(ii) each person placing, receiving, or otherwise making such bets or wagering or transmitting such information, is physically located on Indian lands (as that term is defined in section 4 of Indian Gaming Regulatory Act, 25 U.S.C. 2703 (b) when such person places, receives or makes such bet or wager, or transmits such information; (iii) the game is conducted on a closed-loop subscriber-based system or a private network; and (iv) in the case of a game that constitutes class III gaming, such card is authorized under, and is conducted in accordance with, the respective Tribal-State compacts (entered into and approved pursuant to section 11(d) of the Indian Gaming Regulatory Act, 25 U.S.C. 2703) when such person, places, receives, or otherwise makes the bet or wager, or transmits such information, is physically located when such person places, receives, or otherwise makes the bet or wager, or transmits such information; and

(ii) each such Tribal-State compact expressly provides that the game may be conducted using the Internet or other interactive computer service only on a closed-loop subscriber-based system or a private network.

(b) ACTIVITIES UNDER EXISTING COMPACTS.—The requirement of subparagraph (A)(iv)(II) shall not apply in the case of gaming activity, otherwise subject to this section, that was being conducted on Indian lands, in each respective State, on which each person placing, receiving, or otherwise making such bet or wager, or transmitting such information, is physically located when such person places, receives, or otherwise makes the bet or wager, or transmits such information; and

(i) each such Tribal-State compact expressly provides that the game may be conducted using the Internet or other interactive computer service only on a closed-loop subscriber-based system or a private network.

(1) DEFINITIONS.—In this subsection:

(A) ELECTRONIC BENEFIT TRANSFER CONTRACT.—The term ‘electronic benefit transfer contract’ means a contract that provides for the issuance, use, or redemption of coupons in the form of electronic benefit transfer cards.

(B) ELECTRONIC BENEFIT TRANSFER SYSTEM.—The term ‘electronic benefit transfer system’ means a system that enables a card that is issued in the form of an electronic benefit transfer card to be used in any State by a household to purchase food at a retail food store or wholesale food concern, that is located in another State, to accomplish an interstate transaction.

(2) REQUIREMENT.—Not later than October 1, 2002, the Secretary shall ensure that systems that provide for the electronic issuance, use, and redemption of coupons in the form of electronic benefit transfer cards are interoperable, and food stamp benefits are portable, among all States.

(3) COST.—The cost of achieving the interoperability and portability required under paragraph (2) shall not be imposed on any food stamp program; and

(B) SMART CARD.—The term ‘smart card’ means an intelligent benefit card described in section 17(f).

(2) REQUIREMENT.—Not later than October 1, 2002, the Secretary shall ensure that systems that provide for the electronic issuance, use, and redemption of coupons in the form of electronic benefit transfer cards are interoperable, and food stamp benefits are portable, among all States.

(3) COST.—The cost of achieving the interoperability and portability required under paragraph (2) shall not be imposed on any food stamp program; and

(B) SMART CARD.—The term ‘smart card’ means an intelligent benefit card described in section 17(f).

(2) REQUIREMENT.—Not later than October 1, 2002, the Secretary shall ensure that systems that provide for the electronic issuance, use, and redemption of coupons in the form of electronic benefit transfer cards are interoperable, and food stamp benefits are portable, among all States.

(3) COST.—The cost of achieving the interoperability and portability required under paragraph (2) shall not be imposed on any food stamp program; and

(B) SMART CARD.—The term ‘smart card’ means an intelligent benefit card described in section 17(f).
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``(6) FUNDING.—

(A) IN GENERAL.—In accordance with regulations promulgated by the Secretary, the Secretary shall pay 100 percent of the costs incurred by a State agency under this Act for switching and settling interstate transactions.

(B) LIMITATION.—The total amount paid to State agencies for each fiscal year under subparagraph (A) shall not exceed $500,000.’’.

SEC. 4. STUDY OF ALTERNATIVES FOR HANDLING ELECTRONIC BENEFIT TRANSACTIONS INVOLVING FOOD STAMP BENEFITS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture and the Director of the Administrative Office of the United States Courts shall jointly adopt a study of the feasibility and desirability of a single hub for switching (as defined in section 3111) to exempt certain reports from automatic elimination and sunset pursuant to the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104–66), as follows:

(1) Section 2519(3) of title 18, United States Code, is amended by striking ‘‘(i) incurred after the date of enactment of this Act;’’.

