

No. 10, \$150,000 for potato breeding research at Aberdeen, ID;

No. 9, \$250,000 for a beaver control program in Louisiana;

No. 8, \$50,000 specifically for the Oregon Garden;

No. 7, \$300,000 to the Tick Research Unit at Kerrville, TX;

No. 6, \$500,000 for the Honey Bee Laboratory in Baton Rouge, LA;

No. 5, \$300,000 for a coyote control program in West Virginia. That one particularly interests me since in my home State we have a lot of coyotes. I do not see any money in there for the control of coyotes in the great State of Arizona or in any place else in the Southwest, but perhaps, as in most cases, with a lot of appropriations bills, there is a unique problem in the State of West Virginia.

No. 4, \$750,000 to Western Kentucky University to examine the use of chicken litter as a fertilizer or nutrient source. I hope there is a careful division between those two choices. It could have serious consequences. But I am sure the folks at Western Kentucky University are well equipped to make sure there is no overlap between using chicken litter as a fertilizer or as a nutrient source.

No. 3, \$435,000 for weed control in North Dakota. They must have a terrific problem out there in North Dakota because year after year we find this weed control money going to the great State of North Dakota. I hope they get it under control soon. Of course, no other States, obviously, in the view of the appropriators, have a weed problem—except in the great State of North Dakota.

No. 2, \$90,000 to study the use of acoustics in aquaculture research at the National Center for Physical Acoustics; and then,

No. 1, \$500,000 for the Montana Sheep Institute—\$500,000 for that institute of higher learning in Montana, which obviously is very badly needed up there.

Even the reliable earmarks for the National Center for Peanut Competitiveness and shrimp aquaculture are included. I believe that the National Center for Peanut Competitiveness is doing very well because we continue, every year, to make sure that peanut competitiveness is one of our highest priority projects. I will supply for the RECORD the many hundreds of thousands, if not millions, of dollars that have been devoted to peanut competitiveness.

Funding has never been requested for the National Center for Peanut Competitiveness, yet it has been funded by the appropriators for 5 years. And shrimp aquaculture in Arizona and other States has been a consistent beneficiary of taxpayer dollars for 9 years. Unfortunately, there is little explanation included to justify why targeted Federal dollars for earmarked projects are more important than other programs to protect food safety or more directly support farm programs in the bill.

This is a spending spree. So far this year more than \$8.5 billion of pork has been included in 10 appropriations bills, including this Agriculture spending bill.

We are at war. We must do better and heed the words of the Office of Management and Budget Director Mitch Daniels, who said:

Everything ought to be held up to scrutiny. . . . Situations like this can have clarifying benefit. People who could not identify a low priority or lousy program before may now see the need.

Apparently, we are not heeding Mr. Daniel's words. And I do not believe that anyone can say there are no low-priority items in this bill before us.

I urge my colleagues to work harder to curb our habit of funneling resources to provincial ventures. Serving the public good should continue to be our mandate, and we can only live up to that charge by keeping the process free of unfair and unnecessary spending that unduly burdens the American taxpayer.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am constrained to say a few words in defense of the committee's decisions with regard to the total overall spending in this bill. It is below the President's budget request. Twenty-two percent of the funds in this bill are discretionary; 78 percent of the funds in the bill are mandatory—mandatory, meaning there is legislation directing the spending be made to those that are defined as eligible for the benefits under the law, under statutes that have been passed by Congress and are now the law of the land.

So the subcommittee, in working to identify the appropriate levels of funding, has to look at the law, provide the funds that the Department of Agriculture, the Food and Drug Administration, and the other agencies funded in this bill say will be due and owing by the Government under statutes that require the money to be paid.

Here is an example of one of the programs. It is the Women, Infants, and Children Nutrition Program. The participation in that program is defined by law. The eligibility for participation is defined by law. If someone is eligible and presents themselves to a facility where the program is administered, they are entitled to the benefits. They are entitled to medical care. They are entitled to food supplements. And the funding for that has to be appropriated. So this bill contains funding for the WIC Program.

