

(1) SUGARCANE PROCESSOR LOANS.—Section 156(a) of the Agricultural Market Transition Act (7 U.S.C. 7272(a)) is amended by striking “equal to 18 cents per pound for raw cane sugar.” and inserting the following: “, per pound for raw cane sugar, equal to the following:

“(1) In the case of raw cane sugar processed from the 1996 through 2000 crops, \$0.18.

“(2) In the case of raw cane sugar processed from the 2001 crop, \$0.17.

“(3) In the case of raw cane sugar processed from the 2002 crop, \$0.16.

“(4) In the case of raw cane sugar processed from the 2003 crop, \$0.15.

“(5) In the case of raw cane sugar processed from the 2004 crop, \$0.14.”.

(2) SUGAR BEET PROCESSOR LOANS.—Section 156(b) of the Agricultural Market Transition Act (7 U.S.C. 7272(b)) is amended by striking “equal to 22.9 cents per pound for refined beet sugar.” and inserting the following: “, per pound of refined beet sugar, that reflects—

“(1) an amount that bears the same relation to the loan rate in effect under subsection (a) for a crop as the weighted average of producer returns for sugar beets bears to the weighted average of producer returns for sugarcane, expressed on a cents per pound basis for refined beet sugar and raw cane sugar, for the most recent 5-year period for which data are available; and

“(2) an amount that covers sugar beet processor fixed marketing expenses.”.

(b) CONVERSION TO RECOURSE LOANS.—Section 156(e) of the Agricultural Market Transition Act (7 U.S.C. 7272(e)) is amended—

(1) in paragraph (1), by inserting “only” after “this section”; and

(2) by striking paragraph (2) and inserting the following:

“(2) NATIONAL LOAN RATES.—Recourse loans under this section shall be made available at all locations nationally at the rates specified in this section, without adjustment to provide regional differentials.”.

(c) CONVERSION TO PRIVATE SECTOR FINANCING.—Section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272) is amended—

(1) by redesignating subsection (i) as subsection (j);

(2) by inserting after subsection (h) the following:

“(i) CONVERSION TO PRIVATE SECTOR FINANCING.—Notwithstanding any other provision of law—

“(1) no processor of any of the 2005 or subsequent crops of sugarcane or sugar beets shall be eligible for a loan under this section with respect to the crops; and

“(2) the Secretary may not make price support available, whether in the form of loans, payments, purchases, or other operations, for any of the 2005 and subsequent crops of sugar beets and sugarcane by using the funds of the Commodity Credit Corporation or other funds available to the Secretary.”; and

(3) in subsection (j) (as redesignated by paragraph (1))—

(A) by striking “subsection (f)” and inserting “subsections (f) and (i)”; and

(B) by striking “2002” and inserting “2004”.

(d) TERMINATION OF MARKETING QUOTAS AND ALLOTMENTS.—

(1) TERMINATION.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 344(f)(2) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(2)) is amended by striking “sugar cane for sugar, sugar beets for sugar.”.

(e) OTHER CONFORMING AMENDMENTS.—

(1) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES.—

(A) DESIGNATED NONBASIC AGRICULTURAL COMMODITIES.—Section 201(a) of the Agricultural Act of 1949 (7 U.S.C. 1446(a)) is amended by striking “milk, sugar beets, and sugarcane” and inserting “and milk”.

(B) OTHER NONBASIC AGRICULTURAL COMMODITIES.—Section 301 of the Agricultural Act of 1949 (7 U.S.C. 1447) is amended by inserting “(other than sugarcane and sugar beets)” after “title II”.

(2) POWERS OF COMMODITY CREDIT CORPORATION.—Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(a)) is amended by inserting “(except for the 2005 and subsequent crops of sugarcane and sugar beets)” after “agricultural commodities”.

(3) SECTION 32 ACTIVITIES.—Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), is amended in the second sentence of the first paragraph by inserting “(other than sugarcane and sugar beets)” after “commodity” the last place it appears.