(2) Section 3003(d) of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104–66) is amended—

(a) in paragraph (32), by striking the period at the end; and

(b) in paragraph (32), by inserting ‘‘and’’; and

(c) by adding at the end the following:

‘‘(33) section 2519(3) of title 18, United States Code.’’.

(d) ENCRYPTION REPORTING REQUIREMENTS.—

(1) Section 2519(2)(b) of title 18, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘and’’; and

(2) Section 3126 of title 18, United States Code, is amended by striking the period at the end; and

(3) Section 3127 of title 18, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘and’’; and

(4) Section 3128 of title 18, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘and’’;

LEGISLATION TO EXEMPT CERTAIN REPORTS FROM AUTOMATIC ELIMINATION AND SUNSET

LEAHY AMENDMENT NO. 2786

Ms. COLLINS (for Mr. LEAHY) proposed an amendment to the bill (H.R. 3111) to exempt certain reports from automatic elimination and sunset pursuant to the Federal Reports Elimination and Sunset Act of 1995; as follows:

Add at the end the following:

SEC. 2(a). SHORT TITLE.—This Act may be cited as the ‘‘Continued Reporting of Intercepted Wire, Oral, and Electronic Communications Act’’.

(b) FINDINGS.—Congress makes the following findings:

(1) Section 2519(3) of title 18, United States Code, requires the Director of the Administrative Office of the United States Courts to transmit to Congress a full and complete annual report concerning the number of applications for orders authorizing or approving the interception of wire, oral, or electronic communications. This report is required to include information specified in section 2519(3).

(2) The Federal Reports Elimination and Sunset Act of 1995 provides for the termination of certain laws requiring submittal to Congress of annual, semiannual, and regular periodic reports as of December 21, 1999, 4 years after the effective date of that Act.

(3) Due to the Federal Reports Elimination Act and Sunset Act of 1995, the Administrative Office of United States Courts is not required to provide an annual report described in section 219(5) of title 18, United States Code, as of December 21, 1999.

(c) CONTINUED REPORTING REQUIREMENTS.—

(1) CONCERNING ELECTRONIC TRANSACTIONS INVOLVING FOOD STAMP BENEFITS.

Section 2519 of title 18, United States Code, is amended by adding at the end the following:

‘‘(4) The reports required to be filed by subsection (3) are exempted from the termination provisions of section 3003(a) of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104–66).’’.

(2) EXEMPTION.—Section 3003(d) of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104–66) is amended—

(a) in paragraph (31), by striking ‘‘or’’ at the end; and

(b) in paragraph (32), by inserting the period at the end; and

(c) by adding at the end the following:

‘‘(33) section 2519(3) of title 18, United States Code.’’.

(d) ENCRYPTION REPORTING REQUIREMENTS.—

(1) Section 2519(2)(b) of title 18, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘and’’; and

(2) Section 3126 of title 18, United States Code, is amended by striking the period at the end; and

(3) Section 3127 of title 18, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘and’’; and

(4) Section 3128 of title 18, United States Code, is amended by striking ‘‘and’’ and inserting ‘‘and’’;

ABRAM (AND OTHERS) AMENDMENT NO. 2787

Ms. COLLINS (for Mr. ABRAM (AND OTHERS)) proposed an amendment to the bill (S. 761) to exempt certain reports from automatic elimination and sunset pursuant to the Federal Reports Elimination and Sunset Act of 1995; as follows:

Add at the end the following:

SEC. 1. SHORT TITLE. —This Act may be cited as the ‘‘Millennium Digital Commerce Act’’.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The growth of electronic commerce and electronic government transactions represent a powerful force for economic growth, consumer choice, improved civic participation and wealth creation.

(2) The promotion of growth in private sector electronic commerce, land development of the Federal and state levels within existing areas of jurisdiction.

The purposes of this Act are—

(1) to permit and encourage the continued expansion of electronic commerce through the operation of free market forces rather than prescriptive governmental mandates and regulations;

(2) to promote public confidence in the validity, integrity and reliability of electronic commerce and online government under Federal law;

(3) to facilitate and promote electronic commerce by clarifying the legal status of electronic records and electronic signatures in the context of contract formation;

(4) to facilitate the activities of commercial entities engaged in interstate transactions to agree among themselves on the appropriate electronic signature technologies for their transactions; and

(5) to promote the development of a consistent national infrastructural necessaries to support of electronic commerce at the Federal and state levels within existing areas of jurisdiction.

SEC. 3. PURPOSES.

In this Act: