(Mr. SESSIONS) was added as a cosponsor of S. 1627, a bill to enhance the security of the international borders of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAYTON:

S. 1629. A bill to provide farmers with better prices and higher profits through the marketplace; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DAYTON. Mr. President, I rise today to introduce The Farm Income Recovery Act. Its objective is to produce better prices and higher profits through the marketplace. It thus addresses the principal failures of the current farm law, the so-called Freedom to Farm bill which was passed by the Congress in 1996.

Freedom to Farm has, unfortunately, contributed to disastrously low market prices for agricultural commodities. Congress has thus been forced to appropriate disastrously high taxpayer subsidies in order to save American farmers from bankruptcy.

Mr. President, Freedom to Farm was conceived with a laudable goal—to get the Federal Government out of agriculture. Farmers were free to plant whatever crops they chose, and commodities supports were then to be phased out during the life of the legislation. Unfortunately, U.S. domestic farm prices collapsed in the aftermath of Freedom to Farm.

In October 1996, just before the Freedom to Farm legislation began, the price of a bushel of soybeans in Minnesota, my home State, was $6.84. In October of 2001, just last month, the price of that same bushel of soybeans was $4.05. In October of 1996, a bushel of corn brought Minnesota farmers $2.68. In October of 2001, it was only $1.60. The price of a bushel of wheat fell during those same 5 years from $4.27 to $3.

In order to prop up farm income, Federal payments have soared during these 5 years. Last year, total Federal payments for all of agriculture totaled nearly $30 billion—by far, a record high—which almost equaled total net farm income. In other words, without Federal subsidies, there would be no net profit in American agriculture. Clearly, we must find another strategy, and that is the enormous task confronting the Senate Agriculture Committee, on which I am proud to serve.

Our distinguished chairman, Senator HARKIN, and the previous chairman, now our ranking member, Senator LUGAR, have held many worthwhile hearings throughout this year. Just about every farm organization has testified. My colleague from Minnesota, Senator PAUL WELLSTONE, also a member of the Agriculture Committee, and I have held field hearings throughout Minnesota. Additionally, both of us have held many meetings with groups of farmers, producers, and processors throughout our State.

The product of all of the hearings, meetings, and discussions with Minnesota farmers is, for me, this Farm Income Recovery Act. As I said before, its objective is to help produce higher prices in the U.S. domestic commodity markets so that farmers can earn real profits, thus reducing or eliminating the need for Government subsidies. That is the best way to reduce the costs of farm programs—to reduce the need for them. And until we restore market prices to profitable levels, our choice will continue to be between either more subsidies or more bankruptcies.

My Farm Income Recovery Act has four major components. The first is higher loan rates: $3.88 for wheat, $2.40 for corn, $5.36 for a bushel of soybeans, $2.40 for sorghum, $2.40 for barley, $60.65 a hundredweight for cotton, and $8.61 a hundredweight for rice.

Secondly, it targets these higher loan rates, limiting them to certain amounts of production. It does not prevent farmers from producing more and more, but it says that we are going to limit these nonrecourse market loans to certain levels of production, which are set forth in the legislation. If a farmer wants to get bigger, wants to produce more and more of these commodities, he or she is certainly entitled to do so, but then they are on their own. The amount of production above these levels is subject to recourse loans, which have to be repaid with interest to the Federal Government. This means if the producers who want to get larger and larger decide to do so, they are not then going to be dependent upon the taxpayers of America; they are going to be standing on their own.

Third, it establishes commodity reserves in order to help control the supply and, thus, help farmers decide at what prices they want to sell their commodities. It re-establishes a farmer-owned reserve program, which was one of the best features of previous farm legislation and which was one of the unfortunate casualties of the 1996 farm bill.

It establishes a humanitarian food reserve fund through the Federal Government, through which the Federal Government can hold food commodities in reserve for the kinds of humanitarian efforts we see underway today in Afghanistan.

It sets up a renewable energy reserve—which ties in nicely with another important feature of the farm bill which Senator HARKIN has championed over the years and in our discussions of the last few months, alternative and renewable fuels in our country—to really boost the Federal incentives and support for ethanol, soy diesel, another promising biofuel which I have introduced other legislation to promote.

As we encourage the use of these alternative and renewable fuels in our country, we are going to need to hold food commodities in reserve so we can assure consumers that there are going to be sufficient resources. We may reach the day in this country where we have such demand for ethanol and for soy diesel, that we need to go into this Government-held energy reserve in order to generate the additional supplies necessary to meet that demand. Not only would that be good for our oil independence, it would be a great contribution to a cleaner environment. It would boost domestic prices for corn, soybeans, and for other commodities that can be used for either ethanol or soy diesel production in ways that would, again, stimulate our domestic markets and reduce the need for taxpayer subsidies.

Finally, the Farm Income Recovery Act establishes a voluntary program that, in periods of increased supply, will allow the Secretary of Agriculture to raise these loan rates for farmers who voluntarily set aside a certain percentage of their acreage for conservation; thus, in combination with our existing conservation programs, it will encourage better conservation practices by farmers, again, through positive marketplace incentives.

Mr. President, I ask unanimous consent that a summary of my legislation, as well as the actual legislation, be printed in the RECORD at this point.

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

S. 1629

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

SEC. 101. DEFINITIONS.

Section 102 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7202) is amended—

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

''(2) CONSIDERED PLANTED.—The term 'considered planted' means—

(A) any acreage that producers on a farm were prevented from planting to a crop because of drought, flood, or other natural disaster, or other condition beyond the control of the producers on the farm; and

(B) such other acreage as the Secretary considers as fair and equitable'';

(1) by striking paragraph (4) and inserting the following:

''(4) CONTRACT ACREAGE; LOAN ACREAGE.—The terms 'contract acreage', and 'loan acreage' mean (at the option of eligible owners or producers on a farm)—

''(A) the total crop acreage bases established for all contract commodities and loan commodities under title V of the Agricultural Act of 1949 (7 U.S.C. 1461 et seq.) that would have been in effect for the 1996 crop (but for suspension under section 171 (b)(1)); or

''(B) the average number of acres planted and considered planted to all contract commodities and loan commodities, respectively, during the 1996 through 2001 crop years, excluding any crop year in which such commodities were not planted or considered planted, on the farm.'';

(2) by striking paragraph (9) and inserting the following:

''(9) FARM PROGRAM PAYMENT YIELD.—The term 'farm program payment yield' means the average yield per planted acre for a crop for a farm for the 1996 through 2001 crop years, excluding any crop year during which—

''(A) producers on the farm were prevented from planting the crop because of drought, flood, or other natural disaster, or other condition beyond the control of the producers on the farm; or

''(B) the crop was not planted or considered planted on the farm.

