMIT OR OTHER PRO-
6 GRAMS.—The approval of any permit, practice, or
7 program administered by the Administrator shall not
8 be conditioned on the consent of the agricultural
9 producer or livestock producer under paragraph
10 (2)(A)(ii).

58. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOXX
OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. FOXX OF NORTH CAROLINA
[2013 Farm Bill]**

At the end of subtitle C of title XII, add the following new section:

1 **SEC. 12 ____ . SUNSETTING OF PROGRAMS.**

2 (a) IN GENERAL.—Subject to subsection (b), each
3 fiscal year the Secretary of Agriculture may not carry out
4 any program—

5 (1) for which an authorization of appropriations
6 is established or extended under this Act; and

7 (2) that is funded by discretionary appropria-
8 tions (as defined in section 250(c) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985
10 (2 U.S.C. 900(c))).

11 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-
12 fect with respect to a program referred to in such sub-
13 section on the date on which the authorization of appro-
14 priations under this Act for such program expires.

15 (c) EXISTING OBLIGATIONS.—Subsection (a) does
16 not affect the ability of the Secretary to carry out respon-
17 sibilities with regard to loans, grants, or other obligations

- 1 made or in existence before an applicable effective date
- 2 under subsection (b).



59. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
KUSTER OF NEW HAMPSHIRE OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. KUSTER OF NEW HAMPSHIRE**

Page 200, line 2, strike "5 percent" and insert "7.5 percent".



60. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE THOMPSON OF MISSISSIPPI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. THOMPSON OF MISSISSIPPI**

Page 238, after line 13, insert the following:

- 1 “(D) The healthy forests reserve program
- 2 established under section 501 of the Healthy
- 3 Forests Restoration Act of 2003 (16 U.S.C.
- 4 6571).



61. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE THOMPSON OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. THOMPSON OF PENNSYLVANIA**

Page 256, after line 17, insert the following:

1 **SEC. 2507. CHESAPEAKE BAY TMDL.**

2 In each of fiscal years 2014 through 2018, the Sec-
3 retary, acting through the Chief of the Natural Resources
4 Conservation Service, shall provide data to, and consult
5 with, the Administrator of the Environmental Protection
6 Agency with regard to water quality and nutrient manage-
7 ment relating to ongoing modeling for the Chesapeake Bay
8 watershed, including the establishment of total maximum
9 daily loads under the Federal Water Pollution Control Act
10 (33 U.S.C. 1251 et seq.) for such watershed.



62. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
PEARCE OF NEW MEXICO OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. PEARCE OF NEW MEXICO**

At the end of subtitle G of title II, insert the following new section:

**1 SEC. 2609. LESSER PRAIRIE-CHICKEN CONSERVATION RE-
2 PORT.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of enactment of this Act, the Secretary shall submit
5 to the House Committee on Agriculture and the Senate
6 Committee on Agriculture, Nutrition, and Forestry a re-
7 port containing the results of a review and analysis of each
8 of the programs administered by the Secretary that per-
9 tain to the conservation of the lesser prairie-chicken, in-
10 cluding the conservation reserve program, the environ-
11 mental quality incentives program, the wildlife habitat in-
12 centive program, and the Lesser Prairie-Chicken Initia-
13 tive.

14 (b) CONTENTS.—The Secretary shall include in the
15 report required by this section, at a minimum—

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

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

4 (B) the conservation effectiveness of the
5 program; and

6 (C) the cost-effectiveness of the program;
7 and

8 (2) a ranking of the programs described in sub-
9 section (a) based on their relative cost-effectiveness.



63. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CRAMER OF NORTH DAKOTA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. CRAMER OF NORTH DAKOTA**

Page 265, after line 22, insert the following:

1 **SEC. 2609. WETLANDS MITIGATION.**

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

4 (1) in subsection (f)—

5 (A) in paragraph (2)(D), by striking “un-
6 less more acreage is needed to provide equiva-
7 lent functions and values that will be lost as a
8 result of the wetland conversion to be miti-
9 gated”; and

10 (B) in paragraph (2)(E)—

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

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

17 (2) by striking subsection (g).



64. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
KEATING OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. KEATING OF MASSACHUSETTS**

Page 290, after line 9, insert the following new sub-
section:

1 (c) U.S. ATLANTIC SPINY DOGFISH STUDY.—Not
2 later than 90 days after the date of the enactment of this
3 Act, the Secretary shall conduct an economic study on the
4 existing market in the United States for U.S. Atlantic
5 Spiny Dogfish.



65. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE REED
OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO
RULES COMMITTEE PRINT 113-14, H.R. 1947
FEDERAL AGRICULTURE REFORM AND RISK
MANAGEMENT ACT OF 2013
OFFERED BY MR. REED OF NEW YORK**

Strike section 4015 and insert the following:

1 **SEC. 4015. DATA EXCHANGE STANDARDIZATION FOR IM-**
2 **PROVED INTEROPERABILITY.**

3 (a) DATA EXCHANGE STANDARDIZATION.—Section
4 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020)
5 is amended by adding at the end the following:

6 “(v) DATA EXCHANGE STANDARDS FOR IMPROVED
7 INTEROPERABILITY.—

8 “(1) DESIGNATION—The Secretary shall, in
9 consultation with an interagency work group estab-
10 lished by the Office of Management and Budget, and
11 considering State government perspectives, designate
12 data exchange standards to govern, under this
13 part—

14 “(A) necessary categories of information
15 that State agencies operating such programs
16 are required under applicable law to electroni-
17 cally exchange with another State agency; and

1 “(B) Federal reporting and data exchange
2 required under applicable law.

3 “(2) REQUIREMENTS—The data exchange
4 standards required by paragraph (1) shall, to the ex-
5 tent practicable—

6 “(A) incorporate a widely accepted, non-
7 proprietary, searchable, computer-readable for-
8 mat, such as the eXtensible Markup Language;

9 “(B) contain interoperable standards devel-
10 oped and maintained by intergovernmental
11 partnerships, such as the National Information
12 Exchange Model;

13 “(C) incorporate interoperable standards
14 developed and maintained by Federal entities
15 with authority over contracting and financial
16 assistance;

17 “(D) be consistent with and implement ap-
18 plicable accounting principles;

19 “(E) be implemented in a manner that is
20 cost-effective and improves program efficiency
21 and effectiveness; and

22 “(F) be capable of being continually up-
23 graded as necessary.

24 “(3) RULES OF CONSTRUCTION.—Nothing in
25 this subsection shall be construed to require a

1 change to existing data exchange standards for Fed-
2 eral reporting found to be effective and efficient.”.

3 (b) **Effective Date**—The Secretary shall issue a pro-
4 posed rule within 24 months after the date of the enact-
5 ment of this Act. The rule shall identify federally-required
6 data exchanges, include specification and timing of ex-
7 changes to be standardized, and address the factors used
8 in determining whether and when to standardize data ex-
9 changes. It should also specify state implementation op-
10 tions and describe future milestones.



66. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG
OF ALASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO
RULES COMMITTEE PRINT 113-14, H.R. 1947
FEDERAL AGRICULTURE REFORM AND RISK
MANAGEMENT ACT OF 2013
OFFERED BY MR. YOUNG OF ALASKA**

At the end of subtitle A of title IV, insert the following:

1 **SEC. 4033. SERVICE OF TRADITIONAL FOODS IN PUBLIC FA-**
2 **CILITIES.**

3 (a) **DEFINITIONS.**—In this section:

4 (1) **FOOD SERVICE PROGRAM.**—The term “food
5 service program” includes—

6 (A) food service at a residential child care
7 facility with a license from an appropriate State
8 agency;

9 (B) a child nutrition program (as defined
10 in section 25(b) of the Richard B. Russell Na-
11 tional School Lunch Act (42 U.S.C. 1769f (b));

12 (C) food service at a hospital or clinic or
13 long term care facility; and

14 (D) a senior meal program.

15 (2) **INDIAN; INDIAN TRIBE; INDIAN TRIBAL OR-**
16 **GANIZATION.**—The terms “Indian”; “Indian tribe”;

1 and “Indian Tribal Organization” have the mean-
2 ings given those terms in section 4 of the Indian
3 Self-Determination and Education Assistance Act
4 (25 U.S.C. 450b).

5 (3) TRADITIONAL FOOD.—

6 (A) IN GENERAL.—The term “traditional
7 food” means food that has traditionally been
8 prepared and consumed by an Indian tribe.

9 (B) INCLUSIONS.—The term “traditional
10 food” includes—

- 11 (i) wild game meat;
- 12 (ii) fish;
- 13 (iii) seafood;
- 14 (iv) marine mammals;
- 15 (iv) plants; and
- 16 (v) berries.

17 (b) PROGRAM.—Notwithstanding any other provision
18 of law, the Secretary shall allow the donation to and serv-
19 ing of traditional food through a food service program at
20 a public facility, nonprofit facility, including facilities oper-
21 ated by an Indian tribe or tribal organization that pri-
22 marily serves Indians if the operator of the food service
23 program—

1 (1) ensures that the food is received whole, gut-
2 ted, gilled, as quarters, or as a roast, without fur-
3 ther processing;

4 (2) makes a reasonable determination that—

5 (A) the animal was not diseased;

6 (B) the food was butchered, dressed, trans-
7 ported, and stored to prevent contamination,
8 undesirable microbial growth, or deterioration;
9 and

10 (C) the food will not cause a significant
11 health hazard or potential for human illness;

12 (3) carries out any further preparation or proc-
13 essing of the food at a different time or in a dif-
14 ferent space from the preparation or processing of
15 other food for the applicable program to prevent
16 cross-contamination;

17 (4) cleans and sanitizes food-contact surfaces of
18 equipment and utensils after processing the tradi-
19 tional food; and

20 (5) labels donated traditional food with the
21 name of the food and stores the traditional food sep-
22 arately from other food for the applicable program,
23 including through storage in a separate freezer or
24 refrigerator or in a separate compartment or shelf in
25 the freezer or refrigerator.

1 (c) LIABILITY.—Liability for damages from donated
2 traditional food and products to the participating food
3 service program shall not be subject to civil or criminal
4 liability arising from the nature, age, packaging, or condi-
5 tion of donated food.



67. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
NEGRETE MCLEOD OF CALIFORNIA OR HER DESIGNEE,
DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO
RULES COMMITTEE PRINT 113-14, H.R. 1947
FEDERAL AGRICULTURE REFORM AND RISK
MANAGEMENT ACT OF 2013
OFFERED BY MRS. NEGRETE MCLEOD OF
CALIFORNIA**

At the end of subtitle A of title IV, insert the following:

1 **SEC. 4033. FEASIBILITY STUDY FOR INDIAN TRIBES.**

2 Section 4 of the Food and Nutrition Act of 2008 (7
3 U.S.C. 2013) is amended by adding at the end the following:
4

5 “(d) **FEASIBILITY STUDY FOR INDIAN TRIBES.**—

6 “(1) **STUDY.**—The Secretary shall conduct a
7 study to determine the feasibility of a tribal demonstration
8 project for tribes to administer all Federal food assistance
9 programs, services, functions, and activities (or portions thereof) of the agency.
10

11 “(2) **CONSIDERATIONS.**—In conducting the
12 study, the Secretary shall consider—

13 “(A) the probable effects on specific programs and program beneficiaries of such a
14 demonstration project;
15

1 “(B) statutory, regulatory, or other im-
2 pediments to implementation of such a dem-
3 onstration project;

4 “(C) strategies for implementing such a
5 demonstration project;

6 “(D) probable costs or savings associated
7 with such a demonstration project;

8 “(E) methods to assure quality and ac-
9 countability in such a demonstration project;
10 and

11 “(F) such other issues that may be deter-
12 mined by the Secretary or developed through
13 consultation with pursuant to paragraph (4).

14 “(3) REPORT.—Not later than 18 months after
15 the effective date of this subsection, the Secretary
16 shall submit a report to the Committee on Agri-
17 culture, Nutrition and Forestry of the Senate and
18 the Committee on Agriculture of the House of Rep-
19 resentatives. The report shall contain—

20 “(A) the results of the study under this
21 subsection;

22 “(B) a list of programs, services, functions,
23 and activities (or portions thereof) within each
24 agency with respect to which it would be fea-

1 sible to include in a tribal demonstration
2 project;

3 “(C) a list of programs, services, functions,
4 and activities (or portions thereof) included in
5 the list provided pursuant to subparagraph (B)
6 that could be included in a tribal demonstration
7 project without amending a statute, or waiving
8 regulations that the Secretary may not waiver;
9 and

10 “(D) a list of legislative actions required in
11 order to include those programs, services, func-
12 tion, and activities (or portions thereof) in-
13 cluded in the list provided pursuant to subpara-
14 graph (B) but not included in the list provided
15 pursuant to subparagraph (C), in a tribal dem-
16 onstration project.

17 “(4) CONSULTATION WITH INDIAN TRIBES.—
18 The Secretary shall consult with Indian tribes to de-
19 termine a protocol for consultation under paragraph
20 (1) prior to consultation under such paragraph with
21 the other entities described in such paragraph. The
22 protocol shall require, at a minimum, that—

23 “(A) the government-to-government rela-
24 tionship with Indian tribes forms the basis for
25 the consultation process;

1 “(B) the Indian tribes and the Secretary
2 jointly conduct the consultations required by
3 this subsection; and

4 “(C) the consultation process allows for
5 separate and direct recommendations from the
6 Indian tribes and other entities described in
7 paragraph (1).

