

that payments are received only by producers, the Secretary shall—

(1) conduct an audit of average crop revenue payments; and

(2) submit to Congress a report that describes the results of that audit.

SEC. 1403. PLANTING FLEXIBILITY.

(a) PERMITTED CROPS.—Subject to subsection (b), any commodity or crop may be planted on base acres on a farm for which the producers on a farm elect to receive average crop revenue payments (referred to in this section as “base acres”).

(b) LIMITATIONS REGARDING CERTAIN COMMODITIES.—

(1) GENERAL LIMITATION.—The planting of an agricultural commodity specified in paragraph (3) shall be prohibited on base acres unless the commodity, if planted, is destroyed before harvest.

(2) TREATMENT OF TREES AND OTHER PERENNIALS.—The planting of an agricultural commodity specified in paragraph (3) that is produced on a tree or other perennial plant shall be prohibited on base acres.

(3) COVERED AGRICULTURAL COMMODITIES.—Paragraphs (1) and (2) apply to the following agricultural commodities:

(A) Fruits.

(B) Vegetables (other than mung beans and pulse crops).

(C) Wild rice.

(c) EXCEPTIONS.—Paragraphs (1) and (2) of subsection (b) shall not limit the planting of an agricultural commodity specified in paragraph (3) of that subsection—

(1) in any region in which there is a history of double-cropping of covered commodities with agricultural commodities specified in subsection (b)(3), as determined by the Secretary, in which case the double-cropping shall be permitted;

(2) on a farm that the Secretary determines has a history of planting agricultural commodities specified in subsection (b)(3) on base acres, except that average crop revenue payments shall be reduced by an acre for each acre planted to such an agricultural commodity; or

(3) by the producers on a farm that the Secretary determines has an established planting history of a specific agricultural commodity specified in subsection (b)(3), except that—

(A) the quantity planted may not exceed the average annual planting history of such agricultural commodity by the producers on the farm in the 1991 through 1995 or 1998 through 2001 crop years (excluding any crop year in which no plantings were made), as determined by the Secretary; and

(B) average crop revenue payments shall be reduced by an acre for each acre planted to such agricultural commodity.

(d) PLANTING TRANSFERABILITY PILOT PROJECT.—Producers on a farm that elect to receive average crop revenue payments shall be eligible to participate in the pilot program established under section 1106(d) under the same terms and conditions as producers that receive direct payments and counter-cyclical payments.

(e) PRODUCTION OF FRUITS OR VEGETABLES FOR PROCESSING.—

(1) IN GENERAL.—Subject to paragraphs (2) through (4), effective beginning with the 2009 crop

On page 1374, between lines 14 and 15, insert the following:

“(iii) 100 percent of the amount of the revenue component of any average crop revenue payments made to the producer under section 1401(b)(3) of the Food and Energy Security Act of 2007;”.

SA 3818. Mr. STEVENS submitted an amendment intended to be proposed to

amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 247, line 17, insert “seafood, farm-raised aquaculture,” after “nursery crops.”.

NOTICE OF HEARING

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled, “United Nations Development Program Operations in North Korea.” In April 2007, the United Nations Development Program, UNDP, took the unprecedented step of shutting down its operations in North Korea due to refusals by the North Korean government to allow UNDP to increase the transparency and accountability of its funding programs there. The Subcommittee’s December 13th hearing will examine UNDP operations in North Korea, reviewing evidence and taking testimony on certain problems in the relationship between UNDP and the North Korean government, whether the problems in North Korea are localized or systemic, and whether UNDP has sufficient whistleblower and ethics safeguards in place. Witnesses for the upcoming hearing will include representatives of the Government Accountability Office and the Department of State. Following the hearing, the Subcommittee will receive a public briefing from representatives of the United Nations Development Program. A final witness list will be available Tuesday, December 11, 2007.

The Subcommittee hearing is scheduled for Thursday, December 13, 2007, at 2 p.m., in Room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224-9505.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, December 6, 2007, at 2:30 p.m. in order to conduct a hearing on foreign assistance to Pakistan.

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, in order to conduct an Executive Business Meeting on Thursday,

December 6, 2007, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building.

Agenda

I. Bills: S.352, Sunshine in the Courtroom Act of 2007 (Grassley, Schumer, Leahy, Specter, Graham, Feingold, Cornyn, Durbin); S.344, A bill to permit the televising of Supreme Court proceedings (Specter, Grassley, Durbin, Schumer, Feingold, Cornyn); S.1638, Federal Judicial Salary Restoration Act of 2007 (Leahy, Hatch, Feinstein, Graham, Kennedy); S.1829, Protect Our Children First Act of 2007 (Leahy, Hatch); S.431, Keeping the Internet Devoid of Sexual Predators Act of 2007 (Schumer, McCain, Grassley, Specter, Kyl); and S.2344, Internet Safety Education Act of 2007 (Menendez).

II. Nomination: Ronald Jay Tepas to be Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday December 6, 2007, at 2:30 p.m., in open session to receive a report of the Commission on Army Acquisition and Program Management in Expeditionary Operations.

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

RECOGNIZING THE 60TH ANNIVERSARY OF EVERGLADES NATIONAL PARK

Mr. REID. Mr. President, I ask unanimous consent we proceed to S. Res. 392, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows: A resolution (S. Res. 392) recognizing the 60th anniversary of the Everglades National Park.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The resolution (S. Res. 392) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 392

Whereas Everglades National Park will celebrate its 60th anniversary on December 6, 2007;

Whereas when President Harry S. Truman dedicated Everglades National Park on December 6, 1947, he stated: “Here is land, tranquil in its quiet beauty, serving not as the