

SA 2509. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, *supra*; which was ordered to lie on the table.

SA 2510. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, *supra*; which was ordered to lie on the table.

SA 2511. Mr. DASCHLE (for himself and Mr. LUGAR) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) *supra*.

SA 2512. Mr. CRAIG (for himself and Mr. GREGG) proposed an amendment to amendment SA 2511 submitted by Mr. DASCHLE and intended to be proposed to the amendment SA 2471 proposed by Mr. DASCHLE to the bill (S. 1731) *supra*.

SA 2513. Mr. BOND (for himself, Mr. GRASSLEY, Mr. ENZI, Mr. HAGEL, and Mr. MILLER) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) *supra*.

SA 2514. Mr. SMITH, of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) *supra*; which was ordered to lie on the table.

SA 2515. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 1499, An act to amend the District of Columbia College Access Act of 1999 to permit individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and individuals who attend private historically black colleges and universities nationwide to participate in the tuition assistance programs under such Act, and for other purposes.

#### TEXT OF AMENDMENTS

**SA 2481.** Mr. ALLEN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Homestead Preservation Act".

##### SEC. 2. MORTGAGE PAYMENT ASSISTANCE.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Labor (referred to in this section as the "Secretary") shall establish a program under which the Secretary shall award low-interest loans to eligible individuals to enable such individuals to continue to make mortgage payments with respect to the primary residences of such individuals.

(b) ELIGIBILITY.—To be eligible to receive a loan under the program established under subsection (a), an individual shall—

(1) be—

(A) an adversely affected worker who is receiving benefits under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.); or

(B) an individual who would be an individual described in subparagraph (A) but who

resides in a State that has not entered into an agreement under section 239 of such Act (19 U.S.C. 2311);

(2) be a borrower under a loan which requires the individual to make monthly mortgage payments with respect to the primary place of residence of the individual; and

(3) be enrolled in a job training or job assistance program.

(c) LOAN REQUIREMENTS.—

(1) IN GENERAL.—A loan provided to an eligible individual under this section shall—

(A) be for a period of not to exceed 12 months;

(B) be for an amount that does not exceed the sum of—

(i) the amount of the monthly mortgage payment owed by the individual; and

(ii) the number of months for which the loan is provided;

(C) have an applicable rate of interest that equals 4 percent;

(D) require repayment as provided for in subsection (d); and

(E) be subject to such other terms and conditions as the Secretary determines appropriate.

(2) ACCOUNT.—A loan awarded to an individual under this section shall be deposited into an account from which a monthly mortgage payment will be made in accordance with the terms and conditions of such loan.

(d) REPAYMENT.—

(1) IN GENERAL.—An individual to which a loan has been awarded under this section shall be required to begin making repayments on the loan on the earlier of—

(A) the date on which the individual has been employed on a full-time basis for 6 consecutive months; or

(B) the date that is 1 year after the date on which the loan has been approved under this section.

(2) REPAYMENT PERIOD AND AMOUNT.—

(A) REPAYMENT PERIOD.—A loan awarded under this section shall be repaid on a monthly basis over the 5-year period beginning on the date determined under paragraph (1).

(B) AMOUNT.—The amount of the monthly payment described in subparagraph (A) shall be determined by dividing the total amount provided under the loan (plus interest) by 60.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit an individual from—

(i) paying off a loan awarded under this section in less than 5 years; or

(ii) from paying a monthly amount under such loan in excess of the monthly amount determined under subparagraph (B) with respect to the loan.

(e) REGULATIONS.—Not later than 6 weeks after the date of enactment of this Act, the Secretary shall promulgate regulations necessary to carry out this section, including regulations that permit an individual to certify that the individual is an eligible individual under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2003 through 2007.

**SA 2482.** Mr. ALLEN submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and

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

At the appropriate place, insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Homestead Preservation Act".

##### SEC. 2. MORTGAGE PAYMENT ASSISTANCE.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Labor (referred to in this section as the "Secretary") shall establish a program under which the Secretary shall award low-interest loans to eligible individuals to enable such individuals to continue to make mortgage payments with respect to the primary residences of such individuals.

(b) ELIGIBILITY.—To be eligible to receive a loan under the program established under subsection (a), an individual shall—

(1) be—

(A) an adversely affected worker who is receiving benefits under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.); or

(B) an individual who would be an individual described in subparagraph (A) but who resides in a State that has not entered into an agreement under section 239 of such Act (19 U.S.C. 2311);

(2) be a borrower under a loan which requires the individual to make monthly mortgage payments with respect to the primary place of residence of the individual; and

(3) be enrolled in a job training or job assistance program.

(c) LOAN REQUIREMENTS.—

(1) IN GENERAL.—A loan provided to an eligible individual under this section shall—

(A) be for a period of not to exceed 12 months;

(B) be for an amount that does not exceed the sum of—

(i) the amount of the monthly mortgage payment owed by the individual; and

(ii) the number of months for which the loan is provided;

(C) have an applicable rate of interest that equals 4 percent;

(D) require repayment as provided for in subsection (d); and

(E) be subject to such other terms and conditions as the Secretary determines appropriate.

(2) ACCOUNT.—A loan awarded to an individual under this section shall be deposited into an account from which a monthly mortgage payment will be made in accordance with the terms and conditions of such loan.

(d) REPAYMENT.—

(1) IN GENERAL.—An individual to which a loan has been awarded under this section shall be required to begin making repayments on the loan on the earlier of—

(A) the date on which the individual has been employed on a full-time basis for 6 consecutive months; or

(B) the date that is 1 year after the date on which the loan has been approved under this section.

(2) REPAYMENT PERIOD AND AMOUNT.—

(A) REPAYMENT PERIOD.—A loan awarded under this section shall be repaid on a monthly basis over the 5-year period beginning on the date determined under paragraph (1).

(B) AMOUNT.—The amount of the monthly payment described in subparagraph (A) shall be determined by dividing the total amount provided under the loan (plus interest) by 60.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit an individual from—

(i) paying off a loan awarded under this section in less than 5 years; or

(ii) from paying a monthly amount under such loan in excess of the monthly amount determined under subparagraph (B) with respect to the loan.

(e) REGULATIONS.—Not later than 6 weeks after the date of enactment of this Act, the Secretary shall promulgate regulations necessary to carry out this section, including regulations that permit an individual to certify that the individual is an eligible individual under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2003 through 2007.

**SA 2483.** Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1650, to amend the Public Health Service Act to change provisions regarding emergencies; which was referred to the Committee on Health, Education, Labor, and Pensions; as follows:

At the end of the bill, add the following:

**SEC. \_\_\_\_ PUBLIC HEALTH EMERGENCIES.**

(a) SHORT TITLE.—This section may be cited as the “Public Health Emergencies Accountability Act”.

(b) AMENDMENT.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by striking section 319 and inserting the following:

**“SEC. 319. PUBLIC HEALTH EMERGENCIES.**

“(a) EMERGENCIES.—If the Secretary determines, after consultation with the Director of the Centers for Disease Control and Prevention and other public health officials as may be necessary, that—

“(1) a disease or disorder presents a public health emergency; or

“(2) a detected or suspected public health emergency, including significant outbreaks of infectious diseases or terrorist attacks involving biological, chemical, or radiological weapons, otherwise exists,

the Secretary may take such action as may be appropriate to respond to the public health emergency, including making grants and entering into contracts and, acting through the Centers for Disease Control and Prevention, conducting and supporting investigations into cause, treatment, or prevention of a disease or disorder as described in paragraphs (1) and (2), directing the response of other Federal departments and agencies with respect to the safety of the general public and Federal employees and facilities, and disseminating necessary information to assist States, localities, and the general public in responding to a disease or disorder as described in paragraphs (1) and (2).

“(b) DETERMINATION.—A determination of an emergency by the Secretary under subsection (a) shall supersede all other provisions of law with respect to actions and responsibilities of the Federal Government, but in all such cases the Secretary shall keep the relevant Federal departments and agencies, including but not limited to the Department of Justice, the Federal Bureau of Investigation, the Office of Homeland Security, and the committees of Congress listed in subsection (f), fully and currently informed.

“(c) FULL DISCLOSURE.—In cases involving, or potentially involving, a public health emergency, but where no determination of an emergency by the Secretary, under the provisions of subsection (a), has been made, all relevant Federal departments and agen-

cies, including but not limited to the Department of Justice, the Federal Bureau of Investigation, the Office of Homeland Security, shall keep the Secretary and the Centers for Disease Control and Prevention and the committees of Congress listed in subsection (f), fully and currently informed.

“(d) PUBLIC HEALTH EMERGENCY FUND.—

“(1) IN GENERAL.—There is established in the Treasury a fund to be designated as the “Public Health Emergency Fund” to be made available to the Secretary without fiscal year limitation to carry out subsection (a) only if a public health emergency has been declared by the Secretary under such subsection. There is authorized to be appropriated to the Fund such sums as may be necessary.

“(2) REPORT.—Not later than 90 days after the end of each fiscal year, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and the Committee on Appropriations of the House of Representatives a report describing—

“(A) the expenditures made from the Public Health Emergency Fund in such fiscal year; and

“(B) each public health emergency for which the expenditures were made and the activities undertaken with respect to each emergency which was conducted or supported by expenditures from the Fund.

“(e) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under this section.

“(f) EMERGENCY DECLARATION PERIOD.—A determination by the Secretary under subsection (a) that a public health emergency exists shall remain in effect for a time period specified by the Secretary but not longer than the 180-day period beginning on the date of the determination. Such period may be extended by the Secretary if the Secretary determines that such an extension is appropriate and notifies the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Appropriations of the Senate and the Committee on Commerce of the House of Representatives and the Committee on Appropriations of the House of Representatives.”

**SA 2484.** Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1765, to improve the ability of the United States to prepare for and respond to a biological threat or attack; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DEVELOPMENT OF CAMPUSES OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION.**

Section 319D of the Public Health Service Act (42 U.S.C. 274d-4), as amended by section 202, is further amended by adding at the end the following:

“(d) DEVELOPMENT OF CAMPUSES OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION.—

“(1) IN GENERAL.—Notwithstanding the provisions of the Public Buildings Act of 1959 (40 U.S.C. 601 et seq), or any other provision of law inconsistent with this subsection other than Federal environmental and historic preservation laws, the Secretary, in order to relocate the Centers for Disease

Control and Prevention’s public health research, policy making, and administrative operations that are housed on the date of enactment of this title in various leased properties, may enter into leases with any public or private person or entity to develop or facilitate the development of real property that is under the jurisdiction or control of the Secretary at the Edward R. Roybal and Chamblee Campuses of the Centers for Disease Control and Prevention in Atlanta, Georgia. Any such lease shall be referred to as a ‘cooperative development lease’.

“(2) PRE-LEASE REQUIREMENTS.—

“(A) IN GENERAL.—The Secretary may not enter into a cooperative development lease under this subsection until—

“(i) the Secretary submits to the appropriate committees of Congress a business plan for the development of the Edward R. Roybal and Chamblee Campuses;

“(ii) the expiration of the 30-day period beginning on the date on which the business plan is received by such committees; and

“(iii) the Secretary has conducted 2 public meetings, 1 of which shall be held at or near the Edward R. Roybal Campus, and the other of which shall be held at or near the Chamblee Campus, for purposes of informing the local community of the pending cooperative development lease proposal.

“(B) CONTENTS OF BUSINESS PLANS.—A business plan submitted under subparagraph (A) shall include the following information:

“(i) The Proposed location of the building as shown on a campus site plan.

“(ii) The gross and net usable square feet of the building and adjacent parking areas and structures.

“(iii) The proposed organizational units and personnel of the Centers for Disease Control and Prevention to be housed in the building.

“(iv) The estimated design, construction, and financing costs and terms of the building.

“(v) A projected milestone schedule for the design, construction, and occupancy of the building.

“(C) NOTICE.—The Secretary shall provide reasonable notice of the public meetings under subparagraph (A)(iii) in a newspaper of local circulation, and by other means as necessary, at least 15 days in advance of the meetings.

“(D) DEFINITION.—In subparagraph (A), the term ‘appropriate committees of Congress’ means the authorizing and appropriations committees for the Department of Health and Human Services.

“(3) PROPERTY NOT UNUTILIZED OR UNDERUTILIZED.—Property that is leased to another party under a cooperative development lease may not be considered to be unutilized or underutilized for purposes of Section 501 of the Stewart B. McKinney Homeless Assistance Act.

“(4) SELECTION PROCESS.—In awarding a cooperative development lease, the Secretary shall use selection procedures determined appropriate by the Secretary that ensure the integrity of the selection process.

“(5) TERM OF LEASE.—The term of a cooperative development lease may not exceed 50 years.

“(6) CONSIDERATION.—Any cooperative development lease shall be for fair consideration, as determined appropriate by the Secretary. Consideration under such a lease may be provided in whole or in part through consideration-in-kind. Such consideration-in-kind may include the provision of goods or services that are of benefit to the Centers for Disease Control and Prevention, including

construction, repair and improvements, and maintenance of property and improvements of the Centers, or the provision of office, storage, or other usable space.

“(7) SPECIFICATIONS FOR LEASE.—The specifications of a cooperative development lease may provide that the Secretary will—

“(A) obtain facilities, space, or services on the leased property under such terms as the Secretary considers appropriate to protect the interests of the United States and to promote the purposes of this section;

“(B) use appropriated funds for any payments, including rental of space, and for capital contribution payments applicable to the operation, maintenance, and security of real property, personal property, or facilities on the leased property; and

“(C) provide any service determined by the Secretary to be a service that supports the operation, maintenance, and security of real property, personal property, or facilities on the leased property.

“(8) CONSTRUCTION STANDARDS.—

“(A) IN GENERAL.—Unless otherwise provided for by the Secretary, the construction, alteration, repair, remodeling, or improvement of the property that is the subject of a cooperative development lease shall be carried out so as to comply with all standards applicable to Federal buildings. Any such construction, alteration, repair, remodeling, or improvement shall not be subject to any State or local law relating to building codes, permits, or inspections unless otherwise applicable to Federal buildings or unless the Secretary provides otherwise.

“(B) INSPECTIONS.—If Federal construction standards are applicable to a property under this subsection, the Secretary shall conduct periodic inspections of any such construction, alteration, repair, remodeling, or improvement for the purpose of ensuring that such standards are complied with.

“(9) APPLICABILITY OF STATE OR LOCAL LAWS.—The interest of the United States in any property subject to a cooperative development lease, and any use by the United States of such property during such lease, shall not be subject, directly or indirectly, to any State or local law relative to taxation, fees, assessments, or special assessments, except sales tax charged in connection with any construction, alteration, repair, remodeling, or improvement project carried out under the lease.

“(10) TREATMENT AS OPERATING LEASE.—A cooperative development lease shall be considered an operating lease in accordance with the Budget Enforcement Act of 1990, if the term of legal obligation of the Centers for Disease Control and Prevention under the lease does not exceed 75 percent of the estimated economic life of the asset or assets that are subject to the lease, and the present value of the Centers' legal obligation during any lease term does not exceed 90 percent of the market value of such asset or assets at the beginning of the lease.

“(11) EXPIRATION.—The authority of the Secretary to enter into cooperative development leases under this subsection shall expire on September 30, 2009.”

**SA 2485.** Mr. TORRICELLI (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure con-

sumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

Strike the period at the end of subtitle C of title X and insert a period and the following:

**SEC. 10 . PEST MANAGEMENT IN SCHOOLS.**

(a) SHORT TITLE.—This section may be cited as the “School Environment Protection Act of 2001”.

(b) PEST MANAGEMENT.—The Federal Insecticide, Fungicide, and Rodenticide Act is amended—

(1) by redesignating sections 33 and 34 (7 U.S.C. 136x, 136y) as sections 34 and 35, respectively; and

(2) by inserting after section 32 (7 U.S.C. 136w-7) the following:

**“SEC. 33. PEST MANAGEMENT IN SCHOOLS.**

“(a) DEFINITIONS.—In this section:

“(1) BAIT.—The term ‘bait’ means a pesticide that contains an ingredient that serves as a feeding stimulant, odor, pheromone, or other attractant for a target pest.

“(2) CONTACT PERSON.—The term ‘contact person’ means an individual who is—

“(A) knowledgeable about school pest management plans; and

“(B) designated by a local educational agency to carry out implementation of the school pest management plan of a school.

“(3) EMERGENCY.—The term ‘emergency’ means an urgent need to mitigate or eliminate a pest that threatens the health or safety of a student or staff member.

“(4) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ has the meaning given the term in section 3 of the Elementary and Secondary Education Act of 1965.

“(5) SCHOOL.—

“(A) IN GENERAL.—The term ‘school’ means a public—

“(i) elementary school (as defined in section 3 of the Elementary and Secondary Education Act of 1965);

“(ii) secondary school (as defined in section 3 of that Act);

“(iii) kindergarten or nursery school that is part of an elementary school or secondary school; or

“(iv) tribally-funded school.

“(B) INCLUSIONS.—The term ‘school’ includes any school building, and any area outside of a school building (including a lawn, playground, sports field, and any other property or facility), that is controlled, managed, or owned by the school or school district.

“(6) SCHOOL PEST MANAGEMENT PLAN.—The term ‘school pest management plan’ means a pest management plan developed under subsection (b).

“(7) STAFF MEMBER.—

“(A) IN GENERAL.—The term ‘staff member’ means a person employed at a school or local educational agency.

“(B) EXCLUSIONS.—The term ‘staff member’ does not include—

“(i) a person hired by a school, local educational agency, or State to apply a pesticide; or

“(ii) a person assisting in the application of a pesticide.

“(8) STATE AGENCY.—The term ‘State agency’ means the an agency of a State, or an agency of an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), that exercises primary jurisdiction over matters relating to pesticide regulation.

“(9) UNIVERSAL NOTIFICATION.—The term ‘universal notification’ means notice pro-

vided by a local educational agency or school to—

“(A) parents, legal guardians, or other persons with legal standing as parents of each child attending the school; and

“(B) staff members of the school.

“(b) SCHOOL PEST MANAGEMENT PLANS.—

“(1) STATE PLANS.—

“(A) GUIDANCE.—As soon as practicable (but not later than 180 days) after the date of enactment of the School Environment Protection Act of 2001, the Administrator shall develop, in accordance with this section—

“(i) guidance for a school pest management plan; and

“(ii) a sample school pest management plan.

“(B) PLAN.—As soon as practicable (but not later than 1 year) after the date of enactment of the School Environment Protection Act of 2001, each State agency shall develop and submit to the Administrator for approval, as part of the State cooperative agreement under section 23, a school pest management plan for local educational agencies in the State.

“(C) COMPONENTS.—A school pest management plan developed under subparagraph (B) shall, at a minimum—

“(i) implement a system that—

“(I) eliminates or mitigates health risks, or economic or aesthetic damage, caused by pests;

“(II) employs—

“(aa) integrated methods;

“(bb) site or pest inspection;

“(cc) pest population monitoring; and

“(d) an evaluation of the need for pest management; and

“(III) is developed taking into consideration pest management alternatives (including sanitation, structural repair, and mechanical, biological, cultural, and pesticide strategies) that minimize health and environmental risks;

“(ii) require, for pesticide applications at the school, universal notification to be provided—

“(I) at the beginning of the school year;

“(II) at the midpoint of the school year; and

“(III) at the beginning of any summer session, as determined by the school;

“(iii) establish a registry of staff members of a school, and of parents, legal guardians, or other persons with legal standing as parents of each child attending the school, that have requested to be notified in advance of any pesticide application at the school;

“(iv) establish guidelines that are consistent with the definition of a school pest management plan under subsection (a);

“(v) require that each local educational agency use a certified applicator or a person authorized by the State agency to implement the school pest management plans;

“(vi) be consistent with the State cooperative agreement under section 23; and

“(vii) require the posting of signs in accordance with paragraph (4)(G).

“(D) APPROVAL BY ADMINISTRATOR.—Not later than 90 days after receiving a school pest management plan submitted by a State agency under subparagraph (B), the Administrator shall—

“(i) determine whether the school pest management plan, at a minimum, meets the requirements of subparagraph (C); and

“(ii)(I) if the Administrator determines that the school pest management plan meets the requirements, approve the school pest management plan as part of the State cooperative agreement; or

“(II) if the Administrator determines that the school pest management plan does not meet the requirements—

“(aa) disapprove the school pest management plan;

“(bb) provide the State agency with recommendations for and assistance in revising the school pest management plan to meet the requirements; and

“(cc) provide a 90-day deadline by which the State agency shall resubmit the revised school pest management plan to obtain approval of the plan, in accordance with the State cooperative agreement.

“(E) DISTRIBUTION OF STATE PLAN TO SCHOOLS.—On approval of the school pest management plan of a State agency, the State agency shall make the school pest management plan available to each local educational agency in the State.

“(F) EXCEPTION FOR EXISTING STATE PLANS.—If, on the date of enactment of the School Environment Protection Act of 2001, a State has implemented a school pest management plan that, at a minimum, meets the requirements under subparagraph (C) (as determined by the Administrator), the State agency may maintain the school pest management plan and shall not be required to develop a new school pest management plan under subparagraph (B).

“(2) IMPLEMENTATION BY LOCAL EDUCATIONAL AGENCIES.—

“(A) IN GENERAL.—Not later than 1 year after the date on which a local educational agency receives a copy of a school pest management plan of a State agency under paragraph (1)(E), the local educational agency shall develop and implement in each of the schools under the jurisdiction of the local educational agency a school pest management plan that meets the standards and requirements under the school pest management plan of the State agency, as determined by the Administrator.

“(B) EXCEPTION FOR EXISTING PLANS.—If, on the date of enactment of the School Environment Protection Act of 2001, a State maintains a school pest management plan that, at a minimum, meets the standards and criteria established under this section (as determined by the Administrator), and a local educational agency in the State has implemented the State school pest management plan, the local educational agency may maintain the school pest management plan and shall not be required to develop and implement a new school pest management plan under subparagraph (A).

“(C) APPLICATION OF PESTICIDES AT SCHOOLS.—A school pest management plan shall prohibit—

“(i) the application of a pesticide (other than a pesticide, including a bait, gel or paste, described in paragraph (4)(C)) to any area or room at a school while the area or room is occupied or in use by students or staff members (except students or staff members participating in regular or vocational agricultural instruction involving the use of pesticides); and

“(ii) the use by students or staff members of an area or room treated with a pesticide by broadcast spraying, baseboard spraying, tenting, or fogging during—

“(I) the period specified on the label of the pesticide during which a treated area or room should remain unoccupied; or

“(II) if there is no period specified on the label, the 24-hour period beginning at the end of the treatment.

“(3) CONTACT PERSON.—

“(A) IN GENERAL.—Each local educational agency shall designate a contact person to

carry out a school pest management plan in schools under the jurisdiction of the local educational agency.

“(B) DUTIES.—The contact person of a local educational agency shall—

“(i) maintain information about the scheduling of pesticide applications in each school under the jurisdiction of the local educational agency;

“(ii) act as a contact for inquiries, and disseminate information requested by parents or guardians, about the school pest management plan;

“(iii) maintain and make available to parents, legal guardians, or other persons with legal standing as parents of each child attending the school, before and during the notice period and after application—

“(I) copies of material safety data sheet for pesticides applied at the school, or copies of material safety data sheets for end-use dilutions of pesticides applied at the school, if data sheets are available;

“(II) labels and fact sheets approved by the Administrator for all pesticides that may be used by the local educational agency; and

“(III) any final official information related to the pesticide, as provided to the local educational agency by the State agency; and

“(iv) for each school, maintain all pesticide use data for each pesticide used at the school (other than antimicrobial pesticides (as defined in clauses (i) and (ii) of section 2(mm)(1)(A))) for at least 3 years after the date on which the pesticide is applied; and

“(v) make that data available for inspection on request by any person.

“(4) NOTIFICATION.—

“(A) UNIVERSAL NOTIFICATION.—At the beginning of each school year, at the midpoint of each school year, and at the beginning of any summer session (as determined by the school), a local educational agency or school shall provide to staff members of a school, and to parents, legal guardians, and other persons with legal standing as parents of students enrolled at the school, a notice describing the school pest management plan that includes—

“(i) a summary of the requirements and procedures under the school pest management plan;

“(ii) a description of any potential pest problems that the school may experience (including a description of the procedures that may be used to address those problems);

“(iii) the address, telephone number, and website address of the Office of Pesticide Programs of the Environmental Protection Agency; and

“(iv) the following statement (including information to be supplied by the school as indicated in brackets):

‘As part of a school pest management plan, \_\_\_\_\_ (insert school name) may use pesticides to control pests. The Environmental Protection Agency (EPA) and \_\_\_\_\_ (insert name of State agency exercising jurisdiction over pesticide registration and use) registers pesticides for that use. EPA continues to examine registered pesticides to determine that use of the pesticides in accordance with instructions printed on the label does not pose unreasonable risks to human health and the environment. Nevertheless, EPA cannot guarantee that registered pesticides do not pose risks, and unnecessary exposure to pesticides should be avoided. Based in part on recommendations of a 1993 study by the National Academy of Sciences that reviewed registered pesticides and their potential to cause unreasonable adverse effects on human health, particularly on the health of pregnant women, infants,

and children, Congress enacted the Food Quality Protection Act of 1996. That law requires EPA to reevaluate all registered pesticides and new pesticides to measure their safety, taking into account the unique exposures and sensitivity that pregnant women, infants, and children may have to pesticides. EPA review under that law is ongoing. You may request to be notified at least 24 hours in advance of pesticide applications to be made and receive information about the applications by registering with the school. Certain pesticides used by the school (including baits, pastes, and gels) are exempt from notification requirements. If you would like more information concerning any pesticide application or any product used at the school, contact \_\_\_\_\_ (insert name and phone number of contact person).’

“(B) NOTIFICATION TO PERSONS ON REGISTRY.—

“(i) IN GENERAL.—Except as provided in clause (ii) and paragraph (5)—

“(I) notice of an upcoming pesticide application at a school shall be provided to each person on the registry of the school not later than 24 hours before the end of the last business day during which the school is in session that precedes the day on which the application is to be made; and

“(II) the application of a pesticide for which a notice is given under subclause (I) shall not commence before the end of the business day.

“(ii) NOTIFICATION CONCERNING PESTICIDES USED IN CURRICULA.—If pesticides are used as part of a regular vocational agricultural curriculum of the school, a notice containing the information described in subclauses (I), (IV), (VI), and (VII) of clause (iii) for all pesticides that may be used as a part of that curriculum shall be provided to persons on the registry only once at the beginning of each academic term of the school.

“(iii) CONTENTS OF NOTICE.—A notice under clause (i) shall contain—

“(I) the trade name, common name (if applicable), and Environmental Protection Agency registration number of each pesticide to be applied;

“(II) a description of each location at the school at which a pesticide is to be applied;

“(III) a description of the date and time of application, except that, in the case of an outdoor pesticide application, a notice shall include at least 3 dates, in chronological order, on which the outdoor pesticide application may take place if the preceding date is canceled;

“(IV) information that the State agency shall provide to the local educational agency, including a description of potentially acute and chronic effects that may result from exposure to each pesticide to be applied based on—

“(aa) a description of potentially acute and chronic effects that may result from exposure to each pesticide to be applied, as stated on the label of the pesticide approved by the Administrator;

“(bb) information derived from the material safety data sheet for the end-use dilution of the pesticide to be applied (if available) or the material safety data sheets; and

“(cc) final, official information related to the pesticide prepared by the Administrator and provided to the local educational agency by the State agency;

“(V) a description of the purpose of the application of the pesticide;

“(VI) the address, telephone number, and website address of the Office of Pesticide Programs of the Environmental Protection Agency; and

“(VII) the statement described in subparagraph (A)(iv) (other than the ninth sentence of that statement).

“(C) NOTIFICATION AND POSTING EXEMPTION.—A notice or posting of a sign under subparagraph (A), (B), or (G) shall not be required for the application at a school of—

- “(i) an antimicrobial pesticide;
- “(ii) a bait, gel, or paste that is placed—

“(I) out of reach of children or in an area that is not accessible to children; or

“(II) in a tamper-resistant or child-resistant container or station; and

“(iii) any pesticide that, as of the date of enactment of the School Environment Protection Act of 2001, is exempt from the requirements of this Act under section 25(b) (including regulations promulgated at section 152 of title 40, Code of Federal Regulations (or any successor regulation)).

“(D) NEW STAFF MEMBERS AND STUDENTS.—After the beginning of each school year, a local educational agency or school within a local educational agency shall provide each notice required under subparagraph (A) to—

“(i) each new staff member who is employed during the school year; and

“(ii) the parent or guardian of each new student enrolled during the school year.

“(E) METHOD OF NOTIFICATION.—A local educational agency or school may provide a notice under this subsection, using information described in paragraph (4), in the form of—

“(i) a written notice sent home with the students and provided to staff members;

“(ii) a telephone call;

“(iii) direct contact;

“(iv) a written notice mailed at least 1 week before the application; or

“(v) a notice delivered electronically (such as through electronic mail or facsimile).

“(F) REISSUANCE.—If the date of the application of the pesticide needs to be extended beyond the period required for notice under this paragraph, the school shall issue a notice containing only the new date and location of application.

“(G) POSTING OF SIGNS.—

“(i) IN GENERAL.—Except as provided in paragraph (5)—

“(I) a school shall post a sign not later than the last business day during which school is in session preceding the date of application of a pesticide at the school; and

“(II) the application for which a sign is posted under subclause (I) shall not commence before the time that is 24 hours after the end of the business day on which the sign is posted.

“(ii) LOCATION.—A sign shall be posted under clause (i)—

“(I) at a central location noticeable to individuals entering the building; and

“(II) at the proposed site of application.

“(iii) ADMINISTRATION.—A sign required to be posted under clause (i) shall—

“(I) remain posted for at least 24 hours after the end of the application;

“(II) be—

“(aa) at least 8½ inches by 11 inches for signs posted inside the school; and

“(bb) at least 4 inches by 5 inches for signs posted outside the school; and

“(III) contain—

“(aa) information about the pest problem for which the application is necessary;

“(bb) the name of each pesticide to be used;

“(cc) the date of application;

“(dd) the name and telephone number of the designated contact person; and

“(ee) the statement contained in subparagraph (A)(iv).

“(iv) OUTDOOR PESTICIDE APPLICATIONS.—

“(I) IN GENERAL.—In the case of an outdoor pesticide application at a school, each sign shall include at least 3 dates, in chronological order, on which the outdoor pesticide application may take place if the preceding date is canceled.

“(II) DURATION OF POSTING.—A sign described in subclause (I) shall be posted after an outdoor pesticide application in accordance with clauses (ii) and (iii).

“(5) EMERGENCIES.—

“(A) IN GENERAL.—A school may apply a pesticide at the school without complying with this part in an emergency, subject to subparagraph (B).

“(B) SUBSEQUENT NOTIFICATION OF PARENTS, GUARDIANS, AND STAFF MEMBERS.—Not later than the earlier of the time that is 24 hours after a school applies a pesticide under this paragraph or on the morning of the next business day, the school shall provide to each parent or guardian of a student listed on the registry, a staff member listed on the registry, and the designated contact person, notice of the application of the pesticide in an emergency that includes—

“(i) the information required for a notice under paragraph (4)(G); and

“(ii) a description of the problem and the factors that required the application of the pesticide to avoid a threat to the health or safety of a student or staff member.

“(C) METHOD OF NOTIFICATION.—The school may provide the notice required by paragraph (B) by any method of notification described in paragraph (4)(E).

“(D) POSTING OF SIGNS.—Immediately after the application of a pesticide under this paragraph, a school shall post a sign warning of the pesticide application in accordance with clauses (ii) through (iv) of paragraph (4)(B).

“(c) RELATIONSHIP TO STATE AND LOCAL REQUIREMENTS.—Nothing in this section (including regulations promulgated under this section)—

“(1) precludes a State or political subdivision of a State from imposing on local educational agencies and schools any requirement under State or local law (including regulations) that is more stringent than the requirements imposed under this section; or

“(2) establishes any exception under, or affects in any other way, section 24(b).

“(d) EXCLUSION OF CERTAIN PEST MANAGEMENT ACTIVITIES.—Nothing in this section (including regulations promulgated under this section) applies to a pest management activity that is conducted—

“(1) on or adjacent to a school; and

“(2) by, or at the direction of, a State or local agency other than a local educational agency.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”.

(c) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. prec. 121) is amended by striking the items relating to sections 30 through 32 and inserting the following:

“Sec. 30. Minimum requirements for training of maintenance applicators and service technicians.

“Sec. 31. Environmental Protection Agency minor use program.

“Sec. 32. Department of Agriculture minor use program.

“(a) In general.

“(b)(1) Minor use pesticide data.

“(2) Minor Use Pesticide Data Revolving Fund.

“Sec. 33. Pest management in schools.

“(a) Definitions.

“(1) Bait.

“(2) Contact person.

“(3) Emergency.

“(4) Local educational agency.

“(5) School.

“(6) Staff member.

“(7) State agency.

“(8) Universal notification.

“(b) School pest management plans.

“(1) State plans.

“(2) Implementation by local educational agencies.

“(3) Contact person.

“(4) Notification.

“(5) Emergencies.

“(c) Relationship to State and local requirements.

“(d) Exclusion of certain pest management activities.

“(e) Authorization of appropriations.

“Sec. 34. Severability.

“Sec. 35. Authorization of appropriations.”.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2001.

**SA 2486.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

In section 605, in the matter proposed to be added to section 601 of the Rural Electrification Act of 1936, insert after subsection (i) the following new subsection (j):

“(j) GRANTS FOR PLANNING AND FEASIBILITY STUDIES ON BROADBAND DEPLOYMENT.—

“(1) IN GENERAL.—In addition to any other grants, loans, or loan guarantees made under this section, the Secretary shall make grants to eligible entities specified in paragraph (2) for planning and feasibility studies by such entities on the deployment of broadband services in the areas served by such entities.

“(2) ELIGIBLE ENTITIES.—The entities eligible for grants under this subsection are State governments, consortia of local governments, tribal governments, telecommunications cooperatives, and appropriate State and regional non-profit entities (as determined by the Secretary).

“(3) ELIGIBILITY CRITERIA.—The Secretary shall establish criteria for eligibility for grants under this subsection, including criteria for the scope of the planning and feasibility studies to be carried out with grants under this subsection.

“(4) APPLICATION.—An entity seeking a grant under this subsection shall submit to the Secretary an application for such grant. The application shall be in such form, and contain such information, as the Secretary shall require.

“(5) USE OF GRANT AMOUNTS.—An entity receiving a grant under this section shall use the grant amount for planning and feasibility studies on the deployment of broadband services in the area of an Indian tribe, State, region of a State, or region of States.

“(6) LIMITATION ON GRANT AMOUNTS.—

“(A) STATEWIDE GRANTS.—The amount of the grants made under this subsection in or with respect to any State in any fiscal year may not exceed \$250,000.

“(B) REGIONAL OR TRIBAL GRANTS.—The amount of the grants made under this subsection in or with respect to any region or tribal government in any fiscal year may not exceed \$100,000.

“(7) FUNDING.—

“(A) IN GENERAL.—Of the amount available for grants, loans, and loan guarantees under this section in any fiscal year, up to \$5,000,000 shall be available for grants under this subsection in such fiscal year.

“(B) DATE OF RELEASE.—The amount available under subparagraph (A) in a fiscal year for grants under this subsection may not be granted under this subsection until after March 31 of the fiscal year.

“(8) SUPPLEMENT NOT SUPPLANT.—Eligibility for a grant under this subsection shall not affect eligibility for a grant, loan, or loan guarantee under another subsection of this section. The Secretary shall not take into account the award of a grant under this subsection, or the award of a grant, loan, or loan guarantee under another subsection of this section, in awarding a grant, loan, or loan guarantee under this subsection or another subsection of this section, as the case may be.

**SA 2487.** Mr. STEVENS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

Strike the period at the end of chapter 1 of subtitle C of title I and insert a period and the following:

**SEC. 1 \_\_\_\_ . LOANS AND GRANTS TO IMPROVE MILK PROCESSING FACILITIES IN MILK SHORTAGE STATES.**

Chapter 1 of subtitle D of title I of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7251 et seq.) is amended by adding at the end the following:

**“SEC. 153. LOANS AND GRANTS TO IMPROVE MILK PROCESSING FACILITIES IN MILK SHORTAGE STATES.**

“(a) DEFINITION OF MILK SHORTAGE STATE.—In this section, the term ‘milk shortage State’ means a State in which at least 70 percent of the milk consumed in the State is produced outside the State on the date of enactment of this section.

“(b) LOANS; GRANTS.—The Secretary shall make loans and grants to milk shortage States to promote and expand milk processing facilities and the dairy industry in the milk shortage States.

“(c) USES.—A loan or grant under this section may be used—

“(1) to upgrade, design, and construct milk processing facilities;

“(2) to improve methods of packaging and delivering to market of Class I and Class II milk and milk products;

“(3) to purchase milk processing and related equipment; and

“(4) for such other uses as are approved by the Secretary.

“(d) ELIGIBILITY OF MILK PROCESSING FACILITIES.—To be eligible to obtain a loan or grant under this section (other than for a use described in subsection (c)(1)), a milk processing facility in a milk shortage State must be located, incorporated, and operating in the milk shortage State.

“(e) MAINTENANCE OF EFFORT.—The expenditure of funds by a milk shortage State or an eligible milk processing facility for the purposes described in subsection (c), as of January 1, 2001, shall not be diminished as a result of loans and grants made under this section.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2002 through 2005.”.