8 “(5) AUTHORIZATION OF APPROPRIATIONS.—
9 There are authorized to be appropriated such sums
10 as may be necessary to carry out this subsection.
11 Such sums shall remain available until expended.”.

68. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DUCKWORTH OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. DUCKWORTH OF ILLINOIS**

Page 366, after line 20, insert the following:

1 **SEC. 4208. STUDY ON FUNDING FOR EMERGENCY FEEDING**
2 **ORGANIZATIONS.**

3 (a) **IN GENERAL.**—Subject to the availability of ap-
4 propriations for such purpose, the Secretary shall conduct
5 a study of the impact on emergency feeding organizations
6 of cuts made to the supplemental nutrition assistance pro-
7 gram pursuant to this Act and the Healthy, Hunger Free
8 Kids Act of 2010 (Public Law 111–296).

9 (b) **MATTERS TO BE ASSESSED.**—In carrying out the
10 study under subsection (a), the Secretary shall assess the
11 following:

12 (1) In the month preceding the implementation
13 of the cuts described in subsection (a)—

14 (A) a baseline of the number of clients
15 served by emergency feeding organizations;

16 (B) a baseline of the frequency that clients
17 visit an emergency feeding organization during
18 the month; and

1 (C) a baseline of the amount of food dis-
2 tributed by emergency feeding organizations
3 during the month.

4 (2) Two months and four months following the
5 implementation of such cuts (or at such other times
6 the Secretary determines appropriate to best meas-
7 ure the impact of such cuts)—

8 (A) the change in the number of clients
9 seeking food assistance from emergency feeding
10 organizations;

11 (B) the change in the frequency that cli-
12 ents seek food assistance from emergency feed-
13 ing organizations;

14 (C) the adequacy of supply of donated food
15 to emergency feeding organizations to meet de-
16 mand for food assistance; and

17 (D) the total number of clients served and
18 number of clients turned away or reductions in
19 the amount of food distributed to clients by
20 emergency feeding organizations because of the
21 lack of resources to meet the need for food as-
22 sistance.

23 (c) REPORT.—Not later than September 30, 2014,
24 the Secretary shall submit to Congress a report describ-
25 ing—

1 (1) the impact of cuts described in subsection
2 (a) on demand at emergency feeding organizations;
3 and

4 (2) the ability of emergency feeding organiza-
5 tions to meet changes in need resulting from such
6 cuts.

7 (d) EMERGENCY FEEDING ORGANIZATION DE-
8 FINED.—In this section, the term “emergency feeding or-
9 ganization” has the meaning given the term in section
10 201A of the Emergency Food Assistance Act of 1983 (7
11 U.S.C. 7501).



69. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CROWLEY OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
 OF H.R. 1947
 OFFERED BY MR. CROWLEY OF NEW YORK
 [2013 Farm Bill]**

At the end of subtitle C of title IV, add the following
 new section:

**1 SEC. 4208. PURCHASE OF HALAL AND KOSHER FOOD FOR
 2 EMERGENCY FOOD ASSISTANCE PROGRAM.**

3 Section 202 of the Emergency Food Assistance Act
 4 of 1983 (7 U.S.C. 7502) is amended by adding at the end
 5 the following:

6 “(h) KOSHER AND HALAL FOOD.—As soon as prac-
 7 ticable after the date of enactment of this subsection, the
 8 Secretary shall finalize and implement a plan—

9 “(1) to increase the purchase of Kosher and
 10 Halal food from food manufacturers with a Kosher
 11 or Halal certification to carry out the program es-
 12 tablished under this Act if the Kosher and Halal
 13 food purchased is cost neutral as compared to food
 14 that is not from food manufacturers with a Kosher
 15 or Halal certification; and

16 “(2) to modify the labeling of the commodities
 17 list used to carry out the program in a manner that

1 enables Kosher and Halal food bank operators to
2 identify which commodities to obtain from local food
3 banks.”.



70. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HUIZENGA OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO
RULES COMMITTEE PRINT 113-14, H.R. 1947
FEDERAL AGRICULTURE REFORM AND RISK
MANAGEMENT ACT OF 2013
OFFERED BY MR. HUIZENGA OF MICHIGAN**

At the end of subtitle C of title IV, insert the following:

1 **SEC. 4208. REVIEW OF SOLE-SOURCE CONTRACTS IN FED-**
2 **ERAL NUTRITION PROGRAMS.**

3 The Secretary shall conduct an evaluation of sole-
4 source contracts in Federal nutrition programs, and the
5 effect such contracts have on program participation, pro-
6 gram goals, nonprogram consumers, retailers, and free
7 market dynamics. Not later than 1 year after the date of
8 the enactment of this Act, the Secretary shall report the
9 findings of this review to the Committee on Agriculture
10 of the House of Representatives and the Committee on
11 Agriculture, Nutrition, and Forestry of the Senate.



71. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GARDNER OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. GARDNER OF COLORADO**

Page 393, after line 22, insert the following:

1 **SEC. ____ . RURAL UTILITIES SERVICE CONTRACTING AU-**
2 **THORITY.**

3 Section 18(c) of the Rural Electrification Act of 1936
4 (7 U.S.C. 918(c)) is amended—

5 (1) in paragraph (1), by striking “Rural Elec-
6 trification Administration” each place it appears and
7 inserting “Rural Utilities Service”; and

8 (2) in paragraph (4)—

9 (A) in the paragraph heading, by
10 insertiong “COOPERATIVE” before “AGREE-
11 MENTS”; and

12 (B) by inserting after the 1st sentence the
13 following: “A contract funded by a borrower
14 that is to be paid for out of the general funds
15 of the borrower is not a public contract within
16 the meaning of title 41, United States Code”.



72. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUIZ
OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. RUIZ OF CALIFORNIA**

Page 401, after line 4, insert the following:

1 **SEC. _____. TELEMEDICINE AND DISTANCE LEARNING**
2 **SERVICES IN RURAL AREAS.**

3 Section 2333(d) of the Food, Agriculture, Conserva-
4 tion, and Trade Act of 1990 (7 U.S.C. 950aaa-2(d)) is
5 amended—

6 (1) by striking “and” at the end of paragraph
7 (12); and

8 (2) by redesignating paragraph (13) as para-
9 graph (14) and inserting after paragraph (12) the
10 following:

11 “(13) whether the applicant for assistance is lo-
12 cated in a designated health professional shortage
13 area (within the meaning of section 332 of the Pub-
14 lic Health Service Act)”.

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73. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MICHAUD OF MAINE OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. MICHAUD OF MAINE**

Page 401, after line 4, insert the following:

1 **SEC. _____ . REGIONAL ECONOMIC AND INFRASTRUCTURE**
2 **DEVELOPMENT.**

3 Section 15751 of title 40, United States Code, is
4 amended—

5 (1) in subsection (a), by striking “2012” and
6 inserting “2018”; and

7 (2) in subsection (b)—

8 (A) by striking “Not more than” and in-
9 serting the following:

10 “(1) **IN GENERAL.**—Except as provided in para-
11 graph (2), not more than”; and

12 (B) by adding at the end the following:

13 “(2) **LIMITED FUNDING.**—In a case in which
14 less than \$10,000,000 is made available to a Com-
15 mission for a fiscal year under this section, para-
16 graph (1) shall not apply.”.



74. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TURNER OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. TURNER OF OHIO**

At the end of subtitle A of title VII (page 430, after line 18), add the following:

1 **SEC. 7129. SENSE OF CONGRESS REGARDING EXPANSION**
2 **OF THE LAND GRANT PROGRAM TO INCLUDE**
3 **ENHANCED FUNDING AND ADDITIONAL IN-**
4 **STITUTIONS.**

5 It is the sense of the Congress that—

6 (1) institutions of higher education designated
7 under the Act of August 30, 1890 (commonly
8 known, and referred to in this section, as the “Sec-
9 ond Morrill Act”; 7 U.S.C. 321 et seq.) have played
10 an integral role in the education and advancement of
11 agriculture and mechanic arts for over a century;

12 (2) in addition to those institutions, a number
13 of colleges and universities have fulfilled similar and
14 parallel missions in successfully training and grad-
15 uating generations of students who have gone on to
16 be leaders in their field;

17 (3) the colleges and universities, both with and
18 without designation under the Second Morrill Act,

1 fulfill a vital role to the future of industry, opportu-
2 nities for increased job creation, and the strength of
3 American agriculture;

4 (4) Congress must ensure that the United
5 States' higher education framework and policies
6 meet the needs of young Americans, and that stu-
7 dents from across the country are able to choose
8 from a variety of institutions and programs that will
9 equip them with the skills and training necessary to
10 achieve their individual goals; and

11 (5) as Congress and the agricultural community
12 generally consider policies and approaches to im-
13 prove research, extension, and education in the agri-
14 cultural sciences, expansion of the land grant pro-
15 gram under the Second Morrill Act to include en-
16 hanced funding and additional institutions should be
17 considered.



75. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GABBARD OF HAWAII OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. GABBARD OF HAWAII**

Page 433, line 17, strike “ ‘subsections (e) and (f)’ ”
and insert “ ‘subsections (e), (f), and (g)’ ”.

Page 433, line 20, strike “ ‘subsections (e) and (f)’ ”
and insert “ ‘subsections (e), (f), and (g)’ ”.

Page 433, line 23, strike “subsections (e), (f), and
(g)” and insert “subsections (e), (f), and (h)”.

Page 434, line 10, strike “and” at the end.

Page 434, after line 10, insert the following new
paragraph:

1 (6) by inserting after subsection (f) (as redesign-
2 nated by paragraph (4)) the following new sub-
3 section:
4 “(g) COFFEE PLANT HEALTH INITIATIVE.—
5 “(1) ESTABLISHMENT.—The Secretary shall es-
6 tablish a coffee plant health initiative to address the
7 critical needs of the coffee industry by—

1 “(A) developing and disseminating science-
2 based tools and treatments to combat the coffee
3 berry borer (*Hypothenemus hampei*); and

4 “(B) establishing an area-wide integrated
5 pest management program in areas affected by
6 or areas at risk of being affected by the coffee
7 berry borer.

8 “(2) ELIGIBLE ENTITIES.—The Secretary may
9 carry out the coffee plant health initiative through—

10 “(A) Federal agencies, including the Agri-
11 cultural Research Service and the National In-
12 stitute of Food and Agriculture;

13 “(B) National Laboratories;

14 “(C) institutions of higher education;

15 “(D) research institutions or organizations;

16 “(E) private organizations or corporations;

17 “(F) State agricultural experiment sta-
18 tions;

19 “(G) individuals; or

20 “(H) groups consisting of 2 or more enti-
21 ties or individuals described in subparagraphs
22 (A) through (G).

23 “(3) PROJECT GRANTS AND COOPERATIVE
24 AGREEMENTS.—In carrying out this subsection, the
25 Secretary shall—

1 “(A) enter into cooperative agreements
2 with eligible entities, as appropriate; and

3 “(B) award grants on a competitive basis.

4 “(4) AUTHORIZATION OF APPROPRIATIONS.—

5 There is authorized to be appropriated to carry out

6 this subsection \$2,000,000 for each of fiscal years

7 2014 through 2018.”; and

Page 434, line 11, strike “(6) in subsection (g)” and
insert “(7) in subsection (h)”.



76. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
FALEOMAVAEGA OF AMERICAN SAMOA OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. FALEOMAVAEGA OF AMERICAN
SAMOA**

Page 460, line 1, insert “**AMERICAN SAMOA, FEDERATED STATES OF MICRONESIA, AND**” before “**NORTHERN MARIANA**”.

Page 460, line 7, insert “American Samoa, the Federated States of Micronesia,” before “and the Commonwealth”.



77. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SLAUGHTER OF NEW YORK OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. SLAUGHTER OF NEW YORK**

Strike section 7514 and insert the following new section:

- 1 **SEC. 7514. RESEARCH AND EDUCATION GRANTS FOR THE**
- 2 **STUDY OF ANTIBIOTIC-RESISTANT BACTERIA.**
- 3 Section 7521(c) of the Food, Conservation, and En-
- 4 ergy Act of 2008 (7 U.S.C. 3202(c)) is amended by strik-
- 5 ing “2012” and inserting “2018”.



78. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOSAR
OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. GOSAR OF ARIZONA**

Page 481, line 17, strike the closing quotation marks and the second period.

Page 481, after line 17, insert the following:

1 “(7) FIRE LIABILITY PROVISIONS.—Not later
2 than 90 days after the date of enactment of this
3 paragraph, the Chief and the Director shall issue for
4 use in all contracts and agreements under this sec-
5 tion fire liability provisions that are in substantially
6 the same form as the fire liability provisions con-
7 tained in—

8 “(A) integrated resource timber contracts,
9 as described in the Forest Service contract
10 numbered 2400–13, part H, section H.4; and

11 “(B) timber sale contracts conducted pur-
12 suant to section 14 of the National Forest
13 Management Act of 1976 (16 U.S.C. 472a).”.



79. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
COTTON OF ARKANSAS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. COTTON OF ARKANSAS**

Page 486, lines 15 and 19, insert “, management,” after “restoration”.

Page 486, line 22, strike “trees” and insert “forests”.

