

would be the first decline since Christmas of 1953, in the wake of the Korean War.

Our Sales Tax Holiday Act of 2001 will provide that positive stimuli at a critical time when consumers need the help most. Holiday sales make up one-fifth, 22.8 percent, of annual consumer spending, so we will target our bill directly toward these sales. States that opt to participate by rolling back their sales tax will be "held harmless" for their decisions, with reimbursement made by the Federal Government for lost sales tax revenue. This revenue will be replaced on a timely basis so that States' cash flows are not affected, with States opting to be reimbursed for lost revenue based on a formula which is based on historical December sales tax revenue, or opting to receive dollar for dollar reimbursement based on actual sales. States will have to choose which method of reimbursement they would like to receive prior to implementation of the sales tax holiday.

Forty-five States, and the District of Columbia will be eligible to participate in our plan, with an estimated overall economic impact of about \$6.5 billion for the 10-day sales tax holiday. Needless to say, no State would be required to take action, but we think they deserve to have the option.

This is a proven approach that can dramatically boost sales. When Maryland and the District of Columbia tried sales tax holidays last August, for example, monthly sales jumped by 10 percent. One retailer even saw sales jump 35 percent over the same period a year ago. And the Wall Street Journal in 1997 reported that a survey of 102 stores in the New York City metropolitan area averaged 125 percent increases in sales during the region's January sales tax holiday on most clothing and footwear.

The fact is, this is an approach that fulfills every one of the principles for a stimulus that the Centrist Coalition I cochair laid out earlier this month. And as the Los Angeles Times reported on October 12, "in the view of many economists—conservative as well as liberal—most plans fall short of the key criteria for stimulus proposals: they should take effect quickly, promote new spending or investment that otherwise would not occur, and do no long-term damage."

Our plan fits the bill and makes perfect sense—and will pay off for consumers with more dollars and cents in their pockets. What better signal of holiday cheer and confidence than to include a savings on every purchase, enticing consumers back into the stores and giving a much-needed boost to our economy?

As we approach this holiday season, rather than being "a day late and a dollar short" in helping consumers and stimulating the economy, we should pass this legislation and give America the gift of an immediate boost to our economic strength and well-being.

I thank the Chair.

By Mr. CAMPBELL:

S. 1644. A bill to further the protection and recognition of veterans' memorials, and for other purposes; to the Committee on Veterans' Affairs.

#### PROTECTING THE SITES HONORING THOSE WHO PROTECT US

Mr. CAMPBELL. Madam President, today, 4 days before Veterans Day, I introduce legislation that would recognize and protect the sanctity of veterans' memorials. Currently, there is no comprehensive Federal law to protect veterans' memorials, which is why I am introducing the Veterans' Memorial Preservation and Recognition Act of 2001.

My bill would prohibit the desecration of veterans' memorials, provide for repairs of veterans memorials and permit guide signs to veterans' cemeteries on Federal-aid highways.

Under this legislation, someone who willfully desecrates any type of monument commemorating those in the Armed Forces on public property would be fined or put in jail. The violator would be subject to a civil penalty in addition to the fine, equal to the cost of repairing the damage.

The funds generated by these penalties would then go into a Veterans' Memorial Restoration Fund, established by the Secretary of Veterans' Affairs, to make those monies available for the repair of the damaged memorials. But the vandals won't be the only ones contributing to the fund; individuals and veterans' organizations could also make donations and get a charitable contribution deduction. In essence, this would be a new way to provide for the repair of veterans' memorials without any new appropriation or providing other Federal funding.

The second part of this bill would permit states to place supplemental guide signs for veterans' cemeteries on Federal-aid highways. These veterans' cemeteries deserve recognition; by allowing signs to be posted, we pay our respect to these sites by offering direction to them. It is my goal to make these important sites easily accessible.

Our veterans, living and lost, are a reminder of our unity. Those who served in our Armed Services are more than just symbols of freedom and justice in the midst of conflict and during times of peace.

They are real people, integral to our entire population, who enrich our day-to-day lives with their proud service, with their personal accounts of war, their organizations of service, and their expressions of deep-down American pride. Not only have we lost many of these brave men and women in conflict, but we lose thousands of them forever each year as the veteran population ages. We have to honor their sacrifices by protecting the sites that recognize them.

It is a shame that there is no comprehensive federal law to protect veterans' memorials.

Sometimes they are the only tangible reminders we have of courageous service to this country. We can easily read about those brave Americans who served in war, but it's not always easy to gather more than just hard facts from newspapers or history books. Being in the presence of a statue or memorial structure can evoke a deeper response. We can walk around it, sometimes we can touch it, and oftentimes we can see the names of each brave American who died in conflict.

Madam President, the timing of this bill is appropriate. This Sunday, November 11, we will recognize Veterans' Day, which informally began as a series of memorial gestures to celebrate the end of World War I in 1918. Three years later, on the eleventh hour of the eleventh day of the eleventh month, an unknown American soldier of the war was buried on a hillside in Arlington Cemetery, overlooking the Potomac River. This site became a summit of veneration for Americans everywhere. Similarly, at Westminster Abbey in England and the Arc de Triomphe in France, an unknown soldier was buried in each of these places of highest honor.

These three memorial sites are symbols of our reverence; it is only appropriate that we do everything we can to preserve sites like these across America.

There are hundreds of veterans' memorials, on public property, here in the United States. From nationally-known places such as Iwo Jima, to smaller sites such as the Colorado Veterans' Memorial across from the capitol in Denver, each is a site where we go to heal and to remember. As a veteran myself, I am committed to seeing that not a single one is stripped of its dignity.

I encourage my colleagues to work together for swift consideration of this timely and important legislation. I have the support of several veterans' organizations, who have offered words of encouragement for this bill. These Americans know, firsthand, the concept of service. Let's honor what they and thousands of others have done to preserve our freedom.

Madam President, I thank the Chair and ask unanimous consent that letters of support from the American Legion, Rolling Thunder, Inc., and the Paralyzed Veterans of America be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,  
Washington, DC, November 6, 2001.

Hon. BEN NIGHTHORSE CAMPBELL,  
U.S. Senate, Russell Senate Office Building,  
Washington, DC.

DEAR SENATOR CAMPBELL: On behalf of the 2.9 million members of The American Legion, I would like to express full support for the Veterans' Memorial Preservation and Recognition Act. We applaud your efforts to prohibit the desecration of veterans' memorials, and to permit guide signs to veterans' cemeteries on federal highways.

The American Legion recognizes the need to preserve the sanctity and solemnity of veterans' memorials. These historic monuments serve not only to honor the men and women of the nation's armed services, but to educate future generations of the sacrifices endured to preserve the freedoms and liberties enjoyed by all Americans.

Once again, The American Legion fully supports the Veterans' Memorial Preservation and Recognition Act. We appreciate your continued leadership in addressing the issues that are important to veterans and their families.

Sincerely,

STEVE A. ROBERTSON,  
*Director, National  
Legislative Commission.*

ROLLING THUNDER, INC.,  
*Neshanic Station, NJ, November 5, 2001.*

Senator BEN "NIGHTHORSE" CAMPBELL,  
*Russell Senate Office Building,  
Washington, DC.*

HONORABLE BEN CAMPBELL: I am sending this letter in support of Bill, "Veterans Memorial Preservation and Recognition Act of 2001."

Rolling Thunder National and our members are in full support of this bill. Those who destroy and deface any Veterans Memorial should be punished and made to pay full restitution for the damages they have caused. Many Americans have fought and died for the freedom of all Americans and their Memorials should be honored and respected by all.

I thank you for your help and support to all American Veterans.

Sincerely,

SGT., ARTIE MULLER,  
*National President.*

PARALYZED VETERANS OF AMERICA,  
*Washington, DC, November 5, 2001.*

Hon. BEN NIGHTHORSE CAMPBELL,  
*U.S. Senate,  
Washington, DC.*

DEAR SENATOR CAMPBELL: On behalf of the Paralyzed Veterans of America (PVA) I am writing to offer our support for the "Veterans' Memorial Preservation and Recognition Act of 2001."

Memorials to the men and women who have served this Nation, in times of war and in times of peace, are tokens of our gratitude for their service, and their sacrifice. They are tangible reminders of our past, and an inspiration for our future. For this reason they are well worth protecting and preserving. This legislation addresses both of these goals.

Again, thank you for introducing the "Veterans' Memorial Preservation and Recognition Act of 2001."

Sincerely,

RICHARD B. FULLER,  
*National Legislative Director.*

By Mr. HELMS:

S. 1645. A bill to provide for the promotion of democracy and rule of law in Belarus and for the protection of Belarus' sovereignty and independence; to the Committee on Foreign Relations.

