(f) EFFECTIVE DATE.—This Act shall apply with respect to fiscal year 2011 and each fiscal year thereafter.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE ARCHITECT OF THE CAPITOL TO ESTABLISH BATTERY RECHARGING STATIONS UNDER JURISDICTION OF HOUSE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1402) to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 1402

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

SECTION 1. BATTERY RECHARGING STATIONS FOR PRIVATELY OWNED VEHICLES IN PARKING AREAS UNDER THE JURISDICTION OF THE HOUSE OF REPRESENTATIVES AT NO NET COST TO THE FEDERAL GOVERNMENT.

(a) DEFINITION.—In this Act, the term ''covered employee'' means—

(1) an employee whose pay is disbursed by the Chief Administrative Officer of the House of Representatives; or

(2) any other individual who is authorized to park in any parking area under the jurisdiction of the House of Representatives on Capitol Grounds.

(b) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (3), funds appropriated to the Architect of the Capitol under the heading ''CAPITOL POWER PLANT'' under the heading ''ARCHITECT OF THE CAPITOL'' in any fiscal year are available to construct, operate, and maintain on a reimbursable basis battery recharging stations in parking areas under the jurisdiction of the House of Representatives on Capitol Grounds for use by privately owned vehicles used by Members of the House of Representatives (including the Delegates or Resident Commissioner to the Congress) or covered employees.

(2) VENDORS AUTHORIZED.—In carrying out paragraph (1), the Architect of the Capitol may use 1 or more vendors on a commission basis.

(3) APPROVAL OF CONSTRUCTION.—The Architect of the Capitol may construct or direct the construction of battery recharging stations described under paragraph (1) after—

(A) submission of written notice detailing the numbers and locations of the battery recharging stations to the Committee on House Administration of the House of Representatives; and

(B) approval by that Committee.

(c) FEES AND CHARGES.—

(1) IN GENERAL.—Subject to paragraph (2), the Architect of the Capitol shall charge fees or charges for electricity provided to Members and covered employees sufficient to cover the costs to the Architect of the Capitol to carry out this section, including costs to any vendors or other costs associated with maintaining the battery recharging stations.

(2) APPROVAL OF FEES OR CHARGES.—The Architect of the Capitol may establish and adjust fees or charges under paragraph (1) after—

(A) submission of written notice detailing the amount of the fee or charge to be established or adjusted to the Committee on House Administration of the House of Representatives; and

(B) approval by that Committee.

(d) DEPOSIT AND AVAILABILITY OF FEES, CHARGES, AND COMMISSIONS.—Any fees, charges, or commissions collected by the Architect of the Capitol under this section shall be—

(1) deposited in the Treasury to the credit of the appropriations account described under subsection (b); and

(2) available for obligation without further appropriation during—

(A) the fiscal year collected; and

(B) the fiscal year following the fiscal year collected.

(e) ANNUAL REPORTS.—Not later than 30 days after the end of each fiscal year, the Architect of the Capitol shall submit a report on the financial administration and cost recovery of activities under this section with respect to that fiscal year to the Committee on House Administration of the House of Representatives.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal year, the Architect of the Capitol shall submit a report on the financial administration and cost recovery of activities under this section with respect to that fiscal year to the Committee on House Administration of the House of Representatives.

(2) AVOIDING SUBSIDY.—

(A) DETERMINATION.—Not later than 3 years after the date of enactment of this Act and every 3 years thereafter, the Architect of the Capitol shall submit a report to the Committee on House Administration of the House of Representatives determining whether Members (including any Delegate or Resident Commissioner to Congress) and covered employees using battery charging stations as authorized by this Act are receiving a subsidy from the taxpayers.

(B) MODIFICATION OF RATES AND FEES.—If a determination is made under subparagraph (A) that a subsidy is being received, the Architect of the Capitol shall submit a plan to the Committee on House Administration of the House of Representatives on how to update the program to ensure no subsidy is being received. If the committee does not act on the plan within 60 days, the Architect of the Capitol shall take appropriate steps to increase rates or fees to ensure reimbursement for the cost of the program consistent with an appropriate schedule for amortization, to be charged to those using the charging stations.

(f) EFFECTIVE DATE.—This Act shall apply with respect to fiscal year 2011 and each fiscal year thereafter.

AMENDMENT OFFERED BY MR. DANIEL E. LUNGREN OF CALIFORNIA

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I have an amendment to the bill at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend section 1(e) to read as follows:

(e) REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal year, the Architect of the Capitol shall submit a report on the financial administration and cost recovery of activities under this section with respect to that fiscal year to the Committee on House Administration of the House of Representatives.

(2) AVOIDING SUBSIDY.—

(A) DETERMINATION.—Not later than 3 years after the date of enactment of this Act and every 3 years thereafter, the Architect of the Capitol shall submit a report to the Committee on House Administration of the House of Representatives determining whether Members (including any Delegate or Resident Commissioner to Congress) and covered employees using battery charging stations as authorized by this Act are receiving a subsidy from the taxpayers.

(B) MODIFICATION OF RATES AND FEES.—If a determination is made under subparagraph (A) that a subsidy is being received, the Architect of the Capitol shall submit a plan to the Committee on House Administration of the House of Representatives on how to update the program to ensure no subsidy is being received. If the committee does not act on the plan within 60 days, the Architect of the Capitol shall take appropriate steps to increase rates or fees to ensure reimbursement for the cost of the program consistent with an appropriate schedule for amortization, to be charged to those using the charging stations.

Mr. DANIEL E. LUNGREN of California (during the reading). Mr. Speaker, I ask unanimous consent that the reading of the amendment be dispensed with.

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

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AGRICULTURAL DISASTER ASSISTANCE ACT OF 2012

Mr. LUCAS. Mr. Speaker, pursuant to House Resolution 752, I call up the bill (H.R. 6233) to make supplemental agricultural disaster assistance available for fiscal year 2012 with the costs of such assistance offset by changes to certain conservation programs, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6233

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Agricultural Disaster Assistance Act of 2012''.

SEC. 2. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PRODUCER ON A FARM.—

(A) IN GENERAL.—The term ''eligible producer on a farm'' means an individual or entity described in subparagraph (B) that, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

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

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

(2) FARM-RAISED FISH.—The term ''farm-raised fish'' means any aquatic species that is propagated and reared in a controlled environment.

(3) LIVESTOCK.—The term ''livestock'' includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) poultry;

(D) sheep;

(E) swine;

(F) horses; and

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

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) PAYMENTS.—For fiscal year 2012, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to make livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality, as determined by the Secretary, due to—

(A) attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators; or

(B) adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

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

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

(c) LIVESTOCK FORAGE DISASTER PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) COVERED LIVESTOCK.—

(i) IN GENERAL.—Except as provided in clause (ii), the term ''covered livestock'' means livestock of an eligible livestock producer that, during the 60 days prior to the beginning date of a qualifying drought or fire condition, as determined by the Secretary, the eligible livestock producer—

(I) owned;

(II) leased;

(III) purchased;

(IV) entered into a contract to purchase;

(V) is a contract grower; or

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

(aa) the current production year; or

(bb) subject to paragraph (3)(B)(ii), 1 or both of the 2 production years immediately preceding the current production year.

(ii) EXCLUSION.—The term ''covered livestock'' does not include livestock that were or would have been in a feedlot, on the beginning date of the qualifying drought or fire condition, as a part of the normal business operation of the eligible livestock producer, as determined by the Secretary.

(B) DROUGHT MONITOR.—The term ''drought monitor'' means a system for classifying drought severity according to a range of abnormally dry to exceptional drought, as defined by the Secretary.

(C) ELIGIBLE LIVESTOCK PRODUCER.—

(i) IN GENERAL.—The term ''eligible livestock producer'' means an eligible producer on a farm that—

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

(II) provides the pastureland or grazing land for covered livestock, including cash-leased pastureland or grazing land that is physically located in a county affected by drought;

(III) certifies grazing loss; and

(IV) meets all other eligibility requirements established under this subsection.

(ii) EXCLUSION.—The term ''eligible livestock producer'' does not include an owner, cash or share lessee, or contract grower of livestock that rents or leases pastureland or grazing land owned by another person on a rate-of-gain basis.

(D) NORMAL CARRYING CAPACITY.—The term ''normal carrying capacity'', with respect to each type of grazing land or pastureland in a county, means the normal carrying capacity, as determined under paragraph (3)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of a drought or fire that diminishes the production of the grazing land or pastureland.

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

(2) PROGRAM.—For fiscal year 2012, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide compensation for losses to eligible livestock producers due to grazing losses for covered livestock due to—

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

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

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

(A) ELIGIBLE LOSSES.—

(i) IN GENERAL.—An eligible livestock producer may receive assistance under this subsection only for grazing losses for covered livestock that occur on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) EXCLUSIONS.—An eligible livestock producer may not receive assistance under this subsection for grazing losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.).

(B) MONTHLY PAYMENT RATE.—

(i) IN GENERAL.—Except as provided in clause (ii), the payment rate for assistance under this paragraph for 1 month shall, in the case of drought, be equal to 60 percent of the lesser of—

(I) the monthly feed cost for all covered livestock owned or leased by the eligible livestock producer, as determined under subparagraph (C); or

(II) the monthly feed cost calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

(ii) PARTIAL COMPENSATION.—In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock due to drought conditions in 1 or both of the 2 production years immediately preceding the current production year, as determined by the Secretary, the payment rate shall be 80 percent of the payment rate otherwise calculated in accordance with clause (i).

(C) MONTHLY FEED COST.—

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

(I) 30 days;

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

(III) a payment rate that is equal to the corn price per pound, as determined under clause (iii).

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

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

(II) in the case of any other type of weight of livestock, an amount determined by the Secretary that represents the average number of pounds of corn per day necessary to feed the livestock.

(iii) CORN PRICE PER POUND.—For purposes of clause (i)(III), the corn price per pound shall equal the quotient obtained by dividing—

(I) the higher of—

(aa) the national average corn price per bushel for the 12-month period immediately preceding March 1 of the year for which the disaster assistance is calculated; or

(bb) the national average corn price per bushel for the 24-month period immediately preceding that March 1; by

(II) 56.

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

(i) FSA COUNTY COMMITTEE DETERMINATIONS.—

(I) IN GENERAL.—The Secretary shall determine the normal carrying capacity and normal grazing period for each type of grazing land or pastureland in the county served by the applicable committee.

(II) CHANGES.—No change to the normal carrying capacity or normal grazing period established for a county under subclause (I) shall be made unless the change is requested by the appropriate State and county Farm Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment using the monthly payment rate determined under subparagraph (B).

(II) D3.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having at least a D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph—

(aa) in an amount equal to 2 monthly payments using the monthly payment rate determined under subparagraph (B); or

(bb) if the county is rated as having a D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the county, or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period, in an amount equal to 3 monthly payments using the monthly payment rate determined under subparagraph (B).

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

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

(i) the grazing losses occur on rangeland that is managed by a Federal agency; and

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

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

(C) PAYMENT DURATION.—

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

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

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

(ii) LIMITATION.—An eligible livestock producer may only receive assistance under this paragraph for losses that occur on not more than 180 days per year.

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

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

(1) IN GENERAL.—For fiscal year 2012, the Secretary shall use not more than $20,000,000 of the funds of the Commodity Credit Corporation to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease (including cattle tick fever), adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under subsection (b) or (c).

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

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

(e) TREE ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ORCHARDIST.—The term ''eligible orchardist'' means a person that produces annual crops from trees for commercial purposes.

(B) NATURAL DISASTER.—The term ''natural disaster'' means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

(C) NURSERY TREE GROWER.—The term ''nursery tree grower'' means a person who produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale, as determined by the Secretary.

(D) TREE.—The term ''tree'' includes a tree, bush, and vine.

(2) ELIGIBILITY.—

(A) LOSS.—Subject to subparagraph (B), for fiscal year 2012, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance—

(i) under paragraph (3) to eligible orchardists and nursery tree growers that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary; and

(ii) under paragraph (3)(B) to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster, as determined by the Secretary.

(B) LIMITATION.—An eligible orchardist or nursery tree grower shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist or nursery tree grower, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(3) ASSISTANCE.—Subject to paragraph (4), the assistance provided by the Secretary to eligible orchardists and nursery tree growers for losses described in paragraph (2) shall consist of—

(A)(i) reimbursement of 70 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

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

(4) LIMITATIONS ON ASSISTANCE.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this paragraph, the terms ''legal entity'' and ''person'' have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed $100,000 for any crop year, or an equivalent value in tree seedlings.

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

(f) PAYMENT LIMITATIONS.—

(1) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this subsection, the terms ''legal entity'' and ''person'' have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(2) AMOUNT.—The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this section (excluding payments received under subsection (e)) may not exceed $100,000 for any crop year.

(3) AGI LIMITATION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a) or any successor provision shall apply with respect to assistance provided under this section.

(4) DIRECT ATTRIBUTION.—Subsections (e) and (f) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution shall apply with respect to assistance provided under this section.

(g) APPLICATION.—This section shall take effect as of October 1, 2011, and apply to losses that are incurred as the result of a disaster, adverse weather, or other environmental condition that occurs on or before September 30, 2012, as determined by the Secretary.

(h) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this section shall be final and conclusive.

(i) REGULATIONS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 90 days after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this section.

(2) PROCEDURE.—The promulgation of the regulations and administration of this section shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code;

(B) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''); and

(C) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 3. MODIFICATION OF CERTAIN CONSERVATION PROGRAMS.

(a) CONSERVATION STEWARDSHIP PROGRAM.—Section 1238G(d)(1) of the Food Security Act of 1985 (16 U.S.C. 3838g(d)(1)) is amended by inserting ''(except that for fiscal year 2013, the Secretary shall, to the maximum extent practicable, enroll in the program an additional 11,000,000 acres)'' before the semicolon.

(b) ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.—Section 1241(a)(6) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(6)) is amended—

(1) in subparagraph (D), by striking ''; and'' and inserting a semicolon; and

(2) by striking subparagraph (E) and inserting the following:

''(E) $1,750,000,000 in fiscal year 2012;

''(F) $1,400,000,000 in fiscal year 2013; and

''(G) $1,750,000,000 in fiscal year 2014.''.

The SPEAKER pro tempore. Pursuant to House Resolution 752, the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma.

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

I rise today in support of H.R. 6233, which provides disaster aid to livestock and other producers.

I am sure all of my colleagues are keenly aware of what is happening all across this great country. A drought of epic proportions is gripping a large majority of the Nation, and it is endangering vast areas of agriculturally productive land. The map behind me illustrates just how widespread and how bad this drought really is. Just yesterday, in my home State of Oklahoma, we had temperatures topping out at 115 degrees. Vast areas of productive pastureland are burning up, and our ranchers are in dire need.

But also let's be very clear as to why we are here on the floor today. In 2008, Congress passed a farm bill that did not provide a final year of disaster assistance. I have heard people call this ''extending disaster assistance by a

year.'' No. What we are doing is fixing a problem. We are backfilling a hole—or fixing a deficiency.

I'm not here to point fingers. I was elected to fix problems. We have a drought. We don't have a disaster program, and I am here to provide a solution. Now, in past years, we might just wave our hands and declare this to be emergency spending, but we tend not to do that anymore, thank goodness. This bill pays for itself. Not only does it pay for itself, but it gives more than $250 million to deficit reduction. To me, that sounds like fixing a problem.

Amazingly, that's not the end of the story.

Some people do not like how we paid for the bill. Quite frankly, I don't either. I was the subcommittee chairman for conservation programs in 2002 when we gave an extra $17 billion to conservation programs. I am a proponent of voluntary, incentive-based conservation programs, but let me give you a little history on EQIP funding.

Ten years ago, in fiscal year 2002, we authorized $200 million in EQIP spending. In fiscal year 2009, we authorized $1.34 billion, and for fiscal year 2013, we authorized $1.75 billion. Yes, we are cutting real dollars: $350 million will not go to our farmers and ranchers to help comply with the enormous regulations facing them. But, at the end of the day, this will still be the largest amount of money ever spent on the EQIP program, seven times what we spent in 2002.

The other offset is the CSP program, which was vastly, I might note for the record, improved in 2008. For those of you here in 2008 who voted for the farm bill, the CSP program in the House bill had zero dollars when it left the House. In the just-passed Ag Committee farm bill, we limited CSP to 9 million acres. I greatly respect the conservation community, but to hear them say we are destroying conservation programs could not be farther from the truth.

You will also hear people complain that this isn't the full farm bill. My priority remains to get a 5-year farm bill on the books and to put those policies into place.

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But the most pressing business before us today is to provide disaster assistance to those producers impacted by drought conditions who are currently exposed. It is as simple as that. There is a problem out there. Let's fix it.

Let me address the farm bill that my colleagues seem to either love or hate or love to hate or hate to love. The bill is not perfect. No legislation is. We can spend our time trying to chip away at the Federal deficit $1 million at a time, coming down to the floor on every appropriations bill, or we can spend our time writing opinion pieces for The Wall Street Journal, or we can do something about it. The farm bill that passed out of my committee, the Agriculture Committee, saves $35 billion. Let me repeat that: $35 billion.

Tell me another piece of legislation that has bipartisan support and a chance to pass the United States Senate that saves that much money. My friends on my side of the aisle will say we don't cut enough while, my friends on the other side of the aisle will say we cut too much. This is the perfect case of letting the perfect be the enemy of the good. I believe in the legislative process. I believe in letting the House work its will. We did it in the House Agriculture Committee, and we can do it here, too.

Mr. Speaker, let me say again: I am committed to giving certainty to our farmers. I plan to work towards the goal when we get back in September, but we are here today to fix a problem. Let's do it without partisan bickering. There's a disaster happening out there. Let's give the tools to our ranchers who are the most exposed. The bill is paid for. Let's do what the American people sent us here to do: fix problems. I urge my colleagues to join me in voting for H.R. 6233.

With that, I reserve the balance of my time.

Mr. PETERSON. Mr. Speaker, I yield myself such time as I may consume.

Today is the last session before the August recess, and once again the House will adjourn without finishing its work. It's no wonder nobody likes Congress anymore. Members will now have to explain to their constituents why the House did not even try to consider a new 5-year farm bill. Frankly, we're in this position because the House leadership has refused to bring the 5-year farm bill to the floor.

Working in a bipartisan tradition on the Agriculture Committee, Chairman LUCAS and I have crafted a new 5-year farm bill making many important and needed reforms. I appreciate the efforts of the chairman in trying to enact a long-term policy, and I know that if he had his way, as he just said, we would have already passed a farm bill. The chairman and I were ready to mark up our bill at the end of June, but the Republican leadership stepped in and said that they wanted us to consider the ag approps bill. So we held off for a couple of weeks, and then they didn't even bring the ag approps bill to the floor. The committee completed their work then on July 11, passing a new bill, a 5-year bill, 35–11 in a bipartisan vote. But rather than bring this bill to the floor, the House instead focused on messaging bills that are going nowhere.

I understand that this is an election year and the majority wants to promote their message, and I've even voted for some of these bills. You would think that after delaying us for 2 weeks, the leadership could have found 2 days on the House calendar to consider the committee's farm bill before the August recess.

Instead of bringing up the 5-year farm bill, the Republican leadership last week put forth a 1-year farm bill extension hoping to delay action until the next Congress, with hopes, for some people, that they're going to dismantle the farm and food safety nets. Fortunately, under intense opposition from those in agriculture and others, the leadership had to pull the bill. This brings us to today's consideration of H.R. 6233. This measure will provide some assistance to a few livestock producers affected by drought conditions across the country. Providing assistance to livestock producers, primarily cattle and sheep, is necessary and important, but this is not a comprehensive disaster package. Dairy and specialty crop producers are going to be left hurting, and there's no assistance for pork and poultry producers.

The Ag Committee's farm bill not only includes the livestock provision we're considering today, it also strengthens the farm safety net on a wide-ranging list of commodities. The 5-year farm bill will do a better job of providing certainty for American agriculture and assistance during this period of drought.

Additionally, I have concerns about the conservation cuts that are used to pay for this assistance. I don't think cutting conservation programs to offset the cost of disaster is the right approach. If there was more time, maybe we could find a better way to do this. But in the rush of putting this bill together, it didn't give us the necessary time to explore all of the options. This is yet another reason that I think bringing up a 5-year bill makes more sense.

It's just mystifying to me why House leaders can't take ''yes'' for an answer. I don't know how many times I've heard from the other side complaints about the Senate not being able to get our bills passed. We passed a lot of bills, most of which I supported, that are over in the Senate and they never took them up. Now the Senate has passed a bill, and this may be the only time that we will ever be able to get a farm bill through the Senate. They passed it on a bipartisan basis. We passed it on a bipartisan basis. Now the leadership doesn't want to bring it up. I don't understand it.

The farm economy is the one part of the economy that is actually working, doing well, has been solid for the last few years. This is due in part, I believe, to the strong farm bill that we passed in '08. Weathering a natural disaster without the certainty of a 5-year bill could jeopardize one of the bright spots we have in this economy.

With all that said, I do recognize the effects the drought is having on our farmers, and I will vote in favor of H.R. 6233. However, this bill is a sad substitute for what is really needed—a long-term farm policy. So I'll continue to urge my colleagues to bring up the House agriculture 5-year farm bill and to ensure that all producers will have necessary assistance during these times of disaster.

With that, I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield 2 minutes to the gentlelady from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the gentleman for yielding.

Mr. Speaker, today I rise in support of H.R. 6233, the supplemental agriculture disaster assistance bill.

As we look across the United States, many areas, including South Dakota, are facing a serious drought. While many of our producers are covered by crop insurance, our livestock producers don't have the same safety net in place to weather this drought. That's why the livestock disaster programs are so important.

The last farm bill was in place for 5 years, while the livestock disaster programs were only put into place for 4. That's why back in April I introduced legislation that would reauthorize those programs and retroactively look at 2012, recognizing that it was a dereliction of our duty, and to make sure that there was a safety net for our livestock producers, as well. The 2008 farm bill did not extend that disaster coverage for this year, but today we have the chance to make that right.

This House should not go home while literally hanging our ranchers out to dry without a safety net to get through this drought. This need is immediate, which is why we need to get this done. Beyond this, I'm going to continue to advocate for a 5-year farm bill, knowing it's the right thing to do, making sure that these programs are put into place for the lifetime of that farm bill so that we can avoid situations like this.

The full 5-year farm bill is the best way to get a long-term safety net for our livestock producers, and for our commodity producers, as well. We can't wait another day with this drought going on without giving our ranchers some needed certainty. That's why I'm going to urge all of my colleagues to vote ''yes'' today, and to continue to work to get a 5-year farm bill.

Mr. PETERSON. Mr. Speaker, I am now pleased to yield 4 minutes to the distinguished gentleman from Iowa, one of our ranking members, Mr. BOSWELL.

□ 1200

Mr. BOSWELL. Mr. Speaker, I rise today on behalf of farmers and producers in Iowa and in my district and across the country. And I want to thank you, Chairman LUCAS, and you, Ranking Member PETERSON, for working together to try to resolve the need for the farm bill. As you know, we are suffering because of the drought that continues to beat down on our land and our livestock.

While I'm not 100 percent pleased with this bill, I will vote today to move it forward on behalf of my producers in need. And for those who have been grappling for hay and have begun to liquidate cattle, I will support this disaster aid bill. However, I do it with a heavy heart, yet with the eternal optimist of a farmer, as you are, Mr. Chairman and Mr. PETERSON.

As a cow-calf producer myself, I can tell you exactly what our farmers and ranchers across America want. They want a farm bill, a 5-year farm bill that will provide long-term certainty in a changing market with an uncontrollable climate.

Producers in my State want a farm bill that invests in expansions and research for insurance programs, like the provisions we worked on in the House committee for livestock insurance and for specialty crops. They want to see a bill that will help them beyond 2012 and 2013, a bill that shows what we know: not only must we react to this drought, but we must prepare for the future.

Since July 11, I have expressed my support for a farm bill every chance I have had. I hope for a conference the same way I hope for rain. However, the Republican leadership has taken every chance they get to block debate on the 5-year farm bill.

It is clear this is not a perfect bill; but these happen to be imperfect times, and I believe we must respond to the drought that is impacting more than half of our Nation, as was depicted by the chairman a few moments ago.

I have reservations regarding the cuts to conservation, particularly since conservation programs have been one option to help feed the cattle under our current drought. Furthermore, if we could bring the farm bill to the floor, we could respond to drought issues, we could debate issues that are critical to all Americans, and we could advance a bill that saves tens of billions of dollars.

It is imperative that we pass a comprehensive, long-term farm bill. Farmers and ranchers always face decisions that carry very serious financial ramifications, such as planting a crop, buying land, upgrading machinery, building a herd. And we know that if we don't have a farm bill, that there are going to be a lot of ramifications on those out there that depend on the agriculture economy for a lot more than producing cattle or corn and beans or wheat or whatever. The machinery is a big part of it.

Both the Senate and the House Agriculture Committees have produced reform-minded, bipartisan bills that address plenty of the core principles that are important, such as strengthening crop insurance and ensuring strong agricultural research and development.

We have heard time and again in this House how uncertainty in the marketplace hinders job creation and economic growth. Not passing a long-term farm bill is bringing uncertainty to family farmers across Iowa, across the Nation, and this uncertainty must end.

We must pass a 5-year farm bill as soon as possible. Therefore, I remain hopeful—my eternal optimism, as I stated—that after providing relief to our producers impacted by this drought, that when we return from the August work period, that Speaker BOEHNER will welcome us back with a farm bill on the floor.

I support this resolution.

Mr. PETERSON. I reserve the balance of my time.

Mr. LUCAS. I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), one of the most experienced and knowledgeable members of the Ag Committee.

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. I thank Chairman LUCAS for his leadership on this issue and Ranking Member PETERSON for his support of this effort to take action to help livestock producers who are being devastated by the drought. Livestock farmers in the Sixth District of Virginia have been hit hard by the heat and the derecho that swept through the Shenandoah Valley last month.

This disaster relief was included in the 2008 farm bill but, unfortunately, did not last the full length of the farm bill. I am pleased that the Congress has found a way to provide relief for these livestock farmers; and not only do we provide the relief, but we pay for it. And not only do we pay for it, but we also achieve additional savings that are applied to the deficit. If every bill passed by the Congress reduced spending overall, we would be in much better fiscal condition in the Federal Government.

While the Congress is taking an important first step in providing relief for drought-stricken livestock farmers, the administration has at hand a tool that they should use right now to provide drought relief as well.

The Obama administration has at its disposal an easy relief valve that would provide drought relief, if only temporarily—a reduction in the government-mandated Renewable Fuel Standard. I have long been a critic of the RFS that has increased food and feed stocks being diverted into fuel, leading to diminished supplies for livestock and food producers. In fact, last year, 40 percent of the U.S. corn crop was used for ethanol production. There is no doubt that this policy has driven up the price of corn, which today is hovering around $8 a bushel. This, in turn, drives up the cost of food.

Unfortunately, because of the drought, we no longer have the luxury of being just worried about the price. This drought is so devastating that we have to be increasingly worried we do not have a large enough corn supply to meet all of our competing demands.

As we confront the reality of the tightening corn supplies, there are real concerns about having enough to satisfy the RFS and the needs of our food producers. We should not be in a position where we are choosing between fuel and food. In fact, the government has chosen: they've chosen fuel over food with a policy that mandates a certain amount of corn production going to ethanol production each year.

As the drought further shrinks the corn supply, we are unfortunately also going to see livestock herds shrink. This shrinking herd will affect consumers' grocery bills, resulting in consumers having to spend more in the grocery store. Rural communities that depend on livestock will be hit hard as producers affected by both the availability and high price of corn are being forced to limit their production or are being squeezed out of business.

The law allows the Administrator of the EPA to reduce the required volume of renewable fuels in any year based on severe harm to the economy or environment of a state, a region or the United States, or in the event of inadequate domestic supply of renewable fuel. This drought and the shrinking corn crop are causing severe economic harm in the countryside and on grocery store shelves.

The Administrator of the EPA has already received a petition to waive the RFS for a year. Today, over 150 bipartisan members, from coast to coast, joined in calling for Administrator Jackson to waive the RFS. The Congress is acting today to help drought stricken livestock farmers, but now the Obama Administration must act to use their authority to help these same farmers. This relief is not only desperately needed, but I believe is required by the law.

I urge all members to join today in supporting this bill to help provide much needed drought relief, and I urge the Administration to join the Congress in acting to provide drought relief by waiving the RFS.

I urge my colleagues to support this legislation. It is a first start toward addressing a longer-term problem that requires other action.

Mr. PETERSON. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I rise to reluctantly oppose this measure—not because drought relief is not desperately needed in many parts of this country, but because we have a far better vehicle to do this in the form of the farm bill that Chairman LUCAS and Ranking Member PETERSON have worked so tirelessly to produce, a good, good 5-year farm policy on behalf of American agriculture.

We need to do the job that we were sent here to do. The drought relief package that we are voting on today, I believe, is sadly more about giving the Republican leadership relief when they go back to their districts in August than helping our Nation's farmers, ranchers, and dairymen.

There is no denying that action is needed to offer relief, and we must do that; and hopefully we'll come to an agreement in September. But the best action, I believe, is passing the bipartisan farm bill.

If we were serious about helping agriculture make it through this drought, we would have brought up the bipartisan farm bill, which came out of the United States Senate, passed the House Agriculture Committee by a vote of 35–11, and followed regular order.

The fact is that instead of working on a conference committee, as we should be doing at this time because we certainly have had enough time to do that, we are voting on a patchwork measure that, in my opinion, is more about politics than policy and, more likely than not, will go nowhere in the United States Senate.

The dairymen, poultry producers, and cattle feeders in my district have seen their feed prices skyrocket 30 to 35 percent in the last 6 to 8 weeks. And, yes, we ought to provide relief through the Renewable Fuel Standard.

Bankruptcies are increasing at an alarming rate among the dairy industry in California. When these businesses are already struggling to stay afloat, they look to Congress for leadership. They look to Congress for real action to produce a 5-year farm bill. Drought relief alone is not enough. Lord knows we dealt with a drought in California that was devastating in 2009 and 2010.

Passing a farm bill would give farmers, ranchers, and dairymen the certainty that they need for the next 5 years in a part of the economy that has been doing, generally speaking, fairly well over the last several years. This includes long-term authority for disaster assistance along with all the other support from a farm bill that helps them do their work in the conservation programs, in the EQUIP programs, market-access programs, and in research that is vital to American agriculture.

This bill, sadly, would pit disaster relief against the conservation programs that farmers in my district rely on.

We need real solutions; and that solution, in my opinion, is passing a farm bill—not half-hearted actions to protect our political interests.

My colleagues, we have the time. Let's go to a conference committee and produce a bipartisan farm bill. It's traditionally the most bipartisan thing we do in this Congress.

Mr. LUCAS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. NEUGEBAUER) who's been dealing with drought issues for 2 years in a row now.

□ 1210

Mr. NEUGEBAUER. Mr. Speaker, I rise today in support of H.R. 6233. Like the chairman and the ranking member, I wish we were here debating the 5-year farm bill that was passed out of the House Ag Committee, which would have brought certainty and reform and would have saved the American taxpayers over $35 billion.

But the truth is we have a drought across this country. Over 75 percent of the areas that produce agriculture in this country are reporting either abnormally dry or worse conditions. That doesn't just impact farmers and ranchers; that impacts Americans who consume food products all across this country, driving food costs up.

So what we are doing today is doing something we should have done when we wrote the previous farm bill, and that is making sure that this program is extended for an additional year, and doing it in a way that is very fiscally responsible. In fact, we're going to save the American taxpayers $256 million by making some shifts, moving some money around and making sure that these farmers and ranchers that are going through this tremendous drought have the resources they need to continue and to help somewhat mitigate the increased cost of food for our country.

I hope that my colleagues will vote for this; but also, I hope in the future we will be back down on this floor debating a very important farm policy for American consumers and American farmers and ranchers.

Mr. PETERSON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. DAVID SCOTT).

Mr. DAVID SCOTT of Georgia. Mr. Speaker, first of all, I want to commend the bipartisan leadership on this committee, Chairman LUCAS and the ranking member, Mr. PETERSON, for the hard work they have done and the leadership they've provided.

We are faced with sort of a dilemma here. The right thing for us to do, that we should be doing right now, that we should have been doing 2 or 3 days ago, was dealing with the 5-year extension of the farm bill. That is exactly what we need to be doing. It gives consistency. It will give uniformity to our very vital food industry. I might add, Mr. Speaker, that it is needed very desperately at this time.

But at the same time, we are faced with a very serious drought situation that is pummeling our country, the likes of which we haven't seen in over 60 years. So the immediate and responsible thing for us to do is to respond to this drought crisis and pass this bill immediately and then resolve that the first order of business we will do when we return is take up the 5-year farm bill.

Might I add that while we have this disaster facing us, which is the drought, we have another, and that is the food issue in this country, especially the issue of the SNAP program, what we refer to as the food stamp program, if we do not come together with a good conference committee report that looks at this issue with the necessity that the problem presents.

Under the current bill on the House side passed by the Agriculture Committee, according to CBO, there will be over 300,000 children who will go without food. There will be 155,000 veterans who will go without food, and nearly 200,000 of our seniors. What I'm saying is we have not just a drought crisis, which we are going to respond to today, but we have got to come back and deal with this other crisis as we work to put together a very effective 5-year farm bill.

Mr. LUCAS. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. FORTENBERRY), one of the most active members of the committee.

Mr. FORTENBERRY. Mr. Speaker, I would like to thank the leader of the

Ag Committee for his important leadership on this issue and many, many others.

Mr. Speaker, just like in Nebraska where we're hoping for rain, I'm actually hoping for a long-term farm bill. Agriculture remains the only bright spot in the American economy, and it is critical that we build a multi-year farm bill that is built upon our strengthens and provides certainty for our Nation's agriculture producers.

Last month, with bipartisan support, the House Agriculture Committee, under Chairman LUCAS's leadership, approved such a bill. The House should act on it before the current farm bill expires this September.

While the 5-year proposal is not perfect, it provides adequate protections for farmers and ranchers. It supports young and beginning farmers and embraces new market opportunities domestically and internationally while also reducing spending. The proposal charts a new way forward for America's farmers and ranchers while respecting the Federal Government's severe budgetary constraints.

Mr. Speaker, agricultural policy is essential to America's food security. But agriculture is also critical to our energy policy, environmental policy, even our national security policy. A new farm bill is imperative for the future of the agriculture sector, but also for the well-being of our country.

While I'm disappointed that we are not acting on a long-term bill, it is important that we consider this legislation, and I support its passage. Drought conditions are affecting many parts of the Nation. This bill reinstates past legislative provisions—there's nothing new here—and it gives relief to livestock producers. The measure is paid for and actually reduces spending, while attempting to remain appropriately sensitive to important conservation programs. I urge its passage.

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

Mr. LUCAS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), one of my lead subcommittee chairmen who put a tremendous amount of effort into this farm bill process.

(Mr. CONAWAY asked and was given permission to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, I thank the chairman, and I rise today in strong support of this disaster relief bill. To fully appreciate the need for this legislation—and it's going to pass the House today, we hope, and be signed into law by the President this week—just turn on your television or look at the front page of any newspaper to see the details of the drought gripping our countryside today.

As a west Texan from cattle country, I know a little bit about droughts. The record-breaking drought that we faced last year in Texas, that's still being felt this year, by the way, was heart breaking for all of us, especially those who make their living raising livestock and growing crops that feed and clothe our Nation.

I'm sometimes called upon to explain how good can come out of a bad situation. Maybe this is one of those times. I hope my colleagues who doubt the need for farm policy might think a little bit about what our country's farmers and ranchers are going through right now, and then imagine what many of them are going through without crop insurance, which is the one and only reason why we are not in here today debating a multi-billion dollar disaster package. In other words, an ounce of prevention is worth a pound of cure.

Unfortunately, our livestock producers do not have crop insurance. They have to depend on disaster programs instead. Regrettably, the authority for this disaster relief has expired and must be renewed in order for livestock producers to receive relief, and that's what this bill does.

But the need for farm policy goes beyond addressing droughts and whatever else Mother Nature might throw at us. It also is responding to high foreign tariffs and subsidies that are climbing higher and higher, breaking records, while funding for U.S. farm policy is at an all-time low. Agriculture matters to our economy, to our balance of trade, to U.S. jobs, and to our national security.

Importantly, the bill before us is fully paid for so it doesn't increase the deficit. We offset the costs of using dollars from two conservation accounts that have never been spent on the conservation purposes that they were intended for. So there is zero impact on conservation programs, but it'll be helping farmers and ranchers.

I know many of my colleagues say we should be passing a 5-year farm bill instead of disaster relief. No one is more committed to enacting long-term farm policy than I am. I will continue to work that way. We passed a good one in the House Agriculture Committee under the leadership of Chairman LUCAS, but I think everyone appreciates the time it will take to pass this House and get to conference. That is extensive, and something our producers don't have the time.

I'm disappointed in some of our farm groups that they've objected to the various ways the House is working and attempting to advance our Nation's farm policy. A number of these groups are the very same groups that insisted on dragging out this debate by trying to advance farm policy that only works, if at all, for one region of the country, or only for a couple of crops. Our livestock producers need help now, and that's what the House is about to do, I hope, and that is always respond in times of natural disaster. I urge my colleagues to vote for this bill.

Mr. LUCAS. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM) who does very important work for agriculture on the Appropriations Committee.

Mr. LATHAM. Mr. Speaker, I thank the chairman for allowing me the time here to speak, and I rise in support today of H.R. 6233, the Agricultural Disaster Assistance Act. As we all know, farmers and ranchers are really suffering from one of the worst and most widespread droughts to have occurred in decades.

□ 1220

While over half of Iowa has been designated as a disaster area because of the drought, farmers at home are really hurting and really feeling the pain of the drought.

While the forecasts are not good for the future as far as rain and the conditions appear to be worsening every day out there—the temperatures near 100 degrees—we're at a critical point. Congress can't legislate rain like we'd like to, but we can certainly provide farmers the certainty that they need to address the disaster, which is the worst in decades.

Unfortunately, Mr. Speaker, the livestock producers have no safety net to fall back on because the disaster programs expired last year. Extending these programs to the end of fiscal year 2012 will give farmers the confidence and the certainty to prepare for what's going to be a very difficult year.

We're all pushing as hard as we can, doing everything possible to get a new farm bill done, and I would encourage everyone to work to that end. In the meantime, this is what we have to do. We need to do this immediately to give certainty to those livestock producers all over the country that are facing a very, very difficult situation with the drought.

So again, Mr. Speaker, I would urge my colleagues to support H.R. 6233. Let's move this today and then get on to a new farm bill.

Mr. LUCAS. Mr. Speaker, I would like to yield 2 minutes to the gentlelady from Missouri (Mrs. EMERSON), a tireless voice for rural American production of agriculture.

Mrs. EMERSON. Mr. Speaker, the drought which is devastating U.S. producers of agriculture throughout the Nation poses a serious, serious threat to every American family who plans on visiting the grocery store this year. American farmers and ranchers are on the ropes right now, and this legislation is desperately needed.

I can't tell you how important the leadership and cooperation of Chairman LUCAS and Ranking Member PETERSON has been on this issue because, statistically speaking, this is the worst drought since the 1950s. The forage situation for livestock is the worst since 1933.

In southern Missouri, the drought is breaking the life's work of dairy farmers like Stacey McCallister, who wrote this to me:

> I've been talking to some farmers, and the feed prices are going to put us out of business. Milk isn't coming up at all on price and feed costs are doubling in cases. The sorriest

hay that you could feed a heifer is at $200 a ton; I used to buy it at $30 a ton. I feel like my heart is in my stomach right now.

This picture of his farm tells the heartbreaking story. According to Stacey, even if you want to sell off part of your herd, you're out of luck. There's no more room for cows at the sale barn where they hold livestock auctions. There is about one penny of profit margin on the milk he's selling today. Our response to this disaster must begin with this effort to reinstate the emergency programs which were allowed to expire last October. We've paid for the reauthorization of these four programs in this legislation, and there's no reason not to renew them.

These programs are a safety net for our livestock producers in free fall. They need this assistance, and we need to give it to them or else risk losing the heart and soul of the agricultural backbone of this Nation, the families who literally put food on our tables.

I urge support for this legislation at a crucial hour of need for America's livestock producers.

Mr. PETERSON. Mr. Speaker, I'm going to support this bill. It's better than nothing, but it's not what we should be doing.

People need to understand that this is not going to solve any problems for anybody over August, other than the political problem that they have where they go home and can't point to anything that got done, so they'll be able to say they voted for a bill.

This bill is not going anyplace in the other body. They have passed through the other body a bipartisan bill that has a better disaster provision in it than what we're considering here today. Their position is my position, and that is that we should be moving this bill and getting it enacted into law.

So, out of my friendship and respect for the chairman, I am supporting this bill. But I think he'll probably agree with me that we need to get this bill to conference. We need to get it moved. We need to get it done so we can get it in place by September 30, so producers can get what they really need out of this bill, and that is a long-term policy they know they can count on.

So I ask my colleagues to support this legislation, and I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker and my colleagues, I think the bill we address today is very straightforward. We are going to help a group of producers who, when the '08 farm bill passed, thought they had something they could depend on, but because of budget issues, the 5th year is not funded. We need to help them by fulfilling our commitment that what we said would be there will be there. We do it in a responsible way. We do it in a way that does not truly affect the dollars going to additional conservation programs, based on recent years.

But my colleague's right. This addresses an issue that matters to producers who, for the last 10 months and for the next approximately 2 months, are not able to use a program they thought would be there. But the underlying issue still is passing a comprehensive 5-year farm bill; a farm bill that is such that all commodities and all regions can participate; a farm bill that will provide certainty; a farm bill that will make sure that the food and fiber that meet the needs of American consumers and, yes, consumers around the world can be on the books.

My friend and I have worked very hard, and we have made more progress this year than many pundits would have ever given us credit for, but we're not quite there yet. We may not exactly agree on every footstep to get there, but we agree we have to get there. Let's take care of the folks who are hurting today, and let's work to get that farm bill process completed.

With that, Mr. Speaker, I urge my colleagues to pass H.R. 6233, and I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in opposition to H.R. 6233, the Agricultural Disaster Assistance Act. I agree that we must take steps to assist farmer and rancher families affected by extreme drought conditions, but doing so at the expense of national conservation programs is a shortsighted approach. Conservation programs help preserve farms and ranchlands, improve water quality, and enhance soil conservation, air quality, and wildlife habitats. These funds have been essential to Maryland farmers in protecting the quality of the Chesapeake Bay. Maintaining funding for these programs and providing farmers and ranchers with the opportunity to do long-term conservation planning is one of the best investments we can make to mitigate the impact of future droughts and disasters. Instead of pitting disaster assistance against conservation programs, let's focus on our efforts on reauthorizing a five-year farm bill. Farmers in my district and across the Nation agree that a farm bill reauthorization will give them the clarity and economic certainty they really need to plan for their futures. I urge my colleagues to reject today's bill and move forward with passing comprehensive reauthorization.

Mr. FORBES. Mr. Speaker, we are in the midst of a devastating drought—impacting the viability of our nation's crops and the livelihood of farmers in 65% of the country, including Virginia. In response today, I supported the Agriculture Disaster Assistance Act, reauthorizing disaster assistance programs, and allowing producers to effectively manage risk, while providing certainty to producers who are generally ineligible for crop insurance.

This assistance does not come without a cost—one that is absorbed by some of our nation's agriculture conservation programs. These programs have been instrumental in aiding Virginia's agricultural community, and I support their efforts to protect our rivers, streams and waterways that make up the important Chesapeake Bay watershed.

I believe that we must work to ensure the stability and future of our economy, including our nation's food sources. However as we do, we must remain mindful of the need to conserve our natural resources which are critical for agricultural production throughout the country. It is my hope Congress can move to pass a comprehensive Farm Bill which will support our nation's rich agricultural heritage while giving our farmers the tools they need to protect our vital natural resources.

Ms. KAPTUR. Mr. Speaker, I rise in opposition to the so-called Agricultural Disaster Assistance Act.

This bill is anything but disaster assistance agriculture. It is a bill by Republican leadership to provide cover for not bringing up a real farm bill.

Farmers and ranchers do not need a temporary disaster bill—they need a farm bill that provides disaster assistance but so farmers and ranchers can make sound future business decisions.

Republicans often say uncertainty about "regulation" is harming the economy.

Yet here we are considering a temporary measure when American agriculture needs certainty.

It is ironic we are here considering a temporary measure that creates uncertainty because about a year ago the United States' credit rating was downgraded. Why? Republicans created uncertainty in the financial markets during the debt ceiling debacle.

By taking up temporary disaster aid and not a farm bill, Republicans must want to downgrade American agriculture.

This bill kicks the can down the road, as Republicans have done far too often.

The House should stay and do the people's work instead of running off on a recess.

We won't stay though, because Republicans refuse to compromise with Democrats on paying the bills due and now the farm bill languishes.

This refusal shows us that Republicans are not serious about a farm bill or deficit reduction, creating jobs and growing our economy.

If Republicans were serious about deficit reduction, they would bring up one of two farm bills that are out there.

While neither bill is perfect, the Senate farm bill would reduce the deficit by $23 billion and the House farm bill cut spending by $35 billion.

If Republicans were serious about creating jobs and growing the economy, they would bring up a farm bill.

Just one Title of the farm bill, the energy title, has the potential to generate $88.5 billion in economic activity and create nearly 700,000 jobs.

Finally, I oppose this temporary disaster bill not only because it shows lack of leadership in passing a farm bill but because of its shortsightedness in slashing conservation programs.

I represent Lake Erie, which is part of the Great Lakes region that is responsible for more than 1.5 million jobs and generates $62 billion in wages.

Lake Erie is under assault by a massive bloom of algae that is turning the water into a bright green pea soup.

The substance is enough to kill a pet dog, and makes people seriously ill. As the summer goes on, the stench will drive tens of thousands of tourists and local residents inside with closed windows.

The Environmental Quality Incentives Program and Conservation Stewardship Program are two of the most effective programs in helping farmers and ranchers do their part to help reduce nutrient runoff fueling the algae bloom.

Cutting these programs are penny wise and pound-foolish.

I urge my colleagues to oppose this bill. Let's pass a real farm bill.

Mr. KING of Iowa. Mr. Speaker, I want to thank the Chairman for his relentless leadership to get some relief to America's farmers and ranchers who are dealing with this drought. In my home state of Iowa we now have 42 counties that have been declared by the United States Department of Agriculture (USDA) as primary natural disaster areas.

The latest crop conditions report in Iowa has 18 percent of the corn declared as "very poor." Only one percent is rated as "excellent". Soybeans are in a very similar situation.

Our pasture lands are in terrible condition with 55 percent of pasture being "very poor." While lands in the Conservation Reserve Program (CRP) are being opened today for haying and grazing, it really isn't going to amount to much.

As a result of these conditions, our livestock producers are going to have a really hard time getting feed. I appreciate that this disaster package will bring some relief, especially to those who have lost animals due to the extreme heat.

However, let us not forget that we have work to do on a real farm bill. We need to get the 2012 farm bill done and in proper order, so that we do not have to do ad hoc disaster assistance packages and so that farmers can plan for the future. I appreciate the Chairman and Ranking Member's work on this bipartisan bill that we reported out of Committee and look forward to us finishing our work and bringing the Federal Agriculture Reform and Risk Management (FARRM) Act to the House Floor.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Pursuant to House Resolution 752, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 6233 is postponed.

PATHWAY TO JOB CREATION THROUGH A SIMPLER, FAIRER TAX CODE ACT OF 2012

Mr. DREIER. Mr. Speaker, pursuant to House Resolution 747, I call up the bill (H.R. 6169) to provide for expedited consideration of a bill providing for comprehensive tax reform, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 747, the bill is considered read.

The text of the bill is as follows:

H.R. 6169

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pathway to Job Creation through a Simpler, Fairer Tax Code Act of 2012".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that the following problems exist with the Internal Revenue Code of 1986 (in this section referred to as the "tax code"):

(1) The tax code is unfair, containing hundreds of provisions that only benefit certain special interests, resulting in a system of winners and losers.

(2) The tax code violates the fundamental principle of equal justice by subjecting families in similar circumstances to significantly different tax bills.

(3)(A) Many tax preferences, sometimes referred to as "tax expenditures," are similar to government spending—instead of markets directing economic resources to their most efficient uses, the Government directs resources to other uses, creating a drag on economic growth and job creation.

(B) The exclusions, deductions, credits, and special rules that make up such tax expenditures amount to over $1 trillion per year, nearly matching the total amount of annual revenue that is generated from the income tax itself.

(C) In some cases, tax subsidies can literally take the form of spending through the tax code, redistributing taxes paid by some Americans to individuals and businesses who do not pay any income taxes at all.

(4) The failure to adopt a permanent tax code with stable statutory tax policy has created greater economic uncertainty. Tax rates have been scheduled to increase sharply in 3 of the last 5 years, requiring the enactment of repeated temporary extensions. Additionally, approximately 70 other, more targeted tax provisions expired in 2011 or are currently scheduled to expire by the end of 2012.

(5) Since 2001, there have been nearly 4,500 changes made to the tax code, averaging more than one each day over the past decade.

(6) The tax code's complexity leads nearly nine out of ten families either to hire tax preparers (60 percent) or purchase software (29 percent) to file their taxes, while 71 percent of unincorporated businesses are forced to pay someone else to prepare their taxes.

(7) The cost of complying with the tax code is too burdensome, forcing individuals, families, and employers to spend over six billion hours and over $160 billion per year trying to comply with the law and pay the actual tax owed.

(8) Compliance with the current tax code is a financial hardship for employers that falls disproportionately on small businesses, which spend an average of $74 per hour on tax-related compliance, making it the most expensive paperwork burden they encounter.

(9) Small businesses have been responsible for two-thirds of the jobs created in the United States over the past 15 years, and approximately half of small-business profits are taxed at the current top 2 individual rates.

(10) The historic range for tax revenues collected by the Federal government has averaged 18 to 19 percent of Gross Domestic Product (GDP), but will rise to 21.2 percent of GDP under current law—a level never reached, let alone sustained, in the Nation's history.

(11) The current tax code is highly punitive, with a top Federal individual income tax rate of 35 percent (which is set to climb to over 40 percent in 2013 when taking into account certain hidden rates), meaning some Americans could face a combined local, State and Federal tax rate of 50 percent.

(12) The tax code contains harmful provisions, such as the Alternative Minimum Tax (AMT), which was initially designed to affect only the very highest-income taxpayers but now threatens more than 30 million middle-class households because of a flawed design.

(13) As of April 1, 2012, the United States achieved the dubious distinction of having the highest corporate tax rate (39.2 percent for Federal and State combined) in the developed world.

(14) The United States corporate tax rate is more than 50 percent higher than the average rate of member states of the Organization for Economic Cooperation and Development (OECD)—a factor that discourages employers and investors from locating jobs and investments in the United States.

(15) The United States has become an outlier in that it still uses a "worldwide" system of taxation—one that has not been substantially reformed in 50 years, when the United States accounted for nearly half of global economic output and had no serious competitors around the world.

(16) The combination of the highest corporate tax rate with an antiquated "worldwide" system subjects American companies to double taxation when they attempt to compete with foreign companies in overseas markets and then reinvest their earnings in the United States.

(17) The Nation's outdated tax code has contributed to the fact that the world's largest companies are more likely to be headquartered overseas today than at any point in the last 50 years: In 1960, 17 of the world's 20 largest companies were based in the United States; by 2010, that number sank to a mere six out of 20.

(18) The United States has one of the highest levels of taxation on capital—taxing it once at the corporate level and then again at the individual level—with integrated tax rates on certain investment income already reaching roughly 50 percent (and scheduled to reach nearly 70 percent in 2013).

(19) The United States' overall taxation of capital is higher than all but four of the 38 countries that make up the OECD and the BRIC (Brazil, Russia, India and China).

(b) PURPOSES.—It is the purpose of this Act to provide for enactment of comprehensive tax reform in 2013 that—

(1) protects taxpayers by creating a fairer, simpler, flatter tax code for individuals and families by—

(A) lowering marginal tax rates and broadening the tax base;

(B) eliminating special interest loopholes;

(C) reducing complexity in the tax code, making tax compliance easier and less costly;

(D) repealing the Alternative Minimum Tax;

(E) maintaining modern levels of progressivity so as to not overburden any one group or further erode the tax base;

(F) making it easier for Americans to save; and

(G) reducing the tax burdens imposed on married couples and families;

(2) is comprehensive (addressing both individual and corporate rates), so as to have the maximum economic impact by benefitting employers and their employees regardless of how a business is structured;

(3) results in tax revenue consistent with historical norms;

(4) spurs greater investment, innovation and job creation, and therefore increases economic activity and the size of the economy on a dynamic basis as compared to the current tax code; and

(5) makes American workers and businesses more competitive by—

(A) creating a stable, predictable tax code under which families and employers are best able to plan for the future;

(B) keeping taxes on small businesses low;

(C) reducing America's corporate tax rate, which is currently the highest in the industrialized world;

(D) maintaining a level of parity between individual and corporate rates to reduce economic distortions;