SEC. 201. NONRECOURSE MARKETING ASSISTANCE LOANS AND LOAN DEFICIENCY PAYMENTS.

AMENDMENT TO THE AGRICULTURAL MARKET TRANSITION ACT.—Title I of the Agricultural Market Transition Act (7 U.S.C. 7201) is amended by inserting after Subtitle H the following new subtitle:

''Subtitle I—Counter-Cyclical Economic Assistance for the 2002 Through 2008 Crops—Nonrecourse Marketing Assistance Loans and Loan Deficiency Payments

''SEC. 131A. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS.

''(a) NONRECOURSE LOANS AVAILABLE.—For each of the 2002 through 2008 crops of each loan commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm. The loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under section 132A for the loan commodity.

''ELIGIBLE PRODUCTION.—Any production on a farm of a program participant of a loan commodity shall be eligible for a marketing assistance loan under subsection (a) subject to the limitations established in paragraphs (1), (1)(A), (1)(B) and (2) conditions established in section 202.

''(1) Except as provided in section 202, the producers on a farm shall be eligible for a marketing assistance loan for a quantity of a loan commodity for a crop year under subsection (a) obtained by multiplying—

''(A) the number of acres planted to each loan commodity on the farm; by

''(B) the farm program payment yield for the loan commodity on the farm.

''(2) MAXIMUM NUMBER OF ACRES.—The producers on a farm shall not be eligible for a marketing assistance loan for production on acres planted to loan commodities in excess of the total program crop loan acreage for the farm.

''(b) COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.—As a condition of the receipt of a marketing assistance loan under subsection (a), the producer shall comply with the applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wetland protection requirements under subtitle C of title XII of the Act (16 U.S.C. 3821 et seq.) during the term of the loan.

''(c) ADDITIONAL OUTLAYS PROHIBITED.—The Secretary shall carry out this subtitle in such a manner that there are no additional outlays as a result of the reconstitution of a farm that occurs as a result of the combination of another farm that does not contain eligible cropland covered by a production flexibility contract for the 1996 through 2002 crops.

''(d) OPTION TO PARTICIPATE WITH RESPECT TO 2002 CROP.—Under such terms and conditions as may be prescribed by the Secretary, a producer may terminate the production flexibility contract in effect for the 2002 crop, and thus forgo any right to a contract payment for the 2002 crop, in order to participate in the marketing loan assistance provided under this subtitle for the 2002 crop.

''(e) FULL PLANTING FLEXIBILITY PROVIDED.—Notwithstanding section 118 of Subtitle B, or any other provision of this Act, any commodity or crop may be planted on contract acreage or other acreage on a farm.

''(f) USE OF COMMODITY CERTIFICATES.—Notwithstanding any other provision of law, including section 115 of this Act, the Secretary may not make use of commodity certificates or the commodity loan redemption certificate program for the purposes of this subtitle, or any other purpose.

''SEC. 132A. LOAN RATES FOR MARKETING ASSISTANCE LOANS.

''(g) GENERALLY.—Loan rates for crops eligible for marketing assistance loans under section 131A for any loan commodity, as defined in section 102, to mean wheat, corn, grain sorghum, barley, oats, upland cotton, rice, extra loan staple cotton, and oilseeds, including soybeans, sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, and other oilseeds, if designated by the Secretary, shall be established in accordance with this section.

''(h) ANNUAL DETERMINATION.—The Secretary shall, for each of the 2002 through 2008 crops, make an annual determination, in accordance with subsections (c) and (d), to establish the national and individual loan rate for each loan commodity.

''(i) NATIONAL AVERAGE LOAN RATE.—The national average commodity marketing loan rate for each loan commodity shall be established at a rate—

(1) after making weighted county loan rate adjustments, that is not less than 80 percent of the three year moving average of the full economic cost of production per unit per planted acre, and annually adjusted for both the percentage change in variable production input expenses, and productivity changes as determined by the Economic Research Service using the best and most recently available data

''(2) for each of the 2002 crops, the national average loan rate is not less than—

''(A) for Wheat: $3.88 per bushel;

''(B) for Corn: $2.40 per bushel;

''(C) for Soybeans: $5.36 per bushel;

''(D) for Upland Cotton: $60.65 per hundredweight;

''(E) for Rice: $8.61 per hundredweight; and

''(3) for the 2002–2011 crops of feed gains and other loan commodities closely related to those identified in paragraph (2), the Secretary shall determine the rate at a level that is fair and reasonable in relation to the rate provided for the closely related commodity.

''(j) For producers of program commodities who exceed the limitations established in Section 202 of this Act, the Secretary shall provide, recourse commodity marketing loans subject to the agreement of eligible producers as a condition for receiving such commodity marketing loans that the producer agrees to repay the Commodity Credit Corporation, on or before the maturity of such loans, the full amount of the loan principal plus any accrued interest on those loans.''

''INDIVIDUAL MARKETING LOAN RATES.—The national average commodity marketing loan rates established under subsection (c) shall be adjusted to establish individual marketing loan rates for eligible producers in accordance with the provisions of this subsection.

(1) ''PAYMENTS IN LIEU OF LOANS.—For payments under this subtitle taken in lieu of loans, including loan deficiency payments made under section 135A of this subtitle, the Secretary shall develop a similar methodology as described in paragraphs (1) through (3). The methodology shall assume for the purposes of establishing the loan deficiency payment that the marketing loan was actually taken by the producer.''.

''SEC. 133A. TERM OF LOANS.

''(a) TERM OF LOANS.—In the case of each loan commodity (other than upland cotton and extra long staple cotton), a marketing assistance loan under section 131A shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made.

''(b) SPECIAL RULE FOR COTTON.—A marketing assistance loan for upland cotton or extra long staple cotton shall have a term of 10 months beginning on the first day of the month in which the loan is made.

''(c) EXTENSIONS ALLOWED.—The Secretary may extend the term of a marketing assistance loan for any loan commodity for the purpose of establishing or maintaining any of the commodity reserves established under the Agricultural Act of 1949.

''SEC. 134A. REPAYMENT OF LOANS.

''(d) REPAYMENT RATES FOR WHEAT, FEED GRAINS, AND OILSEEDS.—The Secretary shall permit a producer to repay a non-recourse marketing assistance loan under section 131A for wheat, corn, grain sorghum, barley, oats, and oilseeds at a rate that is the lesser of—

''(1) the loan rate established for the commodity under section 132A, plus interest (as determined by the Secretary); or

''(2) a rate that the Secretary determines, consistent with the policies and purposes of section 110A of the Agricultural Act of 1949, will—

''(A) minimize potential loan forfeitures;

''(B) minimize the accumulation of stocks of the commodity by the Federal Government;

''(C) minimize the cost incurred by the Federal Government in storing the commodity; and

''(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally.

''(e) REPAYMENT RATES FOR UPLAND COTTON AND RICE.—The Secretary shall permit producers to repay a non-recourse marketing assistance loan under section 131A for upland cotton and rice at a rate that is the lesser of—

''(1) the loan rate established for the commodity under section 132A, plus interest (as determined by the Secretary); or

''(2) the prevailing world market price for the commodity (adjusted to United States quality and location), as determined by the Secretary.

''(f) REPAYMENT RATES FOR EXTRA LONG STAPLE COTTON.—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under section 132A, plus interest (as determined by the Secretary).

''(g) PREVAILING WORLD MARKET PRICE.—For purposes of this section, the Secretary shall prescribe by regulation—

''(1) a formula to determine the prevailing world market price for each commodity, adjusted to United States quality and location;

''(2) a mechanism by which the Secretary shall announce periodically the prevailing world market price for each loan commodity;

''(3) further adjustments to the prevailing world market price for upland cotton, as described in subsection (e) of section 134 of this Act.

''SEC. 135A. LOAN DEFICIENCY PAYMENTS.

''(a) AVAILABILITY OF LOAN DEFICIENCY PAYMENTS.—Except as provided in subsection (d), the Secretary may make loan deficiency payments available to producers who, although eligible to obtain a non-recourse marketing assistance loan under section 131A with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for payments under this section.

''(b) COMPUTATION.—A loan deficiency payment under this section shall be computed by multiplying—

''(1) the loan payment rate determined under subsection (c) for the loan commodity; by

''(2) the quantity of the loan commodity that the producers on a farm are eligible to place under the non-recourse commodity marketing loan but for which the producers forgo obtaining the loan in return for payments under this section.

''(c) LOAN PAYMENT RATE.—For purposes of this section, the loan payment rate shall be the amount by which—

''(1) the loan rate established under section 132A for the loan commodity; exceeds

''(2) the rate at which a loan for the commodity may be repaid under section 134A.

''(d) EXCEPTION FOR EXTRA LONG STAPLE COTTON.—This section shall not apply with respect to extra long staple cotton.''.

SEC. 202. PROGRAM TARGETING.

(a) APPLICABILITY OF PAYMENT LIMITATIONS.—Except as provided in subsections (b-d), the provisions of sections 1001 through 1001C of the Food Security Act of 1985, as amended, shall be applicable to contract payments made under this Act for the 2002 crops.

(b) SINGLE ATTRIBUTION.—The Food Security Act of 1985 is amended by adding after section 1001E, the following section—

''(b) SINGLE ENTITY.—Notwithstanding any other provision of this Act, the limitations on payments provided in Sections 1001 through 1001C shall apply to a single farming or ranching entity. Payments to a single farming entity shall not exceed the payment limitations provided under this Act, the Agricultural Act of 1949, or any other law.

''(c) USE OF TAX IDENTIFICATION NUMBER.—The Secretary shall promulgate regulations to ensure that the payment limitations of this title are enforced through a single attribution rule. Payments to a single farming or ranching entity, as described or identified by employer tax identification number, shall not exceed the applicable payment limitation amount. Notwithstanding any other provision of law, such regulations issued by the Secretary shall eliminate the multiple or three-entity allowance.

''(d) PARTNERSHIPS AND RELATED ENTITIES.—With respect to partnerships and related entities which are not organized as sole-proprietorships, benefits available under the marketing loan provisions of Subtitle I of the Agricultural Act of 1949 shall be allocated according to the share of production and market risk assumed by each member of the entity.''.

(c) LIMITATION ON ELIGIBILITY OF OTHER ENTITIES.—No individual, organization or institution with annual gross income in excess of $2 million shall be eligible for commodity marketing loan program benefits if agricultural production does not account for at least 75% of that entity's annual gross income.

(d) LIMITATION ON ELIGIBILITY FOR NON-RECOURSE COMMODITY MARKETING ASSISTANCE LOANS.—Notwithstanding any other provisions of sections 1001 through 1001C of the Food Security Act of 1985 and subject to the provisions contained in Section 202, subsections (a) through (d) of this act, the Secretary shall establish a maximum number of commodity production units for each program crop per individual producer that are eligible for non-recourse commodity marketing assistance loans.

(e) In fulfilling the requirements of subsection (d), the Secretary shall ensure producer flexibility to determine which crops and the percentage volume of those crops on which the producer may receive program benefits, except that in no instance shall a producer be entitled to receive benefits on a volume of production that exceeds one hundred percent of the production for an individual crop or the sum of percentages of the maximum eligible volume of production from two or more eligible crops.

(f) The quantity limitations established by the Secretary shall not be more than ten percent greater or ten percent less than the quantities for each crop described in subsection (a).

(a) Wheat—125,000 bushels, Corn—225,000 bushels, Sorghum—225,000 bushels, Barley—225,000 bushels, Oats—250,000 bushels, Rice—75,000 hundredweight, Upland Cotton—10,500 hundredweight, Extra Long Staple Cotton—12,500 hundredweight, Soybeans—100,000 bushels, Minor Oilseeds—60,000 hundredweight.

SEC. 203. COMMODITY RESERVES.

AMENDMENT TO THE AGRICULTURAL ACT OF 1949.—Title I of the Agricultural Act of 1949 is amended by adding after section 110 the following new section:

''(g) SEC. 110A. COMMODITY RESERVES.

FARMER OWNED PRODUCTION LOSS RESERVE.—

''(1) PURPOSE.—It is the purpose of this subsection to create a farmer owned reserve to provide—

''(A) stocks to be released to the marketplace when prices rise to appropriate levels; and

''(B) a reserve that may be utilized to provide additional production assurance and economic support to supplement the Federal Crop Insurance Program, and for other purposes.