Mr. HELMS. Madam President, on top of the mayhem and slaughter in New York and at the Pentagon in Washington last September, a travesty against democracy occurred, again, in Belarus. Aleksandr Lukashenka, the dictator controlling this country, stole through intimidation and repression, the presidential elections that took place on September 9.

Tragic as the events in our own country were and as serious an undertaking

as the war against terrorism will continue to be, we must not overlook the brutality and injustice of a regime such as the one led by Lukashenka, especially in the heart of Europe.

For this reason, I am introducing today the Belarus Democracy Act of 2001, the purpose of which is to support the people in Belarus who are struggling, often at great peril to their lives, to revive democracy, and to reconsolidate their country's declining independence and sovereignty.

Democracy has been crushed in Belarus by a fanatical dictatorship that can only be described as a brutal throwback to the Soviet era. Aleksandr Lukashenka is an authoritarian obsessed with recreating the former Soviet Union, which he believes he will ultimately lead. Because of Lukashenka, Belarus has emerged as a dark island of repression, censorship, and command economy in a region of consolidating democracies.

Belarus has tragically become the Cuba of Europe. Nonetheless, the people of Belarus have not succumbed to Lukashenka. Independent newspapers struggle to publish. The leadership of the parliament he unconstitutionally dismissed refuses to concede legitimacy to his sham regime. Scores of non-governmental organizations fight to promote the rule of law and to protect fundamental human rights. The vibrancy of Belarus's struggling civil society has been made evident by the "Freedom Marches" that have attracted literally tens of thousands of Belarusians to the streets of Minsk and countless other anti-Lukashenka demonstrations elsewhere in Belarus.

Their agenda is the promotion of a free, independent, democratic and Western-oriented Belarus, a sharp contrast to Lukashenka's efforts to reanimate the former Soviet Union.

This is an agenda not without risk. Those who have dared to take a stand against Lukashenka have disappeared. Yuri Zakharenko disapproved soon after he resigned his post as Lukashenka's Minister of Interior and began working with the opposition. Opposition leader Victor Gonchar and his colleague, Anatoly Krasovsky, vanished just hours after Lukashenka, in a drooling rage broadcast on state television, called upon his henchmen to crackdown on the "opposition scum."

Other opposition leaders such as Andrei Klimov, have been imprisoned under harsh conditions simply for expressing their opposition to Lukashenka's regime.

This regime has tried to crush opposition marches with truncheon-wielding riot police. The independent press and non-governmental organizations promoting democracy, rule of law and human rights in Belarus are subject to constant government harassment, intimidation, arrests, fines, beatings, and murder. Dmitry Zavatsky, a cameraman for Russian television, known for his critical reporting of the Lukashenka regime, disappeared under mysterious circumstances.

If passed, this bill will impose sanctions against the Lukashenka regime.

It will deny international assistance to his government. It will freeze Belarusian assets in the United States. It will prohibit trade with the Lukashenka government and businesses owned by that government. It will also deny officials of the Lukashenka government the right to travel to the United States.

And, if Lukashenka continues to surrender Belarusian sovereignty, this bill will strip his government of the diplomatic properties it currently enjoys in the United States. Indeed, if he is successful in his warped effort to recreate the Soviet Union, the Government of Belarus will sadly have no need for these properties.

This bill supports our Nation's vision of Europe that is democratic, free and undivided. That vision will never be fulfilled as long as Belarus suffers under the tyranny of Aleksandr Lukashenka. It is our moral and strategic interest to support those fighting for democracy and freedom in Belarus and the return of their country to the European community of free states.

To ignore this struggle for democracy and freedom and to turn an indifferent eye upon Lukashenka's effort to reconstruct the former Soviet Union would be a grave error. Not only would it be immoral, it would be strategically shortsighted.

Allowing Moscow to reabsorb a state that was once independent and democratic would only whet Moscow's appetite to restore the old Soviet borders. That would set a precedent that would only jeopardize the security of Ukraine, Lithuania, Latvia, and Estonia. Indulging antiquated Russian imperial pretensions would also undercut the prospects for democratic reform in Russia.

For these reasons the Belarus Democracy Act of 2001 authorizes \$30 million in assistance to restore and strengthen the institutions of democratic government in Belarus. It specifically urges the President of the United States to furnish assistance to political parties in Belarus committed to those goals.

It expands the resources available to support radio broadcasting into Belarus that will facilitate the flow of uncensored information to the people of Belarus.

The September elections in Belarus were stained by the Lukashenka regime's cruel suppression of democratic and human rights. Let the Belarus Democracy Act be America's response to Europe's last dictator, Aleksandr Lukashenka.

I ask unanimous consent the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1645

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Belarus Democracy Act of 2001".

**SEC. 2. FINDINGS.**

Congress finds that—

(1) the United States has a vital interest in the consolidation and strengthening of the independence and sovereignty of the Republic of Belarus and its integration into the European community of democracies;

(2) the United States supports the promotion of democracy, the rule of law, and respect for human rights in Belarus;

(3) in November 1996, Belarusian President Aleksandr Lukashenka orchestrated an illegal and unconstitutional referendum that enabled him to impose upon the Belarusian people a new constitution, abolish the old parliament, the 13th Supreme Council, replace it with a rubber stamp legislature, and extend his term office to 2001;

(4) in May 1999, the Belarusian opposition challenged Lukashenka's illegal extension of his presidential term by staging alternative presidential elections and these elections were met with repression;

(5) the Belarusian opposition has organized peaceful demonstrations against the Lukashenka regime in cities and towns throughout Belarus, including the Freedom I March of October 17, 1999, the Freedom II March of March 15, 2000, and the Chernobyl Way March of April 26, 2000, each of which took place in Minsk and involved tens of thousands of Belarusians;

(6) the Lukashenka regime has responded to these peaceful marches with truncheon-swinging security personnel, mass arrests, extended incarcerations, and beatings;

(7) Andrei Klimov, a member of the last democratically elected Parliament in Belarus remains imprisoned under harsh conditions for his political opposition to Lukashenka;

(8) Victor Gonchar, Yuri Krasovsky, and Yuri Zakharenka, who have been leaders and supporters of the opposition, have disappeared under mysterious circumstances;

(9) former Belarus government officials, including four police investigators, have come forward with credible allegations and evidence that top officials of the Lukashenka regime were involved in the murders of opposition figures Yury Zakharenka, Victor Gonchar, Anatol Krasovsky, Dmitry Zavadsky, and scores of other people.

(10) the Lukashenka regime systematically harasses and persecutes the independent media and actively suppresses freedom of speech and expression;

(11) Dmitry Zavadsky, a cameraman for Russian public television, known for his critical reporting of the Lukashenka regime, disappeared under mysterious circumstances;

(12) the Lukashenka regime harasses the autocephalic Belarusian Orthodox Church, the Roman Catholic Church, evangelical churches, and other minority groups;

(13) Lukashenka advocates and actively promotes a merger between Russia and Belarus, and initiated negotiations and signed December 8, 1999, the Belarus-Russia Union Treaty even though he lacks the necessary constitutional mandate to do so;

(14) the Belarusian opposition denounces these intentions and has repeatedly called upon the international community to "unambiguously announce the nonrecognition of any international treaties concluded by Lukashenka";

(15) the United States, the European Union, the NATO Parliamentary Assembly, the OSCE Parliamentary Assembly, and other international bodies continue to recognize the 13th Supreme Council as the legal Belarusian Parliament;

(16) the parliamentary elections of October 15, 2000, conducted by Aleksandr Lukashenka were illegitimate and unconstitutional;

(17) these elections were plagued by violent human rights abuses committed by his regime, including the harassment, beatings, arrest, and imprisonment of members of the opposition;

(18) these elections were conducted in the absence of a democratic election law;

(19) the presidential election of September 2001 was fundamentally unfair and featured significant and abusive misconduct by the regime of Aleksandr Lukashenka, including—

(A) the harassment, arrest, and imprisonment of opposition leaders;

(B) the denial of opposition candidates equal and fair access to the dominant state-controlled media;

(C) the seizure of equipment and property of independent nongovernmental organizations and press organizations and the harassment of their staff and management;

(D) voting and vote counting procedures that were not transparent; and

(E) a campaign of intimidation directed against opposition activists, domestic election observation organizations, opposition and independent media, and a libelous media campaign against international observers; and

(20) the last parliamentary election in Belarus deemed to be free and fair by the international community took place in 1995 and from it emerged the 13th Supreme Soviet whose democratically and constitutionally derived authorities and powers have been usurped by the authoritarian regime of Aleksandr Lukashenka.

**SEC. 3. ASSISTANCE TO PROMOTE DEMOCRACY AND CIVIL SOCIETY IN BELARUS.**

(a) PURPOSES OF ASSISTANCE.—The assistance under this section shall be available for the following purposes:

(1) To assist the people of Belarus in regaining their freedom and to enable them to join the international community of democracies.

(2) To restore and strengthen institutions of democratic government in Belarus.

(3) To encourage free and fair presidential and parliamentary elections in Belarus, conducted in a manner consistent with internationally accepted standards and under the supervision of internationally recognized observers.

(4) To sustain and strengthen international sanctions against the Lukashenka regime in Belarus.

(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purposes of subsection (a), the President is authorized to furnish assistance and other support for the activities described in subsection (c) and primarily for indigenous Belarusian political parties and nongovernmental organizations.

(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) include—

(1) democratic forces, including political parties, committed to promoting democracy and Belarus' independence and sovereignty;

(2) democracy building;

(3) radio and television broadcasting to Belarus;

(4) the development and support of nongovernmental organizations promoting democracy and supporting human rights both in Belarus and in exile;

(5) the development of independent media working within Belarus and from locations outside of Belarus and supported by nonstate-controlled printing facilities;

(6) international exchanges and advanced professional training programs for leaders and members of the democratic forces in

skill areas central to the development of civil society; and

(7) the development of all elements of democratic processes, including political parties and the ability to conduct free and fair elections.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the President \$30,000,000 for the fiscal year 2002.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

**SEC. 4. AUTHORIZED FUNDING FOR RADIO BROADCASTING IN AND INTO BELARUS.**

(a) IN GENERAL.—The purpose of this section is to augment support for independent and uncensored radio broadcasting in and into Belarus that will facilitate the dissemination of information in a way that is not impeded by the government of Lukashenka.

(b) ALLOCATION OF FUNDS.—Not less than \$5,000,000 made available under section 3 shall be available only for programs that facilitate and support independent broadcasting into and in Belarus on AM and FM bandwidths, including programming from the Voice of America and RFE/RL, Incorporated.

(c) REPORTING ON RADIO BROADCASTING TO AND IN BELARUS.—Not later than 120 days after the date of enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report on how funds allocated under subsection (b) will be used to provide AM and FM broadcasting that covers the territory of Belarus and delivers to the people of Belarus programming free from censorship of the government of Lukashenka.

**SEC. 5. SANCTIONS AGAINST THE LUKASHENKA REGIME.**

(a) APPLICATIONS OF MEASURES.—The sanctions described in this section and sections 6, 8, and 9, shall apply with respect to Belarus until the President determines and certifies to the appropriate congressional committees that the Government of Belarus has made significant progress in meeting the conditions described in subsection (b).

(b) CONDITIONS.—The conditions referred to in subsection (a) are the following:

(1) The release of all those individuals who have been jailed for their political views.

(2) The withdrawal of politically motivated legal charges against all opposition figures.

(3) The provision of a full accounting of those opposition leaders and journalists, including Victor Gonchar, Yuri Krasovsky, Yuri Zakharenka, and Dmitry Zavadsky, who have disappeared under mysterious circumstances, and the prosecution of those individuals who are responsible for those disappearances.

(4) The cessation of all forms of harassment and repression against the independent media, nongovernmental organizations, and the political opposition.

(5) The implementation of free and fair presidential and parliamentary elections.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to oppose, and vote against, any extension by those institutions of any financial assistance (including any technical assistance or grant) of any kind to the Government of Belarus, except for loans and assistance that serve basic human needs.

(d) INTERNATIONAL FINANCIAL INSTITUTIONS DEFINED.—In this section, the term international financial institution includes the

International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

#### SEC. 6. BLOCKING BELARUSIAN ASSETS IN THE UNITED STATES.

(a) **BLOCKING OF ASSETS.**—All property and interests in property, including all commercial, industrial, or public utility undertakings or entities, that are owned in whole or in part by the Government of Belarus, or by any member of the senior leadership of Belarus, that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, are hereby blocked.

(b) **EXERCISE OF AUTHORITIES.**—The Secretary of the Treasury, in consultation with the Secretary of State, shall take such actions, including the promulgation of regulations, orders, directives, rulings, instructions, and licenses, and employ all powers granted to the President by the International Emergency Economic Powers Act, as may be necessary to carry out subsection (a).

(c) **PROHIBITED TRANSFERS.**—Transfers prohibited under subsection (b) include payments or transfers of any property or any transactions involving the transfer of anything of economic value by any United States person to the Government of Belarus, or any person or entity acting for or on behalf of, or owned or controlled, directly or indirectly, by that government, or to any member of the senior leadership of Belarus.

(d) **PAYMENT OF EXPENSES.**—All expenses incident to the blocking and maintenance of property blocked under subsection (a) shall be charged to the owners or operators of such property, which expenses shall not be met from blocked funds.

(e) **PROHIBITIONS.**—The following shall be prohibited as of the date of enactment of this Act:

(1) The exportation to any entity owned, controlled, or operated by the Government of Belarus, directly or indirectly, of any goods, technology, or services, either—

(A) from the United States;

(B) requiring the issuance of a license for export by a Federal agency; or

(C) involving the use of United States registered vessels or aircraft, or any activity that promotes or is intended to promote such exportation.

(2) The performance by any United States person of any contract, including a financing contract, in support of an industrial, commercial, or public utility operated, controlled, or owned by the Government of Belarus.

(f) **EXCEPTIONS.**—Notwithstanding any other provision of this section, this section does not apply to—

(1) assistance provided under section 3 or 4 of this Act;

(2) those materials described in section 203(b)(3) of the International Emergency Economic Powers Act relating to informational materials; or

(3) materials being sent to Belarus as relief in response to a humanitarian crisis.

(g) **STATUTORY CONSTRUCTION.**—Nothing in this Act prohibits any contract or other financial transaction with any private or non-governmental organization or business in Belarus.

#### SEC. 7. DENYING ENTRY INTO THE UNITED STATES TO BELARUSIAN OFFICIALS.

It is the sense of Congress that the President should use his authority under section

212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)) to suspend the entry into the United States of any alien who—

(1) holds a position in the senior leadership of the Government of Belarus; or

(2) is a spouse, minor child, or agent of a person inadmissible under paragraph (1).

#### SEC. 8. PROHIBITION ON STRATEGIC EXPORTS TO BELARUS.

No computers, computer software, goods intended to manufacture or service computers, no technology intended to manufacture or service computers, or any other goods or technology may be exported to or for use by the Government of Belarus, or by any of the following entities of that government:

(1) The military.

(2) The police.

(3) The prison system.

(4) The national security agencies.

#### SEC. 9. PROHIBITION ON LOANS AND INVESTMENT.

(a) **UNITED STATES GOVERNMENT FINANCING.**—No loan, credit guarantee, insurance, financing, or other similar financial assistance may be extended by any agency of the United States Government (including the Export-Import Bank and the Overseas Private Investment Corporation) to the Government of Belarus.

(b) **TRADE AND DEVELOPMENT AGENCY.**—No funds made available by law may be available for activities of the Trade and Development Agency in or for Belarus.

(c) **THIRD COUNTRY ACTION.**—Congress urges the Secretary of State to encourage all other countries, particularly European countries, to suspend any of their own programs providing support similar to that described in subsection (a) or (b) to the Government of Belarus, including the rescheduling of repayment of the indebtedness of that government under more favorable conditions.

(d) **PROHIBITION ON PRIVATE CREDITS.**—No United States person may make or approve any loan or other extension of credit, directly or indirectly, to the Government of Belarus or to any corporation, partnership, or other organization that is owned, operated, or controlled by the Government of Belarus.

#### SEC. 10. DENIAL OF GSP.

(a) **FINDING.**—Congress finds that the Government of Belarus has failed to respect internationally recognized worker rights.

(b) **DENIAL OF GSP BENEFITS.**—Congress approves the decision of the United States Government to deny tariff treatment under title V of the Trade Act of 1974 (the Generalized System of Preferences (GSP)) to Belarus.

#### SEC. 11. MULTILATERAL SANCTIONS.

It is the sense of Congress that the President should continue to seek to coordinate with other countries, particularly European countries, a comprehensive, multilateral strategy to further the purposes of this Act, including, as appropriate, encouraging other countries to take measures similar to those described in this Act.

#### SEC. 12. OWNERSHIP AND USE OF DIPLOMATIC AND CONSULAR PROPERTIES.

It is the sense of Congress that, if an undemocratic and illegitimate Government of Belarus, enters into a union with the Russian Federation that results in the loss of sovereignty for Belarus, the United States should immediately withdraw any and all privileges and immunities under the Vienna Convention on Diplomatic Relations enjoyed by the personnel and property of the Government of Belarus and demand the immediate departure of such personnel from the United States.

#### SEC. 13. REPORTS.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, and

every year thereafter, the President shall submit a report to the appropriate congressional committees reporting on—

(1) assistance and commerce received by Belarus from other foreign countries during the previous 12-month period;

(2) the sales of weapons and weapons-related technologies from Belarus during that 12-month period;

(3) the relationship between the Lukashenka regime and the Government of the Russian Federation; and

(4) the personal assets and wealth of Aleksandr Lukashenka and other senior leaders of the Government of Belarus.

(b) **REPORT ELEMENTS.**—Each report required by subsection (a) shall, for the period covered by the report, contain, to the extent such information is known—

(1) a description of all assistance, including humanitarian assistance, provided to the Government of Belarus by foreign governments and multilateral institutions;

(2) a description of Belarus' commerce with foreign countries, including the identification of Belarus' chief trading partners and the extent of such trade;

(3) a description of joint ventures completed, or under construction by foreign nationals involving facilities in Belarus; and

(4) an identification of the countries that purchase or have purchased, arms or military supplies from Belarus or that have come into agreements with the Belarus Government that have a military application, including—

(A) a description of the military supplies, equipment, or other material sold, bartered, or exchanged between Belarus and such countries; and

(B) a listing of the goods, services, credits, or other consideration received by the Belarus government in exchange for military supplies, equipment, or material.

#### SEC. 14. SENSE OF CONGRESS.

Congress hereby—

(1) expresses its support to those in Belarus seeking—

(A) to promote democracy and the rule of law, to consolidate the independence and sovereignty of Belarus; and

(B) to promote its integration into the European community of democracies;

(2) expresses its grave concern about the disappearances of Victor Gonchar, Yuri Krasovsky, Yuri Zakharenka, Dmitry Zavadsky, and other members of the opposition and press;

(3) calls upon Lukashenka's regime to cease its persecution of political opponents and to release those, including Andrei Klimov, who have been imprisoned for opposing his regime;

(4) calls upon the Lukashenka regime to respect the basic freedoms of speech, expression, assembly, association, language, and religion;

(5) calls upon Lukashenka to allow parliamentary and presidential elections to be conducted that are free, fair, and fully meet international standards;

(6) calls upon the Government of Russia, the State Duma, and the Federation Council to end its support, including financial support, to the Lukashenka regime and to fully respect the sovereignty and independence of the Republic of Belarus;

(7) calls upon the Government of Belarus to resolve the continuing constitutional and political crisis through free, fair, and transparent elections, including, as called for by the Organization for Security and Cooperation in Europe (OSCE), of which Belarus is a member—

(A) respect for human rights;

(B) an end to the current climate of fear;

(C) opposition and meaningful access to state media;

(D) modification of the electoral code to make the code more democratic;

(E) engaging in genuine talks with the opposition; and

(F) permitting real power for the parliament.

(8) calls upon other governments to refuse to use as diplomatic residences or for any other purpose properties seized by the Lukashenka regime from the Belarusian political opposition;

(9) calls upon the international community, including the Government of Russia, to refuse to ratify or accept any treaty signed by Aleksandr Lukashenka or any other official of his government.

(10) commends the democratic opposition in Belarus for their commitment to freedom, their courage in the face of Lukashenka's brutal repression, and the unity and cooperation their various political parties and non-governmental organizations demonstrated during the October 2000 parliamentary elections and the October 2001 presidential elections and calls upon the democratic opposition of Belarus to sustain that unity and cooperation as part of the effort to bring an end to Lukashenka's dictatorship.

#### SEC. 15. DEFINITIONS.

In this Act:

(1) SENIOR LEADERSHIP OF BELARUS.—The term "senior leadership of Belarus" includes—

(A) the President, Prime Minister, Deputy Prime Ministers, government ministers, and deputy ministers of Belarus;

(B) the Governor of the National Bank of Belarus;

(C) officials of the Belarus Committee for State Affairs (BKGB), the police, and any other organ of repression;

(D) any official of the Government of Belarus involved in the suppression of freedom in Belarus, including judges and prosecutors;

(E) any official of the Government of Belarus directly appointed by Aleksandr Lukashenka; and

(F) officials of the presidential administration.

(2) UNITED STATES.—The term "United States" means the States of the United States, the District of Columbia, and any commonwealth, territory, dependency, or possession of the United States.

(3) UNITED STATES PERSON.—The term "United States person" means any United States resident or national (other than an individual resident outside the United States and employed by other than a United States person), any domestic concern (including any permanent domestic establishment of any foreign concern) and any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern which is controlled in fact by such domestic concern, as determined under regulations of the President.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 1646. A bill to identify certain routes in the states of Texas, Oklahoma, Colorado, and New Mexico as part of the Ports-to-Plains Corridor, a high priority corridor on the National Highway System; to the Committee on Environmental and Public Works.

Mr. BINGAMAN. Madam President, I rise today to introduce legislation that will enhance the future economic vitality of communities in Union and Colfax Counties and throughout all of Northeastern New Mexico. By improving the transportation infrastructure, I believe this legislation will also help promote

tourism across all of northern New Mexico.

The bill we are introducing today completes the designation of the route for the Ports-to-Plains High Priority Corridor, which runs 1,000 miles from Laredo, Texas, to Denver, CO. I am honored to have my colleague, Senator DOMENICI, as a cosponsor of the bill.

I continue to believe strongly in the importance of highway infrastructure for economic development in my State. Even in this age of the new economy and high-speed digital communications, roads continue to link our communities together and to carry the commercial goods and products our citizens need. Safe and efficient highways are especially important to citizens in the rural parts of New Mexico.

It is well known that regions with four-lane highways will more readily attract out-of-state visitors and new jobs. Travelers prefer the safety of a four-lane highway rather than sharing a two-lane road with a large number of semi tractor-trailer rigs.

In 1998, Congress identified the Ports-to-Plains corridor between the border with Mexico to Denver, CO, as a High Priority Corridor on the National Highway System. This designation arose in part as a result of the North American Free Trade Agreement. Under NAFTA, commercial border traffic is already increasing, and the Ports-to-Plains corridor was considered to be centrally situated to serve international trade and promote economic development along its entire route. Congress had previously designated a parallel route, the Camino Real Corridor, including Interstate Highway 25 through central New Mexico, as a high priority corridor; this corridor runs from the Mexican border at El Paso, TX, through Albuquerque and Denver, and on to the Canadian border.

Last year, a comprehensive study was undertaken to determine the feasibility of creating a second continuous four-lane highway along the proposed Ports-to-Plains High Priority corridor. Alternative highway alignments for the trade corridor were developed and evaluated. The study was conducted under the direction of a steering committee consisting of the State departments of transportation in Texas, New Mexico, Oklahoma, and Colorado. The Ports-to-Plains feasibility study was completed and a final report circulated earlier this year.

With the results of the feasibility study in hand, representatives of the four State highway departments met on July 30 to reach consensus on the preferred designation for the northern portion of the Ports-to-Plains corridor between Dumas, TX, and Denver, CO. The four representatives agreed to recommend designating the route north of Dumas, TX, along U.S. Highway 287 through Boise City, OK, to Limon, CO, and then along Interstate 70 to Denver. They also recommended including the route from Dumas, TX, along U.S. Highway 87 through Clayton, NM, to Raton in the corridor.

I am pleased the four States were able to come to a unified consensus on the route for the Ports-to-Plains corridor. I ask unanimous consent that a letter from the directors of the four State highway departments to the Federal Highway Administration summarizing the four-State consensus recommendation be printed in the RECORD at the conclusion of my remarks.

I do believe the consensus recommendation is a good result for all four States in the region. Both New Mexico and Texas plan to upgrade their portion of the corridor to the full four lanes envisioned in the feasibility study for the Ports-to-Plains trade corridor. Indeed, the State of Texas will soon begin construction that will four-lane its portion of Highway 87 from Dumas to the New Mexico State line. Meanwhile, Colorado plans to develop its portion as a super-two-lane highway at a cost of \$537 million. The estimated cost to four-lane New Mexico's 81 miles of the corridor between Clayton and Raton is \$185 million.

I do believe that once Highway 87 has been upgraded to four lanes between Dumas and Raton, the route will act as a magnet for out-of-state visitors to the year-round tourist attractions throughout northern New Mexico. Tourists in particular will prefer the safety and a convenience of a four-lane highway.

Congress designated the southern portion of the Ports-to-Plains corridor last year. Now the feasibility study has been completed and all four States are in unanimous agreement on the preferred route for the northern portion. The time to act is now. Congress should move quickly to confirm the four-state consensus of the Ports-to-Plains Trade Corridor by passing our bill. I look forward to working with the Chairman of the Environment and Public Works Committee, Senator JEFFORDS and the Ranking Member, Senator SMITH, to confirm the four states' recommendation with this non-controversial, bipartisan legislation.