Page 486, line 24, strike “and” and insert the following:

- 1 (C) activities involving commercial har-
- 2 vesting or other mechanical vegetative treat-
- 3 ments; or

Page 487, line 1, strike “(C)” and insert “(D)”.

Page 487, lines 8, 13, and 24 insert “, management,” after “restoration”.

Page 488, line 4, insert “, management,” after “restoration”.



80. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TIPTON
OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. TIPTON OF COLORADO**

At the end of subtitle E of title VIII, add the following:

1 **SEC. 8408. FOREST SERVICE LARGE AIRTANKER AND AER-**
2 **IAL ASSET FIREFIGHTING RECAPITALIZA-**
3 **TION PILOT PROGRAM.**

4 (a) **IN GENERAL.**—Subject to the availability of ap-
5 propriations, the Secretary, acting through the Chief of
6 the Forest Service, may establish a large airtanker and
7 aerial asset lease program in accordance with this section.

8 (b) **AIRCRAFT REQUIREMENTS.**—In carrying out the
9 program described in subsection (a), the Secretary may
10 enter into a multiyear lease contract for up to five aircraft
11 that meet the criteria—

12 (1) described in the Forest Service document
13 entitled “Large Airtanker Modernization Strategy”
14 and dated February 10, 2012, for large airtankers;
15 and

16 (2) determined by the Secretary, for other aer-
17 ial assets.

1 (c) LEASE TERMS.—The term of any individual lease
2 agreement into which the Secretary enters under this sec-
3 tion shall be—

4 (1) up to five years, inclusive of any options to
5 renew or extend the initial lease term; and

6 (2) in accordance with section 3903 of title 41,
7 United States Code.

8 (d) PROHIBITION.—No lease entered into under this
9 section shall provide for the purchase of the aircraft by,
10 or the transfer of ownership to, the Forest Service.



81. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRIFFITH OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. GRIFFITH OF VIRGINIA**

At the end of title VIII, add the following new section:

1 **SEC. 8408. LAND CONVEYANCE, JEFFERSON NATIONAL**
2 **FOREST IN WISE COUNTY, VIRGINIA.**

3 (a) CONVEYANCE REQUIRED.—Upon payment by the
4 Association of the consideration under subsection (b) and
5 the costs under subsection (d), the Secretary shall, subject
6 to valid existing rights, convey to the Association all right,
7 title, and interest of the United States in and to a parcel
8 of National Forest System land in the Jefferson National
9 Forest in Wise County, Virginia, consisting of approxi-
10 mately 0.70 acres and containing the Mullins and Sturgill
11 Cemetery and an easement to provide access to the parcel,
12 as generally depicted on the map.

13 (b) CONSIDERATION.—

14 (1) FAIR MARKET VALUE.—As consideration for
15 the land conveyed under subsection (a), the Associa-
16 tion shall pay to the Secretary cash in an amount
17 equal to the market value of the land, as determined
18 by an appraisal approved by the Secretary and con-

1 ducted in conformity with the Uniform Appraisal
2 Standards for Federal Land Acquisitions and section
3 206 of the Federal Land Policy and Management
4 Act of 1976 (43 U.S.C. 1716).

5 (2) DEPOSIT.—The consideration received by
6 the Secretary under paragraph (1) shall be deposited
7 into the general fund of the Treasury of the United
8 States for the purposes of deficit reduction.

9 (c) DESCRIPTION OF PROPERTY.—The exact acreage
10 and legal description of the land to be conveyed under sub-
11 section (a) shall be determined by a survey satisfactory
12 to the Secretary.

13 (d) COSTS.—The Association shall pay to the Sec-
14 retary at closing the reasonable costs of the survey, the
15 appraisal, and any administrative and environmental anal-
16 yses required by law.

17 (e) DEFINITIONS.—In this section:

18 (1) ASSOCIATION.—The term “Association”
19 means the Mullins and Sturgill Cemetery Associa-
20 tion of Pound, Virginia.

21 (2) MAP.—The term “map” means the map ti-
22 tled “Mullins and Sturgill Cemetery” dated March
23 1, 2013.

24 (3) SECRETARY.—The term “Secretary” means
25 the Secretary of Agriculture.

1 (f) ADDITIONAL TERMS AND CONDITIONS.— The
2 Secretary may require such additional terms and condi-
3 tions in connection with the conveyance under subsection
4 (a) as the Secretary considers appropriate to protect the
5 interests of the United States.



82. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MEADOWS OF NORTH CAROLINA OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO H.R. 1947, AS REPORTED
OFFERED BY MR. MEADOWS OF NORTH
CAROLINA**

At the end of title VIII, add the following new section:

1 **SEC. 8408. CATEGORICAL EXCLUSION FOR FOREST**
2 **PROJECTS IN RESPOSE TO EMERGENCIES.**

3 In the case of National Forest System land damaged
4 by a natural disaster regarding which the President de-
5 clares a disaster or emergency pursuant to the Robert T.
6 Stafford Disaster Relief and Emergency Assistance Act
7 (42 U.S.C. 5121 et seq.), any forest project carried out
8 to clean up or restore the damaged National Forest Sys-
9 tem land during the two-year period beginning on the date
10 of the declaration shall be categorically excluded from the
11 requirements relating to environmental assessments or en-
12 vironmental impact statements under section 1508.4 of
13 title 40, Code of Federal Regulations.



83. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LOEBSACK OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. LOEBSACK OF IOWA**

Page 502, strike lines 20 through 24.

Page 503, line 1, redesignate paragraph (2) as subsection (a) and conform the margins accordingly.

Page 503, line 5, redesignate subparagraph (A) as paragraph (1) and conform the margins accordingly.

Page 503, beginning on line 5, strike “paragraph (2) as paragraph (3)” and insert “paragraphs (2) and (3) as paragraphs (3) and (4), respectively”.

Page 503, line 7, redesignate subparagraph (B) as paragraph (2) and conform the margins accordingly.



84. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRIMM
OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. GRIMM OF NEW YORK**

At the end of title IX, add the following new section:

1 **SEC. ____ . ENERGY EFFICIENCY REPORT FOR USDA FACILI-**
2 **TIES.**

3 (a) REPORT.—Not later than 180 days after the date
4 of the enactment of this Act, the Secretary of Agriculture
5 shall submit to the Committee on Agriculture of the House
6 of Representatives and the Committee on Agriculture, Nu-
7 trition, and Forestry of the Senate a report on energy use
8 and energy efficiency projects at Department of Agri-
9 culture facilities.

10 (b) CONTENTS.—The report required by subsection
11 (a) shall include the following:

12 (1) An analysis of energy use by Department of
13 Agriculture facilities.

14 (2) A list of energy audits that have been con-
15 ducted at such facilities.

16 (3) A list of energy efficiency projects that have
17 been conducted at such facilities.

18 (4) A list of energy savings projects that could
19 be achieved with enacting a consistent, timely, and

1 proper mechanical insulation maintenance program
2 and upgrading mechanical insulation at such facili-
3 ties.



85. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CÁRDENAS OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. CÁRDENAS OF CALIFORNIA**

Page 527, strike lines 20 through 23 and insert the following:

1 **SEC. 10006. FOOD SAFETY EDUCATION INITIATIVES.**

2 Section 10105 of the Food, Conservation, and En-
3 ergy Act of 2008 (7 U.S.C. 7655) is amended—

4 (1) in subsection (a)—

5 (A) in the matter preceding paragraph (1),
6 by inserting “, including farm workers” after
7 “industry”;

8 (B) in paragraph (2), by striking the pe-
9 riod at the end and inserting “; and”; and

10 (C) by adding at the end the following new
11 paragraph:

12 “(3) practices that prevent bacterial contamina-
13 tion of food, how to identify sources of food contami-
14 nation, and other means of decreasing food contami-
15 nation.”; and

16 (2) in subsection (c), by striking “2012” and
17 inserting “2018”.



86. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCOTT
OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. AUSTIN SCOTT OF GEORGIA**

After section 10007, insert the following new section
(and redesignate succeeding sections and conform the
table of contents accordingly):

**1 SEC. 10008. DEPARTMENT OF AGRICULTURE CONSULTA-
2 TION REGARDING ENFORCEMENT OF CER-
3 TAIN LABOR LAW PROVISIONS.**

4 Not later than 60 days after the date of enactment
5 of this Act, the Secretary of Agriculture shall consult with
6 the Secretary of Labor regarding the restraining of ship-
7 ments of agricultural commodities, or the confiscation of
8 such commodities, by the Department of Labor for actual
9 or suspected labor law violations in order to consider—

10 (1) the perishable nature of such commodities;

11 (2) the impact of such restraining or confisca-
12 tion on the economic viability of farming operations;

13 and

14 (3) the competitiveness of specialty crops
15 through grants awarded to States under section 101

1 of the Specialty Crops Competitiveness Act of 2004
2 (7 U.S.C. 1621 note).



87. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
KAPTUR OF OHIO OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. KAPTUR OF OHIO**

Page 545, after line 9, insert the following:

1 **SEC. 10018. ANNUAL REPORT ON INVASIVE SPECIES.**

2 (a) INITIAL REPORT.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of the enactment of this Act, the Sec-
5 retary shall submit to Congress a report on invasive
6 species.

7 (2) MATTERS INCLUDED.—The report under
8 paragraph (1) shall include the following:

9 (A) A list of each invasive species that is
10 in the United States as of the date of the re-
11 port.

12 (B) For each invasive species listed under
13 subparagraph (A)—

14 (i) the country that the species origi-
15 nated;

16 (ii) the means in which the species en-
17 tered the United States;

18 (iii) the year in which the species en-
19 tered the United States;

1 (iv) the rate by which the entry of the
2 species is increasing or decreasing;

3 (v) cost estimates, covering both the
4 date of the report and future periods, of
5 the cost of such species to the public and
6 private sectors;

7 (vi) if cost estimates cannot be con-
8 ducted under clause (iv), a detailed expla-
9 nation of why;

10 (vii) environmental impact estimates,
11 covering both the date of the report and
12 future periods, of the environmental im-
13 pact of the species;

14 (viii) if environmental impact esti-
15 mates cannot be conducted under clause
16 (iv), a detailed explanation of why;

17 (ix) recommendations as to what steps
18 are needed to combat the species;

19 (x) a description of the ongoing re-
20 search occurring to combat the species;
21 and

22 (xi) a description of any legal recourse
23 available to people affected by the species.

24 (C) Any other matter the Secretary deter-
25 mines appropriate.

1 (3) PERIOD COVERED.—The report under para-
2 graph (1) shall cover the period beginning in 1980
3 and ending on the date on which the report is sub-
4 mitted.

5 (b) ANNUAL UPDATED REPORTS.—Not later than
6 October 1 of each fiscal year beginning after the date on
7 which the report under paragraph (1) of subsection (a)
8 is submitted, the Secretary shall submit annually to Con-
9 gress an updated report, including an update to each of
10 the matters described in paragraph (2) of such subsection.

11 (c) PUBLIC AVAILABILITY.—The Secretary shall
12 make each report under this section available to the pub-
13 lic.



88. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOXX
OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. FOXX OF NORTH CAROLINA**

In section 11001, insert “(a) IN GENERAL.—” before “Section 502(c)” and add at the end the following new subsection:

1 (b) DISCLOSURE OF CROP INSURANCE PREMIUM
2 SUBSIDIES MADE ON BEHALF OF MEMBERS OF CON-
3 GRESS AND CERTAIN OTHER INDIVIDUALS AND ENTI-
4 TIES.—Section 502(c)(2) of the Federal Crop Insurance
5 Act (7 U.S.C. 1502(c)(2)) is amended—

6 (1) by redesignating subparagraphs (A) and
7 (B) as subparagraphs (D) and (E) respectively; and
8 (2) by inserting before subparagraph (C) (as so
9 redesignated) the following:

10 “(A) DISCLOSURE IN THE PUBLIC INTER-
11 EST.—Notwithstanding paragraph (1) or any
12 other provision of law, except as provided in
13 subparagraph (B), the Secretary shall on an
14 annual basis make available to the public—

15 “(i)(I) the name of each individual or
16 entity specified in subparagraph (C) who
17 obtained a federally subsidized crop insur-

1 ance, livestock, or forage policy or plan of
2 insurance during the previous fiscal year;

3 “(II) the amount of premium subsidy
4 received by that individual or entity from
5 the Corporation; and

6 “(III) the amount of any Federal por-
7 tion of indemnities paid in the event of a
8 loss during that fiscal year for each policy
9 associated with that individual or entity;
10 and

11 “(ii) for each private insurance pro-
12 vider, by name—

13 “(I) the underwriting gains
14 earned through participation in the
15 federally subsidized crop insurance
16 program; and

17 “(II) the amount paid under this
18 subtitle for—

19 “(aa) administrative and op-
20 erating expenses;

21 “(bb) any Federal portion of
22 indemnities and reinsurance; and

23 “(cc) any other purpose.

24 “(B) LIMITATION.—The Secretary shall
25 not disclose information pertaining to individ-

1 uals and entities covered by a catastrophic risk
2 protection plan offered under section 508(b).

3 “(C) COVERED INDIVIDUALS AND ENTI-
4 TIES.—Subparagraph (A) applies with respect
5 to the following:

6 “(i) Members of Congress and their
7 immediate families.

8 “(ii) Cabinet Secretaries and their im-
9 mediate families.