''(2) ESTABLISHMENT.—The Secretary shall establish and administer a farmer-owned and farmer-stored reserve program under which producers of agricultural commodities will be able to—

''(A) store agricultural commodities when those commodities are in abundant supply;

''(B) extend the time period for the orderly marketing of the commodities;

''(C) provide for adequate carry over stocks to ensure a reliable supply of commodities;

''(D) replace lost production or declines in crop yields for agricultural producers that participate in the Federal Crop Insurance Program; and

''(E) such other purposes which will assist farmers bear the economic uncertainty of agricultural production, or provide for the orderly marketing of agricultural commodities.

''(3) NAME.—The agricultural commodity reserve established under this subsection shall be known as the ''Farmer Owned Production Loss Reserve''.

''(4) RESERVE OPEN.—The reserve shall initially be open to all agricultural producers to enter up to 20 percent of average annual individual production of crops determined eligible by the Secretary. Additional amounts may be accepted up to the maximum allowable national level established under paragraph (9). No individual may enter more than 20 percent of average annual production of the commodity.

''(5) EQUITABLE PARTICIPATION.—The Secretary shall ensure that equitable participation opportunities are provided to all eligible producers within the limited scope of the reserve program authorized by this subsection.

''(6) PRICE SUPPORT LOANS AND DIRECT ENTRY.—In carrying out this section, the Secretary shall provide both—

''(A) for direct entry into the reserve; and

''(B) extended price support loans, and loan discounts, for agricultural commodities. An extended loan shall be made to a producer after the expiration of the original 9-month price support loan, and the loan shall be extended at no less favorable terms than the current rate of support for the commodity.

''(7) PRODUCTION LOSSES.—

''(A) GENERALLY.—The Secretary shall administer a program to utilize the commodity reserve authorized by this subsection to allow agricultural producers that participate in the Federal Crop Insurance Program to—

''(i) under certain conditions, redeem and market reserve commodities at a discount to the entry level price; and

''(ii) use stocks in the reserve to offset a portion of actual insurable production losses not indemnified through multi-peril or other buy-up crop insurance policies.

''(B) LOAN REPAYMENTS.—Under the program authorized by this paragraph, the Secretary shall discount the repayment amount of the loan or extended loan if the actual production of the commodity on the farm for any crop year, as provided in paragraph (C), is less than the actual production history established for the farm. The amount of this discount shall be determined by the Secretary after considering anticipated payments from the Federal Crop Insurance program, costs of production, and other factors in order to provide support to the producer for the full value of lost crop or reduced yield.

''(C) REPLACEMENT FOR PRODUCTION.—The Secretary shall utilize the reserve to fully replace lost production for a producer when actual production yields for the commodity for the crop year on the farm is less than 95 percent of the actual production history established for the farm.

''(D) LIMITATION.—At no time may the reserve be utilized to assist any producer in excess of 20 percent of individual annual production.

''(8) STORAGE PAYMENTS.—The Secretary shall also provide storage payments to producers of agricultural commodities to maintain the reserve established under this subsection. Storage payments shall—

''(A) be in such amounts and under such conditions as the Secretary determines appropriate to encourage producers to participate in the program;

''(B) reflect local, commercial storage rates subject to appropriate conditions concerning quality management and other factors; and

''(C) not be less than comparable commercial rates, except as provided by paragraph (B).

''(9) QUANTITY OF COMMODITIES IN PROGRAM.—The Secretary shall establish maximum quantities of commodities that may receive loans and storage payments under this subsection in such reasonable amounts as will enable the purposes of the program to be achieved. In no event may the reserve exceed 20 percent of the average annual production of the agricultural commodity.

''(10) DISCRETIONARY EXIT.—A producer may repay a loan extended under this section at any time.

''(h) HUMANITARIAN FOOD ASSISTANCE RESERVE.

''(1) PURPOSES.—It is the purpose of this subsection to create a food reserve that will—

''(A) ensure the capacity of the United States to fulfill its current and future commitments for humanitarian nutrition assistance programs;

''(B) support the International School Lunch Program which will seek to prevent hunger and malnourishment and improve educational opportunities among the estimated 300 million needy school children around the world; and

''(C) for other purposes to meet domestic and international humanitarian food relief needs, and to establish and maintain a food reserve to enable the United States to meet its emergency food assistance needs.

''(2) ESTABLISHMENT.—The Secretary is authorized to establish and administer a government-owned and farmer-stored reserve

program under which producers of agricultural commodities will be able to—

''(A) sell agricultural commodities authorized by the Secretary into the reserve; and

''(B) store such agricultural commodities.

''(3) NAME.—The agricultural commodity reserve established under this subsection shall be known as the ''Humanitarian Food Assistance Reserve''.

''(4) PURCHASES.—The Secretary shall purchase agricultural commodities at commercial rates in order to establish, maintain, or enhance the reserve when—

''(A) such commodities are in abundant supply; and

''(B) there is need for adequate carryover stocks to ensure a reliable supply of the commodities to meet the purposes of the reserve; or

''(C) it is otherwise necessary to fulfill the needs and purposes of the domestic and international nutrition assistance programs administered or assisted by the Secretary.

''(5) LIMITATION.—Purchases under this subsection shall be limited to amounts of agricultural commodities needed to fill one-year estimated needs and commitments of the nutrition programs supported by the reserve. Otherwise, the Secretary may establish maximum quantities of commodities in such reasonable amounts as will enable the purposes of the program to be achieved.

''(6) RELEASE OF STOCKS.—Stocks shall be released at cost of acquisition, and in amounts determined appropriate by the Secretary, when market prices of the agricultural commodity exceed 100 percent of the full economic cost of production of those commodities. Cost of production for the commodity shall be determined by the Economic Research Service using the best available information, and based on a three year moving average.

''(7) STORAGE PAYMENTS.—The Secretary shall provide storage payments to producers that wish to store agricultural commodities to maintain the reserve established under this subsection. Storage payments shall—

''(A) be in such amounts and under such conditions as the Secretary determines appropriate to encourage producers to participate in the program;

''(B) reflect local, commercial storage rates subject to appropriate conditions concerning quality management and other factors; and

''(C) not be less than comparable local commercial rates, except as may be provided by paragraph (B).

''(8) QUANTITY OF COMMODITIES IN PROGRAM.—The Secretary may establish maximum quantities of commodities that may receive loans and storage payments under this subsection in such reasonable amounts as will enable the purposes of the program to be achieved.

''(9) MANAGEMENT OF COMMODITIES.—Whenever fungible commodities are stored under this subsection, the Secretary may buy and sell at an equivalent price, allowing for customary location and grade differentials, substantially equivalent quantities of commodities in different locations or warehouses to the extent needed to handle, rotate, distribute, and locate the commodities that the Commodity Credit Corporation own or controls. The Secretary shall make purchases to offset such sales within a reasonable time, and shall make public full disclosure of such transitions.

''(i) RENEWABLE ENERGY RESERVE.

''(1) PURPOSES.—It is the purpose of this subsection to create a reserve of agricultural commodities to—

''(A) provide feedstocks to support and further the production of the renewable energy; and

''(B) support the renewable energy industry in times when production is at risk of decline due to reduced feedstock supplies or significant commodity price increases.

''(2) ESTABLISHMENT.—The Secretary is authorized to establish and administer a government-owned and farmer-stored renewable energy reserve program under which producers of agricultural commodities will be able to—

''(A) sell agricultural commodities authorized by the Secretary into the reserve; and

''(B) store such agricultural commodities.

''(3) NAME.—The agricultural commodity reserve established under this subsection shall be known as the ''Renewable Energy Reserve''.

''(4) PURCHASES.—The Secretary shall purchase agricultural commodities at commercial rates in order to establish, maintain, or enhance the reserve when—

''(A) such commodities are in abundant supply; and

''(B) there is need for adequate carryover stocks to ensure a reliable supply of the commodities to meet the purposes of the reserve; or

''(C) it is otherwise necessary to fulfill the needs and purposes of the renewable energy program administered or assisted by the Secretary.

''(5) LIMITATION.—Purchases under this subsection shall be limited to—

''(A) the type and quantities of agricultural commodities necessary to provide approximately one-year's estimated utilization for renewable energy purposes;

''(B) an additional amount of commodities to provide incentives for research and development of new renewable fuels and bio-energy initiatives; and

''(C) such maximum quantities of agricultural commodities determined by the Secretary as will enable the purposes of the renewable energy program to be achieved.

''(6) RELEASE OF STOCKS.—Stocks shall be released at cost of acquisition, and in amounts determined appropriate by the Secretary, when market prices of the agricultural commodity exceed 100 percent of the full economic cost of production of those commodities. Cost of production for the commodity shall be determined by the Economic Research Service using the best available information, and based on a three year moving average.

''(7) STORAGE PAYMENTS.—The Secretary shall provide storage payments to producers of agricultural commodities to maintain the reserve established under this subsection. Storage payments shall—

''(A) be in such amounts and under such conditions as the Secretary determines appropriate to encourage producers to participate in the program;

''(B) reflect local, commercial storage rates subject to appropriate conditions concerning quality management and other factors; and

''(C) not be less than comparable local commercial rates, except as may be provided by paragraph (B).

''(j) COMMODITY CREDIT CORPORATION.—The Secretary shall use the Commodity Credit Corporation, to fulfill the purposes of this subsection. To the maximum extent practicable consistent with the purposes, and effective and efficient administration of this subsection, the Secretary shall utilize the usual and customary channels, facilities and arrangement of trade and commerce.''.

SEC. 204. DISCRETIONARY INVENTORY MANAGEMENT AND PROGRAM COST-CONTAINMENT.

(a) SHORT TITLE.—This section may be cited as the ''Discretionary Inventory Management, Program Cost-Containment, and Fiscal Responsibility Act of 2001''.

(b) AMENDMENTS TO THE FEDERAL AGRICULTURE IMPROVEMENT AND REFORM ACT.—Subtitle F of title I of the Federal Agriculture Improvement and Reform Act (7 U.S.C. 7201) is amended by—

(1) striking out the subtitle heading and inserting the following new heading—

''Subtitle F—Permanent Authorities

''Chapter 1—Price Support; and

(2) by adding at the end the following new chapter—

''Chapter 2—Discretionary Inventory Management and Program Cost-Containment

''SEC. 173. DISCRETIONARY INVENTORY MANAGEMENT AUTHORITY.

''(a) GENERALLY.—Notwithstanding any other provision of this Act, or the Agricultural Act of 1949, the Secretary may establish a voluntary inventory management program for loan commodities under the provisions of this section. Such program shall be established on a whole farm basis and shall include total program crop acreage for the farm.

''(b) INCENTIVES OFFERED.—The Secretary may offer incentives, as defined in subsection (f), to agricultural producers of loan commodities that agree to forgo production on a specified percentage of the acreage planted to eligible commodities. The production management program may be announced when the Secretary determines that the estimated total supply of loan commodities for the next crop year, in the absence of such a program, will be excessive taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices and to meet a national emergency.

''(c) ACREAGE DEFINED.—Inventory management acreage must be acreage that either—

''(1) has previously been under a production flexibility contract, or

''(2) was previously planted an eligible loan commodities for at least three of the last five years.

''(d) CONSERVATION USES.—Inventory management acreage shall be devoted to approved conservation and wildlife uses, as defined by the Secretary. Adequate safeguards from weeds, and wind, soil, and water erosion must be provided.

''(e) ACREAGE OPTIONS.—If announced, the inventory management program shall offer the producer a range of acreage participation options. Under such a program, the Secretary shall offer producers the option to set-aside 5 percent, 10 percent, 15 percent, or 20 percent of total commodity acreage. Total program acreage shall include applicable inventory management acres from the previous crop year.

''(f) INCENTIVE DEFINED..—

''(1) The incentive offered by the Secretary for agreement to forgo production on a specified percentage of loan commodity production acres shall be an increase in the marketing loan rates for eligible commodities for the individual producer in an amount that is equal to one half of the percentage of the percentage inventory management or acreage option selected under subsection (e).

''(2) The increase in the marketing loan rate for an individual producer, shall be as follows—if the inventory management acreage is—

''(A) 5 percent, then the marketing loan rate shall be increased by 2.5 percent.

''(B) 10 percent, then the marketing loan rate shall be increased by 5 percent.

''(C) 15 percent, then the marketing loan rate shall be increased by 7.5 percent, and

''(D) 20 percent, then the marketing loan rate shall be increased by 10 percent.

''(g) COMMODITY CREDIT CORPORATION.—The Secretary shall carry out the program authorized by this section through the Commodity Credit Corporation.

''(h) REGULATIONS.—The Secretary shall issue such regulations as may be necessary to carry out this section.

CROSS COMPLIANCE AND OFFSETTING COMPLIANCE.—The Secretary shall require that compliance on a farm with the terms and conditions of any other commodity, conservation, or any other program is required as a condition of eligibility for inventory management incentives provided under authority of this section.''.

THE FARM INCOME RECOVERY ACT

BETTER PRICES AND HIGHER PROFITS THROUGH THE MARKETPLACE

Since the commodity market collapse in the late 1990's, farmers in Minnesota and the rest of the country have learned a hard lesson: the 1996 ''Freedom to Farm'' Act lacks an adequate safety net for farmers struggling with severe price fluctuations. As a result, year after year, the Federal Government has been forced to pass billions of dollars in emergency funding, barely enough to allow many of these farmers to survive.

We cannot continue this pattern—it is hurting our farmers, and its is fiscally irresponsible, costing taxpayers close to $33 billion in emergency assistance over the past five years.

The goal of the Farm Income Recovery Act is to raise market prices for farmers, with the added benefit of reducing the cost of the taxpayer. It provides farmers with a secure safety net that can offset severe price fluctuations and can help manage uncertainties in the marketplace by boosting marketing assistance loan rates. It creates a sound reserve program, allowing producers to store their commodities when they are in abundant supply, so market prices do not continue to spiral downward. And it is counter cyclical, so it kicks in to help farmers when prices are low, but phases out when prices increase.

BOOSTING MARKETING ASSISTANCE LOAN RATES

The Farm Income Recovery Act boosts marketing loan rates, establishing an equitable, counter cyclical assistance program based on costs of production.

Instead of basing loan rate calculations on an arbitrary snapshot of community prices in a given year, the bill directs the Secretary of Agriculture to establish marketing loan rates at not less than 80 percent of the economic cost of production, allowing loans rate to adjust annually to changes in both producer input costs and productivity.

The loan rates in the Farm Income Recovery Act are far more equitable than current rates, as well as the rates proposed in the Farm Bill passed by the House of Representatives and even those being suggested by the Senate Agriculture Committee:

Crop and unit	Current loan rate	Farm Income Recovery Act	House passed	Senate Ag committee [1]
Wheat (bushel)	$2.58	$3.88	$2.24–2.58	2.94
Corn (bushel)	1.89	2.40	1.64–1.89	2.05
Sorghum (bushel)	1.71	2.40	1.44–1.89	1.98
Barley (bushel)	1.65	2.40	1.40–1.65	1.98
Soybeans (bushel)	5.26	5.36	4.06–4.92	5.20
Upland Cotton (Cwt)	51.92	60.65	51.92	54.50
Rice (Cwt)	6.50	8.61	6.50	6.90

[1] As of 10/31/01.

To discourage overproduction, the Farm Income Recovery Act directs the Secretary to establish limits on the crop amounts for which individual producers can receive nonrecourse marketing loans. This limit is calculated by multiplying a producer's 1996–2001 crop years average acreage base by the 1996–2001 crop years average yield base.

TARGETING HELP TOWARD FAMILY FARMERS

The Farm Income Recovery Act is designed to target its benefits to family farmers by limiting the amount of a crop for which farmers can receive nonrecourse loans. Production that exceeds limits would be eligible for recourse loans, which must be paid back, with interest, to the Federal Government: Wheat, 125,000 bushels; Corn, 225,000 bushels; Sorghum, 225,000 bushels; Barley, 225,000 bushels; Oats, 250,000 bushels; Soybeans, 100,000 bushels; Rice, 75,000 hundredweight; Upland Cotton, 10,500 hundredweight; Extra Long Staple Cotton, 12,500 hundredweight; and Minor Oilseeds, 60,000 hundredweight.

The targeting provision also prohibits program participation by anyone whose annual gross income exceeds $2 million of which agricultural production accounts for less than 75 percent.

USING COMMODITY RESERVES TO ACHIEVE POLICY OBJECTIVES

In the past, commodity reserves languished in Government stockpiles unless high prices triggered their release into the market—which would often result in depressed prices.

Under the Farm Income Recovery Act, commodity reserves would not enter the free market, where they could have a depressive effect on prices; instead, they would be used exclusively to achieve other policy objectives as follows:

The Farmer-Owned Production Loss Reserve allows producers to store a specified amount (up to 20 percent of their annual production) of program commodities when they are in abundant supply, and supplements the Federal Crop Insurance Program by providing additional risk protection to producers who suffer production losses.

The Humanitarian Food Assistance Reserve allows the Federal Government to purchase, store, and utilize commodities to ensure the capacity of the United States to fulfill current and future humanitarian nutrition assistance commitments and stimulate economic development in the neediest parts of the world. The quantity that may be purchased by the government for the reserve is limited to approximately one-year's estimated commitments. Some examples of humanitarian programs that may benefit from this reserve are the Food for Peace Program, United Nation's World Food Programs, and the proposed McGovern/Dole Food for Education Program.

The Renewable Energy Reserve allows the Federal Government to purchase, store, and utilize commodities such as corn and soybeans that are used to create renewable fuels like ethanol and biodiesel when production is at risk of decline due to reduced feedstock supplies or significant commodity price increases. The quantity that may be purchased by the government for the reserve is limited to approximately one-year's estimated utilization for renewable energy purposes.

COST CONTAINMENT THROUGH CONSERVATION

In times of overproduction, the Farm Income Recovery Act authorizes the Secretary of Agriculture to establish a voluntary program that would further increase loan rates for producers who voluntarily set aside a percentage of their acreage for conservation as follows:

Acreage set aside	Percent increase of loan rate
5 percent	2.5
10 percent	5
15 percent	7.5
20 percent	10

COST ESTIMATE

The Congressional Budget Office is currently calculating a cost estimate for the Farm Income Recover Act. However, the Agricultural Policy Analysis Center at the University of Tennessee has estimated the 10-year cost of a very similar program at about $50 billion over current expenditure levels for the next 10-year budget cycle. By comparison, the House Farm Bill's Commodity Title, which covers comparable issues, has been scored at $48.8 billion.

Mr. DAYTON. In summary, this legislation, which was developed in close consultation with the National Farmers Union and the Minnesota Farmers Union, really bears the imprint of the farmers in Minnesota, with whom I have consulted over the last several months—really over the last 20 years. It accomplishes what farmer after farmer in Minnesota has told me that he or she is searching for, and that is a farm program that encourages market prices to levels where farmers can make a profit in the marketplace.

I come from a business family, and I know you don't stay in business if you cannot earn a profit for what you produce and sell. Unfortunately, the ability and the opportunity to earn a profit is what has been taken away from farmers in Minnesota and across this country.

I am humbled by the fact that for 60 years Members of this body, from both sides of the aisle, have endeavored to create a Federal agricultural policy that would best serve the interests of Minnesota and other American farmers. Sometimes they have succeeded in doing so; sometimes their efforts have fallen short.