**SA 2488.** Mr. STEVENS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following new section:

**SEC. . REPORT TO CONGRESS ON POUCHED AND CANNED SALMON.**

Not later than 120 days from the date of enactment of this Act, the Secretary shall issue a report to Congress on efforts to expand the promotion, marketing and purchase of pouched and canned salmon harvested and processed in the United States within the food and nutrition programs under his jurisdiction. The report shall include: an analysis of existing pouched and canned salmon inventories in the United States available for purchase; an analysis of the demand for pouched and canned salmon as well as for value-added products such as salmon ‘nuggets’ by the Department’s partners, including other appropriate Federal agencies, and customers; a marketing strategy to stimulate and increase that demand; and, a purchasing strategy to ensure that adequate supplies of pouched and canned salmon as well as other value-added salmon products are available to meet that demand.

**SA 2489.** Mr. STEVENS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

Amendment 2471 is amended—

(1) on page 932, by inserting after line 5 the following:

“(9) WILD FISH.—The term ‘wild fish’ includes naturally-born and hatchery-raised fish and shellfish harvested in the wild, including fillets, steaks, nuggets, and any other flesh from wild fish or shellfish, and does not include net-pen aquaculture or other farm-raised fish”;

(2) on page 932, line 22 by inserting “(I)” after “(B)”;

(3) on page 932, by inserting after line 23 the following:

“(II) in the case of wild fish, is harvested in waters of the United States, its territories, or a State and is processed in the United

States, its territories, or a State, including the waters thereof; and”;

(4) on page 933, by inserting after line 3 the following:

“(3) WILD AND FARM-RAISED FISH.—The notice of country of origin for wild fish and farm-raised fish shall distinguish between wild fish and farm-raised fish, and in the case of wild salmon shall indicate State of origin.”.

**SA 2490.** Mr. STEVENS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agriculture producers to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

**SEC. . CERTIFICATION AND LABELING OF ORGANIC WILD SEAFOOD.**

“(a) EXCLUSIVE AUTHORITY OF SECRETARY OF COMMERCE.—The Secretary of Commerce shall have exclusive authority to provide for the certification and labeling of wild seafood as organic wild seafood.

“(b) RELATIONSHIP TO OTHER LAW.—The certification and labeling of wild seafood as organic wild seafood shall not be subject to the provisions of the Organic Foods Production Act of 1990 (title XXI of Public Law 101-624; 104 Stat. 3935, 7 U.S.C. 6501 et. seq.).

“(c) REGULATIONS.—

“(1) IN GENERAL.—The Secretary of Commerce shall prescribe regulations for the certification and labeling of wild seafood as organic wild seafood.

“(2) CONSIDERATIONS.—In prescribing the regulations, the Secretary—

“(A) may take into consideration, as guidance, to the extent practicable, the provisions of the Organic Foods Production Act of 1990 and the regulations prescribed in the administration of that Act; and

“(B) shall accommodate the nature of the commercial harvesting and processing of wild fish in the United States.

“(3) TIME FOR INITIAL IMPLEMENTATION.—The Secretary shall promulgate the initial regulations to carry out this section not later than one year after the date of enactment of this Act.”.

**SA 2491.** Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table, as follows:

Strike section 132 and insert the following:

**SEC. 132. DAIRY FARMERS PROGRAM.**

The Federal Agriculture Improvement and Reform Act of 1996 (as amended by section 772(b) of Public Law 107-76) is amended by inserting after section 141 (7 U.S.C. 7251) the following:

**“SEC. 142. DAIRY FARMERS PROGRAM.**

“(a) DEFINITIONS.—In this section:  
 “(1) APPLICABLE FISCAL YEAR.—The term ‘applicable fiscal year’ means each of fiscal years 2001 through 2006.

“(2) CLASS III MILK.—The term ‘Class III milk’ means milk classified as Class III milk under a Federal milk marketing order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

“(b) PAYMENTS.—For each applicable fiscal year, the Secretary shall make a payment to producers on a farm that, during the applicable fiscal year, produced milk for commercial sale, in the amount obtained by multiplying—

“(1) the payment rate for the applicable fiscal year determined under subsection (c); by

“(2) the payment quantity for the applicable fiscal year determined under subsection (d).

“(c) PAYMENT RATE.—

“(1) IN GENERAL.—Subject to paragraph (2), the payment rate for a payment made to producers on a farm for an applicable fiscal year under subsection (b) shall be determined as follows:

“If the average price received by producers in the United States for Class III milk during the preceding fiscal year was (per hundredweight)—

The payment rate for a payment made to producers on a farm for the applicable fiscal year under subsection (b) shall be (per hundredweight)—	
\$10.50 or less .....	.50
\$10.51 through \$11.00 .....	.42
\$11.01 through \$11.50 .....	.34
\$11.51 through \$12.00 .....	.26
\$12.01 through \$12.50 .....	.18.

“(2) INCREASED PAYMENT RATE.—If the producers on a farm produce during an applicable fiscal year a quantity of all milk that is not more than the quantity of all milk produced by the producers on the farm during the preceding fiscal year, the payment rate for a payment to the producers on the farm for the applicable fiscal year under paragraph (1) shall be increased as follows:

“If the average price received by producers in the United States for Class III milk during the preceding fiscal year was (per hundredweight)—

The payment rate for a payment made to the producers on the farm for the applicable fiscal year under paragraph (1) shall be increased by (per hundredweight)—	
\$10.50 or less .....	.30
\$10.51 through \$11.00 .....	.26
\$11.01 through \$11.50 .....	.22
\$11.51 through \$12.00 .....	.18
\$12.01 through \$12.50 .....	.14.

“(d) PAYMENT QUANTITY.—

“(1) IN GENERAL.—Subject to paragraph (2), the quantity of all milk for which the producers on a farm shall receive a payment for an applicable fiscal year under subsection (b) shall be equal to the quantity of all milk produced by the producers on the farm during the applicable fiscal year.

“(2) MAXIMUM QUANTITY.—The quantity of all milk for which the producers on a farm shall receive a payment for an applicable year under subsection (b) shall not exceed 26,000 hundredweight of all milk.”.

**SA 2492.** Mrs. MURRAY (for herself, Ms. CANTWELL, Mr. INOUE, Mr. BAUCUS, Mr. WELLSTONE, and Mr. DASCHLE) submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to

be proposed to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 816, strike line 23 and insert the following:

**SEC. 8 . TRIBAL COOPERATIVE AND CONSERVATION PROGRAMS.**

The Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101 et seq.) is amended by adding at the end the following:

**“SEC. 21. ASSISTANCE TO TRIBAL GOVERNMENTS.**

“(a) DEFINITION OF INDIAN TRIBE.—In this section, the term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

“(b) ESTABLISHMENT.—The Secretary may provide financial, technical, educational and related assistance to Indian tribes for—

“(1) tribal consultation and coordination with the Forest Service on issues relating to—

“(A) tribal rights and interests on Forest Service land (including national forests and national grassland);

“(B) coordinated or cooperative management of resources shared by the Forest Service and Indian tribes; and

“(C) provision of tribal traditional, cultural, or other expertise or knowledge;

“(2) projects and activities for conservation education and awareness with respect to forest land under the jurisdiction of Indian tribes;

“(3) technical assistance for forest resources planning, management, and conservation on land under the jurisdiction of Indian tribes; and

“(4) the acquisition by Indian tribes, from willing sellers, of conservation interests (including conservation easements) in forest land and resources on land under the jurisdiction of the Indian tribes.

“(c) IMPLEMENTATION.—

“(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate regulations to implement subsection (b) (including regulations for determining the distribution of assistance under that subsection).

“(2) CONSULTATION.—In developing regulations under paragraph (1), the Secretary shall engage in full, open, and substantive consultation with Indian tribes and representatives of Indian tribes.

“(d) COORDINATION WITH THE SECRETARY OF THE INTERIOR.—The Secretary shall coordinate with the Secretary of the Interior during the establishment, implementation, and administration of subsection (b) to ensure that programs under that subsection—

“(1) do not conflict with tribal programs provided under the authority of the Department of the Interior; and

“(2) meet the goals of the Indian tribes.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for fiscal year 2002 and each fiscal year thereafter.”.

**TITLE IX—ENERGY**

**SA 2493.** Mrs. MURRAY (for herself, Ms. CANTWELL, Mr. INOUE, Mr. BAUCUS, Mr. WELLSTONE, and Mr. DASCHLE)

submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 871, strike line 23 and insert the following:

**SEC. 8 . OFFICE OF TRIBAL RELATIONS.**

The Cooperative Forestry Assistance Act of 1978 is amended by inserting after section 19 (16 U.S.C. 2113) the following:

**“SEC. 19A. OFFICE OF TRIBAL RELATIONS.**

“(a) DEFINITIONS.—In this section:

“(1) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

“(2) OFFICE.—The term ‘Office’ means the Office of Tribal Relations established under subsection (b)(1).

“(3) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish within the Forest Service the Office of Tribal Relations.

“(2) DIRECTOR.—The Office shall be headed by a Director, who shall—be appointed by the Chief, in consultation with interested Indian tribe.

“(3) ADMINISTRATIVE SUPPORT.—The Secretary shall ensure, to the maximum extent practicable, that adequate staffing and funds are made available to enable the Office to carry out the duties described in subsection (c).

“(c) DUTIES OF THE OFFICE.—

“(1) IN GENERAL.—The Office shall—

“(A) provide advice to the Secretary on all issues, policies, actions, and programs of the Forest Service that affect Indian tribes, including—

“(i) consultation with tribal governments;

“(ii) programmatic review for equitable tribal participation;

“(iii) monitoring and evaluation of relations between the Forest Service and Indian tribes;

“(iv) the coordination and integration of programs of the Forest Service that affect, or are of interest to, Indian tribes;

“(v) training of Forest Service personnel for competency in tribal relations; and

“(vi) the development of legislation affecting Indian tribes;

“(B) coordinate organizational responsibilities within the administrative structure of the Forest Service to ensure that matters affecting the rights and interests of Indian tribes are handled in a manner that is—

“(i) comprehensive;

“(ii) responsive to tribal needs; and

“(iii) consistent with policy guidelines of the Forest Service;

“(C)(i) develop generally applicable policies and procedures of the Forest Service pertaining to Indian tribes; and

“(ii) monitor the application of those policies and procedures throughout the administrative regions of the Forest Service;

“(D) provide such information or guidance to personnel of the Forest Service that are responsible for tribal relations as is required, as determined by the Secretary;

“(E) exercise such direct administrative authority pertaining to tribal relations programs as may be delegated by the Secretary;

“(F) for the purpose of coordinating programs and activities of the Forest Service with programs and actions of other agencies or departments that affect Indian tribes, consult with—

“(i) other agencies of the Department of Agriculture, including the Natural Resources Conservation Service; and

“(ii) other Federal agencies, including—

“(I) the Department of the Interior; and

“(II) the Environmental Protection Agency;

“(G) submit to the Secretary an annual report on the status of relations between the Forest Service and Indian tribes that includes, at a minimum—

“(i) an examination of the participation of Indian tribes in programs administered by the Secretary;

“(ii) a description of the status of initiatives being carried out to improve working relationships with Indian tribes; and

“(iii) recommendations for improvements or other adjustments to operations of the Forest Service that would be beneficial in strengthening working relationships with Indian tribes; and

“(H) carry out such other duties as the Secretary may assign.

“(d) COORDINATION.—In carrying out this section, the Office and other offices within the Forest Service shall consult on matters involving the rights and interests of Indian tribes.”.

#### TITLE IX—ENERGY

**SA 2494.** Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the end of Section 335, add the following:

(c) EFFECTIVE DATE.—The amendments made by this section shall not take effect until the President certifies to Congress that Cuba is not a state sponsor of international terrorism.

**SA 2495.** Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the end of Section 336, add the following:

(d) AGRICULTURE TRADE WITH NATIONS SUPPORTING INTERNATIONAL TERRORISM.—It is the sense of the Congress that an important factor in agricultural trade in all multilateral, regional, and bilateral negotiations is to make sure that the national security of the United States is not adversely affected by

favorable trade agreements with nations that support international terrorist organizations.

**SA 2496.** Mr. SANTORUM (for himself, Mr. DURBIN, and Mr. FEINGOLD) submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 945, line 5, strike the period at the end and insert a period and the following:

#### SEC. 1024. IMPROVED STANDARDS FOR THE CARE AND TREATMENT OF CERTAIN ANIMALS.

(a) SOCIALIZATION PLAN; BREEDING RESTRICTIONS.—Section 13(a)(2) of the Animal Welfare Act (7 U.S.C. 2143(a)(2)) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(C) for the socialization of dogs with other dogs and people, through compliance with a standard developed by the Secretary based on the recommendations of animal welfare and behavior experts that—

“(i) prescribes a schedule of activities and other requirements that dealers and inspectors shall use to ensure adequate socialization; and

“(ii) identifies a set of behavioral measures that inspectors shall use to evaluate adequate socialization; and

“(D) for addressing the initiation and frequency of breeding of female dogs so that a female dog is not—

“(i) bred before the female dog has reached at least 1 year of age; and

“(ii) whelped more frequently than 3 times in any 24-month period.”.

(b) SUSPENSION OR REVOCATION OF LICENSE, CIVIL PENALTIES, JUDICIAL REVIEW, AND CRIMINAL PENALTIES.—Section 19 of the Animal Welfare Act (7 U.S.C. 2149) is amended—

(1) by striking “SEC. 19. (a) If the Secretary” and inserting the following:

#### “SEC. 19. SUSPENSION OR REVOCATION OF LICENSE, CIVIL PENALTIES, JUDICIAL REVIEW, AND CRIMINAL PENALTIES.

“(a) SUSPENSION OR REVOCATION OF LICENSE.—

“(1) IN GENERAL.—If the Secretary”;

(2) in subsection (a)—

(A) in paragraph (1) (as designated by paragraph (1)), by striking “if such violation” and all that follows and inserting “if the Secretary determines that 1 or more violations have occurred.”; and

(B) by adding at the end the following:

“(2) MANDATORY REVOCATION.—If the Secretary has reason to believe that any person licensed as a dealer, exhibitor, or operator of an auction sale subject to section 12, has violated any of the rules, regulations, or standards governing the humane handling, transportation, veterinary care, housing, breeding, socialization, feeding, watering, or other humane treatment of dogs under section 12 or 13 on 3 or more separate inspections within any 8-year period, the Secretary shall im-

mediately suspend the license of the person for 21 days and, after providing notice and a hearing not more than 30 days after the third violation is noted on an inspection report, shall revoke the license of the person unless the Secretary makes a written finding that the violations were minor and inadvertent, that the violations did not pose a threat to the dogs, or that revocation is inappropriate for other good cause.”;

(3) in subsection (b), by striking “(b) Any dealer” and inserting “(b) CIVIL PENALTIES.—Any dealer”;

(4) in subsection (c), by striking “(c) Any dealer” and inserting “(c) JUDICIAL REVIEW.—Any dealer”;

(5) in subsection (d), by striking “(d) Any dealer” and inserting “(d) CRIMINAL PENALTIES.—Any dealer”.

(c) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall promulgate such regulations as are necessary to carry out the amendments made by this Act, including development of the standards required by the amendment made by subsection (a).

**SA 2497.** Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 322 on line 3, strike “Force.” and insert in lieu thereof “Force, in conjunction with the Secretary of the Interior.

At the end of Section 262(b)(2)(I), strike “and”.

At the end of Section 262(b)(2)(J), strike “Survey.” and insert the following: “Survey; “(K) the Secretary of the Interior;

“(L) the Secretary of Commerce; and

“(M) the Secretary of Agriculture.”

In Section 262(b)(3), following “for the purposes of—”, insert:

“(A) sustaining and strengthening a healthy agricultural economy in the Klamath Basin;”

and reletter the subsequent phrases accordingly.

**SA 2498.** Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 258, strike lines 10 through 16, inclusive.

**SA 2499.** Mr. BYRD submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr.

DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

**SEC. 1 . COMMODITY CREDIT CORPORATION FUNDING.**

Notwithstanding any other provision of this Act or an amendment made by this Act, any funds that would otherwise be made available through the transfer of funds from the Secretary of the Treasury to the Secretary of Agriculture under this Act or an amendment made by this Act (other than funds made available through a user fee) shall be available through funds of the Commodity Credit Corporation.

**SA 2500.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title X, insert the following:

**SEC. 10 . ADJUSTED GROSS INCOME CROP INSURANCE PILOT PROGRAM.**

The Federal Crop Insurance Corporation shall—

(1) convert the adjusted gross income crop insurance pilot program under section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)) to a permanent program of insurance; and

(2) extend the program to the State of California beginning with crop year 2003.

**SA 2501.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 629, lines 19 and 20, strike “that is located in a rural area”.

**SA 2502.** Mr. DOMENICI (for himself, Mr. CRAIG, Mr. BURNS, Mr. CRAPO, Mrs. HUTCHISON, Mr. ENZI, Mr. THOMAS, Mr. KYL, Mr. SMITH of Oregon, Mr. HATCH, Mr. ALLARD, and Mr. CAMPBELL) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S.

1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; as follows:

On page 202, strike lines 14 through 22 and insert the following: “technical assistance)” after “the programs”; and

(3) in paragraph (2), by striking “subchapter C” and inserting “subchapters C and D”.

Beginning on page 121–118, strike line 4 and all that follows through page 121–130, line 19.

**SA 2503.** Mr. REID (for Mr. KENNEDY (for himself, Mr. WARNER, Mr. FRIST, Mrs. CLINTON, Mr. WELLSTONE, Ms. COLLINS, Mrs. MURRAY, and Mr. DOMENICI) proposed an amendment to the bill S. 1729, to provide assistance with respect to the mental health needs of individuals affected by the terrorist attacks of September 11, 2001; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Post Terrorism Mental Health Improvement Act”.

**SEC. 2. PLANNING AND TRAINING GRANTS.**

Section 520A of the Public Health Service Act (42 U.S.C. 290bb-32) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting before the semicolon the following: “, including the training of mental health professionals with respect to evidence-based practices in the treatment of individuals who are victims of a disaster”;

(B) in paragraph (3), by striking “and” at the end;

(C) in paragraph (4), by striking the period and inserting a semicolon; and

(D) by inserting after paragraph (4), the following:

“(5) the development of coordinated response plans for responding to the mental health needs (including the response efforts of private organizations) that arise from a disaster, including the development and expansion of the 2-1-1 or other universal hotline as appropriate; and

“(6) the establishment of a mental health disaster response clearinghouse.”;

(2) by redesignating subsection (f) as subsection (h); and

(3) by inserting after subsection (e) the following:

“(f) STATE COMMENTS.—With respect to a State or local public entity that submits an application for assistance under this section and that intends to use such assistance as provided for in subsection (a)(5), such entity shall provide notice of such application to the chief executive officer of the State, the State mental health department, and the State office responsible for emergency preparedness who shall consult with providers and organizations serving public safety officials and others involved in responding to the crisis, and provide such officer, department and office with the opportunity to comment on such application.

“(g) DEFINITION.—For purposes of subsection (a)(2), the term ‘mental health professional’ includes psychiatrists, psychologists, clinical psychiatric nurse specialists, mental health counselors, marriage and family therapists, clinical social workers, pas-

toral counselors, school psychologists, licensed professional counselors, school guidance counselors, and any other individual practicing in a mental health profession that is licensed or regulated by a State agency.”.