10 “(iii) Entities of which any individual
11 described in clause (i) or (ii), or combina-
12 tion of such individuals, is a majority
13 shareholder.”.



89. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SCHOCK OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. SCHOCK OF ILLINOIS**

Page 578, line 20, insert "pennycress," after "alfalfa,".



90. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BARR
OF KENTUCKY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. BARR OF KENTUCKY**

Page 590, after line 15, insert the following:

1 **SEC. 11025. ADVANCE PUBLIC NOTICE OF CROP INSURANCE**
 2 **POLICY AND PLAN CHANGES.**

3 Section 505(e) of the Federal Crop Insurance Act (7
 4 U.S.C. 1505(e)) is amended—

5 (1) by redesignating paragraphs (5) and (6) as
 6 paragraphs (6) and (7); respectively; and

7 (2) by inserting after paragraph (4) the fol-
 8 lowing new paragraph (5):

9 “(5) **ADVANCE NOTICE OF MODIFICATION BE-**
 10 **FORE IMPLEMENTATION.—**

11 “(A) **IN GENERAL.—**Any modification to
 12 be made in the terms or conditions of any pol-
 13 icy or plan of insurance offered under this sub-
 14 title shall not take effect for a crop year unless
 15 the Secretary publishes the modification in the
 16 Federal Register and on the website of the Cor-
 17 poration and provides for a subsequent period
 18 of public comment—

1 “(i) with respect to fall-planted crops,
2 not later than 60 days before June 30 dur-
3 ing the preceding crop year; and

4 “(ii) with respect to spring-planted
5 crops, not later than 60 days before No-
6 vember 30 during the preceding crop year.

7 “(B) WAIVER.—The Secretary may waive
8 the application of subparagraph (A) in an emer-
9 gency situation declared by the Secretary upon
10 notice to Congress of the nature of the emer-
11 gency and the need for immediate implementa-
12 tion of the policy or plan modification referred
13 to in such subparagraph.”.



91. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TAKANO OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. TAKANO OF CALIFORNIA**

At the end of subtitle A of title XII, add the following new section:

1 **SEC. ____ . ECONOMIC FRAUD IN WILD AND FARM-RAISED**
2 **SEAFOOD.**

3 (a) **IN GENERAL.**—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of Agri-
5 culture, acting through the Office of the Chief Economist,
6 shall submit to Congress a report on the economic implica-
7 tions for consumers, fishermen, and aquaculturists of
8 fraud and mislabeling in wild and farmed seafood.

9 (b) **CONTENTS.**—The report required under sub-
10 section (a) shall include, with respect to fraud and
11 mislabeling in wild and farm-raised seafood, an analysis
12 of the impact on consumers and producers in the United
13 States of—

14 (1) sales of imported seafood that is misrepre-
15 sented as domestic product;

16 (2) country of origin labeling that allows sea-
17 food harvested outside the United States to be la-
18 beled as a product of the United States;

1 (3) the lack of seafood product traceability
2 through the supply chain; and

3 (4) the inadequate use of DNA testing and
4 other technology to address seafood safety and
5 fraud, including traceability.



92. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FUDGE
OF OHIO OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. FUDGE OF OHIO**

Page 601, after line 18, insert the following new section:

1 **SEC. 12204. RECEIPT FOR SERVICE OR DENIAL OF SERVICE**
2 **FROM CERTAIN DEPARTMENT OF AGRICULTURE AGENCIES.**

4 Section 2501A(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279-1(e)) is
5 amended by striking “and, at the time of the request, also
6 requests a receipt”.



93. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
VELÁZQUEZ OF NEW YORK OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. VELÁZQUEZ OF NEW YORK**

Page 629, after line 4, insert the following:

1 **SEC. _____ . URBAN AGRICULTURE COORDINATION.**

2 The Secretary of Agriculture shall coordinate oppor-
3 tunities for urban agriculture, by—

4 (1) compiling a list of all programs adminis-
5 tered by the Secretary or by the head of any other
6 department, agency, or instrumentality of the United
7 States to which urban farmers can apply for assist-
8 ance or participation;

9 (2) examining and implementing opportunities
10 to adjust the regulations governing the programs to
11 enable urban farmers to participate in more of the
12 programs;

13 (3) developing a process for streamlining the
14 process by which urban farmers may apply for as-
15 sistance from, or for participation in, the programs,
16 including through the use of a single, harmonized
17 application for multiple programs; and

1 (4) such other methods as the Secretary deems
2 appropriate.



94. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MS. JACKSON LEE OF TEXAS**

Page 629, after line 4, insert the following:

1 **SEC. 12317. SENSE OF CONGRESS ON INCREASED BUSINESS**
2 **OPPORTUNITIES FOR BLACK FARMERS,**
3 **WOMEN, MINORITIES, AND SMALL BUSI-**
4 **NESSES.**

5 It is the sense of Congress that the Federal Govern-
6 ment should increase the number of contracts the Federal
7 Government awards to Black farmers, businesses owned
8 and controlled by women, businesses owned and controlled
9 by minorities, and small business concerns.



95. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSS
OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. ROSS OF FLORIDA**

Page 629, after line 4, insert the following:

1 **SEC. 12317. SENSE OF CONGRESS REGARDING AGRI-**
2 **CULTURE SECURITY PROGRAMS.**

3 It is the sense of Congress that—

4 (1) agricultural nutrients and other agricultural
5 chemicals are essential to ensuring the most efficient
6 production of food, fuel, and fiber;

7 (2) these products must be properly stored,
8 handled, transported, and used to ensure that they
9 are not misused or cause harm either accidentally or
10 intentionally;

11 (3) the Department of Agriculture is the Fed-
12 eral agency with the staffing and technical expertise
13 to understand the important role these products play
14 in agriculture;

15 (4) other Federal departments and agencies
16 have been given lead responsibility to develop and
17 implement security programs affecting the avail-
18 ability, storage, transportation, and use of a variety
19 of chemicals and products used in agriculture;

1 (5) it is critical that the Department of Agri-
2 culture participate fully in the development of any
3 such security programs to ensure that they do not
4 unnecessarily restrict the availability of the most ef-
5 ficient and beneficial products needed to sustain
6 American agriculture;

7 (6) the Secretary of Agriculture should review
8 staffing at the Department to ensure that the agen-
9 cy has senior employees within the Department at
10 the Senior Executive Service level or higher, who
11 have responsibility for coordinating with other Fed-
12 eral, State, and international agencies in the devel-
13 opment of regulations, guidance, and procedures for
14 the secure handling of agricultural chemicals; and

15 (7) that such employees shall—

16 (A) work with manufacturers, retailers,
17 and the general farm community to review ex-
18 isting and proposed Federal, State, and inter-
19 national agricultural chemical security regula-
20 tions;

21 (B) coordinate with manufacturers, retail-
22 ers, transporters, and farmers to evaluate how
23 existing and proposed security regulations, in-
24 cluding systems to track the sale, transpor-
25 tation, delivery, and use of agricultural prod-

1 nets, can be designed to minimize any adverse
2 impact on agricultural productivity;

3 (C) evaluate how existing and proposed se-
4 curity regulations will affect the ability of agri-
5 cultural producers to have timely access to nu-
6 trients, chemicals, and other products that are
7 affordable and best suited to the producers' op-
8 erations;

9 (D) develop recommendations on best prac-
10 tices, policies, and regulatory mechanisms relat-
11 ing to existing and proposed security programs
12 to ensure that there is minimal adverse impact
13 on agricultural productivity; and

14 (E) engage with Federal agencies with re-
15 sponsibility for establishing security programs
16 to ensure that they have the information needed
17 to develop procedures for effective security ad-
18 ministration and enforcement that minimize
19 any adverse impact on domestic or international
20 agricultural productivity.



96. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CONAWAY OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. CONAWAY OF TEXAS**

At the end of subtitle C of title XII, add the following:

1 SEC. 12317. REPORT ON WATER SHARING.

2 Not later than 120 days after the date of the enact-
3 ment of this Act and annually thereafter, the Secretary
4 of State shall submit to Congress a report on—

5 (1) efforts by Mexico to meet its treaty deliv-
6 eries of water to the Rio Grande in accordance with
7 the Treaty between the United States and Mexico
8 Respecting Utilization of waters of the Colorado and
9 Tijuana Rivers and of the Rio Grande (done at
10 Washington, February 3, 1944); and

11 (2) the benefits to the United States of the In-
12 terim International Cooperative Measures in the Col-
13 orado River Basin through 2017 and Extension of
14 Minute 318 Cooperative Measures to Address the
15 Continued Effects of the April 2010 Earthquake in
16 the Mexicali Valley, Baja, California (done at Coro-

1 nado, California, November 20, 2012; commonly re-
2 ferred to as “Minute No. 319”).



97. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLORES OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. FLORES OF TEXAS**

At the end of title XII, add the following new section:

1 **SEC. ____ . REPORT ON NATIONAL OCEAN POLICY.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) Executive Order 13547, issued on July 19,
4 2010, established the national policy for the Stew-
5 ards-hip of the Ocean, Our Coasts, and the Great
6 Lakes and requires—

7 (A) Federal implementation of “ecosystem-
8 based management” to achieve a “fundamental
9 shift” in how the United States manages ocean,
10 coastal, and Great Lakes resources; and

11 (B) the establishment of nine new govern-
12 mental “Regional Planning Bodies” and
13 “Coastal and Marine Spatial Plans” in every
14 region of the United States.

15 (2) Executive Order 13547 created a 54-mem-
16 ber National Ocean Council led by the White House
17 Council on Environmental Quality and Office of
18 Science and Technology Policy that includes 54 prin-

1 ciproal and deputy-level representatives from Federal
2 entities, including the Department of Agriculture.

3 (3) Executive Order 13547 requires National
4 Ocean Council members, including the Department
5 of Agriculture, to take action to implement the Pol-
6 icy and participate in coastal and marine spatial
7 planning to the maximum extent possible.

8 (4) The Final Recommendations of the Inter-
9 agency Ocean Policy Task Force that were adopted
10 by Executive Order 13547 state that “effective” im-
11 plementation of the National Ocean Policy will “re-
12 quire clear and easily understood requirements and
13 regulations, where appropriate, that include enforce-
14 ment as a critical component”.

15 (5) Despite repeated Congressional requests,
16 the National Ocean Council, which is charged with
17 overseeing implementation of the policy, has still not
18 provided a complete accounting of Federal activities
19 under the policy and resources expended and allo-
20 cated in furtherance of implementation of the policy.

21 (6) The continued economic and budgetary
22 challenges of the United States underscore the ne-
23 cessity for sound, transparent, and practical Federal
24 policies.

1 (b) REPORT.—Not later than 90 days after the date
2 of the enactment of this Act, the Inspector General of the
3 Department of Agriculture shall submit to the Committee
4 on Agriculture of the House of Representatives and the
5 Committee on Agriculture, Nutrition, and Forestry of the
6 Senate a report detailing—

7 (1) all activities engaged in and resources ex-
8 pended in furtherance of Executive Order 13547
9 since July 19, 2010; and

10 (2) any budget requests for fiscal year 2014 for
11 support of implementation of Executive Order
12 13547.



98. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PITTS
OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 20
MINUTES

1 U.S.C. 7272(i)) is amended by striking “2012” and in-
2 serting “2018”.

3 **SEC. 1302. FLEXIBLE MARKETING ALLOTMENTS FOR**
4 **SUGAR.**

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

7 (1) in subsection (a)(1)—

8 (A) in the matter before subparagraph (A),
9 by striking “2012” and inserting “2018”; and

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

12 (2) in subsection (b)(1)—

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

16 (B) by striking subparagraph (B) and in-
17 serting the following:

18 “(B) appropriate to maintain adequate do-
19 mestic supplies at reasonable prices, taking into
20 account all sources of domestic supply, includ-
21 ing imports.”.

22 (b) ESTABLISHMENT OF FLEXIBLE MARKETING AL-
23 LOTMENTS.—Section 359c of the Agricultural Adjustment
24 Act of 1938 (7 U.S.C. 1359cc) is amended—

25 (1) in subsection (b)—

1 (A) in paragraph (1)—

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

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

7 “(B) appropriate to maintain adequate
8 supplies at reasonable prices, taking into ac-
9 count all sources of domestic supply, including
10 imports.”; and

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

13 (2) in subsection (g)(1)—

14 (A) by striking “ADJUSTMENTS.—” and
15 all that follows through “Subject to subpara-
16 graph (B), the” and inserting “ADJUST-
17 MENTS.—The”; and

18 (B) by striking subparagraph (B).

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

23 “(c) SUSPENSION OR MODIFICATION OF PROVI-
24 SIONS.—Notwithstanding any other provision of this part,
25 the Secretary may suspend or modify, in whole or in part,

1 the application of any provision of this part if the Sec-
2 retary determines that the action is appropriate, taking
3 into account—

4 “(1) the interests of consumers, workers in the
5 food industry, businesses (including small busi-
6 nesses), and agricultural producers; and

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

9 (d) ADMINISTRATION OF TARIFF RATE QUOTAS.—
10 Section 359k of the Agricultural Adjustment Act of 1938
11 (7 U.S.C. 1359kk) is amended to read as follows:

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

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

20 “(b) ADJUSTMENT.—

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

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

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

8 “(A) IN GENERAL.—The Secretary may es-
9 tablish a different target for the ratio of ending
10 stocks to total use if, in the judgment of the
11 Secretary, the different target is necessary to
12 prevent—

13 “(i) unreasonably high prices; or

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

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

21 “(4) CONSIDERATIONS.—In establishing tariff-
22 rate quotas under subsection (a) and making adjust-
23 ments under this subsection, the Secretary shall con-
24 sider the impact of the quotas on consumers, work-

1 ers, businesses (including small businesses), and ag-
2 ricultural producers.