I mentioned, in earlier comments, that we may have to appropriate more money in a supplemental later on for the WIC Program because participation is outstripping the predictions. So far this year, in this new fiscal year that started October 1, we can see the trend is such that we may not have appropriated enough money for that program.

The Senate will approve that request if it comes from the Department, if it comes from the President, for a supplemental for that program.

Food Stamps is another program. Because of higher rates of unemployment than we had last year, the Food Stamp Program participation has begun to increase. So there are increases for those program activities.

There are farm programs, as the Senator correctly described, that require the payment of dollars to those who are eligible for support in agricultural production. That also is defined by law.

We don't decide how much each person gets in this appropriations bill. That has already been decided when we passed the farm bill. This bill provides the funds to the Department to make the program dollar payments that are required by law to the eligible beneficiaries.

On the discretionary funding side, the 22 percent of the funds in this bill over which we did have total control, we came in under the President's budget request. That is the point I wanted to make on that. On the part of the budget the Congress controls and on which this Appropriations Committee is making decisions with respect to dollar amounts, we are under the President's budget request.

So to accuse the committee of throwing money around that is not needed, funding programs that are not justified, doesn't hold up when we look at the exact spending levels compared with the budget request, compared with the economic conditions, compared with the statutes that require funding for specific purposes under the law.

The committee has done a good job, in my opinion. That is why the Senator from Wisconsin and I are proud to present this bill to the Senate today, and we hope the Senate will support it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ANTHRAX ATTACK ON CAPITOL HILL

Mr. DASCHLE. Mr. President, I will use this time for just a couple of minutes to provide a brief update on our circumstances involving the buildings here in the Capitol complex and the situation involving the anthrax experience we have all been attempting to work through.

I had hoped before the end of the week to give our colleagues a briefing. There have been meetings ongoing as late as this afternoon. But I believed it was important for those who couldn't come to the meetings to share at least some of the information we have available to us.

It has been 10 days now since the letter containing anthrax was opened in my office in the Hart Building. We now have the final results on all the nasal swabs collected by the attending physician's office. Of the more than 6,000 swabs, 28 were positive for exposure. All 28 of the people whose nasal swabs were positive were on the fifth and sixth floors of the Hart Building's southeast quadrant last Monday. All are being treated with antibiotics. I am happy to say that all currently are healthy.

In all, more than 400 people who worked in or passed through the fifth or sixth floor of the Hart Building's southeast quadrant last Monday are being treated with a full 60-day course of antibiotics.

I know I speak for all of us on Capitol Hill when I say how deeply saddened we are by the deaths this week of the two postal workers from the Brentwood mail facility. We are also concerned about the two other employees from the Brentwood facility who are currently hospitalized and fighting anthrax infections.

On behalf of the entire Senate, I say that our thoughts and prayers are with them, their families, and all of the men and women of the U.S. Postal Service. They are dedicated public servants and they, like the Capitol Police and Senate employees exposed to anthrax, are innocent victims.

As for the buildings, the Capitol itself has been open all week for official business. After virtually around-the-clock environmental testing, a number of other buildings in the Capitol complex have begun reopening.

The Russell Senate Office Building reopened yesterday. The Rayburn and Cannon House Office Buildings reopened today. Also open today are the Senate day care center, Webster Hall, the Senate page dorm, and the Postal Square where Senate offices have been given temporary work spaces. The mailroom in the Dirksen Senate Office Building where a trace of anthrax was discovered last week is being remediated today. Pending the results of environmental tests, it is my expectation that the Dirksen Office Building will be reopened tomorrow.

We have also learned that evidence of anthrax was found on the air-conditioning filter on the ninth floor of the Hart Building and the stairwell leading from the eighth to the ninth floor. The experts say this is neither a surprise nor a concern. Environmental testing and nasal swabs of this section of the Hart Building show no further exposure beyond what we already know.

In addition, late last night we learned that the environmental tests in the freight elevator in the southwest quadrant of the Hart Senate Office Building tested positive. Based on this finding, the attending physician now recommends that anyone who rode in that freight elevator on October 11, the probable date the letter was delivered to my office, or later, be treated with a

60-day course of antibiotics. Anyone who rode on the southwest Hart freight elevator should see the attending physician.

The Hart Building will reopen as it is completely safe. The reopening has been the subject of a good deal of discussion with all of our teams of consultants in and out of the Government. We are looking at the most appropriate way with which to remediate the Hart Building. Some have suggested we remediate the area before any of it is open. If that is possible, that will be our plan.

If it is determined that it is not possible to remediate it in the not-too-distant future, within the next several days, we may have to remediate it in stages and open up the Hart Building in stages.

First, though, before any part of the building reopens, environmental specialists will examine the nine floors in the southeast quadrant and the area near the southwest freight elevator where anthrax was detected. The exact footprint of the southwest quadrant to be examined is still being determined by both scientific and medical specialists.

This anthrax assault has forced a number of temporary changes in the way we work on Capitol Hill. On Monday and Tuesday, all 100 Senators worked out of the Capitol Building. It may be the first time Senators shared such close quarters since the Russell Office Building opened in 1909. While the accommodations were a little cramped, the spirit of determination and cooperation in the Capitol this week has certainly been admirable.

This incident has also forced another temporary change on the Hill. Every week more than 250,000 pieces of mail are sent to the U.S. Senate alone. The mail Senators receive is an important lifeline. It is how our constituents tell us what is on their minds and how they communicate when they need help.

Since last Monday, when the U.S. Postal Service halted delivery to the Capitol, mail for Senators has been picking up in a regional postal facility. It will continue to be held there until we are absolutely certain it poses no risk to anybody, and it will be remediated as well. The postal workers who handle it and the staffers who open it will all be protected.

The Senate Sergeant at Arms is working closely with the Postal Service and with medical and environmental experts to establish procedures for safe mail handling and delivery.

This has been a difficult week—not only for my staff and others here on Capitol Hill but for our Nation's postal workers and for many Americans. My staff and I are grateful for the outpouring of concern and support we continue to receive from all over the country.

I thank the many experts who continue to work virtually around the clock—the Federal Government, the military, the District of Columbia and,

of course, our colleagues and staff here in the Senate. The challenge facing these people, in particular, is unprecedented in American history. To a person, they have responded admirably and enabled the Senate to move ahead with the legislative business of our Nation. I am grateful to each one of them, and I thank them for their effort.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Continued

AMENDMENT NO. 1984

(Purpose: To prohibit the use of appropriated funds to label, mark, stamp, or tag as "inspected and passed" meat, meat products, poultry, or poultry products that do not meet pathogen reduction performance standards)

Mr. HARKIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an amendment numbered 1984:

On page 78, between lines 2 and 3, insert the following:

**SEC. 7. PATHOGEN REDUCTION PERFORMANCE STANDARDS.**

(a) None of the funds appropriated or otherwise made available by this Act may be used by the Secretary of Agriculture to label, mark, stamp, or tag as "inspected and passed" meat, meat food products, poultry, or poultry products under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) or the Poultry Products Inspection Act (21 U.S.C. 451 et seq.) produced in establishments that do not meet pathogen reduction performance standards (including regulations), as determined by the Secretary in accordance with applicable rules of practice.

(b) RULEMAKING.—Not later than May 31, 2002 the Secretary shall initiate public rulemaking to ensure the scientific basis for any such pathogen reduction performance standard.

Mr. HARKIN. Mr. President, this amendment, I believe, comes at a very critical time in our Nation for concerns about our safety, about food safety, about what the Secretary of Health and Human Services has told us—that less than 1 percent of our imported food is being inspected. There is great concern.

Quite frankly, I have been involved in agricultural matters now for 27 years. For many of those 27 years, I was involved, in both the House and the Senate, in changing the inspection procedures at the U.S. Department of Agriculture dealing with meat, poultry, meat products, and poultry products to ensure that the people of our