by her to the bill H.R. 2500, making pro-
appropriations for the Departments of Com-
merce, Justice, and State, the Judi-
ciciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was or-
dered to lie on the table; as follows:

On page 116, between lines 9 and 10, insert the following:

**TITLE VIII—INFANT CRIB SAFETY**

**SEC. 801. SHORT TITLE.**
This title may be cited as the “Infant Crib Safety Act”.

**SEC. 802. FINDINGS; PURPOSE.**
(a) FINDINGS.—Congress makes the fol-
lowing findings:
(1) The disability and death of infants re-
sulting from injuries sustained in crib inci-
dents are a serious threat to the public health, welfare, and safety of people of this country.
(2) The design and construction of a baby crib must ensure that it is safe to leave an infant unattended for extended periods of time.

(b) PURPOSE.—The purpose of this title is to prevent the occurrence of injuries and deaths caused by cribs.

**SEC. 803. DEFINITIONS.**

(i) COMMERCIAL USER.—The term “commer-
cial user” means any person—
(1) to manufacture, sell, or contract to sell,
any full-size crib or nonfull-size crib that is not new and that is unsafe for any infant using it;
(2) to sell, contract to sell or resell, lease, sublet, or otherwise place in the stream of commerce, any full-size or nonfull-size crib that is not new and that is unsafe for any infant using the crib.

(ii) WHO—
(A) deals in full-size or nonfull-size cribs
that are not new or who otherwise by one’s occupation holds oneself out as having knowledge or skill peculiar to full-size cribs or nonfull-size cribs, including child care facili-
ties and family child care homes; or
(B) who—
(1) deals in full-size or nonfull-size cribs that are not new or who otherwise by one’s occupation holds oneself out as having knowledge or skill peculiar to full-size cribs or nonfull-size cribs, including child care facili-
ties and family child care homes; or
(2) who—

(3) FULL-SIZE CRIB.—The term “full-
size crib” means a full-
size crib or nonfull-size crib.

(4) NONFULL-SIZE CRIB.—The term “nonfull-
size crib” means a nonfull-size baby crib as defined in section 1509.2(b) of title 16 of the Code of Federal Regu-
lations.

(5) LODGINGS.—It shall be unlawful for any
hotel, motel, or similar transient lodging fa-
cility to offer or provide for use or otherwise place in the stream of commerce, on or after the effective date of this title, any full-size crib or nonfull-size crib that is unsafe for any infant using it.

(6) CRIB.—The term “crib” means a full-
size crib as defined in section 1509.2(b) of title 16 of the Code of Federal Regulations (including a portable crib and a crib-pon described in paragraph (2) of subsection (b) of that sec-
tion).

(7) CRIB STANDARDS.

SEC. 804. PROHIBITIONS.
(a) IN GENERAL.—It shall be unlawful for any commercial user—
(1) to manufacture, sell, or contract to sell,
any full-size crib or nonfull-size crib that is unsafe for any infant using it;

(2) to sell, contract to sell or resell, lease, sublet, or otherwise place in the stream of commerce, any full-size or nonfull-size crib that is not new and that is unsafe for any infant using the crib.

(b) LODGINGS.—It shall be unlawful for any
hotel, motel, or similar transient lodging fa-
cility to offer or provide for use or otherwise place in the stream of commerce, on or after the effective date of this title, any full-size crib or nonfull-size crib that is unsafe for any infant using it.

SEC. 805. CRIB STANDARDS.
A crib shall be presumed to be unsafe under this title if it does not conform to all of the following:

(1) Part 1508 (commencing with section 1508.1) of title 16 of the Code of Federal Regu-
lations.

(2) Part 1509 (commencing with section 1509.1) of title 16 of the Code of Federal Regu-
lations.

(3) Part 1303 (commencing with section 1303.1) of title 16 of the Code of Federal Regu-
lations.

(4) American Society for Testing Materials
Voluntary Standard F966.

(5) American Society for Testing Materials
Voluntary Standard F966.

(6) American Society for Testing Materials
Voluntary Standard F1168.

(7) American Society for Testing Materials
Voluntary Standard F1822.

(8) Any regulations or standards that are adopted in order to amend or supplement the regulations described in paragraphs (1) through (7).

SEC. 806. EXCEPTIONS.
This title shall not apply to a full-size crib or nonfull-size crib that is not intended for use by an infant, including a toy or display item, if at the time it is manufactured, made subject to a contract to sell or resell, leased, sublet, or otherwise placed in the stream of commerce, on or after the date which $225,000,000 per year.