3 “(c) TEMPORARY TRANSFER OF QUOTAS.—

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

12 “(2) TRANSFERS VOLUNTARY.—Any transfer
13 under this subsection shall be valid only on vol-
14 untary agreement between the transferor and the
15 transferee, consistent with procedures established by
16 the Secretary.

17 “(3) TRANSFERS TEMPORARY.—

18 “(A) IN GENERAL.—Any transfer under
19 this subsection shall be valid only for the dura-
20 tion of the quota year during which the transfer
21 is made.

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

1 (e) EFFECTIVE PERIOD.—Section 359l(a) of the Ag-
2 ricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a))
3 is amended by striking “2012” and inserting “2018”.

4 **SEC. 1303. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM**
5 **FOR BIOENERGY PRODUCERS.**

6 (a) IN GENERAL.—Section 9010 of the Farm Secu-
7 rity and Rural Investment Act of 2002 (7 U.S.C. 8110)
8 is repealed.

9 (b) CONFORMING AMENDMENTS.—

10 (1) Section 359a(3)(B) of the Agricultural Ad-
11 justment Act of 1938 (7 U.S.C. 1359aa(3)(B)) is
12 amended—

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

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

17 (C) by striking clause (iii).

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



99. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GOODLATTE OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR
20 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. GOODLATTE OF VIRGINIA
(Farm Bill Amendment)**

Strike part I of subtitle D (Dairy) of title I and insert the following new part:

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

3 **SEC. 1401. DAIRY PRODUCER MARGIN INSURANCE PRO-**
4 **GRAM.**

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

8 **“SEC. 1511. DAIRY PRODUCER MARGIN INSURANCE PRO-**
9 **GRAM.**

10 “(a) DEFINITIONS.—In this section:

11 “(1) ACTUAL DAIRY PRODUCER MARGIN.—The
12 term ‘actual dairy producer margin’ means the dif-
13 ference between the all-milk price and the average
14 feed cost, as calculated under subsection (b)(2).

15 “(2) ALL-MILK PRICE.—The term ‘all-milk
16 price’ means the average price received, per hun-
17 dredweight of milk, by dairy producers for all milk

1 sold to plants and dealers in the United States, as
2 reported by the National Agricultural Statistics
3 Service.

4 “(3) AVERAGE FEED COST.—The term ‘average
5 feed cost’ means the average cost of feed used by a
6 dairy operation to produce a hundredweight of milk,
7 determined under subsection (b)(1) using the sum of
8 the following:

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

11 “(i) 1.0728; by

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

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

15 “(i) 0.00735; by

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

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

20 “(i) 0.0137; by

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

22 “(4) CONSECUTIVE 2-MONTH PERIOD.—The
23 term ‘consecutive 2-month period’ refers to the 2-
24 month period consisting of the months of January
25 and February, March and April, May and June,

1 July and August, September and October, or No-
2 vember and December, respectively.

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

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

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

14 “(6) MARGIN INSURANCE PROGRAM.—The term
15 ‘margin insurance program’ means the dairy pro-
16 ducer margin insurance program required by this
17 section.

18 “(7) PARTICIPATING DAIRY PRODUCER.—The
19 term ‘participating dairy producer’ means a dairy
20 producer that registers under subsection (d)(2) to
21 participate in the margin insurance program.

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

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

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

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

9 “(A) The price of corn for a month shall
10 be the price received during that month by agri-
11 cultural producers in the United States for
12 corn, as reported in the monthly Agriculture
13 Prices report by the Secretary.

14 “(B) The price of soybean meal for a
15 month shall be the central Illinois price for soy-
16 bean meal, as reported in the Market News –
17 Monthly Soybean Meal Price Report by the Sec-
18 retary.

19 “(C) The price of alfalfa hay for a month
20 shall be the price received during that month by
21 agricultural producers in the United States for
22 alfalfa hay, as reported in the monthly Agri-
23 culture Prices report by the Secretary.

24 “(2) CALCULATION OF ACTUAL DAIRY PRO-
25 DUCER MARGINS.—The Secretary shall calculate the

1 actual dairy producer margin for each consecutive 2-
2 month period by subtracting—

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

6 “(B) the all-milk price for that consecutive
7 2-month period.

8 “(c) ESTABLISHMENT OF DAIRY PRODUCER MARGIN
9 INSURANCE PROGRAM.—The Secretary shall establish and
10 administer a dairy producer margin insurance program for
11 the purpose of protecting dairy producer income by paying
12 participating dairy producers margin insurance payments
13 when actual dairy producer margins are less than the
14 threshold levels for the payments.

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

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

20 “(2) REGISTRATION PROCESS.—

21 “(A) REGISTRATION.—

22 “(i) ANNUAL REGISTRATION.—On an
23 annual basis, the Secretary shall register
24 all interested dairy producers in the mar-
25 gin insurance program.

1 “(ii) MANNER AND FORM.—The Sec-
2 retary shall specify the manner and form
3 by which a dairy producer shall register for
4 the margin insurance program.

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

10 “(i) purchasing margin insurance; and

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

13 “(C) TREATMENT OF PRODUCERS WITH
14 MULTIPLE DAIRY OPERATIONS.—If a dairy pro-
15 ducer operates 2 or more dairy operations, each
16 dairy operation of the producer shall require a
17 separate registration to participate and pur-
18 chase margin insurance.

19 “(3) TIME FOR REGISTRATION.—

20 “(A) EXISTING DAIRY PRODUCERS.—Dur-
21 ing the 1-year period beginning on the date of
22 enactment of this section, and annually there-
23 after, a dairy producer that is actively engaged
24 in a dairy operation as of that date may reg-

1 ister with the Secretary to participate in the
2 margin insurance program.

3 “(B) NEW ENTRANTS.—A dairy producer
4 that has no existing interest in a dairy oper-
5 ation as of the date of enactment of this sec-
6 tion, but that, after that date, establishes a new
7 dairy operation, may register with the Secretary
8 during the 180-day period beginning on the
9 date on which the dairy operation first markets
10 milk commercially to participate in the margin
11 insurance program.

12 “(4) RETROACTIVITY.—

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

24 “(B) RETROACTIVE MARGIN INSURANCE.—

1 “(i) AVAILABILITY.—If a dairy pro-
2 ducer files a notice of intent under sub-
3 paragraph (A) to participate in the margin
4 insurance program before the initiation of
5 the sign-up period for the margin insur-
6 ance program and subsequently signs up
7 for the margin insurance program, the pro-
8 ducer shall receive margin insurance retro-
9 active to the effective date of this section.

10 “(ii) DURATION.—Retroactive margin
11 insurance under this paragraph for a dairy
12 producer shall apply from the effective
13 date of this section until the date on which
14 the producer signs up for the margin in-
15 surance program.

16 “(C) NOTICE OF INTENT AND OBLIGATION
17 TO PARTICIPATE.—In no way does filing a no-
18 tice of intent under this paragraph obligate a
19 dairy producer to sign up for the margin insur-
20 ance program once the program rules are final,
21 but if a producer does file a notice of intent and
22 subsequently signs up for the margin insurance
23 program, that dairy producer is obligated to
24 pay premiums for any retroactive margin insur-
25 ance selected in the notice of intent.

1 “(5) RECONSTITUTION.—The Secretary shall
2 ensure that a dairy producer does not reconstitute a
3 dairy operation for the sole purpose of purchasing
4 margin insurance.

5 “(e) PRODUCTION HISTORY OF PARTICIPATING
6 DAIRY PRODUCERS.—

7 “(1) DETERMINATION OF PRODUCTION HIS-
8 TORY.—

9 “(A) IN GENERAL.—The Secretary shall
10 determine the production history of the dairy
11 operation of each participating dairy producer
12 in the margin insurance program.

13 “(B) CALCULATION.—Except as provided
14 in subparagraphs (C) and (D), the production
15 history of a participating dairy producer shall
16 be equal to the highest annual milk marketings
17 of the dairy producer during any 1 of the 3 cal-
18 endar years immediately preceding the registra-
19 tion of the dairy producer for participation in
20 the margin insurance program.

21 “(C) UPDATING PRODUCTION HISTORY.—
22 So long as participating producer remains reg-
23 istered, the production history of the partici-
24 pating producer shall be annually updated
25 based on the highest annual milk marketings of

1 the dairy producer during any one of the 3 im-
2 mediately preceding calendar years.

3 “(D) NEW PRODUCERS.—If a dairy pro-
4 ducer has been in operation for less than 1
5 year, the Secretary shall determine the initial
6 production history of the dairy producer under
7 subparagraph (B) by extrapolating the actual
8 milk marketings for the months that the dairy
9 producer has been in operation to a yearly
10 amount.

11 “(2) REQUIRED INFORMATION.—A partici-
12 pating dairy producer shall provide all information
13 that the Secretary may require in order to establish
14 the production history of the dairy operation of the
15 dairy producer.

16 “(3) TRANSFER OF PRODUCTION HISTORY.—

17 “(A) TRANSFER BY SALE.—

18 “(i) REQUEST FOR TRANSFER.—If an
19 existing dairy producer sells an entire
20 dairy operation to another party, the seller
21 and purchaser may jointly request that the
22 Secretary transfer to the purchaser the in-
23 terest of the seller in the production his-
24 tory of the dairy operation.

1 “(ii) TRANSFER.—If the Secretary de-
2 termines that the seller has sold the entire
3 dairy operation to the purchaser, the Sec-
4 retary shall approve the transfer and,
5 thereafter, the seller shall have no interest
6 in the production history of the sold dairy
7 operation.

8 “(B) TRANSFER BY LEASE.—

9 “(i) REQUEST FOR TRANSFER.—If an
10 existing dairy producer leases an entire
11 dairy operation to another party, the lessor
12 and lessee may jointly request that the
13 Secretary transfer to the lessee for the du-
14 ration of the term of the lease the interest
15 of the lessor in the production history of
16 the dairy operation.

17 “(ii) TRANSFER.—If the Secretary de-
18 termines that the lessor has leased the en-
19 tire dairy operation to the lessee, the Sec-
20 retary shall approve the transfer and,
21 thereafter, the lessor shall have no interest
22 for the duration of the term of the lease in
23 the production history of the leased dairy
24 operation.

1 “(C) **COVERAGE LEVEL.**—A purchaser or
2 lessee to whom the Secretary transfers a pro-
3 duction history under this paragraph may not
4 obtain a different level of margin insurance cov-
5 erage held by the seller or lessor from whom the
6 transfer was obtained.

7 “(D) **NEW ENTRANTS.**—The Secretary
8 may not transfer the production history deter-
9 mined for a dairy producer described in sub-
10 section (d)(3)(B) to another person.

11 “(4) **MOVEMENT AND TRANSFER OF PRODUC-**
12 **TION HISTORY.**—

13 “(A) **MOVEMENT AND TRANSFER AUTHOR-**
14 **IZED.**—Subject to subparagraph (B), if a dairy
15 producer moves from 1 location to another loca-
16 tion, the dairy producer may maintain the pro-
17 duction history associated with the operation.

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

22 “(C) **SUBSEQUENT OCCUPATION OF VA-**
23 **CATED LOCATION.**—A party subsequently occu-
24 pying a dairy operation location vacated as de-
25 scribed in subparagraph (A) shall have no inter-

1 est in the production history previously associ-
2 ated with the operation at that location.

3 “(f) MARGIN INSURANCE.—

4 “(1) IN GENERAL.—At the time of the registra-
5 tion of a dairy producer in the margin insurance
6 program under subsection (d) and annually there-
7 after during the duration of the margin insurance
8 program, an eligible dairy producer may purchase
9 margin insurance.

10 “(2) SELECTION OF PAYMENT THRESHOLD.—A
11 participating dairy producer purchasing margin in-
12 surance shall elect a coverage level in any increment
13 of \$0.50, with a minimum of \$4.00 and a maximum
14 of \$8.00.

15 “(3) SELECTION OF COVERAGE PERCENTAGE.—
16 A participating dairy producer purchasing margin
17 insurance shall elect a percentage of coverage, equal
18 to not more than 80 percent nor less than 25 per-
19 cent, of the production history of the dairy operation
20 of the participating dairy producer.

