

Secretary to make payments under section 803(c) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000 (7 U.S.C. 1421 note; Public Law 106-78) to make supplemental payments to eligible persons under this section.

SA 1478. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1246, to respond to the continuing economic crisis adversely affecting American agricultural producers; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TOBACCO.

(a) **TOBACCO PAYMENTS.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **ELIGIBLE PERSON.**—The term “eligible person” means a person that—

(i) owns a farm for which, regardless of temporary transfers or undermarketings, a basic quota or allotment for eligible tobacco is established for the 2001 crop year under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.);

(ii) controls the farm from which, under the quota or allotment for the relevant period, eligible tobacco is marketed, could have been marketed, or can be marketed, taking into account temporary transfers; or

(iii) grows, could have grown, or can grow eligible tobacco that is marketed, could have been marketed, or can be marketed under the quota or allotment for the 2001 crop year, taking into account temporary transfers.

(B) **ELIGIBLE TOBACCO.**—The term “eligible tobacco” means each of the following kinds of tobacco:

(i) Flue-cured tobacco, comprising types 11, 12, 13, and 14.

(ii) Fire-cured tobacco, comprising types 21, 22, and 23.

(iii) Dark air-cured tobacco, comprising types 35 and 36.

(iv) Virginia sun-cured tobacco, comprising type 37.

(v) Burley tobacco, comprising type 31.

(vi) Cigar-filler and cigar-binder tobacco, comprising types 42, 43, 44, 54, and 55.

(2) **PAYMENTS.**—Not later than December 31, 2001, the Secretary of Agriculture (referred to in this section as the “Secretary”) shall use funds of the Commodity Credit Corporation to make payments under this subsection.

(3) **POUNDAGE PAYMENT QUANTITIES.**—For the purposes of this subsection, individual tobacco quotas and allotments shall be converted to poundage payment quantities as follows:

(A) **FLUE-CURED AND BURLEY TOBACCO.**—In the case of Flue-cured tobacco (types 11, 12, 13, and 14) and Burley tobacco (type 31), the poundage payment quantity shall equal the number of pounds of the basic poundage quota of the kind of tobacco, irrespective of temporary transfers or undermarketings, under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) for the 2001 crop year.

(B) **OTHER KINDS OF ELIGIBLE TOBACCO.**—In the case of each other kind of eligible tobacco, individual allotments shall be converted to poundage payment quantities by multiplying—

(i) the number of acres that may, irrespective of temporary transfers or undermarketings, be devoted, without penalty, to the production of the kind of tobacco under the allotment under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) for the 2001 crop year; by

(ii)(I) in the case of fire-cured tobacco (type 21), 1,630 pounds per acre;

(II) in the case of fire-cured tobacco (types 22 and 23), 2,601 pounds per acre;

(III) in the case of dark air-cured tobacco (types 35 and 36), 2,337 pounds per acre;

(IV) in the case of Virginia sun-cured tobacco (type 37), 1,512 pounds per acre; and

(V) in the case of cigar-filler and cigar-binder tobacco (types 42, 43, 44, 54, and 55), 2,165 pounds per acre.

(4) **AVAILABLE PAYMENT AMOUNTS.**—The available payment amount for pounds of a payment quantity under paragraph (2) shall be equal to—

(A) in the case of fire-cured tobacco (types 21, 22, and 23) and dark air-cured tobacco (types 35 and 36), 26 cents per pound; and

(B) in the case of each other kind of eligible tobacco not covered by subparagraph (A), 13 cents per pound.

(5) **DIVISION OF PAYMENTS AMONG ELIGIBLE PERSONS.**—

(A) **IN GENERAL.**—Payments available with respect to a pound of payment quantity, as determined under paragraph (4), shall be made available to eligible persons in accordance with this paragraph.

(B) **FLUE-CURED AND CIGAR TOBACCO.**—In the case of payments made available in a State under paragraph (2) for Flue-cured tobacco (types 11, 12, 13, and 14) and cigar-filler and cigar-binder tobacco (types 42, 43, 44, 54, and 55), the Secretary shall distribute (as determined by the Secretary)—

(i) 50 percent of the payments to eligible persons that are owners described in paragraph (1)(A)(i); and

(ii) 50 percent of the payments to eligible persons that are growers described in paragraph (1)(A)(iii).

(C) **OTHER KINDS OF ELIGIBLE TOBACCO.**—In the case of payments made available in a State under paragraph (2) for each other kind of eligible tobacco not covered by subparagraph (A), the Secretary shall distribute (as determined by the Secretary)—

(i) 33 1/3 percent of the payments to eligible persons that are owners described in paragraph (1)(A)(i);

(ii) 33 1/3 percent of the payments to eligible persons that are controllers described in paragraph (1)(A)(ii); and

(iii) 33 1/3 percent of the payments to eligible persons that are growers described in paragraph (1)(A)(iii).

(6) **STANDARDS.**—In carrying out this subsection, the Secretary shall use, to the maximum extent practicable, the same standards for payments that were used for making payments under section 204(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1421 note; Public Law 106-224).

(7) **JUDICIAL REVIEW.**—A determination by the Secretary under this subsection shall not be subject to judicial review.