**SEC. 807. ENFORCEMENT.**

(a) CIVIL PENALTY.—Any commercial user, hotel, motel, or similar transient lodging fa-
cility that knowingly violates section 804 is subject to a civil penalty not exceeding $1,000.

(b) INJUNCTION.—Any person may bring an action in a district court of the United States against any commercial user, hotel, motel, or similar transient lodging facility
enjoin any act or omission that violates section 804, and for reasonable attorneys fees and costs incurred in bringing the action.

**SEC. 808. REMEDIES.**
Penalties or other remedies available under this title are in addition to any other fines, penalties, remedies, or procedures under any other provision of law.

**SEC. 809. EFFECTIVE DATE.**
This title shall become effective 90 days after the date of the enactment of this Act.

**SA 1545.** Mrs. FEINSTEIN submitted an amend-
ment intended to be proposed by her to the bill H.R. 2500, making pro-
appropriations for the Departments of Com-
merce, Justice, and State, the Judi-
ciciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was or-
dered to lie on the table; as follows:

On page 17, line 20, after the colon insert the following: “Provided further, That, of the amount appropriated under this heading, $750,000 shall be transferred to the Immig-
rations Services and Infrastructure Im-
provements Account under section 204 of the Immi-
gration Services and Infrastructure Im-
provements Act of 2000 (U.S.C. 1572), to be used for the same purposes for which funds in each such account may be used and to remain available until expended.”

**SA 1546.** Ms. COLLINS (for herself and Ms. SNOWE) submitted an amend-
ment intended to be proposed by her to the bill H.R. 2500, making appropri-
apations for the Departments of Com-
merce, Justice, and the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 5, after “Act” insert “; of which $250,000 shall be for a grant to the Rapid Response Program in Washington and Hancock Counties, Maine.”

**SA 1547.** Mr. SMITH of New Hamp-
shire submitted an amend-
ment intended to be proposed by him to the bill H.R. 2500, making appropri-
apations for the Departments of Com-
merce, Justice, and the Judiciary, and re-
lated agencies for the fiscal year ending
September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, line 9, before the period at the end, insert the following: “; of which $190,000 shall be used by the Secretary of Commerce to conduct a study, and, not later than 1 year after the date of enactment of this Act, submit to the Committee on Environment and Public Works of the Senate a report, on the need for and the feasibility of establish-
ing an eco-industrial grant program”.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HOLLINGS. Mr. President, I ask unanimous consent to have the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on “Improving Women’s
The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet on Monday, September 10, 2001, from 10 a.m.-12:30 p.m. in Dirksen 215 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND NUCLEAR SAFETY

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Transportation, Infrastructure, and Nuclear Safety be authorized to meet on Monday, September 10, 2001, at 3:30 p.m. to conduct a hearing on the Intelligent Transportation Systems Program. The hearing will be held in room SD-406.

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

PRIVILEGES OF THE FLOOR

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the following staff be granted floor privileges during the consideration of H.R. 2500, the Commerce, Justice, State, and the Judiciary appropriations bill: Lila Helms, Luke Nachbar, Dereck Orr, Jill Shapiro Long, Jim Morhard, Kevin Linskey, Katherine Hennessey, Nancy Perkins, and Ashley Cooper.

The PRESIDING OFFICER. The Chair hears none, and it is so ordered.

Mr. DORGAN. I ask unanimous consent that Mark Zaineddin, a legislative fellow of the Department of Commerce, be granted the privilege of the floor during debate on my amendment.

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

ORDERS FOR TUESDAY, SEPTEMBER 11, 2001

Mr. REID. Mr. President, I ask unanimous consent when the Senate completes its business today it adjourn until the hour of 10 a.m. on Tuesday, September 11. I further ask unanimous consent that on Tuesday, immediately following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the Commerce, State, Justice Appropriations bill, that the Senate recess from 12:30 until 2:15 p.m. for our party conferences.

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

CONGRESSIONAL RECORD—SATE

September 10, 2001

PROGRAM

Mr. REID. Mr. President, on Tuesday, the Senate will convene at 10 a.m. and resume consideration of the Commerce, State, Justice act. We hope we can have a time certain for filing of amendments. We hope to complete the bill tomorrow. There will be rollcall votes throughout the day. The Senate will recess from 12:30 a.m. until 2:15 p.m. for our party conferences.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 6:38 p.m., adjourned until Tuesday, September 11, 2001, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate September 10, 2001:

THIR JUDICARY

THOMAS B. WELLS, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM EXPIRING FIFTEEN YEARS OR LESS AS CHIEF JUDGE (REAPPOINTMENT)

DEPARTMENT OF STATE

ROCKWELL A. SCHELL, OF CALIFORNIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE EUROPEAN UNION, WITH THE RANK AND STATUS OF AMBASSADOR EX COLUMBIA, J. A. HARRELL (REAPPOINTMENT)

JOHN STEIN W. MULDOW, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNCILLOR, TO BE AN ASSISTANT SECRETARY OF STATE (NON-FUNCTIONING), VICE ROBERT J. ZIMMERMANN.