I do not know if this legislation provides the right answer for all the farmers across this country, but I do know it is a step in a better direction from what we have today. It is a step toward higher prices in the marketplace; it is a step toward lower taxpayer subsidies; it is a step toward putting agriculture in this country back on its own economic feet so it is not dependent on Government programs and not dependent on every decision we make in Washington to dictate what the next course of action will be.

I look forward to working with colleagues on this legislation.

By Ms. COLLINS:

S. 1633. A bill to amend the Cooperative Forestry Assistance Act of 1978 to establish a program to provide assistance to States and nonprofit organizations to preserve suburban open space and contain suburban sprawl, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. COLLINS. Mr. President, the people of Maine have always been faithful stewards of the forest because we understand its tremendous value to our economy and to our way of life. From the vast tracts of land in the north to the small woodlots of the south, forest land helps shape the character of our entire State. While our commitment to stewardship has preserved the forest for generations, there is a new threat to Maine's forest that requires a new approach.

The threat is suburban sprawl, which has already consumed tens-of-thousands of acres of forest land in southern Maine. Sprawl occurs because the economic value of forest or farm land cannot compete with the value of developed land. The problem is particularly acute here in southern Maine where a 108 percent increase in urbanized land over the past two decades has resulted in the labeling of greater Portland as the ''sprawl capital of the Northeast.''

I am alarmed by the amount of working forest land and open space that has given way to strip malls and cul-de-sacs. Our State is trying to respond to this challenge. The people of Maine have approved a $50-million bond to preserve land through the Land for Maine's Future Board, and continue to use scarce local funds and contribute their time and money to preserve important lands and to support our State's 88 land trusts.

The people of Maine are forging a new approach to preserving our working forest and protecting our communities from sprawl. It is time for the Federal Government to support these efforts.

Today I am introducing the Suburban and Community Forestry and Open Space Initiative Act. The legislation, which was drafted with the advice of land owners, conservation groups, and community planners, establishes a $50-million grant program within the U.S. Forest Service to support locally-driven projects that preserve working forests. State and local governments, as well as nonprofit organizations, would compete for funds to purchase land or conservation easements to keep forest lands, threatened by development, in their traditional use.

Projects funded under this initiative must be targeted at lands located in parts of the country that are threatened by sprawl. The legislation requires that Federal grant funds be matched dollar-for-dollar with State, local, or private resources. The grant program will help promote sustainable forestry and public access to forest lands. My legislation protects the rights of property owners with the inclusion of a ''willing-seller'' provision and it allows non-profits, States, and municipalities—but not the Federal Government—to hold title to land or easements purchased under the program.

The $50 million that would be authorized by my bill would help achieve a number of stewardship objectives. First, my legislation would help prevent forest fragmentation and preserve working forests, helping to maintain the supply of timber that fuels Maine's most important industry. Second, the resources made available as part of my legislation would be a valuable tool in communities that are struggling to manage growth and prevent sprawl. Currently, if the town of Gorham, ME or another community trying to cope with the effects of sprawl turned to the Federal Government for assistance, none would be found. My bill will change that by making the Federal Government an active partner in preserving forest land and managing sprawl, while leaving decision-making at the State and local level.

We can all be proud of the work being done in Maine to protect our working forests for the next generation, and I am grateful that many of the people and organizations that are leading this effort are supporting my legislation. By enacting the Suburban and Community Forestry and Open Space Initiative Act Congress can provide a real boost to conservation initiatives, help preserve sprawl, and help sustain the vitality of natural resource-based industries.

By Ms. COLLINS:

S. 1634. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of perishable products whose import is regulated by the Commissioner of Food and Drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today to introduce The Imported Food Safety Act of 2001. Food safety has been a serious public health concern in America for some time, but our awareness of the vulnerability of our food supply has been heightened since September 11.

I have long been concerned about the adequacy of our Nation's imported food supply system. In 1998, in my capacity as chairman of the Permanent Subcommittee on Investigations, I began an in-depth 16 month investigation into the safety of food imports. This investigation revealed much about the government's flawed food safety net. Regrettably, in the intervening three years, little has changed, and now we must acknowledge that those systemic shortcomings can also be used by those who wish to perpetrate acts of bioterrorism.

As part of the investigation, I requested the GAO to evaluate the federal government's efforts to ensure the safety of imported foods. In its April 1998 report, the GAO concluded that ''federal efforts to ensure the safety of imported foods are inconsistent and unreliable.'' Just last month, the GAO reiterated that conclusion in testimony before the Senate's Subcommittee on Oversight of Government Management.

During five days of Subcommittee hearings, we heard testimony from 29 witnesses, including scientists, industry and consumer representatives, government officials, the General Accounting Office, and two persons with first-hand knowledge of the seamier side of the imported food industry, a convicted Customs broker and a convicted former FDA inspector.

Let me briefly recount some of the Subcommittee's findings which make it clear why this legislation is so urgently needed: weaknesses in FDA import controls, specifically the ability of importers to control food shipments from the port to the point of distribution, make the system vulnerable to fraud and deception and clearly to a terrorist attack; the bonds required to be posted by importers who violate food safety laws are so low that they are considered by some unscrupulous importers as the cost of doing business; maintaining the food safety net for imported food is an increasingly complex task, made more complicated by previously unknown foodborne pathogens, like Cyclospora, that are difficult to detect; our recent experience with anthrax has taught us that there is much more public health officials need to know to ensure the safety of our food; because some imported food can be contaminated by substances that cannot be detected by visual inspection, grant programs need to be established that will encourage the rapid development of food safety monitoring sensors that are capable of detecting chemical and biological contaminants; since contamination of imported food can occur at many different places from the farm to the table, the ability to trace outbreaks of foodborne illnesses back to the source of contamination requires more coordinated effort among Federal, State, and local agencies responsible for ensuring food safety, as well as improved education for health care providers so that they can better recognize and treat foodborne illnesses. Again, our recent experience with anthrax underscores the need for better coordination and education.

Since the terrorist attacks that occurred just weeks ago, we have been living in a changed world. We are battling enemies who show no regard for the value of human life, and whose twisted minds seek to destroy those who embody democracy and freedom. It has never been as important as it is now to ensure that our food supplies are adequately protected against contamination, both inadvertent and intentional.

President Bush and his Administration are acting swiftly and decisively on all fronts. Among the responsibilities of the Office of Homeland Security is the protection of our livestock and agricultural systems from terrorist attack. And the Secretary of Health and Human Services, Tommy Thompson, has been working tirelessly to obtain the additional tools necessary to combat bioterrorism.