(f) ASSURANCE OF ADEQUATE SUPPLIES OF SUGAR.—Section 902 of the Food Security Act of 1985 (7 U.S.C. 1446g note; Public Law 99-198) is amended by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Beginning with the quota year for sugar imports that begins after the 2000/2001 quota year, the President shall use all authorities available to the President as may be necessary to enable the Secretary of Agriculture to ensure that adequate supplies of raw cane sugar are made available to the United States market at prices that are not greater than the higher of—

“(1) the world sugar price (adjusted to a delivered basis); or

“(2) the raw cane sugar loan rate in effect under section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272), plus interest.”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2109. Ms. LANDRIEU (for herself and Mr. DEWINE) proposed an amendment to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

SA 2110. Mrs. HUTCHISON (for herself and Mr. SESSIONS) proposed an amendment to the bill H.R. 2944, *supra*.

SA 2111. Mr. DURBIN (for himself and Mrs. BOXER) proposed an amendment to the bill H.R. 2944, *supra*.

SA 2112. Mr. DORGAN proposed an amendment to the bill H.R. 2944, *supra*.

SA 2113. Ms. LANDRIEU (for herself and Mr. DEWINE) proposed an amendment to the bill H.R. 2944, *supra*.

TEXT OF AMENDMENTS

SA 2109. Ms. LANDRIEU (for herself, and Mr. DEWINE) proposed an amendment to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 6, line 25, insert the following after “inserting ‘1,100’.”:

Section 16(d) of the Victims of Violent Crime Compensation Act of 1996 (sec. 4-515(d), D.C. Official Code), as amended by section 403 of the Miscellaneous Appropriations Act, 2001 (as enacted into law by section 1(a)(4) of the Consolidated Appropriations Act, 2001), is amended—

(1) by striking “in excess of \$250,000”; and

(2) by striking “and approved by” and all that follows and inserting a period.

(b) The amendments made by subsection (a) shall take effect as if included in the enactment of section 403 of the Miscellaneous Appropriations Act, 2001.

On page 12, line 7, after “Agency,” insert the following: “the Governor of the State of Maryland and the Governor of the Commonwealth of Virginia, the county executives of contiguous counties of the region”.

Page 12, line 7, after “and” and before “state” insert the following: “the respective”.

Page 12, line 8, after “emergency” and before “plan” insert: “operations”.

Page 13, line 14, strike “\$500,000” and insert: “\$250,000”.

Page 13, line 15, strike “McKinley Technical High School” and insert the following: “Southeastern University”.

Page 13, line 16, strike “Southeastern University” and insert the following: “McKinley Technical High School”.

Page 13, line 14, insert after “students;”: “\$250,000 for Lightspan, Inc. to implement the eduTest.com program in the District of Columbia Public Schools;”.

Page 16, line 3, strike “U.S. Soccer Foundation, to be used” and insert: “Washington, D.C. Sports and Entertainment Commission which in coordination with the U.S. Soccer Foundation, shall use the funds”.

Page 17, line 18, insert after “families” the following: “and children without parents, due to the September 11, 2001 terrorist attacks on the District of Columbia.”.

Page 18, line 8, after “Provided,” and before “That” insert the following: “That funds made available in such Act for the Washington Interfaith Network (114 Stat. 2444) shall remain available for the purposes intended until December 31, 2001: *Provided*.”.

Page 34, line 4, District of Columbia Funds—Public Works, insert after “available”: “*Provided*, That \$1,550,000 made available under the District of Columbia Appropriations Act, 2001 (Public Law 106-522) for taxicab driver security enhancements in the District of Columbia shall remain available until September 30, 2002.”.

Page 37, line 4, insert the following after “service”: “Notwithstanding any other provision of law, the District of Columbia is hereby authorized to make any necessary payments related to the “District of Columbia Emergency Assistance Act of 2001”: *Provided*, That the District of Columbia shall use local funds for any payments under this heading: *Provided further*, That the Chief Financial Officer shall certify the availability of such funds, and shall certify that such funds are not required to address budget shortfalls in the District of Columbia.”.

Page 63, line 8, after “expended.” insert the following new subsection:

“(C) AVAILABILITY OF FY 2001 BUDGET RESERVE FUNDS.—For fiscal year 2001, any amount in the budget reserve shall remain available until expended.”.

Page 68, line 6, insert the following as a new General Provision:

SEC. 137. To waive the period of Congressional review of the Closing of Portions of 2nd and N Streets, N.E. and Alley System in Square 710, S.O. 00-97, Act of 2001. Notwithstanding section 602(c)(1) of the District of

Columbia Home Rule Act (sec. 1-233(c)(1), D.C. Code), the Closing of Portions of 2nd and N Streets, N.E. and Alley System in Square 710, S.O. 00-97, Act of 2001 (D.C. Act 14-106) shall take effect on the date of the enactment of such Act or the date of the enactment of this Act, whichever is later.

SA 2110. Mrs. HUTCHISON (for herself and Mr. SESSIONS) proposed an amendment to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; as follows:

Under "General Provisions" insert the following new section:

SEC. . (a) None of the funds contained in this Act may be made available to pay the fees of an attorney who represents a party who prevails in an action or any attorney who defends any action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) If—

(1) the hourly rate of compensation of the attorney exceeds 300 percent of the maximum amount of compensation under section 11-2604(b)(1), District of Columbia Code; or

(2) the maximum amount of compensation of the attorney exceeds 300 percent of the maximum amount of compensation under section 11-2604(b)(1), District of Columbia Code, except that compensation and reimbursement in excess of such maximum may be approved for extended or complex representation in accordance with section 11-2604(c), District of Columbia Code; and

(3) in no case may the compensation limits in paragraphs (1) and (2) exceed \$3,000.

(b) Notwithstanding the preceding subsection, if the Mayor and the Superintendent of the District of Columbia Public Schools concur in a Memorandum of Understanding setting forth a new rate and amount of compensation, or a new limit referred to in subsection (a)(3), then such new rates or limits shall apply in lieu of the rates and limits set forth in the preceding subsection to both the attorney who represents the prevailing party and the attorney who defends the action.

(c) Notwithstanding 20 U.S.C. §1415, 42 U.S.C. §1988, 29 U.S.C. §794a, or any other law, none of the funds appropriated under this Act, or in appropriations acts for subsequent fiscal years, may be made available to pay attorneys' fees accrued prior to the effective date of this Act that exceeds a cap imposed on attorneys' fees by prior appropriations acts that were in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, in an action brought against the District of Columbia Public Schools under the Individuals With Disabilities Act (20 U.S.C. §1400 et seq.).

SA 2111. Mr. DURBIN (for himself and Mrs. BOXER) proposed an amendment to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place insert the following:

SEC. . The limitation on attorneys fees paid by the District of Columbia for actions brought under I.D.E.A. (20 U.S.C. 1400 et seq.) (Sec. 138) shall not apply if the plaintiff's a child who is

(a) from a family with an annual income of less than \$17,600; or

(b) from a family where one of the parents is a disabled veteran; or

(c) where the child has been adjudicated as neglected or abused.

SA 2112. Mr. DORGAN proposed an amendment to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 68, between lines 4 and 5, insert the following:

SEC. 137. MANDATORY ADVANCED ELECTRONIC INFORMATION FOR AIR CARGO AND PASSENGERS ENTERING THE UNITED STATES.

(a) AIR CARGO INFORMATION.—

(1) IN GENERAL.—Section 431(b) of the Tariff Act of 1930 (19 U.S.C. 1431(b)) is amended—

(A) by striking "(b) PRODUCTION OF MANIFEST.—Any manifest" and inserting the following:

"(b) PRODUCTION OF MANIFEST.—

"(1) IN GENERAL.—Any manifest";

(B) by indenting the margin of paragraph (1), as so designated, two ems; and

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

"(2) ADDITIONAL INFORMATION.—

"(A) IN GENERAL.—In addition to any other requirement under this section, every air carrier required to make entry or obtain clearance under the customs laws of the United States, the pilot, the master, operator, or owner of such carrier (or the authorized agent of such owner or operator) shall provide by electronic transmission cargo manifest information specified in subparagraph (B) in advance of such entry or clearance in such manner, time, and form as the Secretary shall prescribe. The Secretary may exclude any class of air carrier for which the Secretary concludes the requirements of this subparagraph are not necessary.

"(B) INFORMATION REQUIRED.—The information specified in this subparagraph is as follows:

"(i) The port of arrival or departure, whichever is applicable.

"(ii) The carrier code, prefix code, or, both.

"(iii) The flight or trip number.

"(iv) The date of scheduled arrival or date of scheduled departure, whichever is applicable.

"(v) The request for permit to proceed to the destination, if applicable.

"(vi) The numbers and quantities from the master and house air waybill or bills of lading.

"(vii) The first port of lading of the cargo.

"(viii) A description and weight of the cargo.

"(ix) The shippers name and address from all air waybills or bills of lading.

"(x) The consignee name and address from all air waybills or bills of lading.

"(xi) Notice that actual boarded quantities are not equal to air waybill or bills of lading quantities.

"(xii) Transfer or transit information.

"(xiii) Warehouse or other location of the cargo.

"(xiv) Such other information as the Secretary, by regulation, determines is reasonably necessary to ensure aviation transportation safety pursuant to the laws enforced or administered by the Customs Service.

"(3) AVAILABILITY OF INFORMATION.—Information provided under paragraph (2) may be shared with other departments and agencies of the Federal Government, including the Department of Transportation and the law enforcement agencies of the Federal Government, for purposes of protecting the national security of the United States."

(2) CONFORMING AMENDMENTS.—Subparagraphs (A) and (C) of section 431(d)(1) of such Act are each amended by inserting before the semicolon "or subsection (b)(2)".

(b) PASSENGER INFORMATION.—Part II of title IV of the Tariff Act of 1930 is amended by inserting after section 431 the following new section:

"SEC. 432. PASSENGER AND CREW MANIFEST INFORMATION REQUIRED FOR AIR CARRIERS.

"(a) IN GENERAL.—For every person arriving or departing on an air carrier required to make entry or obtain clearance under the customs laws of the United States, the pilot, the master, operator, or owner of such carrier (or the authorized agent of such owner or operator) shall provide, by electronic transmission, manifest information specified in subsection (b) in advance of such entry or clearance in such manner, time, and form as the Secretary shall prescribe.

"(b) INFORMATION.—The information specified in this subsection with respect to a person is—

"(1) full name;

"(2) date of birth and citizenship;

"(3) sex;

"(4) passport number and country of issuance;

"(5) United States visa number or resident alien card number, as applicable;

"(6) passenger name record; and

"(7) such other information as the Secretary, by regulation, determines is reasonably necessary to ensure aviation transportation safety pursuant to the laws enforced or administered by the Customs Service.

"(c) AVAILABILITY OF INFORMATION.—Information provided under this section may be shared with other departments and agencies of the Federal Government, including the Department of Transportation and the law enforcement agencies of the Federal Government, for purposes of protecting the national security of the United States."

(c) DEFINITION.—Section 401 of the Tariff Act of 1930 (19 U.S.C. 1401) is amended by adding at the end the following new subsection:

"(t) AIR CARRIER.—The term 'air carrier' means an air carrier transporting goods or passengers for payment or other consideration, including money or services rendered."

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 45 days after the date of enactment of this Act.

SA 2113. Ms. LANDRIEU (for herself and Mr. DEWINE) proposed an amendment to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 68, after line 4, insert:

SEC. . The GAO, in consultation with the relevant agencies and members of the Committee on Appropriations Subcommittee on

DC Appropriations shall submit by January 2, 2002 a report to the Committees on Appropriations of the House and the Senate and the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives detailing the awards in judgment rendered in the District of Columbia that were in excess of the cap imposed by prior appropriations acts in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, in actions brought against the District of Columbia Public Schools under the Individuals with Disabilities Act (20 U.S.C. §1400 et. seq.). Provided further, that such report shall include a comparison of the cause of actions and judgments rendered against public school districts of comparable demographics and population as the District.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, November 7, 2001. The purpose of this hearing will be to continue mark-up on the next Federal farm bill.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, November 7, 2001, at 2 p.m., to hold a nomination hearing.

Agenda

Nominees

Panel 1: John Marshall, of Virginia, to be an Assistant Administrator (Management) of the United States Agency for International Development and Constance Newman, of Illinois, to be an Assistant Administrator (for Africa) of the United States Agency for International Development.

Panel 2: Cynthia Perry, of Texas, to be United States Director of the African Development Bank for a term of five years; Jose Fourquet, of New Jersey, to be United States Executive Director of the Inter-American Development Bank for a term of three years; and Jorge Arrizurieta, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank.