21 “(4) PRODUCER PREMIUMS.—

22 “(A) PREMIUMS REQUIRED.—A partici-
23 pating dairy producer that purchases margin
24 insurance shall pay an annual premium equal to
25 the product obtained by multiplying—

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

3 “(ii) the production history applicable
4 to the dairy producer; and

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

8 “(B) PREMIUM PER HUNDREDWEIGHT FOR
9 FIRST 4 MILLION POUNDS OF PRODUCTION.—
10 For the first 4,000,000 pounds of milk mar-
11 ketings included in the annual production his-
12 tory of a participating dairy operation, the pre-
13 mium per hundredweight corresponding to each
14 coverage level specified in the following table is
15 as follows:

“Coverage Level	Premium per Cwt.
\$4.00	\$0.000
\$4.50	\$0.01
\$5.00	\$0.02
\$5.50	\$0.035
\$6.00	\$0.045
\$6.50	\$0.09
\$7.00	\$0.18
\$7.50	\$0.60
\$8.00	\$0.95

16 “(C) PREMIUM PER HUNDREDWEIGHT FOR
17 PRODUCTION IN EXCESS OF 4 MILLION
18 POUNDS.—For milk marketings in excess of
19 4,000,000 pounds included in the annual pro-

1 duction history of a participating dairy oper-
 2 ation, the premium per hundredweight cor-
 3 responding to each coverage level is as follows:

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

4 “(D) TIME FOR PAYMENT.—

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

13 “(ii) SUBSEQUENT YEARS.—

14 “(I) IN GENERAL.—When the
 15 dairy producer first purchases margin
 16 insurance, the dairy producer shall
 17 also elect the method by which the
 18 dairy producer will pay premiums
 19 under this subsection for subsequent

1 years in accordance with 1 of the
2 schedules described in subclauses (II)
3 and (III).

4 “(II) SINGLE ANNUAL PAY-
5 MENT.—The participating dairy pro-
6 ducer may elect to pay 100 percent of
7 the annual premium determined under
8 subparagraph (A) for the dairy pro-
9 ducer for a calendar year by not later
10 than January 15 of the calendar year.

11 “(III) SEMI-ANNUAL PAY-
12 MENTS.—The participating dairy pro-
13 ducer may elect to pay—

14 “(aa) 50 percent of the an-
15 nual premium determined under
16 subparagraph (A) for the dairy
17 producer for a calendar year by
18 not later than January 15 of the
19 calendar year; and

20 “(bb) the remaining 50 per-
21 cent of the premium by not later
22 than June 15 of the calendar
23 year.

24 “(5) PRODUCER PREMIUM OBLIGATIONS.—

1 “(A) PRO-RATION OF FIRST YEAR PRE-
2 MIUM.—A participating dairy producer that
3 purchases margin insurance after initial reg-
4 istration in the margin insurance program shall
5 pay a pro-rated premium for the first calendar
6 year based on the date on which the producer
7 purchases the coverage.

8 “(B) SUBSEQUENT PREMIUMS.—Except as
9 provided in subparagraph (A), the annual pre-
10 mium for a participating dairy producer shall
11 be determined under paragraph (4) for each
12 year in which the margin insurance program is
13 in effect.

14 “(C) LEGAL OBLIGATION.—

15 “(i) IN GENERAL.—Except as pro-
16 vided in clauses (ii) and (iii), a partici-
17 pating dairy producer that purchases mar-
18 gin insurance shall be legally obligated to
19 pay the applicable premiums for the entire
20 period of the margin insurance program
21 (as provided in the payment schedule elect-
22 ed under paragraph (4)(B)), and may not
23 opt out of the margin insurance program.

24 “(ii) DEATH.—If the dairy producer
25 dies, the estate of the deceased may cancel

1 the margin insurance and shall not be re-
2 sponsible for any further premium pay-
3 ments.

4 “(iii) RETIREMENT.—If the dairy pro-
5 ducer retires, the producer may request
6 that Secretary cancel the margin insurance
7 if the producer has terminated the dairy
8 operation entirely and certifies under oath
9 that the producer will not be actively en-
10 gaged in any dairy operation for at least
11 the next 7 years.

12 “(6) PAYMENT THRESHOLD.—A participating
13 dairy producer with margin insurance shall receive a
14 margin insurance payment whenever the average ac-
15 tual dairy producer margin for a consecutive 2-
16 month period is less than the coverage level thresh-
17 old selected by the dairy producer under paragraph
18 (2).

19 “(7) MARGIN INSURANCE PAYMENTS.—

20 “(A) IN GENERAL.—The Secretary shall
21 make a margin insurance protection payment to
22 each participating dairy producer whenever the
23 average actual dairy producer margin for a con-
24 secutive 2-month period is less than the cov-

1 erage level threshold selected by the dairy pro-
2 ducer under paragraph (2).

3 “(B) AMOUNT OF PAYMENT.—The margin
4 insurance payment for the dairy operation of a
5 participating dairy producer shall be determined
6 as follows:

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

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

12 “(II) the average actual dairy
13 producer margin for the consecutive
14 2-month period.

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

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

20 “(II) the lesser of—

21 “(aa) the quotient obtained
22 by dividing—

23 “(AA) the production
24 history applicable to the pro-

1 ducer under subsection
2 (c)(1); by
3 “(BB) 6; and
4 “(bb) the actual quantity of
5 milk marketed by the dairy oper-
6 ation of the dairy producer dur-
7 ing the consecutive 2-month pe-
8 riod.

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

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

13 “(A) remains legally obligated to pay the
14 premiums; and

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

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

20 “(h) USE OF COMMODITY CREDIT CORPORATION.—

21 The Secretary shall use the funds, facilities, and the au-
22 thorities of the Commodity Credit Corporation to carry
23 out this section.

1 “(i) DURATION.—The Secretary shall conduct the
2 margin insurance program during the period beginning on
3 October 1, 2013, and ending on September 30, 2018.”.

4 **SEC. 1402. RULEMAKING.**

5 (a) PROCEDURE.—The promulgation of regulations
6 for the initiation of the margin insurance program, and
7 for administration of the margin insurance program, shall
8 be made—

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

12 (2) without regard to the Statement of Policy
13 of the Secretary of Agriculture effective July 24,
14 1971 (36 Fed. Reg. 13804), relating to notices of
15 proposed rulemaking and public participation in
16 rulemaking; and

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

19 (b) SPECIAL RULEMAKING REQUIREMENTS.—

20 (1) INTERIM RULES AUTHORIZED.—With re-
21 spect to the margin insurance program, the Sec-
22 retary may promulgate interim rules under the au-
23 thority provided in subparagraph (B) of section
24 553(b) of title 5, United States Code, if the Sec-
25 retary determines such interim rules to be needed.

1 Any such interim rules for the margin insurance
2 program shall be effective on publication.

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

8 (c) INCLUSION OF ADDITIONAL ORDER.—Section
9 143(a)(2) of the Federal Agriculture Improvement and
10 Reform Act of 1996 (7 U.S.C. 7253(a)(2)) is amended
11 by adding at the end the following new sentence: “Sub-
12 section (b)(2) does not apply to the authority of the Sec-
13 retary under this subsection.”.



100. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
FORTENBERRY OF NEBRASKA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO H.R. 1947, AS REPORTED
OFFERED BY MR. FORTENBERRY OF NEBRASKA**

Strike section 1603 and insert the following new sections:

1 SEC. 1603. PAYMENT LIMITATIONS.

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

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

6 “(3) LEGAL ENTITY.—

7 “(A) IN GENERAL.—The term ‘legal entity’
8 means—

9 “(i) an organization that (subject to
10 the requirements of this section and sec-
11 tion 1001A) is eligible to receive a pay-
12 ment under a provision of law referred to
13 in subsection (b), (c), or (d);

14 “(ii) a corporation, joint stock com-
15 pany, association, limited partnership, lim-
16 ited liability company, limited liability
17 partnership, charitable organization, es-
18 tate, irrevocable trust, grantor of a rev-

1 ocable trust, or other similar entity (as de-
2 termined by the Secretary); and

3 “(iii) an organization that is partici-
4 pating in a farming operation as a partner
5 in a general partnership or as a participant
6 in a joint venture.

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

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

12 “(b) LIMITATION ON PAYMENTS FOR COVERED COM-
13 MODITIES AND PEANUTS.—The total amount of payments
14 received, directly or indirectly, by a person or legal entity
15 for any crop year for 1 or more covered commodities and
16 peanuts under title I of the Federal Agriculture Reform
17 and Risk Management Act of 2013 may not exceed
18 \$125,000, of which—

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

23 “(2) not more than \$50,000 may consist of any
24 other payments made for covered commodities and

1 peanuts under title I of the Federal Agriculture Re-
2 form and Risk Management Act of 2013.

3 “(c) SPOUSAL EQUITY.—

4 “(1) IN GENERAL.—Notwithstanding subsection
5 (b), except as provided in paragraph (2), if a person
6 and the spouse of the person are covered by para-
7 graph (2) and receive, directly or indirectly, any pay-
8 ment or gain covered by this section, the total
9 amount of payments or gains (as applicable) covered
10 by this section that the person and spouse may
11 jointly receive during any crop year may not exceed
12 an amount equal to twice the applicable dollar
13 amounts specified in subsection (b).

14 “(2) EXCEPTIONS.—

15 “(A) SEPARATE FARMING OPERATIONS.—
16 In the case of a married couple in which each
17 spouse, before the marriage, was separately en-
18 gaged in an unrelated farming operation, each
19 spouse shall be treated as a separate person
20 with respect to a farming operation brought
21 into the marriage by a spouse, subject to the
22 condition that the farming operation shall re-
23 main a separate farming operation, as deter-
24 mined by the Secretary.

1 “(B) ELECTION TO RECEIVE SEPARATE
2 PAYMENTS.—A married couple may elect to re-
3 ceive payments separately in the name of each
4 spouse if the total amount of payments and
5 benefits described in subsection (b) that the
6 married couple receives, directly or indirectly,
7 does not exceed an amount equal to twice the
8 applicable dollar amounts specified in those
9 subsections.”;

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

12 “(iii) IRREVOCABLE TRUSTS.—In pro-
13 mulgating regulations to define the term
14 ‘legal entity’ as the term applies to irrev-
15 ocable trusts, the Secretary shall ensure
16 that irrevocable trusts are legitimate enti-
17 ties that have not been created for the pur-
18 pose of avoiding a payment limitation.”;

19 and

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

23 (b) CONFORMING AMENDMENTS.—

24 (1) Section 1001 of the Food Security Act of
25 1985 (7 U.S.C. 1308) is amended—

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

5 (B) in subsection (f)—

6 (i) in paragraph (2), by striking
7 “Subsections (b) and (c)” and inserting
8 “Subsection (b)”;

9 (ii) in paragraph (4)(B), by striking
10 “subsection (b) or (c)” and inserting “sub-
11 section (b)”;

12 (iii) in paragraph (5)—

13 (I) in subparagraph (A), by strik-
14 ing “subsection (d)”;

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

18 (iv) in paragraph (6)—

19 (I) in subparagraph (A), by strik-
20 ing “Notwithstanding subsection (d),
21 except as provided in subsection (g)”
22 and inserting “Except as provided in
23 subsection (f)”;

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

4 (C) in subsection (g)—

5 (i) in paragraph (1)—

6 (I) by striking “subsection
7 (f)(6)(A)” and inserting “subsection
8 (e)(6)(A)”; and

9 (II) by striking “subsection (b)
10 or (c)” and inserting “subsection (b)”;
11 and

12 (ii) in paragraph (2)(A), by striking
13 “subsections (b) and (c)” and inserting
14 “subsection (b)”; and

15 (D) by redesignating subsections (e)
16 through (h) as subsections (d) through (g), re-
17 spectively.

18 (2) Section 1001A of the Food Security Act of
19 1985 (7 U.S.C. 1308–1) is amended—

20 (A) in subsection (a), by striking “sub-
21 sections (b) and (c) of section 1001” and in-
22 serting “section 1001(b)”; and

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

1 (3) Section 1001B(a) of the Food Security Act
2 of 1985 (7 U.S.C. 1308–2(a)) is amended in the
3 matter preceding paragraph (1) by striking “sub-
4 sections (b) and (c) of section 1001” and inserting
5 “section 1001(b)”.

6 (c) APPLICATION.—The amendments made by this
7 section shall apply beginning with the 2014 crop year.

8 **SEC. 1603A. PAYMENTS LIMITED TO ACTIVE FARMERS.**

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

11 (1) in subsection (b)(2)—

12 (A) by striking “or active personal man-
13 agement” each place it appears in subpara-
14 graphs (A)(i)(II) and (B)(ii); and

15 (B) in subparagraph (C), by striking “, as
16 applied to the legal entity, are met by the legal
17 entity, the partners or members making a sig-
18 nificant contribution of personal labor or active
19 personal management” and inserting “are met
20 by partners or members making a significant
21 contribution of personal labor, those partners or
22 members”; and

23 (2) in subsection (c)—

24 (A) in paragraph (1)—

1 (i) by striking subparagraph (A) and
2 inserting the following:

3 “(A) the landowner share-rents the land at
4 a rate that is usual and customary;”;

5 (ii) in subparagraph (B), by striking
6 the period at the end and inserting “;
7 and”; and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(C) the share of the payments received by
11 the landowner is commensurate with the share
12 of the crop or income received as rent.”;

13 (B) in paragraph (2)(A), by striking “ac-
14 tive personal management or”;

15 (C) in paragraph (5)—

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

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

20 (ii) by inserting “under usual and
21 customary terms” after “services”; and

22 (iii) by striking subparagraph (B);
23 and

24 (D) by adding at the end the following:

1 “(7) FARM MANAGERS.—A person who other-
2 wise meets the requirements of this subsection other
3 than (b)(2)(A)(i)(II) shall be considered to be ac-
4 tively engaged in farming, as determined by the Sec-
5 retary, with respect to the farming operation, includ-
6 ing a farming operation that is a sole proprietorship,
7 a legal entity such as a joint venture or general
8 partnership, or a legal entity such as a corporation
9 or limited partnership, if the person—

10 “(A) makes a significant contribution of
11 management to the farming operation necessary
12 for the farming operation, taking into ac-
13 count—

14 “(i) the size and complexity of the
15 farming operation; and

16 “(ii) the management requirements
17 normally and customarily required by simi-
18 lar farming operations;

19 “(B)(i) is the only person in the farming
20 operation qualifying as actively engaged in
21 farming by using the farm manager special
22 class designation under this paragraph; and

23 “(ii) together with any other persons in the
24 farming operation qualifying as actively en-
25 gaged in farming under subsection (b)(2) or as

1 part of a special class under this subsection,
2 does not collectively receive, directly or indi-
3 rectly, an amount equal to more than the appli-
4 cable limits under section 1001(b);

5 “(C) does not use the management con-
6 tribution under this paragraph to qualify as ac-
7 tively engaged in more than 1 farming oper-
8 ation; and

9 “(D) manages a farm operation that does
10 not substantially share equipment, labor, or
11 management with persons or legal entities that
12 with the person collectively receive, directly or
13 indirectly, an amount equal to more than the
14 applicable limits under section 1001(b).”.



101. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HUELSKAMP OF KANSAS OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO
RULES COMMITTEE PRINT 113-14, H.R. 1947
FEDERAL AGRICULTURE REFORM AND RISK
MANAGEMENT ACT OF 2013
OFFERED BY MR. HUELSKAMP OF KANSAS**

In subtitle A of title IV, strike section 4007 and insert the following:

**1 SEC. 4007. ELIMINATING THE LOW-INCOME HOME ENERGY
2 ASSISTANCE LOOPHOLE.**

3 (a) IN GENERAL.—Section 5 of the Food and Nutri-
4 tion Act of 2008 (7 U.S.C. 2014) is amended—

5 (1) in subsection (d)(11)(A), by striking “(other
6 than” and all that follows through “et seq.)” and
7 inserting “(other than payments or allowances made
8 under part A of title IV of the Social Security Act
9 (42 U.S.C. 601 et seq.) or any payments under any
10 other State program funded with qualified State ex-
11 penditures (as defined in section 409(a)(7)(B)(i) of
12 that Act (42 U.S.C. 609(a)(7)(B)(1)))”;

13 (2) in subsection (e)(6)(C), by striking clause
14 (iv); and

15 (3) in subsection (k)—

16 (A) in paragraph (2)—

- 1 (i) by striking subparagraph (C);
2 (ii) by redesignating subparagraphs
3 (D) through (G) as subparagraphs (C)
4 through (F), respectively; and
5 (iii) by striking paragraph (4).

6 (b) CONFORMING AMENDMENTS.—Section 2605(f) of
7 the Low-Income Home Energy Assistance Act of 1981 (42
8 U.S.C. 8624(f)) is amended—

- 9 (1) in paragraph (1), by striking “(1)”; and
10 (2) by striking paragraph (2).

At the end of subtitle A of title IV, insert the fol-
lowing:

11 **SEC. 4033. PROJECTS TO PROMOTE WORK AND INCREASE**
12 **STATE AGENCY ACCOUNTABILITY.**

13 Section 11 of the Food and Nutrition Act of 2008
14 (7 U.S.C. 2020), as amended by section 4015, is amended
15 by adding at the end the following:

16 “(w) PROJECTS TO PROMOTE WORK AND INCREASE
17 STATE AGENCY ACCOUNTABILITY.—The State agency
18 shall create a work activation program that operates as
19 follows:

- 20 “(1) Each able-bodied individual participating
21 in the program—

1 “(A) shall at the time of application for
2 supplemental food and nutrition assistance and
3 every 12 months thereafter, register for employ-
4 ment in a manner prescribed by the chief execu-
5 tive officer of the State;

6 “(B) shall, each month of participation in
7 the program, participate in—

8 “(i) 2 days of supervised job search
9 for 8 hours per day at the program site;
10 and

11 “(ii) 5 days of off-site activity for 8
12 hours per day;

13 “(C) shall not refuse without good cause to
14 accept an offer of employment, at a site or
15 plant not subject to a strike or lockout at the
16 time of the refusal, at a wage not less than the
17 higher of—

18 “(i) the applicable Federal or State
19 minimum wage; or

20 “(ii) 80 percent of the wage that
21 would have governed had the minimum
22 hourly rate under section 6(a)(1) of the
23 Fair Labor Standards Act of 1938 (29
24 U.S.C. 206(a)(1)) been applicable to the
25 offer of employment;

1 “(D) shall not refuse without good cause
2 to provide a State agency with sufficient infor-
3 mation to allow the State agency to determine
4 the employment status or the job availability of
5 the individual; and

6 “(E) shall not voluntarily—

7 “(i) quit a job; or

8 “(ii) reduce work effort and, after the
9 reduction, the individual is working less
10 than 30 hours per week, unless another
11 adult in the same family unit increases em-
12 ployment at the same time by an amount
13 equal to the reduction in work effort by the
14 first adult.

15 “(2) An able-bodied individual participating in
16 the work activation program who fails to comply
17 with 1 or more of the requirements described in
18 paragraph(1)—

19 “(A) shall be subject to a sanction period
20 of not less than a 2-month period beginning the
21 day of the individual’s first failure to comply
22 with such requirements during which the indi-
23 vidual shall not receive any supplemental food
24 and nutrition assistance; and

1 “(B) may receive supplemental food and
2 nutrition assistance after the individual is in
3 compliance with such requirements for not less
4 than a 1-month period beginning after the com-
5 pletion of such sanction period, except that such
6 assistance may not be provided retroactively.”.

7 **SEC. 4034. REPEAL OF CERTAIN AUTHORITY TO WAIVE**
8 **WORK REQUIREMENT.**

9 The Food and Nutrition Act of 2008 (7 U.S.C. 2011
10 et seq.) is amended—

11 (1) in section 6(o) by striking paragraph (4);

12 and

13 (2) in section 16(b)(1)(E)(ii)—

14 (A) in subclause (II) by adding “and” at
15 the end;’

16 (B) by striking subclause (III); and

17 (C) by redesignating subclause (IV) as
18 subclause (III).

19 **SEC. 4035. ELIMINATING DUPLICATIVE EMPLOYMENT AND**
20 **TRAINING.**

21 (a) **FUNDING OF EMPLOYMENT AND TRAINING PRO-**
22 **GRAMS.**—Section 16 of Food and Nutrition Act of 2008
23 (7 U.S.C. 2025) is amended by striking subsection (h).

24 (b) **ADMINISTRATIVE COST-SHARING.**—

1 (1) IN GENERAL.—Section 16(a) of the Food
2 and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is
3 amended in the first sentence, in the matter pre-
4 ceding paragraph (1), by inserting “(other than a
5 program carried out under section 6(d)(4))” after
6 “supplemental nutrition assistance program”.

7 (2) CONFORMING AMENDMENTS.—

8 (A) Section 17(b)(1)(B)(iv)(III)(hh) of the
9 Food and Nutrition Act of 2008 (7 U.S.C.
10 2026(b)(1)(B)(iv)(III)(hh)) is amended by
11 striking “(g), (h)(2), or (h)(3)” and inserting
12 “or (g)”.

13 (B) Section 22(d)(1)(B)(ii) of the Food
14 and Nutrition Act of 2008 (7 U.S.C.
15 2031(d)(1)(B)(ii)) is amended by striking “,
16 (g), (h)(2), and (h)(3)” and inserting “and
17 (g)”.

18 (c) WORKFARE.—

19 (1) IN GENERAL.—Section 20 of the Food and
20 Nutrition Act of 2008 (7 U.S.C. 2029) is amended
21 by striking subsection (g).

22 (2) CONFORMING AMENDMENT.—Section
23 17(b)(1)(B)(iv)(III)(jj) of the Food and Nutrition
24 Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(jj)) is
25 amended by striking “or (g)(1)”.

1 **SEC. 4036. ELIMINATING THE NUTRITION EDUCATION**
2 **GRANT PROGRAM.**

3 Section 28 of the Food and Nutrition Act of 2008
4 (7 U.S.C. 2036a) is repealed.



102. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SOUTHERLAND OF FLORIDA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO
RULES COMMITTEE PRINT 113-14, H.R. 1947
FEDERAL AGRICULTURE REFORM AND RISK
MANAGEMENT ACT OF 2013
OFFERED BY MR. SOUTHERLAND OF FLORIDA**

Page 336, line 8, strike “\$375,000,000” and insert “\$372,000,000”.

At the end of subtitle A of title IV, insert the following:

**1 SEC. 4033. PILOT PROJECTS TO PROMOTE WORK AND IN-
2 CREASE STATE ACCOUNTABILITY IN THE
3 SUPPLEMENTAL NUTRITION ASSISTANCE
4 PROGRAM.**

5 Effective October 1, 2013, section 17 of the Food and
6 Nutrition Act of 2008 (7 U.S.C. 2026), as amended by
7 sections 4021 and 4022, is amended by adding at the end
8 the following:

9 “(n) PILOT PROJECTS TO PROMOTE WORK AND IN-
10 CREASE STATE ACCOUNTABILITY IN THE SUPPLEMENTAL
11 NUTRITION ASSISTANCE PROGRAM.—

12 “(1) IN GENERAL.—The Secretary shall carry
13 out pilot projects to develop and test methods allow-

1 ing States to run a work program with certain fea-
2 tures comparable to the State program funded under
3 part A of title IV of the Social Security Act (42
4 U.S.C. 601 et seq.), with the intent of increasing
5 employment and self-sufficiency through increased
6 State accountability and thereby reducing the need
7 for supplemental nutrition assistance benefits.

8 “(2) AGREEMENTS.—

9 “(A) IN GENERAL.—In carrying out this
10 subsection, the Secretary shall enter into coop-
11 erative agreements with States in accordance
12 with pilot projects that meet the criteria re-
13 quired under this subsection.

14 “(B) APPLICATION.—To be eligible for a
15 cooperative agreement under this paragraph, a
16 State shall submit to the Secretary a plan that
17 complies with requirements of this subsection
18 beginning in fiscal year 2014. The Secretary
19 may not disapprove applications which meet the
20 requirements of this subsection as described
21 through its amended supplemental nutrition as-
22 sistance State Plan.

23 “(C) ASSURANCES.—A State shall include
24 in its plan assurances that its pilot project
25 will—

1 “(i) operate for at least three 12-
2 month periods but not more than five 12-
3 month periods;

4 “(ii) have a robust data collection sys-
5 tem for program administration that is de-
6 signed and shared with project evaluators
7 to ensure proper and timely evaluation;
8 and

9 “(iii) intend to offer a work activity
10 described in paragraph (4) to adults as-
11 signed and required to participate under
12 paragraph (3)(A) and who are not exempt
13 under paragraph (3)(F).

14 “(D) NUMBER OF PILOT PROJECTS.—Any
15 State may carry out a pilot project that meets
16 the requirements of this subsection.

17 “(E) EXTENT OF PILOT PROJECTS.—Pilot
18 projects shall cover no less than the entire
19 State.

20 “(F) OTHER PROGRAM WAIVERS.—Waivers
21 for able-bodied adults without dependents pro-
22 vided under section 6(o) are void for States cov-
23 ered by a pilot project carried out under para-
24 graph (1).

1 “(3) WORK ACTIVITY.—(A) For purposes of
2 this subsection, the term ‘work activity’ means any
3 of the following:

4 “(i) Employment in the public or private
5 sector that is not subsidized by any public pro-
6 gram.

7 “(ii) Employment in the private sector for
8 which the employer receives a subsidy from
9 public funds to offset some or all of the wages
10 and costs of employing an adult.

11 “(iii) Employment in the public sector for
12 which the employer receives a subsidy from
13 public funds to offset some or all of the wages
14 and costs of employing an adult.

15 “(iv) A work activity that—

16 “(I) is performed in return for public
17 benefits;

18 “(II) provides an adult with an oppor-
19 tunity to acquire the general skills, knowl-
20 edge, and work habits necessary to obtain
21 employment;

22 “(III) is designed to improve the em-
23 ployability of those who cannot find unsub-
24 sidized employment; and

1 “(IV) is supervised by an employer,
2 work site sponsor, or other responsible
3 party on an ongoing basis.

4 “(v) Training in the public or private sec-
5 tor that is given to a paid employee while he or
6 she is engaged in productive work and that pro-
7 vides knowledge and skills essential to the full
8 and adequate performance of the job.

9 “(vi) Job search, obtaining employment, or
10 preparation to seek or obtain employment, in-
11 cluding—

12 “(I) life skills training;

13 “(II) substance abuse treatment or
14 mental health treatment, determined to be
15 necessary and documented by a qualified
16 medical, substance abuse, or mental health
17 professional; or

18 “(III) rehabilitation activities;
19 supervised by a public agency or other re-
20 sponsible party on an ongoing basis.

21 “(vii) Structured programs and embedded
22 activities—

23 “(I) in which adults perform work for
24 the direct benefit of the community under

1 the auspices of public or nonprofit organi-
2 zations;

3 “(II) that are limited to projects that
4 serve useful community purposes in fields
5 such as health, social service, environ-
6 mental protection, education, urban and
7 rural redevelopment, welfare, recreation,
8 public facilities, public safety, and child
9 care;

10 “(III) that are designed to improve
11 the employability of adults not otherwise
12 able to obtain unsubsidized employment;
13 and

14 “(IV) that are supervised on an ongo-
15 ing basis; and

16 “(V) with respect to which a State
17 agency takes into account, to the extent
18 possible, the prior training, experience, and
19 skills of a recipient in making appropriate
20 community service assignments.

21 “(viii) Career and technical training pro-
22 grams (not to exceed 12 months with respect to
23 any adult) that are directly related to the prep-
24 aration of adults for employment in current or

1 emerging occupations and that are supervised
2 on an ongoing basis.

3 “(ix) Training or education for job skills
4 that are required by an employer to provide an
5 adult with the ability to obtain employment or
6 to advance or adapt to the changing demands
7 of the workplace and that are supervised on an
8 ongoing basis.

9 “(x) Education that is related to a specific
10 occupation, job, or job offer and that is super-
11 vised on an ongoing basis.

12 “(xi) In the case of an adult who has not
13 completed secondary school or received such a
14 certificate of general equivalence, regular at-
15 tendance—

16 “(I) in accordance with the require-
17 ments of the secondary school or course of
18 study, at a secondary school or in a course
19 of study leading to such certificate; and

20 “(II) supervised on an ongoing basis.

21 “(xii) Providing child care to enable an-
22 other recipient of public benefits to participate
23 in a community service program that—

24 “(I) does not provide compensation
25 for such community service;

1 “(II) is a structured program de-
2 signed to improve the employability of
3 adults who participate in such program;
4 and

5 “(III) is supervised on an ongoing
6 basis.

7 “(B) PROTECTIONS.—Work activities under
8 this subsection shall be subject to all applicable
9 health and safety standards. Except as described in
10 clauses (i), (ii), and (iii) of subparagraph (A), the
11 term ‘work activity’ shall be considered work prepa-
12 ration and not defined as employment for purposes
13 of other law.

14 “(4) PILOT PROJECTS.—Pilot projects carried
15 out under paragraph (1) shall include interventions
16 to which adults are assigned that are designed to re-
17 duce unnecessary dependence, promote self suffi-
18 ciency, increase work levels, increase earned income,
19 and reduce supplemental nutrition assistance benefit
20 expenditures among households eligible for, applying
21 for, or participating in the supplemental nutrition
22 assistance program.

23 “(A) Adults assigned to interventions by
24 the State shall—

1 “(i) be subject to mandatory partici-
2 pation in work activities specified in para-
3 graph (4), except those with 1 or more de-
4 pendent children under 1 year of age;

5 “(ii) participate in work activities
6 specified in paragraph (4) for a minimum
7 of 20 hours per week per household;

8 “(iii) be a maximum age of not less
9 than 50 and not more than 60, as defined
10 by the State;

11 “(iv) be subject to penalties during a
12 period of nonparticipation without good
13 cause ranging from, at State option, a
14 minimum of the removal of the adults from
15 the household benefit amount, up to a
16 maximum of the discontinuance of the en-
17 tire household benefit amount; and

18 “(v) not be penalized for nonparticipa-
19 tion if child care is not available for 1 or
20 more children under 6 years of age.

21 “(B) The State shall allow certain individ-
22 uals to be exempt from work requirements—

23 “(i) those participating in work pro-
24 grams under a State program funded
25 under part A of title IV of the Social Secu-

1 rity Act (42 U.S.C. 601 et seq.) for an
2 equal or greater number of hours;

3 “(ii) 1 adult family member per
4 household who is needed in the home to
5 care for a disabled family member;

6 “(iii) a parent who is a recipient of or
7 becomes eligible for Social Security Dis-
8 ability Insurance (SSDI) or Supplemental
9 Security Income (SSI); and

10 “(iv) those with a good cause reason
11 for nonparticipation, such as victims of do-
12 mestic violence, as defined by the State.

13 “(5) EVALUATION AND REPORTING.—

14 “(A) EVALUATION.—

15 “(i) INDEPENDENT EVALUATION.—

16 “(I) IN GENERAL.—The Sec-
17 retary shall provide for each State
18 that enters into an agreement under
19 paragraph (2) an independent, longi-
20 tudinal evaluation of its pilot project
21 under this subsection to determine
22 total program savings over the entire
23 course of the pilot project with results
24 reported in consecutive 12-month in-
25 crements.

1 “(II) PURPOSE.—The purpose of
2 the evaluation is to measure the im-
3 pact of interventions provided by the
4 State under the pilot project on the
5 ability of adults in households eligible
6 for, applying for, or participating in
7 the supplemental nutrition assistance
8 program to find and retain employ-
9 ment that leads to increased house-
10 hold income and reduced dependency.

11 “(III) REQUIREMENT.—The
12 independent evaluation under sub-
13 clause (I) shall use valid statistical
14 methods which can determine the dif-
15 ference between supplemental nutri-
16 tion assistance benefit expenditures, if
17 any, as a result of the interventions as
18 compared to a control group that—

19 “(aa) is not subject to the
20 interventions provided by the
21 State under the pilot project
22 under this subsection; and

23 “(bb) maintains services
24 provided under 16(h) in the year

1 prior to the start of the pilot
2 project under this subsection.

3 “(IV) OPTION.—States shall
4 have the option to evaluate pilot
5 projects by matched counties or
6 matched geographical areas using a
7 constructed control group design to
8 isolate the effects of the intervention
9 of the pilot project.

10 “(V) DEFINITION.—Constructed
11 control group means there is no ran-
12 dom assignment, and instead program
13 participants (those subject to inter-
14 ventions) and non-participants (con-
15 trol) are equated using matching or
16 statistical procedures on characteris-
17 tics that may be associated with pro-
18 gram outcomes.

19 “(B) REPORTING.—Not later than 90 days
20 after the end of fiscal year 2014 and of each
21 fiscal year thereafter, until the completion of
22 the last evaluation under subparagraph (A), the
23 Secretary shall submit to the Committee on Ag-
24 riculture of the House of Representatives and
25 the Committee on Agriculture, Nutrition, and

1 Forestry of the Senate, a report that includes
2 a description of—

3 “(i) the status of each pilot project
4 carried out under paragraph (1);

5 “(ii) the results of the evaluation com-
6 pleted during the previous fiscal year; and

7 “(iii) to the maximum extent prac-
8 ticable—

9 “(I) baseline information relevant
10 to the stated goals and desired out-
11 comes of the pilot project;

12 “(II) the impact of the interven-
13 tions on appropriate employment, in-
14 come, and public benefit receipt out-
15 comes among households participating
16 in the pilot project;

17 “(III) equivalent information
18 about similar or identical measures
19 among control or comparison groups;

20 “(IV) the planned dissemination
21 of the report findings to State agen-
22 cies; and

23 “(V) the steps and funding nec-
24 essary to incorporate into State em-
25 ployment and training programs the

1 components of pilot projects that dem-
2 onstrate increased employment and
3 earnings.

4 “(C) PUBLIC DISSEMINATION.—In addi-
5 tion to the reporting requirements under sub-
6 paragraph (B), evaluation results shall be
7 shared broadly to inform policy makers, service
8 providers, other partners, and the public in
9 order to promote wide use of successful strate-
10 gies, including by posting evaluation results on
11 the Internet website of the Department of Agri-
12 culture.

13 “(6) FUNDING.—

14 “(A) AVAILABLE FUNDS.—From amounts
15 made available under section 18(a)(1), the Sec-
16 retary shall make available—

17 “(i) up to \$1,000,000 for each of the
18 fiscal years 2014 through 2017 for evalua-
19 tions described in paragraph (5) to carry
20 out this subsection, with such amounts to
21 remain available until expended; and

22 “(ii) amounts equal to one-half of the
23 accumulated supplemental nutrition assist-
24 ance benefit dollars saved over each con-
25 secutive 12-month period according to the

1 evaluation under paragraph (5) for bonus
2 grants to States under paragraph (7)(B).

3 “(B) LIMITATION.—A State operating a
4 pilot project under this subsection shall not re-
5 ceive more funding under section 16(h) than
6 the State received the year prior to commencing
7 a project under this subsection and shall not
8 claim funds under 16(a) for expenses that are
9 unique to the pilot project under this sub-
10 section.

11 “(C) OTHER FUNDS.—Any additional
12 funds required by a State to carry out a pilot
13 project under this subsection may be provided
14 by the State from funds made available to the
15 State for such purpose and in accordance with
16 State and other Federal laws, including the fol-
17 lowing:

18 “(i) Section 403 of the Social Security
19 Act (42 U.S.C. 603).

20 “(ii) The Workforce Investment Act
21 of 1998 (29 U.S.C. 9201 et seq.).

22 “(iii) The Child Care and Develop-
23 ment Block Grant Act of 1990 (42 U.S.C
24 9858 et seq.) and section 418 of the Social
25 Security Act (42 U.S.C. 618).

1 “(iv) The social services block grant
2 under subtitle A of title XX of the Social
3 Security Act (42 U.S.C. 1397 et seq.).

4 “(7) USE OF FUNDS.—

5 “(A) SPECIFIC USES.—Funds provided
6 under this subsection for evaluation of pilot
7 projects shall be used only for—

8 “(i) pilot projects that comply with
9 this subsection;

10 “(ii) the costs incurred in gathering
11 and providing information and data used
12 to conduct the independent evaluation
13 under paragraph (5); and

14 “(iii) the costs of the evaluation under
15 paragraph (5).

16 “(B) LIMITATION.—Funds provided for
17 bonus grants to States for pilot projects under
18 this subsection shall be used only for—

19 “(i) pilot projects that comply with
20 this subsection;

21 “(ii) amounts equal to one-half of the
22 accumulated supplemental nutrition assist-
23 ance benefit dollars saved over each con-
24 secutive 12-month period according to the
25 evaluation under paragraph (5); and

1 “(iii) any State purpose, not to be re-
2 stricted to the supplemental nutrition as-
3 sistance program or its beneficiary popu-
4 lation.”.

5 **SEC. 4034. IMPROVED WAGE VERIFICATION USING THE NA-**
6 **TIONAL DIRECTORY OF NEW HIRES.**

7 Effective October 1, 2013, section 11(e) of the Food
8 and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amend-
9 ed—

10 (1) in paragraph (3) by inserting “and after
11 compliance with the requirement specified in para-
12 graph (24)” after “section 16(e) of this Act”,

13 (2) in paragraph (22) by striking “and” at the
14 end,

15 (3) in paragraph (23) by striking the period at
16 the end and inserting “; and”, and

17 (4) by adding at the end the following:

18 “(24) that the State agency shall request wage
19 data directly from the National Directory of New
20 Hires established under section 453(i) of the Social
21 Security Act (42 U.S.C. 653(i)) relevant to deter-
22 mining eligibility to receive supplemental nutrition
23 assistance program benefits and determining the
24 correct amount of such benefits.”.



103. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE REED
OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

49

**AMENDMENT TO
RULES COMMITTEE PRINT 113-14, H.R. 1947
FEDERAL AGRICULTURE REFORM AND RISK
MANAGEMENT ACT OF 2013
OFFERED BY MR. REED OF NEW YORK**

At the end of subtitle A of title IV, insert the following:

1 **SEC. 4033. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN**
2 **CONVICTED FELONS.**

3 (a) **AMENDMENT.**—Section 6 of the Food and Nutri-
4 tion Act of 2008 (7 U.S.C. 2015), as amended by section
5 4009, is amended by adding at the end the following:

6 “(s) **DISQUALIFICATION FOR CERTAIN CONVICTED**
7 **FELONS.**—

8 “(1) **IN GENERAL.**—An individual shall not be
9 eligible for benefits under this Act if the individual
10 is convicted of—

11 “(A) aggravated sexual abuse under sec-
12 tion 2241 of title 18, United States Code;

13 “(B) murder under section 1111 of title
14 18, United States Code;

15 “(C) an offense under chapter 110 of title
16 18, United States Code;

1 “(D) a Federal or State offense involving
2 sexual assault, as defined in 40002(a) of the
3 Violence Against Women Act of 1994 (42
4 U.S.C. 13925(a)); or

5 “(E) an offense under State law deter-
6 mined by the Attorney General to be substan-
7 tially similar to an offense described in sub-
8 paragraph (A), (B), or (C).

9 “(2) EFFECTS ON ASSISTANCE AND BENEFITS
10 FOR OTHERS.—The amount of benefits otherwise re-
11 quired to be provided to an eligible household under
12 this Act shall be determined by considering the indi-
13 vidual to whom paragraph (1) applies not to be a
14 member of such household, except that the income
15 and resources of the individual shall be considered to
16 be income and resources of the household.

17 “(3) ENFORCEMENT.—Each State shall require
18 each individual applying for benefits under this Act,
19 during the application process, to state, in writing,
20 whether the individual, or any member of the house-
21 hold of the individual, has been convicted of a crime
22 described in paragraph (1).”.

23 (b) CONFORMING AMENDMENT.—Section 5(a) of the
24 Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)), as

1 amended by section 4009, is amended in the 2d sentence
2 by striking “and (r)” and inserting “, (r), and (s)”.

3 (c) **INAPPLICABILITY TO CONVICTIONS OCCURRING**
4 **ON OR BEFORE ENACTMENT.**—The amendments made by
5 this section shall not apply to a conviction if the conviction
6 is for conduct occurring on or before the date of the enact-
7 ment of this Act.