AFRICAN DEVELOPMENT BANK

SYLVIA SHEPARD-PERRY, OF TEXAS, TO BE AN ASSISTANT TO THE SECRETARY FOR THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS, VICE WILFREDA A. JASON, RESIGNED

THIRD JUDICARY

ROBERT E. BLACKBURN, OF COLORADO, TO BE A JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO, VICE ZITA L. WEINSHREINER, RETIRED

DAVID C. HORTON, OF ARIZONA, TO BE A UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE JOHN S. BINTON, RETIRED

CINDY K. JOHNSON, OF ARIZONA, TO BE A UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE A. NEWTON DESERT, JR., REAPPOINTMENT

MARCIA S. KREGER, OF COLORADO, TO BE A UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE DANIEL B. SPAR, RETIRED

RICHARD J. LEON, OF MARYLAND, TO BE A UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND, VICE VICTOR NORMA HOLLOWAY JOHNSON, RETIRED

JAMES C. MARSHALL, OF ARIZONA, TO BE A UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE RICHARD L. BARKER, RETIRED

FREDERICK J. MARTONE, OF ARIZONA, TO BE A UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE ROGER L. STRONG, JR., RETIRED

JULIE A. ROSSNER, OF COLORADO, TO BE A UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE JOHN C. COOK, JR., RETIRED

D. BROOKS SMITH, OF PENNSYLVANIA, TO BE A UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT, VICE THOMAS K. LEE, JR., RETIRED

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3502.

To be brigadier general

COLONEL HUGO S. CRUZ, 0000
COLONEL BARRY J. COUSN, 0000
COLONEL ALAN R. COUTTS, 0000
COLONEL JAMES B. CRAYFORD III, 0000
COLONEL MARY T. FIELD, 0000
COLONEL MANUEL A. GUZMAN, 0000
COLONEL ROGER P. LEPES, 0000
COLONEL GEORGE R. NIEDERMANN, 0000
COLONEL FRANK PONTELANDOLFO JR., 0000
COLONEL GENE L. RAMSAY, 0000
COLONEL TERRY L. SHELBURNE, 0000
COLONEL DAVID A. SPERLING, 0000

IN THE ARMY


To be brigadier general

COL. BRUCE R. BARLOW, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3220.

To be major general

BRIG. GEN. JOHN W. BERGMAN, 0000
BRIG. GEN. JOHN M. CRANE JR., 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF RESPONSIBILITY AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 661.

To be vice admiral

VICE ADM. SCOTT A. FRY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 661.

To be rear admiral

RBR ADM. (LH) RAND B. FISHER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 661.

To be rear admiral (lower half)

CAPT. STEPHEN A. TUCHTRO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 661.

To be rear admiral (lower half)

CAPT. RICHARD K. GALLAGHER, 0000
CAPT. THOMAS J. KICLONE JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 661.

To be rear admiral

RBR ADM. (LH) DAVID ARCHYTHEL, 0000
RBR ADM. (LH) JESSE L. BATTAGLIA, 0000
RBR ADM. (LH) ANNETTE E. BROWN, 0000
RBR ADM. (LH) THOMAS N. CAIN, 0000
RBR ADM. (LH) KEVIN J. CONGIEFF, 0000
RBR ADM. (LH) LEWIS W. CRENSHAW JR., 0000
RBR ADM. (LH) MARK P. FITZGERALD, 0000
RBR ADM. (LH) JONATHAN C. HARTLEY, 0000
RBR ADM. (LH) CURTIS A. KEMP, 0000
RBR ADM. (LH) WALTER B. KINNARD, 0000
RBR ADM. (LH) JAMES K. MORA, 0000
RBR ADM. (LH) CHARLES J. MUNRO, 0000
RBR ADM. (LH) JAMES A. ROBB, 0000
RBR ADM. (LH) JOSEPH A. SESTAR JR., 0000
RBR ADM. (LH) STEVEN J. SPRAGUE, 0000
RBR ADM. (LH) JOHN W. TOWNES III, 0000
RBR ADM. (LH) HARVEY J. TRCELL, 0000
RBR ADM. (LH) CHARLES B. WILSON, 0000
RBR ADM. (LH) THOMAS E. ZELLER, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE