

from investigating "hacking" into White House computers or investigating threats against the President that may be delivered by such a "hacker," and fulfilling its mission to protect financial institutions and the nation's financial infrastructure. The provision thus modifies existing law to restore the Secret Service's authority to investigate violations of Section 1030, leaving it to the Departments of Treasury and Justice to determine between them how to allocate workload and particular cases. This arrangement is consistent with other jurisdictional grants of authority to the Secret Service. See, e.g., 18 U.S.C. §§ 1029(d), 3056(b)(3).

Tenth, section 307 of the Hatch-Leahy-Schumer Internet Security Act amendment would provide an additional defense to civil actions relating to preserving records in response to government requests. Current law authorizes civil actions and criminal liability for unauthorized interference with or disclosures of electronically stored wire or electronic communications under certain circumstances. 18 U.S.C. §§ 2701, et seq. A provision of that statutory scheme makes clear that it is a complete defense to civil and criminal liability if the person or entity interfering with or attempting to disclose a communication does so in good faith reliance on a court warrant or order, grand jury subpoena, legislative or statutory authorization. 18 U.S.C. § 2707(e)(1).

Current law, however, does not address one scenario under which a person or entity might also have a complete defense. A provision of the same statutory scheme currently requires providers of wire or electronic communication services and remote computing services, upon request of a governmental entity, to take all necessary steps to preserve records and other evidence in its possession for a renewal period of 90 days pending the issuance of a court order or other process requiring disclosure of the records or other evidence. 18 U.S.C. § 2703(f). Section 2707(e)(1), which describes the circumstances under which a person or entity would have a complete defense to civil or criminal liability, fails to identify good faith reliance on a governmental request pursuant to Section 2703(f) as another basis for a complete defense. Section 307 modifies current law by addressing this omission and expressly providing that a person or entity who acts in good faith reliance on a governmental request pursuant to Section 2703(f) also has a complete defense to civil and criminal liability.

Finally, the bill authorizes construction and operation of a National Cyber Crime Technical Support Center and 10 regional computer forensic labs that will provide education, training, and forensic examination capabilities for State and local law enforcement offi-

cials charged with investigating computer crimes. The section authorizes a total of \$100 million for FY 2001, of which \$20 million shall be available solely for the 10 regional labs and would complement the state computer crime grant bill, S. 1314, with which this bill is offered.

AMENDMENT NO. 4366

(Purpose: To enhance computer crime enforcement and Internet security, and for other purposes)

Mr. STEVENS. Mr. President, Senator HATCH has an amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. HATCH, proposes an amendment numbered 4366.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. STEVENS. Mr. President, I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 4366) was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, the amendment to the title be agreed to, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 46), as amended, was read the third time and passed.

The title was amended so as to read:

To provide a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty, to enhance computer crime enforcement and Internet security, and for other purposes.

MAKING TECHNICAL CORRECTIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 3276 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3276) to make technical corrections to the College Scholarship Fraud Prevention Act of 2000 and certain amendments made by that Act.

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

Mr. STEVENS. I commend the current occupant of the chair who introduced this measure.

Mr. President, I ask unanimous consent that the bill be read the third

time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 3276) was read the third time and passed, as follows:

S. 3276

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. TECHNICAL CORRECTIONS TO THE COLLEGE SCHOLARSHIP FRAUD PREVENTION ACT OF 2000.**

(a) SENTENCING ENHANCEMENT GUIDELINES.—Section 3 of the College Scholarship Fraud Prevention Act of 2000 (Public Law 106-420) is amended—

(1) by striking "obtaining or providing of" and inserting "the obtaining of, the offering of assistance in obtaining"; and

(2) by striking "base offense level for misrepresentation" and inserting "enhanced penalties provided for in the Federal sentencing guidelines for an offense involving fraud or misrepresentation".

(b) LIMITATION ON EXEMPT PROPERTY.—Section 522(c)(4) of title 11, United States Code, as added by section 4 of the College Scholarship Fraud Prevention Act of 2000, is amended—

(1) by striking "in the obtaining or providing of" and inserting "or misrepresentation in the providing of, the offering of assistance in obtaining, or the furnishing of information to a consumer on,"; and

(2) by striking "(20 U.S.C. 1001)".

(c) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—

(1) EFFECTIVE DATE.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on November 1, 2000.

(2) APPLICATION OF SECTION 522(C)(4) OF TITLE 11, UNITED STATES CODE.—Section 522(c)(4) of title 11, United States Code, as added by section 4 of the College Scholarship Fraud Prevention Act of 2000 and as amended by subsection (b) of this section, shall apply only with respect to cases commenced under title 11, United States Code, on or after November 1, 2000.

CONGRATULATIONS TO JOSH HEUPEL

Mr. DASCHLE. Mr. President, I rise today to congratulate South Dakota's Josh Heupel, quarterback of the Oklahoma Sooners, on his incredible season leading his top-ranked and undefeated football team to the National Championship game. I am tremendously proud of the achievements of a fellow South Dakotan and Aberdeen Central graduate.

I am not the first and certainly will not be the last to praise Josh for his accomplishments. Josh passed for 3,392 yards and 20 touchdowns this season and led his team through a difficult schedule of worthy opponents. It is no surprise that Josh received so many honors this year: he was named Player of the Year by the Walter Camp Football Foundation; College Football Player of the Year by the Associated Press; and College Football Player of the Year by the Sporting News.