

“(3) TRANSFER OF FUNDS.—All funds identified by the District government pursuant to section 148 of Public Law 106-113, as reflected in the certified annual financial report for fiscal year 2000, shall be deposited during fiscal year 2002 into the Emergency and Contingency Reserve Funds established pursuant to Section 159 of Public Law 106-522, during fiscal year 2002.”.

(d) CONTINGENCY RESERVE FUND.—Section 450A(b) of the Home Rule Act (Public Law 93-198) is amended—

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

“(1) IN GENERAL.—There is established a contingency cash reserve fund (in this subsection referred to as the ‘contingency reserve fund’) as an interest-bearing account (separate from other accounts in the General Fund) into which the Mayor shall deposit in cash not later than October 1 of each fiscal year (beginning with fiscal year 2002) such amount as may be required to maintain a balance in the fund of at least 3 percent of the total budget appropriated for operating expenditures for such fiscal year which is derived from local funds (or, in the case of fiscal years prior to fiscal year 2007, such amount as may be required to maintain a balance in the fund of at least the minimum contingency reserve balance for such fiscal year, as determined under paragraph (2)).”;

(2) by striking subparagraph (B) of paragraph (2) and inserting the following:

“(B) APPLICABLE PERCENTAGE DEFINED.—In subparagraph (A), the ‘applicable percentage, with respect to a fiscal year means the following:

- “(i) For fiscal year 2002, 0 percent.
- “(ii) For fiscal year 2003, 0 percent.
- “(iii) For fiscal year 2004, 0 percent.
- “(iv) For fiscal year 2005, 1 percent.
- “(v) For fiscal year 2006, 2 percent.”.

SEC. 134. INTEGRATED PRODUCT TEAM. No funds appropriated by this Act shall be available for an Integrated Product Team until reorganization plans for the Integrated Product Team and a Capital Construction Services Administration have been approved, or deemed approved, by the Council: *Provided*, That this paragraph shall not apply to funds appropriated for the Office of Contracting and Procurement.

SEC. 135. CORPORATION COUNSEL ANTITRUST, ANTIFRAUD, CONSUMER PROTECTION FUNDS. All funds whenever deposited in the District of Columbia Antitrust Fund established pursuant to section 2 of the District of Columbia Antitrust Act of 1980 (D.C. Law 3-169; D.C. Code §28-4516), the Antifraud Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code §1-1188.20), and the District of Columbia Consumer Protection Fund established pursuant to section 1402 of the District of Columbia Budget Support Act for fiscal year 2001 (D.C. Law 13-172; D.C. Code §28-3911), are hereby appropriated for the use of the Office of the Corporation Counsel of the District of Columbia until September 30, 2003, in accordance with the statutes that established these funds.

SEC. 136. RISK MANAGEMENT FOR SETTLEMENTS AND JUDGMENTS. In addition to any other authority to pay claims and judgments, any department, agency, or instrumentality of the District government may pay the settlement or judgment of a claim or lawsuit in an amount less than \$10,000, in accordance with the Risk Management for Settlements and Judgments Amendment Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code §2-402).

This Act may be cited as the “District of Columbia Appropriations Act, 2002”.

**SA 2107.** Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 57, strike beginning with line 24 through page 58, line 7, and insert the following:

SEC. 127. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

**SA 2108.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

None of the funds provided in this Act may be used directly or indirectly for the renovation of the property located at 227 7th Street, Southeast (commonly known as Eastern Market), except that funds provided in this Act may be used for the regular maintenance and upkeep of the current structure and grounds located at such property.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Tuesday, November 6, 2001. The purpose of this hearing will be to continue markup on the next Federal Farm bill.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, November 6, 2001, at 2:30 p.m., to hold a nomination hearing.

##### AGENDA

Nominees: Mr. Raymond Burghardt, of New York, to be Ambassador to Vietnam; Mr. Larry Dinger, of Iowa, to be Ambassador to Federated States of Micronesia; Mr. Charles Greenwood, Jr., of Florida, for rank of ambassador as Coordinator for Asia Pacific Economic Cooperation (APEC); and Mr. Charles Pritchard, of the District of Columbia, for rank of Ambassador as Special Envoy for Negotiations with the Democratic People’s Republic of

Korea and U.S. Representative to Korean Peninsula Energy Development Organization.