(b) **GRADING OF PRICE-SUPPORT TOBACCO.**—

(1) **IN GENERAL.**—Not later than November 30, 2001, the Secretary shall conduct a referendum among producers of each kind of tobacco that is eligible for price support under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.) to determine whether the producers favor the mandatory grading of the tobacco by the Secretary.

(2) **MANDATORY GRADING.**—If the Secretary determines that mandatory grading of each kind of tobacco described in paragraph (1) is favored by a majority of the producers voting in the referendum, effective for the 2002 and subsequent marketing years, the Secretary shall ensure that all kinds of the tobacco are graded at the time of sale.

(3) **JUDICIAL REVIEW.**—A determination by the Secretary under this subsection shall not be subject to judicial review.

(c) **OBLIGATION PERIOD.**—The Secretary and the Commodity Credit Corporation shall ob-

lige and, to the maximum extent practicable, expend funds during fiscal year 2002 to carry out this section.

SA 1479. Mr. REID (for Mr. HELMS) proposed an amendment to the concurrent resolution S. Con. Res. 62, congratulating Ukraine on the 10th anniversary of the restoration of its independence and supporting its full integration into the Euro-Atlantic community of democracies; as follows:

In paragraph (6) of section 1 of the concurrent resolution, strike “Oleksandrov” and insert “Oleksandrov”.

SA 1480. Mr. REID (for Mr. HUTCHINSON) proposed an amendment to the concurrent resolution S. Con. Res. 59, expressing the sense of Congress that there should be established a National Community Health Center Week to raise awareness of health services provided by the community, migrant, public housing, and homeless health centers; as follows:

On page 3, line 4, insert “Week”, the following: “for the week beginning August 19, 2001.”

NOTICE OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Committee on Energy and Natural Resources has scheduled a field hearing in Las Cruces, New Mexico to identify issues related to the water supply challenges facing the southern New Mexico border region.

The hearing will take place on Tuesday, August 14, at 9:00 a.m. at New Mexico State University, in Las Cruces, NM.

Those wishing to submit written statements on the subject matter of this hearing should address them to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510.

For further information, please call Mike Connor at 202/224-5479.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Subcommittee on Water and Power has scheduled a field hearing in Seattle, Washington to identify the role of the BPA in promoting energy conservation and renewables.

The hearing will take place on the morning of Monday, August 13. The location in Seattle has not yet been determined.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, United States Senate, 312 Dirksen Senate Office Building, Washington, DC 20510.

For further information, please call Deborah Estes at 202/224-5360 or Jonathan Black at 202/224-6722.

SUBCOMMITTEE ON WATER AND POWER

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a field hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, August 7, at 10:00 a.m. in the Judicial Room of the Best Western Doublewood Inn, 1400 East Interchange Avenue, Bismarck, North Dakota, 58501.

The purpose of the hearing is to receive testimony from PMAs, IOUs and Electric Cooperatives on electric transmission infrastructure and investment needs.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, 312 Dirksen Senate Office Building, Washington, D.C. 20510, ATTN: Leon Lowery.

For further information, please contact Leon Lowery at 202/224-2209 or Jonathan Black at 202/224-6722.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCING

Mrs. LINCOLN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Friday, August 3, 2001 to hear testimony on "The Andean Trade Preferences Act, which is due to expire on December 4, of this year."

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. LINCOLN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, August 3, 2001 at 9:30 a.m. to hold a nomination hearing.

Nonimees: Mr. J. Richard Blankenship, of Florida, to be Ambassador to the Commonwealth of the Bahamas; Mr. Hans H. Hertell, of Puerto Rico, to be Ambassador to the Dominican Republic; and Mr. Martin J. Silverstein, of Pennsylvania, to be Ambassador to the Oriental Republic of Uruguay.

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

PRIVILEGE OF THE FLOOR

Mr. SCHUMER. Madam President, I ask unanimous consent that my agricultural legislative fellow, Hiram Larew, be granted the privilege of the Senate floor.

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

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2002

On August 2, 2001, the Senate amended and passed H.R. 2620, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2620) entitled "An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.", do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veteran Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION
COMPENSATION AND PENSIONS

(INCLUDING TRANSFERS OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540-548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), \$24,944,288,000, to remain available until expended: Provided, That not to exceed \$17,940,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61, \$2,135,000,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5) and (11) of that section, shall be charged to the account: Provided further, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98-77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans

mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, \$26,200,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2002, within the resources available, not to exceed \$300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$164,497,000, which may be transferred to and merged with the appropriation for "General operating expenses".

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$1,000, as authorized by 38 U.S.C. 3698, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,400.

In addition, for administrative expenses necessary to carry out the direct loan program, \$64,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$72,000, as authorized by 38 U.S.C. chapter 31, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,301,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$274,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, \$544,000, which may be transferred to and merged with the appropriation for "General operating expenses".

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical care" may be expended for the administrative expenses to carry out the guaranteed loan program authorized by 38 U.S.C. chapter 37, subchapter VI.

VETERANS HEALTH ADMINISTRATION
MEDICAL CARE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and furnishing recreational facilities,