On October 17, 2001, Secretary Thompson appeared before the Senate's Governmental Affairs Committee, and testified about the Federal Government's efforts to ensure that the country is adequately prepared to respond to bioterrorist threats. He identified food safety and, in particular, imported foods, as vulnerable areas that require further strengthening. Similarly, at a recent hearing before the Health, Education, Labor, and Pensions Committee, public health experts were

unanimous in expressing concern about the vulnerability of our food.

Weak import controls make our system all too easy to circumvent. After all, FDA only inspects fewer than one percent of all imported food shipments that arrive in our country. Those shipments are sent from countries around the world, most of whom wish us no harm. Yet, because of the hard lessons we have had to learn since September 11, we must be more vigilant about protecting ourselves. It is vital that we take the necessary steps to close the loopholes that unscrupulous shippers have used in the past and that bioterrorists could exploit now.

I first became concerned about the safety of the U.S. food supply in 1998 when I learned that fruit from Mexico and Guatemala was associated with three multi-state outbreaks of foodborne illnesses that sickened thousands of Americans. Regrettably, those type of outbreaks are far too common. The Centers for Disease Control and Prevention, CDC, estimate that 76 million cases of foodborne illnesses occur each year. Fortunately, the majority of these incidents are mild and cause symptoms for only a day or two. Less fortunately, the CDC also estimates that over 325,000 hospitalizations and 5,000 deaths result from those 76 million cases. And as astonishingly high as those numbers are, they are estimates, and the truth may be even more deadly.

It was because of my concern that I began the Subcommittee's investigation of the adequacy of our country's imported food safety system. During the Subcommittee's hearings, the testimony I heard was troubling. The United States Customs Service told us of one particularly egregious situation. It involves contaminated fish and illustrates the challenges facing federal regulators who are charged with ensuring the safety of our Nation's food supply.

In 1996, Federal inspectors along our border with Mexico opened a shipment of seafood destined for sales to restaurants in Los Angeles. The shipment was dangerously tainted with life-threatening contaminants, including botulism, Salmonella, and just plain filth. Much to the surprise of the inspectors, this shipment of frozen fish had been inspected before by Federal authorities. Alarmingly, in fact, it had arrived at our border two years before, and had been rejected by the FDA as unfit for consumption. Its importers then held this rotten shipment for two years before attempting to bring it into the country again, by a different route.

The inspectors only narrowly prevented this poisoned fish from reaching American plates. And what happened to the importer who tried to sell this deadly food to American consumers? In effect, nothing. He was placed on probation and asked to perform 50 hours of community service.

I suppose we should be thankful that the perpetrators were caught in this case. After all, the unsafe food might have escaped detection and reached our tables. But it worries me that the importer essentially received a slap on the wrist. I believe that forfeiting the small amount of money currently required for the Custom's bond, which some importers now consider no more than a ''cost of doing business,'' does little to deter unscrupulous importers from trying to slip tainted fish that is two years old past overworked Customs agents.

It is imperative that Congress provide our Federal agencies with the direction, resources, and authority necessary to protect our food supply from acts of bioterrorism and to keep unsafe, unsanitary food out of the United States.

I have worked with the FDA, the Customs Service, and the CDC to ensure that my legislation corrects many of the vulnerabilities that have been identified in our imported food safety system. Let me describe what this bill is designed to accomplish.

My legislation will fill the existing gaps in the food import system and provide the FDA with stronger authority to protect American consumers against tainted food imports. First and foremost, this bill gives the FDA the authority to stop such food from entering our country. My bill would authorize FDA to deny the entry of imported food that has caused repeated outbreaks of foodborne illnesses, presents a reasonable probability of causing serious adverse health consequences, and is likely without systemic changes to cause disease again.

Second, this legislation would enable the FDA to require secure storage of shipments offered by repeat offenders prior to their release into commerce. Unscrupulous shippers who have demonstrated a willingness to knowingly send tainted food to our country cannot be overlooked as potential sources of bioterrorist acts. My bill would also prohibit the practice of ''port-shopping,'' and would require that boxes containing violative foods that have been refused entry into our country be clearly marked. This latter authority is currently used with success by the U.S. Department of Agriculture. My bill also would require the destruction of certain imported foods that cannot be adequately reconditioned to ensure safety.

Third, the legislation would direct the FDA to develop criteria for use by private laboratories to collect and analyze samples of food offered for import. This will ensure the integrity of the testing process.

Fourth, the bill would give ''teeth'' to the current food import system by establishing two strong deterrents, the threats of higher bonds and of debarment, for unscrupulous importers who repeatedly violate U.S. law. No longer will the industry's ''bad actors'' be able to profit from endangering the health of American consumers.

Finally, my bill would authorize the CDC to award grants to state and local public health agencies to strengthen the public health infrastructure by updating essential items such as laboratory and electronic-reporting equipment. Grants would also be available for universities, non-profit corporations, and industrial partners to develop new and improved sensors and tests to detect pathogens and for professional schools and professional societies to develop programs to increase the awareness of foodborne illness among healthcare providers and the public.

We are truly fortunate that the American food supply is one of the safest in the world. But our system for safeguarding our people from imported food that has been tainted, either intentionally or inadvertently, is flawed.

Finally, I am very pleased to also be working with my colleagues on bipartisan bioterrorism legislation that targets problems posed by bioterrorist threats to our Nation's food supply and public health. I believe that the measures provided for in my Imported Food Safety Act of 2001, and the bipartisan bioterrorism bill, will significantly reduce the threat to our country. I hope that we will pass both pieces of legislation this year.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2088. Mr. INOUYE (for himself, Mr. AKAKA, Mr. STEVENS, and Mr. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2088. Mr. INOUYE (for himself, Mr. AKAKA, Mr. STEVENS, and Mr. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes; which was ordered to lie on the table; as follows.

On page 47, line 19, strike the closing quotation marks and the second period.

On page 47, between lines 19 and 20, insert the following:

''SEC. 1403. ALLOCATION OF RESOURCES

''In carrying out this title, the Secretary of Transportation shall ensure that not less than $2,000,000 in loans and loan guarantees under section 1401, and not less than $6,000,000 in grants under section 1402, are made available for eligible projects (as defined in section 1401(d)) located in any State to which reference is made by name in section 607 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1177(k)(8)) during each of the fiscal years 2002 through 2006.''.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HARKIN. Mr. President, I would like to announce that the Committee