Once the route is established, I am committed to working to help secure the funding required to complete the four-lane upgrade as soon as possible. I do believe the four-lane upgrade of Highway 87 is vital to economic development for the communities of Raton and Clayton and throughout all of northeast New Mexico.

I again thank Senator DOMENICI for cosponsoring the bill, and I hope all Senators will join us in support of this important legislation.

I ask unanimous consent that the text of the bill and the previously referenced letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1646

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

**SECTION 1. IDENTIFICATION OF PORTS-TO-PLAINS HIGH PRIORITY CORRIDOR ROUTES.**

Section 1105(c)(38) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 114 Stat. 2763A-201) is amended—

(1) in subparagraph (A), by redesignating clauses (i) through (viii) as subclauses (I) through (VIII), respectively;

(2) by redesignating subparagraph (A) as clause (i);

(3) by striking “(38) The” and inserting “(38)(A) The”;

(4) in subparagraph (A) (as designated by paragraph (3))—

(A) in clause (i) (as redesignated by paragraph (2))—

(i) in subclause (VII) (as redesignated by paragraph (1)), by striking “and” at the end;

(ii) in subclause (VIII) (as redesignated by paragraph (1)), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(IX) United States Route 287 from Dumas to the border between the States of Texas and Oklahoma, and also United States Route 87 from Dumas to the border between the States of Texas and New Mexico.”; and

(B) by adding at the end the following:

“(i) In the State of Oklahoma, the Ports-to-Plains Corridor shall generally follow United States Route 287 from the border between the States of Texas and Oklahoma to the border between the States of Oklahoma and Colorado.

“(iii) In the State of Colorado, the Ports-to-Plains Corridor shall generally follow—

“(I) United States Route 287 from the border between the States of Oklahoma and Colorado to Limon; and

“(II) Interstate Route 70 from Limon to Denver.

“(iv) In the State of New Mexico, the Ports-to-Plains Corridor shall generally follow United States Route 87 from the border between the States of Texas and New Mexico to Raton.”; and

(5) by striking “(B) The corridor designation contained in paragraph (A)” and inserting the following:

“(B) The corridor designation contained in subclauses (I) through (VIII) of subparagraph (A)(i)”.

DEPARTMENT OF TRANSPORTATION  
September 21, 2001.

C.D. REAGAN,  
Division Administrator, Federal Highway Administration, Austin, TX.

DEAR MR. REAGAN: We are pleased to inform you that we have finalized the preferred designation for the Ports-to-Plains Corridor.

This letter confirms the consensus reached by the states of Colorado, New Mexico, Oklahoma and Texas on July 30, 2001, whereby the northern portion of the Ports-to-Plains Corridor would be formally designated as routes from Dumas, Texas on U.S. 287 to I-70 at Limon, Colorado and then to Denver, Colorado, and U.S. 87 from Dumas, Texas to Raton, New Mexico.

We submit these routes formally as representing the states agreed unified designation for the Ports-to-Plains Corridor north of Dumas, Texas and request that you submit our recommendation to the appropriate congressional committees.

Thank you for your strong consideration of this issue.

Sincerely,

THOMAS E. NORTON,  
Colorado Executive Director, DOT.

MICHAEL W. BEHRENS,  
Texas Executive Director, DOT.

PETE RAHN,

New Mexico Executive Director, DOT.

GARY M. RIDLEY,  
Oklahoma Executive Director, DOT.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 1649. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to increase the authorization of appropriations for the Vancouver National Historic Reserve and for the preservation of Vancouver Barracks; to the Committee on Energy and Natural Resources.

Ms. CANTWELL. Madam President, I am introducing legislation today that will reauthorize Federal participation in the historic preservation efforts of one of the most historically significant sites in the Pacific Northwest, the Fort Vancouver National Historic Reserve.

The Historic Reserve is rich in cultural and historic national significance, pre-dating the arrival of Lewis and Clark through the mid-20th century. For more than 10,000 years, Native American groups inhabited the prairies along the Columbia River that include the site of present-day Vancouver and the historic reserve.

Located on the great American waterway, the Columbia River, the Vancouver National Historic Reserve site became the base of Columbia region operations for the Hudson's Bay Trading Company in the early 19th century. As my colleagues know, Hudson's Bay was the powerful British fur trading company that vied for control of the trapping industry in Western lands of the present-day United States, even before political control of those lands were established. At its peak, the company built an enormous network through the region, with Fort Vancouver as the administrative headquarters and supply depot for the hundreds of employees at dozens of posts in the region.

Fort Vancouver became a trade center for the Western territories, with goods arriving frequently from Europe and the Hawaiian Islands and large quantities of furs and other natural resource products returned to London. The Fort came to serve as a hub for numerous other developing industries, including sawmills, dairies, shipbuilders, fishers and tanneries. In essence, Fort Vancouver truly served as a historic foundation for the development of the entire Pacific Northwest region.

But this history of the trapping industry is not the only significant aspect of this site. The Fort also served as the Northwest's military administrative headquarters beginning in 1849. The United States Army continuously occupied the Vancouver Barracks at the historic reserve site for 150 years. In the 1920's, the Army created a small airfield for the Army Air Corps, which is now the site of the oldest operating airfield in the Nation, Pearson Airfield. In the 1930's, the Fort was used as a training camp for those participating in the Civilian Conservation Corps' reforestation program. And, during

World War II, General George C. Marshall presided over the Barracks and resided on Officer's Row.

Thanks to the wisdom, respect for history, and foresight of numerous individuals including Representative Russell Mack, the esteemed chairwoman of the House Interior Appropriations Subcommittee, Julia Butler Hansen, Congressman Don Bonker, and Congresswoman Jolene Unsoeld, among many others, the tremendous resources of the site have been protected for future generations.

President Truman signed legislation in 1948 that first authorized for Fort Vancouver National Monument. The act allowed the War Assets Administration to transfer surplus property in Vancouver Barracks to the Secretary of the Interior. On June 30, 1954, the National Monument was officially established and the nearly 60 acres of the Vancouver Barracks were transferred to the National Park Service. Finally, the site was designated as a National Historic Site in 1961.

In 1996, the expanded, 366-acre Vancouver National Historic Reserve was established to protect all of the historically significant historical areas within adjacent to the barracks. The reserve includes Fort Vancouver, the Vancouver Barracks, Officers' Row, Pearson Field, the Water Resources Education Center, and portions of the Columbia River waterfront. The sites serve as an enormously significant resource in Southwest Washington.

The restoration of the barracks alone is an enormously important project to stimulate the economic revitalization of Vancouver. Last year, Congress authorized the transfer of the 16 buildings that comprise the West Barracks to the City of Vancouver, and the partners involved in this tremendous project have devised a Cooperative Management Plan that identifies \$40 million in necessary spending to replace failing infrastructure and rehabilitate the 16 buildings to the standards established under the National Historic Preservation Act.

The Partner's Cooperative Management Plan for the Historic Reserve calls for the Barracks to be reused primarily for historic preservation, education, and other forms of public use. But the location of the site near the heart of Vancouver and the potential for drawing additional economic activity back to the city make this vitally important for Southwest Washington.

The public-private partnership plan for the Barracks has also developed a cost-sharing plan between federal, state, and private sources to locate the necessary funds and perform the renovation during the next four to six years. While we at the Federal level have contributed to the project in recent years, the State of Washington and the City of Vancouver have also committed significant resources, and the Vancouver National Historic Reserve Trust has initiated aggressive efforts to raise funds quickly. I have

worked this year, and my colleague Senator MURRAY has successfully worked this year and in years past, to obtain those critical federal dollars for the project.

However, I believe that more can and should be done to keep this project moving ahead. We must never forget our cultural, political, and economic heritage, and our historic resources help educate and remind us of those origins. That is why we have come together to introduce this legislation that will authorize additional federal spending on the project.

I look forward to working with Senator MURRAY and others on the Appropriations Committee to move this legislation quickly and continuing progress on this significant project for the Pacific Northwest and our Nation.

By Mr. CLELAND:

S. 1650. A bill to amend the Public Health Service Act to change provisions regarding emergencies; to the Committee on Health, Education, Labor, and Pensions.

Mr. CLELAND. Madam President, the events of the past month have presented the agencies of the Federal Government with a challenge like none we have ever seen. The anthrax attacks in Florida, New York, New Jersey, and Washington have placed unprecedented demands on both the public health and law enforcement arms of the Federal Government. Yet, in spite of the fact that the men and women of the Federal Government have never before encountered circumstances like these, I am pleased to say that, by and large, their response has been exceptional, and I would like to thank them for their courageous efforts. However, as might be expected, this latest trial has exposed a number of weaknesses in our bioterrorism response mechanism which we must now act swiftly to remedy.

The Federal response to the anthrax crisis has revealed some uncertainty with regard to the precise roles assigned to each of the several Federal agencies with responsibilities in such situations and with regard to coordination between these agencies and the dissemination of public information. For example, while the CDC took the lead in testing anthrax samples from Florida, the anthrax samples found in New York and Washington were collected by the FBI and sent, not to the CDC, but to DoD labs for testing. By sending these samples to different facilities, not only are we duplicating services, but, more importantly, we run the risk of critical results not being expeditiously reviewed by the appropriate health officials thereby unacceptably increasing the response time in what is quite literally a life and death situation.

I believe the uncertainty that has prevailed as to the proper role of the CDC in a bioterrorist incident, particularly vis-a-vis law enforcement agencies, is largely due to ambiguity in present statutes and regulations. Presi-

dential Decision Directive 39 of 1995 clearly designates the FBI as the overall lead federal agency for domestic terrorism incidents. At the same time, per last year's Public Health Threats and Emergencies Act, P.L. 106-505, if the Secretary of Health and Human Services determines, after consulting with the Director of the CDC, that a public health emergency exists, the Secretary is authorized to take such action as may be appropriate to respond to the public health emergency, including conducting and supporting investigations into the cause, treatment, or prevention of a disease. Further, the Federal Response Plan designates HHS as the primary federal agency for the medical and public health response to emergencies. So it seems that, under current law and regulation, the FBI is the lead agency in the event of a terrorist attack, and HHS has significant authority to act in the event of a public health emergency. But if a terrorist attack is also a public health emergency, as has been the case of late, it is not readily evident who is in charge. Clearly, both the FBI and the CDC have essential roles in such a situation. These roles are distinct but do occasionally overlap, necessitating a clarification of how precisely the agencies are to coordinate with one another in a bioterrorism crisis.

While the law enforcement and public health response to terrorist attacks are both vital, in the event of a public health emergency, the unique life and death health ramifications of such an attack mandate, in my view, that public health experts take the lead role in investigating and treating the attack. Bioterrorism is a new arena for us all, including the CDC and in such uncharted territory nothing we do can guarantee that no mistakes will be made. However, with adequate funding and armed with their training and expertise, the public health experts of the CDC constitute our best defense against this emerging threat. Therefore, the measure I am introducing today will clarify the role of the CDC and minimize the problems caused by bureaucratic infighting over agency roles, thereby preventing time from becoming an additional enemy.

Law enforcement agencies and the CDC have equally important, but separate, roles in the event of a terrorist attack involving biological, chemical, or radiological weapons. Such an attack allows us absolutely no room for confusion over these roles, however, as evidenced by the tragic results of the current anthrax attacks. While I am eagerly awaiting further definition of the role of the new Office of Homeland Security and I will support giving it the necessary authority to get the job done, the American people cannot afford any delay in eliminating existing uncertainties in the federal response to bioterrorism.

My Public Health Emergencies Accountability Act is an attempt to eliminate the confusion of the current

system and address the immediate threats stemming from this uncertainty. In proposing this measure, I am building upon current law by clarifying the role of the CDC when acting during a public health emergency. Furthermore, my measure is consistent with the proposed Kennedy-Frist Bioterrorism Preparedness Act and builds on our work in last year's Public Health Threats and Emergencies Act. We have already had to endure the consequences of the current confusion over the important, but distinct, roles of public health and law enforcement in responding to terrorist attacks. It is our responsibility to act immediately to rectify this situation in order to assure public health, safety, and security.

The Public Health Emergencies Accountability Act changes current law in several ways. First, it redefines "public health emergency" to include chemical and radiological attacks, in addition to bioterrorism, and to make suspected as well as proven such attacks eligible for emergency designation. Second, as under last year's Public Health Threats and Emergencies Act, the Secretary of HHS, acting in consultation with CDC, is given the authority to determine the existence of a public health emergency, and to respond to such an emergency by making grants and conducting investigations. My measure provides additional authority for the Secretary and CDC in these cases to take the lead in "directing the response of other Federal departments and agencies" and in "disseminating necessary information" to the general public. Third, the time period of the emergency is to be set by the Secretary and is not to exceed 180 days, but may be extended by the Secretary after notification of Congress and other Federal agencies.

Finally, and most importantly, the determination of a public health emergency by the Secretary of HHS, in consultation with CDC, is made the defining action in clarifying who should take the lead role in handling a biological, chemical or radiological attack. Thus, when it is determined that a given situation does not rise to the level of a public health emergency, law enforcement will assume the lead position. On the other hand, when the Secretary of HHS has identified and declared a public health emergency, public health and the CDC will take the leading role. In either case, my proposal mandates that the lead agency keep all other relevant authorities, including the Congress, fully and currently informed. If there is one message that emerges time and time again about shortcomings in the Federal Government's current response to terrorism, especially bioterrorism, it is that the relevant Federal agencies don't talk to each another soon enough or completely enough. The Public Health Emergencies Accountability Act will put an end to that.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1650

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

**SEC. 1. SHORT TITLE.**

This Act may be cited as the "Public Health Emergencies Accountability Act".

**SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.**

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 agencies, 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."

By Mr. DORGAN (for himself, Mr. BROWNBACK, and Mr. CONRAD):

S. 1651. A bill to establish the United States Consensus Council to provide for consensus building process in addressing national public policy issues, and for other purposes; to the Committee on Governmental Affairs.

Mr. DORGAN. Madam President, today I am introducing legislation that would create the United States Consensus Council. This council would be a non-profit, quasi-governmental entity that would serve both the legislative and executive branches of government. Its role would be to build agreements among stakeholders primarily on legislative issues where there are diverse and conflicting views and bring these agreements back to Congress or other decision-makers for action.

Leaders from the Administration and the Congress have worked together in recent weeks to respond to the terrorist attacks against our country. This has shown the benefit of working across party lines to develop consensus on a variety of policy issues. At a time when the Nation is unified and focused on these unprecedented challenges, the Consensus Council can help institutionalize this spirit of comity. The Council can provide ongoing support to Congress by bringing stakeholders to the table to resolve a wide range of difficult national issues.

The North Dakota Consensus Council in my home State serves as a model for this national proposal. In North Dakota, the Consensus Council has helped to find common ground on the use of grasslands in the western part of the State, the structure of judgeships across the State, and flood mitigation efforts in the Red River Valley. By bringing together all of the interested parties, the North Dakota Consensus

Council was able to find solutions to problems that had previously seemed unsurmountable. Washington, DC, is ripe with opportunity for the same kind of consensus building and mediation. We can not only build on the experience of consensus building in North Dakota, but similar successes in Montana, Florida, Oregon and many other States.

The United States Consensus Council would bring people together and then help to develop recommendations. These recommendations would be advisory, subject to normal legislative or regulatory processes. The board of directors would be appointed by the President and the bipartisan Congressional leadership. The council would remain neutral on substantive policy matters.

The Council would focus primarily on issues that Congressional leaders and the White House have agreed are appropriate. These could be issues that are contentious or deadlocked, or they could be emerging issues where mediation could help to prevent later polarization.

The Council's role will be to design and conduct processes that lead to common ground on effective public policy for a particular issue. The Council could be called upon to convene key stakeholders in face-to-face meetings over time to build agreements on complex issues.

The legislation authorizes \$5 million for the first year and would also allow private contributions to the Council. The Council would not be a part of the Federal Government and its employees would not be considered Federal workers.

I have long been a supporter of building consensus and finding ways to reach compromise. I believe that this legislation could help the Congress and the administration to find that middle ground. There are so many important issues that get deadlocked in Washington, and this approach will help to break that logjam. Recent weeks have shown that it can be done. I hope that this bill will allow it to happen more often. I look forward to working with my colleagues on both sides of the aisle to move this bill through the process.

I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1651

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "United States Consensus Council Act of 2001".

**SEC. 2. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds that—

(1) throughout the Nation there is increasing success in the use of collaborative and consensus-building approaches to address critical public policy issues at the national, State, and local levels;

(2) there is a need for a national Council that can promote and conduct consensus-

building processes that primarily address legislative policy issues of national importance;

(3) such a Council may enroll specific stakeholders, both public and private, to build agreements that ultimately may be implemented by Congress, Federal agencies, or other policymaking bodies;

(4) such a Council will strive to create public policy agreements that integrate differing perspectives into highest common denominator solutions;

(5) the establishment of such a Council is an appropriate investment by the people of this Nation in a capacity that works in cooperation with Congress, the executive branch, and others and complements current public policymaking processes on selected issues;

(6) the existence of such a Council could contribute especially to resolving differences on contentious policy issues, preventing polarization on emerging policy issues and addressing issues of complexity that involve multiple parties and perspectives;

(7) the establishment of such a Council may contribute significantly to a renewed sense of civility and respect for differences, while at the same time promoting vigorous interchange and open communications among those with differing points of view; and

(8) the Council may become a repository of wisdom and experience on public policy collaboration and consensus-building that can be shared with public and private sector policymakers and the public in the interest of promoting more effective public policy and the increased use of collaborative processes.

(b) **PURPOSE.**—The purpose of this Act is to establish an independent, nonprofit, national Council to serve the people and the Government by constructing an adjunct to the existing legislative and regulatory process that seeks to produce consensus on Federal policy issues through collaborative processes open to key stakeholders.

### SEC. 3. DEFINITIONS.

In this Act, the term—

(1) “Board” means the Board of Directors of the Council;

(2) “Council” means the United States Consensus Council established under this Act; and

(3) “Director” means an individual appointed to the Board of Directors of the Council.

### SEC. 4. UNITED STATES CONSENSUS COUNCIL.

(a) **ESTABLISHMENT.**—There is established the United States Consensus Council.

(b) **STATUS; RESTRICTIONS.**—The Council is an independent nonprofit corporation and shall be treated as an organization described under 170(c)(2)(B) of the Internal Revenue Code of 1986. The Council does not have the power to issue any shares of stock or to declare or pay any dividends. The Council is not an agency or instrumentality of the United States.

(c) **ESTABLISHMENT OF OR AFFILIATION WITH A UNITED STATES CONSENSUS COUNCIL FOUNDATION.**—As determined by the Board, the Council may establish or affiliate with a nonprofit legal entity which is capable of receiving, holding, expending, and investing public or private funds for purposes in furtherance of the Council under this Act. Such legal entity may be designated as the “United States Consensus Council Foundation”.

(d) **TRADE NAME AND TRADEMARK RIGHTS; VESTED RIGHTS PROTECTED; CONDITION FOR USE OF FEDERAL IDENTITY.**—

(1) **IN GENERAL.**—The Council has the sole and exclusive right to use and to allow or refuse others the use of the terms “United States Consensus Council” and “United

States Consensus Council Foundation” and the use of any official United States Consensus Council emblem, badge, seal, and other mark of recognition or any colorable simulation thereof.

(2) **UNITED STATES REFERENCES.**—The Council may use “United States” or “U.S.” or any other reference to the United States Government or Nation in its title or in its corporate seal, emblem, badge, or other mark of recognition or colorable simulation thereof in any fiscal year only if there is an authorization of appropriations, or appropriations, for the Council for such fiscal year provided by law.

### SEC. 5. POWERS AND DUTIES.

(a) **DISTRICT OF COLUMBIA NONPROFIT-CORPORATE POWERS.**—The Council may exercise the powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29-301 et seq.) consistent with this Act.

(b) **DESCRIPTION OF SPECIFIC ACTIVITIES.**—

(1) **IN GENERAL.**—Acting through the Board, the Council may—

(A) promote and advance programs based on consensus building as a complement to the current deliberative processes employed by Congress and the executive branch;

(B) enter into formal and informal relationships with other institutions, public and private, for purposes not inconsistent with this Act;

(C) receive referrals from Congress, the President, executive departments, agencies, private groups, or organizations that request the Council’s expertise in building a consensus on a particular public policy issue;

(D) coordinate with, make referrals to and receive referrals from, other consensus-building instrumentalities of the United States, including the United States Institute for Environmental Conflict Resolution or the Federal Mediation and Conciliation Service; and

(E) develop and apply assessment plans for the purpose of reviewing such referrals.

(2) **CONSENSUS-BUILDING PROCESS.**—Acting through the Board, the Council may, for each consensus-building process—

(A) consider such factors as issue complexity, cost, ripeness, likelihood of participation by key stakeholders, and any other relevant indices that may assist the Council in determining whether to accept a referral;

(B) identify any appropriate facilitator for the negotiation process;

(C) identify the key stakeholders involved or interested in the outcome of a particular issue, including those individuals who have the authority to implement the Council’s recommendations;

(D) develop and publish a common set of facts to inform and assist consensus-building processes;

(E) establish ground rules, including matters related to confidentiality, representation of counsel, and ex parte communications;

(F) work to promote consensus among the stakeholders by methods such as negotiation, discussion, meetings, and any other process of dispute resolution;

(G) build and construct agreements among stakeholders;

(H) draft, present, and submit recommendations to the legislative, executive, or judicial body with oversight of the particular issue; and

(I) provide training and technical assistance in response to the request of a department, agency, or instrumentality of the Government to investigate, examine, study, and report on any issue within the Council’s competence.

(3) **OTHER ACTIVITIES.**—The Council also may engage in any other activity consistent with its mission.

(c) **GENERAL AUTHORITY.**—The Council may do any and all lawful acts necessary or desirable to carry out the objectives and purposes of this Act.

(d) **GUIDELINES FOR COUNCIL OPERATIONS.**—As necessary, the Council shall develop guidelines, through its bylaws or otherwise, to address—

(1) policies relating to personal service contracts;

(2) standards to ensure that the Council, its Directors, employees, and agents, avoid conflicts of interest that may arise;

(3) fundraising policies, donor development programs, and matters related to the acceptance of private donations;

(4) the duties and responsibilities of the Council, its Board, officers, employees, and agents; and

(5) the establishment of advisory committees, councils, or other bodies, as the efficient administration of the business and purposes of the Council may require.

(e) **ADMINISTRATIVE SERVICES FROM GENERAL SERVICES ADMINISTRATION.**—The Council may obtain administrative support services from the Administrator of General Services and use all sources of supply and services of the General Services Administration on a reimbursable basis.

### SEC. 6. BOARD OF DIRECTORS.

(a) **VESTED POWERS.**—The powers of the Council shall be vested in a Board of Directors unless otherwise specified in this Act.

(b) **APPOINTMENTS.**—The Board of Directors shall consist of 16 voting members as follows:

(1) Eight individuals, including private citizens, State or local employees, or officers or employees of the United States, appointed by the President, except that no more than 4 of such individuals may share the same political party affiliation.

(2) Two individuals, including private citizens, State or local employees, Senators, or officers or employees of the United States, appointed by the Majority Leader of the Senate.

(3) Two individuals, including private citizens, State or local employees, Senators, or officers or employees of the United States appointed by the Minority Leader of the Senate.

(4) Two individuals, including private citizens, State or local employees, Members of the House of Representatives, or officers or employees of the United States appointed by the Speaker of the House of Representatives.

(5) Two individuals, including private citizens, State or local employees, Members of the House of Representatives, or officers or employees of the United States appointed by the Minority Leader of the House of Representatives.

(c) **TERM OF OFFICE; COMMENCEMENT AND TERMINATION, INTERIM AND REMAINDER SERVICE, LIMITATION.**—

(1) **TERM OF OFFICE.**—Directors appointed under subsection (b) of this section shall be appointed to 4-year terms, with no Director serving more than 2 consecutive terms except that—

(A) as designated by the President, the terms of 4 of the Directors initially appointed under subsection (b)(1) shall be 2 years, subject to appointment to no more than 2 additional 4-year terms in the manner set forth in this section;

(B) as designated by the Speaker of the House of Representatives, the terms of the 2 Directors initially appointed under subsection (b)(4) shall be 2 years, subject to appointment to no more than 2 additional 4-year terms in the manner set forth in this section; and

(C) as designated by the Minority Leader of the House of Representatives, the terms of

the 2 Directors initially appointed under subsection (b)(5) shall be 2 years, subject to appointment to no more than 2 additional 4-year terms in the manner set forth in this section.

(2) **INTERIM SERVICE.**—Any Director appointed to the Board may continue to serve until his or her successor is appointed.

(3) **REMAINDER SERVICE.**—Any Director appointed to the Board to replace a Director whose term has not expired shall be appointed to serve the remainder of that term.

(4) **PRESIDENT OF COUNCIL.**—The President of the Council shall serve as a nonvoting Director of the Board.

(d) **QUALIFICATIONS.**—A demonstrated interest in the mission of the Council or expertise in consensus building may be considered in appointments made under this section.

(e) **REMOVAL FROM OFFICE.**—A Director may be removed by a process to be determined by the Council's bylaws.

(f) **MEETINGS; NOTICE IN FEDERAL REGISTER.**—Meetings of the Board shall be conducted pursuant to the Council's bylaws, except as provided in the following:

(1) **MEETINGS; QUORUM.**—The Board shall meet at least semiannually. A majority of the Directors in office shall constitute a quorum for any Board meeting.

(2) **OPEN MEETINGS.**—All official governing meetings of the Board shall be open to public observation and shall be preceded by reasonable public notice. Notice in the Federal Register shall be deemed to be reasonable public notice for purposes of the preceding sentence. In exceptional circumstances, the Board may close those portions of a meeting, upon a majority vote of Directors present and with the vote taken in public session, which are likely to disclose information or that may adversely affect any ongoing proceeding or activity or to disclose information or matters exempted from public disclosure under subsection (c) of section 552b of title 5.

(g) **COMPENSATION.**—Directors shall be compensated at a rate not to exceed the daily equivalent of the rate payable for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which they are engaged in the performance of the duties of the Council. The Directors shall not be employees of the United States.

(h) **TRAVEL EXPENSES.**—While away from home or regular place of business in the performance of duties for the Board, a Director may receive reasonable travel, subsistence, and other necessary expenses.

#### **SEC. 7. OFFICERS AND EMPLOYEES.**

(a) **APPOINTMENT, COMPENSATION, AND STATUS OF PRESIDENT OF COUNCIL AND OTHER OFFICERS.**—There shall be a President who shall be appointed by the Board. The President shall be the chief executive officer of the Council and shall carry out or cause to be carried out the functions of the Council subject to the supervision and direction of the Board.

(1) **COMPENSATION OF PRESIDENT OF THE COUNCIL.**—The President of the Council shall be compensated at an annual rate of pay not to exceed the rate payable for a position at level II of the Executive Schedule under section 5313 of title 5, United States Code.

(2) **ASSIGNMENT OF FEDERAL OFFICERS OR EMPLOYEES TO THE COUNCIL.**—The Council may request the assignment of any Federal officer or employee to the Council by an appropriate executive department, agency, or congressional official or Member of Congress and may enter into an agreement for such assignment, if the affected officer or employee agrees to such assignment and such assignment causes no prejudice to the salary, benefits, status, or advancement within

the department, agency, or congressional staff of such officer or employee.

(3) **PERSONNEL.**—The President of the Council, with the approval of the Board, may appoint and fix the compensation of such additional personnel as determined necessary. The President and employees of the Council shall not be employees of the United States.

(4) **COMPENSATION FOR SERVICES OR EXPENSES; PROHIBITION ON LOANS TO COUNCIL DIRECTORS AND PERSONNEL.**—

(A) **IN GENERAL.**—No part of the financial resources, income, or assets of the Council or of any legal entity created by the Council shall inure to any agent, employee, officer, or Director or be distributable to any such person during the life of the corporation or upon dissolution or final liquidation. Nothing in this section may be construed to prevent the payment of reasonable compensation for services or expenses to the Directors, officers, employees, and agents of the Council in amounts approved in accordance with this Act.

(B) **LOANS.**—The Council shall not make loans to its Directors, officers, employees, or agents.

#### **SEC. 8. PROCEDURES AND RECORDS.**

(a) **MONITORING AND EVALUATION OF PROGRAMS.**—The Council shall monitor and evaluate and provide for independent evaluation if necessary of programs supported in whole or in part under this Act to ensure that the provisions of this Act and the bylaws, rules, regulations, and guidelines promulgated under this Act are adhered to.

(b) **ACCOUNTS OF RECEIPTS AND DISBURSEMENTS; FINANCIAL REPORTS.**—The Council shall keep correct and complete books and records of accounts, including separate and distinct accounts of receipts and disbursements of Federal funds. The Council's annual financial report shall identify the use of such funding and shall present a clear description of the full financial situation of the Council.

(c) **MINUTES OF PROCEEDINGS.**—The Council shall keep minutes of the proceedings of its Board and of any committees having authority under the Board.

(d) **RECORD AND INSPECTION OF REQUIRED ITEMS.**—

(1) **IN GENERAL.**—The Council shall keep a record of—

(A) the names and addresses of its Directors, copies of this Act, and any other Act relating to the Council;

(B) all Council bylaws, rules, regulations, and guidelines;

(C) required minutes of proceedings;

(D) all applications and proposals and issued or received contracts and grants; and

(E) financial records of the Council.

(2) **INSPECTION.**—All items required by this subsection may be inspected by any Director or any agent or attorney of a Director for any proper purpose at any reasonable time.

(e) **AUDITS.**—The accounts of the Council shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the Council are normally kept. All books, accounts, financial records, files, and other papers, things, and property belonging to or in use by the Council and necessary to facilitate the audit shall be made available to the person or persons conducting the audit, and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(f) **REPORT TO CONGRESS; COPIES FOR PUBLIC.**—The Council shall provide a report to

the President and to each House of Congress not later than 6 months following the close of the fiscal year for which the audit is made. The report shall set forth such statements of the Council's activities for the prior year. The report shall be made available to the public.

#### **SEC. 9. FUNDING.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—For the purpose of carrying out this Act, there are authorized to be appropriated \$5,000,000 for fiscal year 2002 and such sums as may be necessary for succeeding fiscal years.

(2) **AVAILABILITY.**—Funds appropriated under the authority of paragraph (1) shall remain available until expended.

(b) **TRANSFER OF UNOBLIGATED FUNDS; REPORTS OF USE OF FUNDS TO CONGRESS AND PRESIDENT.**—The Board may transfer to the legal entity authorized to be established under section 4(c) any funds not obligated or expended from appropriations to the Council for a fiscal year, and such funds shall remain available for obligation or expenditure for the purposes of such legal entity without regard to fiscal year limitations. Any use by such legal entity of appropriated funds shall be reported to each House of Congress and to the President.

#### **SEC. 10. DISSOLUTION OR LIQUIDATION.**

Upon dissolution or final liquidation of the Council, all income and assets appropriated by the United States to the Council, but not any other funds, shall revert to the United States Treasury.

By Mr. SANTORUM (for himself and Mr. MCCAIN);

S. 1652. A bill to amend the Agricultural Market Transition Act to convert the price support program for sugarcane and sugar beets into a system of solely recourse loans and to provide for the gradual elimination of the program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. SANTORUM. Madam President, I rise today to introduce the Sugar Program Reform Act. This bill is a continuation of my ongoing efforts to bring needed reform to Federal agriculture programs that have perpetuated Federal control over prices and production.

While the 1996 farm bill modernized Federal agriculture policy for some commodities, the sugar program, however, only realized minor reforms. As a result, trade opportunities for other agriculture producers have been hampered, and Americans have been twice affected, both as consumers and taxpayers.

A GAO report released in June 2000, presents information suggesting the Federal sugar program is not serving consumers and taxpayers well. That report, an update to a 1993 report on the same matter, estimated that the sugar program resulted in net losses to the U.S. economy of about \$700 million in 1996, and about \$900 million in 1998. Moreover, it found that the primary beneficiaries of the sugar program's higher prices are domestic sugar beet and cane producers who were estimated to receive benefits of about \$800 million in 1996 and nearly \$1 billion in 1998.

In terms of trade opportunities, the sugar program harms other agricultural producers by slowing efforts to

open foreign markets for American farm products. As long as the United States uses restrictive sugar import quotas to stifle trade, these counties have a ready excuse not to drop their own trade barriers.

The Sugar Program Reform Act, which I am pleased to introduce with Senate McCAIN, will finally bring major change to the sugar program. It will accomplish that goal by: reducing support prices and ending them after 2004; requiring that loans be repaid ending sugar processors' ability to turn over surplus sugar to the government instead of repaying the amounts they have borrowed; and assuring adequate supplies, requiring that import quotas be administered to maintain prices at no more than the price support level established by Congress.

When the Senate considers legislation to reauthorize farm programs, I look forward to a spirited debate on the necessity of reforming policies that have not served the best interests of taxpayers or the agricultural community at large.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1652

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Sugar Program Reform Act".

#### SEC. 2. RECOURSE LOANS FOR PROCESSORS OF SUGARCANE AND SUGAR BEETS AND REDUCTION IN LOAN RATES.

(a) GRADUAL REDUCTION IN LOAN RATES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) by striking "2002" and inserting "2004".

(d) TERMINATION OF MARKETING QUOTAS AND ALLOTMENTS.—

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

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

(e) OTHER CONFORMING AMENDMENTS.—

(1) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES.—

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

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

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

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

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

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

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

"(2) the raw cane sugar loan rate in effect under section 156 of the Agricultural Market

Transition Act (7 U.S.C. 7272), plus interest."

#### AMENDMENTS SUBMITTED AND PROPOSED

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

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

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

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

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

#### TEXT OF AMENDMENTS

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

On page 6, line 25, insert the following after "inserting '1,100'":

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

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

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

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

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

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

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

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

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

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

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

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

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

Page 18, line 8, after "Provided," and before "That" insert the following: "That funds