**SEC. 3. GRANTS TO DIRECTLY AFFECTED AREAS TO ADDRESS LONG-TERM NEEDS.**

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall award grants to eligible State and local governments and other public entities to enable such entities to respond to the long-term mental health needs arising from the terrorist attacks of September 11, 2001.

(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a) an entity shall—

(1) be a State or local government or other public entity that is located in an area that is directly affected (as determined by the Secretary) by the terrorist attacks of September 11, 2001; and

(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) USE OF FUNDS.—A grantee shall use amounts received under a grant under subsection (a)—

(1) to carry out activities to locate individuals who may be affected by the terrorist attacks of September 11, 2001 and in need of mental health services;

(2) to provide treatment for those individuals identified under paragraph (1) who are suffering from a serious psychiatric illness as a result of such terrorist attack, including paying the costs of necessary medications; and

(3) to carry out other activities determined appropriate by the Secretary.

(d) SUPPLEMENT NOT SUPPLANT.—Amounts expended for treatments under subsection (c)(2) shall be used to supplement and not supplant amounts otherwise made available for such treatments (including medications) under any other Federal, State, or local program or under any health insurance coverage.

(e) USE OF PRIVATE ENTITIES AND EXISTING PROVIDERS.—To the extent appropriate, a grantee under subsection (a) shall—

(1) enter into contracts with private, non-profit entities to carry out activities under the grant; and

(2) to the extent feasible, utilize providers that are already serving the affected population, including providers used by public safety officials.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary in each of fiscal years 2002 through 2005.

**SEC. 4. RESEARCH.**

Part A of title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by adding at the end the following:

**“SEC. 229. RESEARCH.**

“Notwithstanding any other provision of law, the Secretary may waive any restriction on the amount of supplemental funding that may be provided to any disaster-related scientific research project that is funded by the Secretary.”.

**SEC. 5. CHILDREN WHO EXPERIENCE VIOLENCE-RELATED STRESS.**

(a) IN GENERAL.—Section 582(f) of the Public Health Service Act (42 U.S.C. 290hh-1(f)) is amended by striking “2002 and 2003” and inserting “2002 through 2005”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the program established under section 582 of the Public Health Service Act (42 U.S.C. 290hh-1) should be fully funded.

**SA 2504.** Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 479, strike line 7 and insert the following:

**SEC. 460. SENSE OF CONGRESS REGARDING ELIGIBILITY OF ELDERLY INDIVIDUALS TO PARTICIPATE IN THE COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

It is the sense of Congress that the Secretary of Agriculture should restore to 185 percent of the poverty line the elderly income guidelines for participation in the commodity supplemental food program under section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) so that the guidelines are the same as the income guidelines for participation by mothers, infants, and children in the program.

**SEC. 461. EFFECTIVE DATE.**

**SA 2505.** Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 382, strike line 15 and insert the following:

**SEC. 337. FARMERS FOR AFRICA AND CARIBBEAN BASIN PROGRAM.**

(a) FINDINGS.—Congress finds that—

(1) many farmers in Africa and the Caribbean Basin use antiquated techniques to produce crops, resulting in poor crop quality and low crop yields;

(2) many of those farmers are losing business to farmers in Europe and Asia who use advanced planting and production techniques and are supplying agricultural produce to restaurants, resorts, tourists, grocery stores, and other consumers in Africa and the Caribbean Basin;

(3) a need exists for the training of farmers in Africa and the Caribbean Basin and other developing countries in farming techniques that are appropriate for the majority of eligible farmers in Africa or the Caribbean Basin, including—

(A) standard growing practices;

(B) insecticide and sanitation procedures; and

(C) other farming methods that will produce increased yields of more nutritious and healthful crops;

(4) African-American and other American farmers and banking and insurance professionals are a ready source of agribusiness expertise that would be invaluable for farmers in Africa and the Caribbean Basin;

(5) it is appropriate for the United States to make a commitment to support the devel-

opment of a comprehensive agricultural skills training program for farmers in Africa and the Caribbean Basin that focuses on—

(A) improving knowledge of insecticide and sanitation procedures to prevent crop destruction;

(B) teaching modern farming techniques that would facilitate a continual analysis of crop production, including—

(i) the identification and development of standard growing practices; and

(ii) the establishment of systems for recordkeeping;

(C) the use and maintenance of farming equipment that is appropriate for the majority of eligible farmers in Africa and the Caribbean Basin;

(D) expanding small farming operations into agribusiness enterprises through the development and use of village banking systems and the use of agricultural risk insurance pilot products, resulting in increased access to credit for the farmers; and

(E) marketing crop yields to prospective purchasers for local needs and export;

(6) the participation of African-American and other American farmers and American agricultural farming specialists in such a training program promises the added benefit of improving—

(A) market access in African and Caribbean Basin markets for American agricultural commodities and farm equipment; and

(B) business linkages for American insurance providers offering technical assistance on agricultural risk insurance and other matters; and

(7)(A) programs that promote the exchange of agricultural knowledge and expertise through the exchange of American and foreign farmers have been effective in promoting improved agricultural techniques and food security; and

(B) accordingly, the extension of additional resources to such farmer-to-farmer exchanges is warranted.

(b) DEFINITIONS.—In this section:

(1) AGRICULTURAL FARMING SPECIALIST.—The term “agricultural farming specialist” means an individual trained to transfer information and technical support relating to—

(A) agribusiness;

(B) food security;

(C) mitigation and alleviation of hunger;

(D) mitigation of agricultural risk;

(E) maximization of crop yields;

(F) agricultural trade; and

(G) other needs specific to a geographical area, as determined by the President.

(2) CARIBBEAN BASIN COUNTRY.—The term “Caribbean Basin country” means a country that is eligible for designation as a beneficiary country under section 212 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702).

(3) ELIGIBLE FARMER.—The term “eligible farmer” means an individual who owns or works on farm land (as defined by the law of the country in which the land is situated) in—

(A) the sub-Saharan region of Africa;

(B) a Caribbean Basin country; or

(C) any other developing country in which the President determines there is a need for farming expertise or for information or technical support described in paragraph (1).

(4) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a college or university (including a historically black college or university) or a foundation maintained by a college or university; and

(B) a private organization (including a grassroots organization) or corporation with

an established and demonstrated capacity to carry out a bilateral exchange program described in subsection (c).

(5) PROGRAM.—The term “program” means the Farmers for Africa and Caribbean Basin Program established under subsection (c).

(c) ESTABLISHMENT OF PROGRAM.—The President shall establish a grant program, to be known as the “Farmers for Africa and Caribbean Basin Program”, to assist eligible entities in carrying out bilateral exchange programs under which African-American and other American farmers and American agricultural farming specialists share technical knowledge with eligible farmers regarding—

(1) maximization of crop yields;

(2) use of agricultural risk insurance as a financial tool and a means of risk management (as allowed by Annex II of the World Trade Organization rules);

(3) expansion of trade in agricultural products;

(4) enhancement of local food security;

(5) mitigation and alleviation of hunger;

(6) marketing of agricultural products in local, regional, and international markets; and

(7) other means of improving farming by eligible farmers.

(d) GOAL.—The goal of the program shall be to have at least 1,000 farmers participating in the training program by December 31, 2005, of whom—

(1) 80 percent of the number of participating farmers should be eligible farmers in developing countries; and

(2) 20 percent of the number of participating farmers should be American farmers.

(e) TRAINING.—Under the program—

(1) training shall be provided to eligible farmers in groups to ensure that information is shared and passed on to other eligible farmers; and

(2) eligible farmers shall be trained to be specialists in their home communities and encouraged not to retain enhanced farming technology for their own personal enrichment.

(f) USE OF COMMERCIAL AND INDUSTRIAL CAPABILITIES.—Through partnerships with American businesses in the agricultural sector, the program shall use the commercial and industrial capabilities of the businesses to—

(1) train eligible farmers on farming equipment that is appropriate for the majority of eligible farmers in their home countries; and

(2) introduce eligible farmers to the use of insurance as a risk management tool.

(g) SELECTION OF PARTICIPANTS.—

(1) APPLICATION.—To participate in the program, an eligible farmer or African-American and other American farmer or agricultural farming specialist, shall submit to the President an application in such form as the President may require.

(2) QUALIFICATIONS OF AMERICAN PARTICIPANTS.—To participate in the program, an American farmer or agricultural farming specialist—

(A) shall have sufficient farm or agribusiness experience, as determined by the President; and

(B) shall have obtained certain targets, specified by the President, regarding the productivity of the farm or business of the American farmer or agricultural farming specialist.

(h) GRANT PERIOD.—Under the program, the President may make grants for a period of 5 years beginning on October 1 of the first fiscal year for which funds are made available to carry out the program.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

carry out this section \$10,000,000 for each of fiscal years 2002 through 2006.

#### TITLE IV—NUTRITION

**SA 2506.** Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 961, line 11, strike “fiscal year 2002” and insert “each of fiscal years 2002 through 2006”.

**SA 2507.** Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 911, strike lines 7 through 10 and insert the following:

“(A) a college or university or a research foundation maintained by a college or university;”.

**SA 2508.** Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

Strike the period at the end of section 1023 and insert a period and the following:

#### SEC. 10. LIMITATION ON EXHIBITION OF POLAR BEARS.

The Animal Welfare Act is amended by inserting after section 17 (7 U.S.C. 2147) the following:

#### “SEC. 18. LIMITATION ON EXHIBITION OF POLAR BEARS.

“An exhibitor that is a carnival, circus, or traveling show (as determined by the Secretary) shall not exhibit polar bears.”.

**SA 2509.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 452 and renumber subsequent sections accordingly.

**SA 2510.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

“Notwithstanding any other provision of law or of this bill, any individual whose annual income is equal to or greater than 300% of the national median family income, as last reported by the Bureau of the Census (adjusted for family size and inflation), shall not be eligible to receive any cash benefit, subsidy, loan, or payment authorized by this bill.”

**SA 2511.** Mr. DASCHLE (for himself and Mr. LUGAR) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; as follows:

Strike the period at the end of section 1021 and insert a period and the following:

#### SEC. 1022. ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS.

(a) IN GENERAL.—Section 218 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6918) is amended by adding at the end the following:

“(f) ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS.—

“(1) DEFINITION OF SOCIALLY DISADVANTAGED FARMER OR RANCHER.—In this subsection, the term ‘socially disadvantaged farmer or rancher’ has the meaning given the term in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)).

“(2) ESTABLISHMENT OF POSITION.—The Secretary shall establish within the Department the position of Assistant Secretary of Agriculture for Civil Rights.

“(3) APPOINTMENT.—The Assistant Secretary of Agriculture for Civil Rights shall be appointed by the President, by and with the advice and consent of the Senate.

“(4) DUTIES.—The Assistant Secretary of Agriculture for Civil Rights shall—

“(A) enforce and coordinate compliance with all civil rights laws and related laws—

“(i) by the agencies of the Department; and

“(ii) under all programs of the Department (including all programs supported with Department funds);

“(B) ensure that—

“(i) the Department has measurable goals for treating customers and employees fairly and on a nondiscriminatory basis; and

“(ii) the goals and the progress made in meeting the goals are included in—

“(I) strategic plans of the Department; and

“(II) annual reviews of the plans;

“(C) ensure the compilation and public disclosure of data critical to assessing Department civil rights compliance in achieving on a nondiscriminatory basis participation of socially disadvantaged farmers and ranchers in programs of the Department on a nondiscriminatory basis;

“(D)(i) hold Department agency heads and senior executives accountable for civil rights compliance and performance; and

“(ii) assess performance of Department agency heads and senior executives on the basis of success made in those areas;

“(E) ensure, to the maximum extent practicable—

“(i) a sufficient level of participation by socially disadvantaged farmers and ranchers in deliberations of county and area committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)); and

“(ii) that participation data and election results involving the committees are made available to the public; and

“(F) perform such other functions as may be prescribed by the Secretary.”.

(b) COMPENSATION.—Section 5315 of title 5, United States Code, is amended by striking “Assistant Secretaries of Agriculture (2)” and inserting “Assistant Secretaries of Agriculture (3)”.

(c) CONFORMING AMENDMENTS.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended—

(1) in paragraph (3), by striking “or” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(5) the authority of the Secretary to establish within the Department the position of Assistant Secretary of Agriculture for Civil Rights under section 218(f).”.

**SA 2512.** Mr. CRAIG (for himself and Mr. GREGG) proposed an amendment to amendment SA 2511 submitted by Mr. DASCHLE and intended to be proposed to the amendment SA 2471 proposed by Mr. DASCHLE to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; as follows:

At the appropriate place, add the following:

#### SEC. . SENSE OF THE SENATE.

It is the sense of the Senate that, before Congress creates new positions that require the advice and consent of the Senate, such as the position of Assistant Secretary for Civil Rights of the Department of Agriculture, the Senate should vote on nominations that have been reported by committees and are currently awaiting action by the full Senate, such as the nomination of Eugene Scalia to be Solicitor of the Department of Labor.

**SA 2513.** Mr. BOND (for himself, Mr. GRASSLEY, Mr. ENZI, and Mr. MILLER) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for

agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; as follows:

Strike the period at the end of section 1034 and insert a period and the following:

**SEC. 1035. REVIEW OF FEDERAL AGENCY ACTIONS AFFECTING AGRICULTURAL PRODUCERS.**

(a) DEFINITIONS.—In this section:

(1) AGENCY ACTION.—The term “agency action” has the meaning given the term in section 551 of title 5, United States Code.

(2) AGENCY HEAD.—The term “agency head” means the head of a Federal agency.

(3) AGRICULTURAL PRODUCER.—The term “agricultural producer” means the owner or operator of a small or medium-sized farm or ranch.

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

(b) REVIEW OF AGENCY ACTION BY SECRETARY.—

(1) IN GENERAL.—The Secretary may review any agency action proposed by any Federal agency to determine whether the agency action would be likely to have a significant adverse economic impact on, or jeopardize the personal safety of, agricultural producers.

(2) CONSULTATION; ALTERNATIVES.—If the Secretary determines that a proposed agency action is likely to have a significant adverse economic impact on or jeopardize the personal safety of agricultural producers, the Secretary—

(A) shall consult with the agency head; and

(B) may advise the agency head on alternatives to the agency action that would be least likely to have a significant adverse economic impact on, or least likely to jeopardize the personal safety of, agricultural producers.

(c) PRESIDENTIAL REVIEW.—

(1) IN GENERAL.—If, after a proposed agency action is finalized, the Secretary determines that the agency action would be likely to have a significant adverse economic impact on or jeopardize the safety of agricultural producers, the President may, not later than 60 days after the date on which the agency action is finalized—

(A) review the determination of the Secretary; and

(B) reverse, preclude, or amend the agency action if the President determines that reversal, preclusion, or amendment—

(i) is necessary to prevent significant adverse economic impact on or jeopardize the personal safety of agricultural producers; and

(ii) is in the public interest.

(2) CONSIDERATIONS.—In conducting a review under paragraph (1)(A), the President shall consider—

(A) the determination of the Secretary under subsection (c)(1);

(B) the public record;

(C) any competing economic interests; and

(D) the purpose of the agency action.

(3) CONGRESSIONAL NOTIFICATION.—If the President reverses, precludes, or amends the agency action under paragraph (1)(B), the President shall—

(A) notify Congress of the decision to reverse, preclude, or amend the agency action; and

(B) submit to Congress a detailed justification for the decision.

(4) LIMITATION.—The President shall not reverse, preclude, or amend an agency action that is necessary to protect—

(A) human health;

(B) safety; or

(C) national security.

(d) CONGRESSIONAL REVIEW.—Reversal, preclusion, or amendment of an agency action under subsection (c)(1)(B) shall be subject to section 802 of title 5, United States Code.

**SA 2514.** Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 937, between lines 16 and 17, insert the following:

**SEC. 10 . CROP INSURANCE AND NONINSURED CROP DISASTER ASSISTANCE PROGRAM.**

(a) 7. U.S.C. 7333, as amended by P.L. 104-127, is amended—

(1) in Section (a)(3) by striking “or” and

(2) in Section (a)(3) by striking “as determined by the Secretary.” and inserting in lieu thereof “as determined by the Secretary, or disaster caused by direct federal regulatory implementation or resource management decision, action, or water allocation.” and

(3) in Section (c)(2) by striking “or other natural disaster, as determined by the Secretary.” and inserting in lieu thereof “other natural disaster (as determined by the Secretary), or disaster caused by direct federal regulatory implementation or resource management decision, action, or water allocation.”.

(b) 7 U.S.C. 1508 is amended—

(1) in Section (a)(1) by striking “or other natural disaster (as determined by the Secretary).” and inserting “natural disaster (as determined by the Secretary), or disaster caused by direct federal regulatory implementation or resource management decision, action, or water allocation.” and

(2) in Section (b)(1) by striking “or other natural disaster (as determined by the Secretary).” and inserting in lieu thereof “other natural disaster (as determined by the Secretary), or direct federal regulatory implementation or resource management decision, action, or water allocation.”.

(c) The Secretary is encouraged to review and amend administration rules and guidelines describing disaster conditions to accommodate situations where planting decisions are based on federal water allocations. The Secretary is further encouraged to review the level of disaster payments to irrigated agriculture producers in such cases where federal water allocations are withheld prior to the planting period.

**SA 2515.** Mr. REID (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 1499, An act to amend the District of Columbia College Access Act of 1999 to permit individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and individuals who attend private historically black colleges and universities

nationwide to participate in the tuition assistance programs under such Act, and for other purposes; as follows:

In subparagraph (A) of section 3(c)(2) of the District of Columbia College Access Act of 1999, as added by section 2—

(1) in clause (i), strike “or” after the semicolon;

(2) redesignate clause (ii) as clause (iii); and

(3) insert after clause (i) the following:

“(ii) for individuals who graduated from a secondary school or received the recognized equivalent of a secondary school diploma before January 1, 1998, and is currently enrolled at an eligible institution as of the date of enactment of the District of Columbia College Access Improvement Act of 2001, was domiciled in the District of Columbia for not less than the 12 consecutive months preceding the commencement of the Freshman year at an institution of higher education; or”.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON FOREIGN RELATIONS**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, December 12, 2001, at 2:30 p.m. to hold a business meeting.

**Agenda**

The committee will consider and vote on the following agenda:

**Legislation**

S. 1779, A bill to authorize Radio Free Afghanistan.

H.R. 3167, The Gerald B.H. Solomon Freedom Consolidation Act of 2001, A bill to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and for other purposes.

S. Con. Res. 86, A concurrent resolution expressing the sense of Congress that women from all ethnic groups in Afghanistan should participate in the economic and political reconstruction of Afghanistan.

H. Con. Res. 77, A concurrent resolution expressing the sense of the Congress regarding the efforts of people of the United States of Korean ancestry to reunite with their family members in North Korea.

H. Con. Res. 211, A concurrent resolution commending Daw Aung San Suu Kyi on the 10th anniversary of her receiving the Nobel Peace Prize and expressing the sense of the Congress with respect to the Government of Burma.

**Nominations:**

Jorge L. Arrizurieta, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank.

William R. Brownfield, of Texas, to be Ambassador to the Republic of Chile.