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President: I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, November 7, 2001, at 10 a.m., in Dirksen room 226, to consider the nominations of Joe L. Heaton, to

be United States District Judge for the Western District of Oklahoma, Clay D. Land, to be United States District Judge for the Middle District of Georgia, Frederick J. Martone, to be United States District Judge for the District of Arizona, Danny C. Reeves, to be United States District Judge for the Eastern District of Kentucky, Julie A. Robinson, to be United States District Judge for the District of Kansas, and James Edward Rogan, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Witnesses will include Senators DON NICKLES, MITCH MCCONNELL, JAMES INHOFE, JON KYL, SAM BROWNBACK, PAT ROBERTS, MAX CLELAND, JIM BUNNING, and ZELL MILLER.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to hold a closed hearing on intelligence matters on Wednesday, November 7, 2001, at 3:30 p.m.

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

SUBCOMMITTEE ON ANTITRUST, BUSINESS RIGHTS AND COMPETITION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Antitrust, Business Rights and Competition be authorized to meet to conduct a hearing on Wednesday, November 7, 2001, at 2 p.m., in Dirksen 226.

Tentative witness list for "International Aviation Alliances: Market Turmoil and the Future of Airline Competition": Donald Carty, President and Chief Executive Officer, American Airlines; Leo Mullen, Chief Executive Officer, Delta Airlines; Richard Anderson, Chief Executive Officer, Northwest Airlines; Richard Branson, Chief Executive Officer, Virgin Atlantic Airlines; Roger Maynard, Director of Alliances and Strategy, British Airways; and Larry Kellner, President, Continental Airlines.

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

SUBCOMMITTEE ON INTERNATIONAL SECURITY, PROLIFERATION AND FEDERAL SERVICES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs' Subcommittee on International Security, Proliferation and Federal Services be authorized to meet on Wednesday, November 7, 2001, at 2:30 p.m., to hold a hearing entitled "Current and Future Weapons of Mass Destruction Proliferation Threats."

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

USE OF CONTROLLED SUBSTANCES FOR PHYSICIAN ASSISTED SUICIDE

Mr. NICKLES. Madam President, in a memorandum issued yesterday to Drug Enforcement Administration chief Asa Hutchinson, Attorney General Ashcroft overturned a 1998 decision by Attorney General Janet Reno that allowed for the use of controlled substances for physician assisted suicide.

Until June 5, 1998, everyone understood that assisted suicide was not a "legitimate medical purpose." On that date, Attorney General Janet Reno issued a letter carving out an exception for Oregon to use Federally-controlled substances for assisted suicide, a decision that overturned an earlier determination by the Drug Enforcement Administration and which was in direct conflict with 29 years of practice under the Controlled Substances Act.

Attorney General Ashcroft wrote that assisting in a suicide is not a "legitimate medical purpose" under federal law and determined that prescribing, dispensing, or administering federally controlled substances to assist suicide violates the Controlled Substances Act, regardless of whether State law authorizes or permits such conduct by practitioners.

This important decision restores the uniform national standard that federally-controlled substances can not be used for the purpose of assisted suicide by applying the law to all 50 states.

Federal law is clearly intended to prevent use of these drugs for lethal overdoses, and contains no exception for deliberate overdoses approved by a physician. The Controlled Substances Act requires that these substances can only be used for a "legitimate medical purpose" in the interest of "public health and safety". Assisted suicide can neither be counted as a "legitimate medical purpose" or in the interest of "public health and safety."

I have personally been a long, strong advocate of States' rights and the limited role of the Federal Government. This decision neither overturns or preempts any State legislation related to suicide. Instead, it clarifies that the dispensing of controlled substances for the purpose of assisted suicide is prohibited under longstanding federal law.

Because of Attorney General Reno's letter, for three years the federal government has been complicit in allowing the use of Federally controlled substances for the specific purpose of causing death—in my opinion, in violation of Federal law. There is no role for the Federal Government in providing assisted suicide. I compliment Attorney General Ashcroft's decision to return to the correct and only reasonable interpretation of the Controlled Substances Act. Federally controlled substances should be used for a "legitimate medical purpose" and not for assisted suicide.