Additional nominees to be announced.

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

##### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Tuesday, November 6, 2001, at 2:30 p.m., to consider the nomination of Odessa F. Vincent to be an Associate Judge of the District of Columbia Superior Court.

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

##### COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on the nomination of Thomas L. Sansonetti, to be the Assistant Attorney General for the Environment and Natural Resources Division, Tuesday, November 6, 2001, at 2 p.m., in Dirksen Room 226.

Panel I: The Honorable CRAIG THOMAS and The Honorable MIKE ENZI.

Panel II: Thomas L. Sansonetti, to be the Assistant Attorney General for the Environment and Natural Resources Division.

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

##### SUBCOMMITTEE ON TECHNOLOGY, TERRORISM, AND GOVERNMENT INFORMATION

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Technology, Terrorism and Government Information be authorized to meet to conduct a hearing on Tuesday, November 6, 2001, at 10 a.m., in Dirksen 226, on “Germs, Toxins and Terror: The New Threat to America.”

Panel I: J.T. Caruso, Deputy Assistant Director, Federal Bureau of Investigation; Jim Reynolds, Chief, Terrorism and Violent Crimes Section, Department of Justice; and Claude Allen, Deputy Secretary, Department of Health and Human Services.

Panel II: John Paraccini, RAND Corporation; Dr. Michael Drake, Co-Chair, California Task Force on Bioterrorism; and Ronald Atlas, National President, American Society of Microbiology.

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

#### PRIVILEGE OF THE FLOOR

Ms. LANDRIEU. Mr. President, I ask unanimous consent for Kevin Avery of my staff to be given floor privileges.

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

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Senate

proceed to executive session to consider Executive Calendar Nos. 516 through 528; that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

The nominations were considered and confirmed, as follows:

DEPARTMENT OF JUSTICE

William Walter Mercer, of Montana, to be United States Attorney for the District of Montana for the term of four years.

Thomas E. Moss, of Idaho, to be United States Attorney for the District of Idaho for the term of four years.

J. Strom Thurmond, Jr., of South Carolina, to be the United States Attorney for the District of South Carolina for the term of four years.

Leura Garrett Canary, of Alabama, to be United States Attorney for the Middle District of Alabama for the term of four years.

Paul K. Charlton, of Arizona, to be United States Attorney for the District of Arizona for the term of four years.

Jeffrey Gilbert Collins, of Michigan, to be United States Attorney for the Eastern District of Michigan for the term of four years.

William S. Duffey, Jr., of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Maxwell Wood, of Georgia, to be United States Attorney for the Middle District of Georgia for the term of four years.

Dunn Lampton, of Mississippi, to be United States Attorney for the Southern District of Mississippi for the term of four years.

Alice Howze Martin, of Alabama, to be United States Attorney for the Northern District of Alabama for the term of four years.

Drew Howard Wrigley, of North Dakota, to be United States Attorney for the District of North Dakota for the term of four years.

Sharee M. Freeman, of Virginia, to be Director, Community Relations Service, for a term of four years.

Juan Carlos Benitez, of Puerto Rico, to be Special Counsel for Immigration-Related Unfair Employment Practices for a term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR WEDNESDAY,  
NOVEMBER 7, 2001

Mr. DASCHLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m., Wednesday, November 7; that following the prayer and the pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the District of Columbia Appropriations Act.

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

STATUS OF HART OFFICE  
BUILDING REMEDIATION PROJECT

Mr. DASCHLE. Mr. President, I want to update the Senate on a situation

that is of interest to many people and of acute interest to many of us: the remediation of the Hart Senate Office Building.

It was 3 weeks ago yesterday that an envelope containing anthrax was opened in my Hart office by a member of my staff. It is the responsibility of the Environmental Protection Agency to recommend how the Hart Building is to be remediated. No other entity has the expertise to make those recommendations.

One week ago today, on October 30, the Environmental Protection Agency officially took control of the Hart Building and the Hart remediation project. At the time, EPA officials outlined for us what they said was an experimental but promising plan to use a chlorine dioxide fumigant throughout the building to kill the anthrax spores. Under that plan, the Hart Building could have reopened as early as November 13—1 week from today. Unfortunately, it is now clear that EPA will not be able to meet its initial optimistic schedule. EPA now says that the Hart Building will not re-open until at least November 21.

Earlier today, EPA officials came to the Hill to brief Senators who have offices in the Hart Building on the reasons for the delay. They also spoke with chiefs of staff and office managers from those offices. Since this situation affects the entire Senate family, I want to share what the EPA officials told us. When EPA told us last week about their plans to remediate the entire Hart Building using chlorine dioxide as a fumigant, they said they believed it was the safest, most effective, most comprehensive, and least disruptive way to remediate Hart. At the same time, they said their plan would not be final until it had passed a peer review—until leading scientists in government and the private sector had examined it and agreed it was a reasonable way to go.

According to EPA, over the weekend, some of those scientists raised questions about the plan. While they all agreed that a chlorine dioxide fumigant will kill anthrax spores, some of the experts EPA consulted expressed concerns about using chlorine dioxide gas on a building as large as the Hart Building. According to EPA officials, this is not a scientific issue. It is an engineering issue. As a result of these questions, EPA is now formulating a new plan for the Hart Building.

The Senate Sergeant at Arms has appropriately insisted that the entire Hart Building be tested for anthrax. The building will remain closed until the EPA deems that it is safe to re-enter. I understand the frustration and disappointment of Senators and staff who have been displaced by the Hart Building closure. We have all been greatly inconvenienced, and we are anxious to get back to the regular order in our offices. But we are dealing with a deadly bacteria. Safety must come before convenience. Twenty

members of my staff and 8 other members of the Senate family were exposed to anthrax when that letter was opened. I do not want one more person to have to face that situation.

It is important that we all understand the EPA, and only the EPA, has the expertise to declare the Hart Building safe. We will follow their lead and re-open Hart when they certify it is safe to do so. The safety and health of the people who work in the Hart Building and those who visit there must be our guide.

I appreciate the patience and the understanding of all our colleagues, their staffs, and those who find themselves as dislocated as my staff. I intend to continue to give periodic reports as they are necessary, and I will share whatever information is made available as soon as it is provided to me.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. DASCHLE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate now stand in adjournment under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Wednesday, November 7, 2001, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 6, 2001:

THE JUDICIARY

M. CHRISTINA ARMJO, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO.

KARON O. BOWDRE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.

STEPHEN P. FRIOT, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA.

DEPARTMENT OF JUSTICE

WILLIAM WALTER MERCER, OF MONTANA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MONTANA FOR THE TERM OF FOUR YEARS.

THOMAS E. MOSS, OF IDAHO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF IDAHO FOR THE TERM OF FOUR YEARS.

J. STROM THURMOND, JR., OF SOUTH CAROLINA, TO BE THE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS.

LEURA GARRET CANARY, OF ALABAMA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS.

PAUL K. CHARLTON, OF ARIZONA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF ARIZONA FOR THE TERM OF FOUR YEARS.

JEFFREY GILBERT COLLINS, OF MICHIGAN, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF MICHIGAN FOR THE TERM OF FOUR YEARS.

WILLIAM S. DUFFEY, JR., OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS.

MAXWELL WOOD, OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS.

DUNN LAMPTON, OF MISSISSIPPI, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS.

ALICE HOWZE MARTIN, OF ALABAMA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS.

DREW HOWARD WRIGLEY, OF NORTH DAKOTA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NORTH DAKOTA FOR THE TERM OF FOUR YEARS.

SHAREE M. FREEMAN, OF VIRGINIA, TO BE DIRECTOR, COMMUNITY RELATIONS SERVICE, FOR A TERM OF FOUR YEARS.

JUAN CARLOS BENITEZ, OF PUERTO RICO, TO BE SPECIAL COUNSEL FOR IMMIGRATION-RELATED UNFAIR EMPLOYMENT PRACTICES FOR A TERM OF FOUR YEARS.