COMMERCIAL筆記—SENATE

June 21, 2000

“Workforce Investment Act” (RIN1265–AB230) received, and referred as indicated:

EC–932. A communication from the Assistant Secretary for Employment and Training, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Birth and Adoption Unemployment Compensation” (RIN1265–AB21) received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9323. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “The State Vocational Rehabilitation Services Program (Evaluation Standards and Performance Indicators)” (RIN1260–AB14) received on May 31, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9324. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Safe and Drug-Free Schools and Communities National Program Federal Act” received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9325. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Safe and Drug-Free Schools and Communities National Program Federal Act—The Challenge Newsletter” received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9326. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Safe and Drug-Free Schools and Communities National Program Federal Act—Water Quality” received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9327. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Safe and Drug-Free Schools and Communities National Program Federal Act—Middle School Drug Prevention and School Safety Program Coordinators Grant Competition” received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9328. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Safe and Drug-Free Schools and Communities National Program Federal Act—Grants Competition” received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9329. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Safe and Drug-Free Schools and Communities National Program Federal Act—Trinity College” received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–9330. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Safe and Drug-Free Schools and Communities National Program Federal Act—Grants Competition” received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

H.R. 612: A bill to redesignate the Federal building located at 701 South Santa Fe Avenue in Compton, California, and known as the Compton Main Post Office, as the “Mervyn Malcolm Dynally Post Office Building”.

H.R. 643: A bill to redesignate the Federal building located at 10301 South Compton Avenue, in Los Angeles, California, and known as the “Vigilante Post Office Building”.

H.R. 1666: A bill to designate the facility of the United States Postal Service at 200 East Funchane, through Mertzon, Texas, as the “Captain Colin P. Kelly, Jr. Post Office”.

H.R. 2307: A bill to designate the building of the United States Postal Service located at 5 Cedar Street in Hopkinton, Massachusetts, as the “Thomas J. Brown Post Office Building”.

H.R. 2357: A bill to designate the United States Post Office located at 3673 Warrensville Center Road in Shaker Heights, Ohio, as the “Louse Stokes Post Office”.

H.R. 2460: A bill to designate the United States Post Office located at 125 Avenue West in Wiggins, Mississippi, as the “Jay Hanna ‘Dizzy’ Dean Post Office”.

H.R. 2591: A bill to designate the United States Post Office located at 713 Elm Street in Wakefield, Kansas, as the “William H. Avery Post Office”.

H.R. 2592: A bill to redesignate the building of the United States Postal Service located at 100 Orchard Park Drive in Greenville, South Carolina, as the “Keith D. Oglesby Station”.

H.R. 3018: A bill to designate the United States Post Office located at 557 East Bay Street in Charleston, South Carolina, as the “Marybelle H. Rove Post Office”.

H.R. 3699: A bill to designate the facility of the United States Postal Service located at 8409 Lee Highway in Merrifield, Virginia, as the “Joel T. Broyhill Post Office Building”.

H.R. 3761: A bill to designate the facility of the United States Postal Service located at 3138 Washington Boulevard in Arlington, Virginia, as the “Joseph L. Fisher Post Office Building”.

H.R. 4241: A bill to designate the facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the “Les Aspin Post Office Building”.

S. 2043: A bill to designate the United States Post Office building located at 3101 West Sunflower Avenue in Santa Ana, California, as the “Hector G. Gudino Post Office Building”.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DURBIN: S. 2615: A bill to amend the Illinois Land Conservation Act of 1995 to provide for the use of certain fees and receipts collected under that Act for public schools and public roads and for the vicinity of Tallgrass Prairie, Illinois; to the Committee on Energy and Natural Resources.

S. 2760. A bill to clarify the authority of the Secretary of Agriculture to establish performance standards for the reduction of microbial pathogens in meat and poultry; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEAHY (for himself and Mr. KURIH): S. 2761. A bill to fund task forces to locate and apprehend fugitives in Federal, State, and local felony criminal cases and to provide administrative subpoena authority; to the Committee on the Judiciary.

By Mr. DODD: S. 2763. A bill to establish SHARE Net grants to support the development of a comprehensive, accessible, high-technology infrastructure for educational and cultural resources, and others for educational purposes through a systematic effort to coordinate, link among libraries, institutions, and public and private cultural and educational institutions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS: S. 2768. A bill to amend the Food Security Act of 1985 to permit owners and operators to use certain practices to meet the requirement for establishing approved vegetative cover on highly erodible cropland subject to conservation reserve contracts; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. DODD, Mr. D’WINE, Ms. MUKULSKI, Mr. SMITH of Oregon, Mr. BINGAMAN, Mr. L. CHAPPEE, Mr. WELLSTONE, Mr. JEFFORDS, Mr. MURAKAMI, Ms. COLLINS, Mr. BURNS, Mr. DURBIN, Mr. COCHRAN, Mr. KERRY, Mr. VONNOCH, Mr. CLELAND, Mr. SARRANES, Mr. BAUCUS, Mr. BOXER, Mr. PELOSI, Mr. LIEBERMAN, and Mr. BREAUX): S. 2764. A bill to amend the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973 to extend the authorizations of appropriations for the programs carried out under such Acts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER: S. 2765. A bill to amend the securities laws to provide for regulatory parity for single stock futures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN: S. 2761. A bill to clarify the authority of the Secretary of Agriculture to establish performance standards for the reduction of microbial pathogens in meat and poultry; to the Committee on Agriculture, Nutrition, and Forestry.

MICROBIOLOGICAL PERFORMANCE STANDARDS CLARIFICATION ACT OF 2000

Mr. HARKIN. Mr. President, today I am introducing the Microbiological
Performance Standards Clarification Act of 2000. Passage of this bill is vital because it explicitly addresses the sweeping food safety changes adopted by USDA in its 1996 Hazard Analysis Critical Control Point and Pathogen Reduction (HACCP) rule.

The District Court’s decision in Supreme Beef v. USDA (Supreme) seriously undermines the authority to enforce Microbiological Performance Standards for reducing viral and bacterial pathogens. The Pathogen Reduction Rule recognized that bacterial and viral pathogens were the most serious threat in America, responsible for 5,000 deaths and 33 million illnesses. To address the threat of foodborne illness, USDA developed a modern inspection system based on two fundamental principles.

The first was that industry has the primary responsibility to determine how to produce the safest products possible. Industry had to examine their plants and determine how to control contamination at every step of the food production process, from the moment a product arrives at their door until the moment it leaves their plant.

The second, even more crucial principle was that plants nationwide must reduce levels of dangerous pathogens in meat and poultry products. To ensure the new inspection system accomplished this, USDA developed Microbiological Performance Standards. These standards provide targets for reducing pathogens and require all USDA-inspected facilities to meet them. Facilities failing to meet a standard are shut down until they create a corrective action plan to meet the standard.

To date, USDA has only issued one Microbiological Performance Standard, for Salmonella. The vast majority of plants in the U.S. have been able to meet the new standard, so it is clearly workable. In addition, USDA reports that Salmonella levels for meat and poultry products have fallen substantially. The Salmonella standard, therefore, has been successful. The District Court’s decision threatens to destroy this success and set our food safety system back years.

Congress cannot let a court’s unfortunate misinterpretation of USDA’s authority undermine our efforts to provide the safest food possible and the strongest food safety system available. Whatever the ultimate outcome of the Supreme Beef case, it is intolerable to have so much uncertainty about USDA’s authority to enforce food safety regulations. The public should not have to worry about whether the products on their table have met food safety standards. This legislation provides the necessary clarification and assurance that if a product bears the USDA stamp of approval, it has met all of USDA’s food safety requirements.

I plan to seek every opportunity to get this language enacted. I think it is essential, both to maintain the modernization of our food safety system and ensuring consumers that we are making progress in reducing dangerous pathogens.

I hope that both parties, and both houses of Congress will be able to act to pass this legislation before the July 4th weekend. The public’s confidence in our meat and poultry inspection system is at stake.

By Mr. LEAHY (for himself and Mr. KOHL):

S. 2761. A bill to fund task forces to locate and apprehend fugitives in Federal, State, and local criminal cases and to provide administrative subpoena authority; to the Committee on the Judiciary.

CAPTURING CRIMINALS ACT OF 2000

Mr. LEAHY. Mr. President, as a former prosecutor, I am well aware that fugitives from justice are an important problem and that their capture is an essential function of law enforcement. According to the FBI, nearly 550,000 people are currently fugitives from justice on federal, state, and local felony charges combined. This means that there are almost as many fugitive felons as there are citizens residing in my home state of Vermont.

The fact that we have more than one half million fugitives from justice, a significant portion of whom are convicted felons in violation of probation or parole, who have been able to flout courts order and avoid arrest, breeds disrespect and undermine the public’s confidence in our courts and the justice system.

The Capturing Criminals Act would authorize federal courts to issue all writs necessary or appropriate in aid of their respective jurisdictions, which vary in scope, enforcement and privacy safeguards.

Administrative subpoenas are the least intrusive orders to refer to a demand for documents or testimony by an investigative entity or regulatory agency that is empowered to issue the subpoena independently and without the approval of any grand jury, court or other judicial entity. I am generally skeptical of administrative subpoena power. Administrative subpoenas avoid the strict grand jury secrecy rules and the documents provided in response to such subpoenas are, therefore, subject to broader dissemination. Moreover, since investigative agents issue such subpoenas directly, without review by a judicial officer or even a prosecutor, fewer “checks” are in place to ensure the subpoena is issued with good cause and not merely as a fishing expedition.

Nonetheless, unlike initial criminal inquiries, fugitive investigations present unique difficulties. Law enforcement may not use grand jury subpoenas since, by the time a person is a fugitive, the grand jury phase of an investigation is usually complete. The approval of any grand jury subpoenas to obtain phone or bank records to track down a fugitive would be an abuse of the grand jury.

Trials subpoenas may also be used, either because the fugitive is already convicted or no trial may take place without the fugitive.

This inability to use trial and grand jury subpoenas for fugitive investigations creates a disturbing gap in law enforcement procedures. Law enforcement partially fills this gap by using the All Writs Act, 28 U.S.C. § 1651(a), which authorizes federal courts to “issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.” The procedures, however, for obtaining orders under this Act, and the scope and non-disclosure terms of such orders, vary between jurisdictions.

Thus, authorizing administrative subpoenas will help bridge the gap in fugitive investigations to allow federal law enforcement agencies to obtain records useful for tracking a fugitive’s whereabouts. The Leahy-Kohl
Capturing Criminals Act makes clear that the approval of a court remains necessary for an order non-press for our nation’s criminal justice forces and administrative subpoena authentication of the charges on which the poenas in fugitive investigations: the Senate with the following informationary Committees of both the House and for the next three years to the Judici-

I am certainly not alone in recog-
nizing the problem this nation has with fugitives from justice. Senators THUR-
MOND and BIDEN have introduced the “Fugitive Apprehension Act.” S. 2516, specifically to address the difficulties facing law enforcement in this area. I commend both my colleagues for their leadership. While I agree with the general purposes of S. 2516, aspects of that bill would be problematic. I look for-
ward to working with my colleagues on the Judiciary Committee to resolve the differences in our bills.

With our detailing all of the differ-
ences in the bills, let me provide some examples. As introduced, S. 2516 would limit use of an administrative subpoena to those fugitives who have been "indicted," which fails to address the fact that fugitives flee after being accused on the basis of a "complaint" and may flee after the prosecutor has filed an "information" in lieu of an indictment. The Leahy-Kohl “Capturing Criminals Act,” by contrast, would allow use of such subpoenas to track fugitives who have been accused in a “complaint, in-
formation or indictment.”

In addition, S. 2516 requires the U.S. Marshal Service to report quarterly to the Attorney General (who must transmit the report to Congress) on use of the administrative subpoenas. In my view, while a reporting requirement is useful, the requirement as described in S. 2516 is overly burdensome and insuffi-
ciently specific. The Leahy-Kohl “Capturing Criminals Act” would re-
quire the Attorney General to report for the next three years to the Judici-
ary Committees of both the House and Senate with the following information about the use of administrative subpoenas in fugitive investigations: the number issued, by which agency, iden-
tification of the charges on which the fugitive was wanted and whether the fugitive was wanted on federal or state charges.

Although S. 2516 outlines the proce-
dures for enforcement of an adminis-
trative subpoena, it is silent on the mechanisms for both contesting the subpoena by the recipient and for de-
laying notice to the person about whom the record pertains. The Leahy-
Kohl “Capturing Criminals Act” ex-
pressly addresses these issues.

This legislation will help law en-
forcement—with increased resources for regional fugitive apprehension task forces and administrative subpoena au-
thority—bring to justice both federal and state fugitives who, by their con-
duct, have demonstrated a lack of re-
spect for our nation’s criminal justice system. I look forward to working with my colleagues to ensure swift passage of this legislation.

Mr. President, I ask unanimous con-
sent that the text of my legislation be printed in the RECORD.

There being no objection, the mate-
rial was ordered to be printed in the RECORD, as follows:

SEC. 2. FUGITIVE APPREHENSION TASK FORCES.

(a) IN GENERAL.—The Attorney General is author-
ized to establish, upon consultation with the Secretary of the Treasury and ap-
propriate law enforcement officials in the States, Fugitive Apprehension Task Forces, consisting of Federal, State, and local law enforcement officers assigned to the States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(b) REQUIREMENTS.—In any investigation with re-
spect to the apprehension of a fugitive, the Attorney General may subpoena witnesses for the purpose of the production of any record, including books, records, accounts, electronic data, and other tangible and intangible items that constitute or contain evidence) that the Attorney General finds, upon receipt of an application by a law enforcement officer, a managing or general agent, or to such other place subject to the jurisdiction of the Attorney General finds that the particular cir-
cumstances of the request give rise to a Fed-
eral interest sufficient for the exercise of Federal jurisdiction under section 1075; and

(c) JURISDICTION.—The attendance of wit-
nesses and the production of records may be required from any place in any State or any other place subject to the jurisdiction of the United States at any designated place where the witness is served with a subpoena, except that a witness shall not be required to ap-
ppear more than 500 miles from the place

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Capturing Criminals Act.""
“(B) the subpoena fails to meet the requirements of subparagraphs (A) and (B); or
“(C) the subpoena violates the constitutional rights or any other legal right or privilege of the subpoenaed party.

(3) the time allowed for compliance with a subpoena in whole or in part shall be suspended during the pend- ency of a petition filed under paragraph (2). Such petition shall specify the grounds upon which the petitioner relies in seeking relief.

(f) DELAYED NOTICE.—
“(1) IN GENERAL.—Where an administrative subpoena is issued under this section to a provider of electronic communication service as defined in section 2510 of this title or remote computing service as defined in section 2711 of this title, the Attorney General may—
“(A) in accordance with section 2705(a) of this title, delay notification to the subscriber or customer to whom the record pertains; and
“(B) apply to a court for an order mandating the provider of electronic communication service or remote computing service not to notify any other person of the existence of the subpoena or court order.

(2) FINANCIAL RECORDS.—If a subpoena is issued under this section to a financial institution for financial records of any customer of such institution, the Attorney General may apply to a court under section 1109 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3409) for an order to delay customer notice as otherwise required.

(3) NON-DISCLOSURE REQUIREMENTS.—Except as provided in paragraphs (1) and (2), the Attorney General may apply to a court for an order requiring the party to whom an administrative subpoena is directed to refrain from notifying any other party of the exist- ence of the subpoena or court order for such period as the court deems appropriate. The court shall enter such order if it determines that there is reason to believe that notification of the existence of the administrative subpoena will result in—
“(A) endangering the life or physical safety of an individual;
“(B) flight from prosecution;
“(C) destruction of or tampering with evidence;
“(D) intimidation of potential witnesses; or
“(E) otherwise seriously jeopardizing an investigation or undue delay of a trial.

(g) IMMUNITY FROM CIVIL LIABILITY.—Any person, including officers, agents, and em- ployees, who in good faith produce the records or items requested in a subpoena shall not be liable in any court of any State or the United States to any customer or other person for such production or for nondisclosure of that production to the cus- tomer, in compliance with the terms of a court order for nondisclosure.

(h) DELEGATION.—The Attorney General and the Secretary of the Treasury shall issue guidelines governing the issuance of adminis- trative subpoenas. Such guidelines shall mandate that administrative subpoenas may be issued only after review and approval of senior supervisory personnel within the De- partment of Justice and the Department of the Treasury.

(i) REPORT.—The Attorney General shall report in January of each year to the Com- mittees on the Judiciary of the Senate and the House of Representatives on the number of administrative subpoenas issued under this section, whether each matter involved a fugitive from Federal or State charges, and identification of the agency issuing the sub- poena and imposing the charges. This report- ing requirement shall terminate in 3 years after enactment.”.

(2) TECHNICAL AND CONFORMING AMEND- MENT.—The analysis for chapter 49 of title 18, United States Code, is amended by adding at the end the following:


(3) SUBPOENAS FOR FINANCIAL RECORDS .—If a subpoena is issued under this section to a financial institution for financial records of any customer of such institution, the Attorney General may apply to a court, in accordance with section 2705(a) of this title, for a delayed notice as provided in paragraphs (1) and (2), the Attorney General may apply to a court for an order requiring the party to whom an administrative subpoena is directed to refrain from notifying any other party of the exist- ence of the subpoena or court order for such period as the court deems appropriate. The court shall enter such order if it determines that there is reason to believe that notification of the existence of the administrative subpoena will result in—
“(A) endangering the life or physical safety of an individual;
“(B) flight from prosecution;
“(C) destruction of or tampering with evidence;
“(D) intimidation of potential witnesses; or
“(E) otherwise seriously jeopardizing an investigation or undue delay of a trial.

(i) REPORT.—The Attorney General shall report in January of each year to the Com- mittees on the Judiciary of the Senate and the House of Representatives on the number of administrative subpoenas issued under this section, whether each matter involved a fugitive from Federal or State charges, and identification of the agency issuing the sub- poena and imposing the charges. This report- ing requirement shall terminate in 3 years after enactment.”.

(4) SEC. 4. STUDY AND REPORT OF THE USE OF AD- MINISTRATIVE SUBPOENAS.

Not later than December 31, 2001, the At- toney General shall complete a study on the use of administrative subpoena power by ex- ecutive branch agencies or entities and shall report the findings to the Committees on the Judiciary of the Senate and the House of Representatives. Such report shall include—

(1) a description of the sources of adminis- trative subpoena power and the scope of such subpoena power within executive branch agencies;

(2) a description of applicable subpoena en- forcement mechanisms;

(3) a description of any notification provi- sions and any other provisions relating to safeguarding privacy interests;

(4) a description of the standards governing the issuance of administrative subpoenas; and

(5) recommendations from the Attorney General regarding necessary steps to ensure that administrative subpoena power is used and enforced consistently and fairly by execu- tive branch agencies.

By Mr. DODD:

S. 2762. A bill to establish SHARE Net grants to support the development of a comprehensive, accessible, high- technology infrastructure of edu- cational and cultural resources for nonprofit institutions, individuals, and others for educational purposes through a systematic effort to coordinate, link and enhance, through tech- nology, existing specialized resources and expertise in public and private cul- tural and educational institutions; to the Committee on Health, Education, Labor, and Pensions.

SAVING HUMANITIES, ARTS, AND RESOURCES FOR EDUCATION NETWORKING ACT OF 2000 (SHARE NET ACT)

Mr. DODD. Mr. President, I rise today to introduce legislation which will help light the way to a stronger educational system with broader reach and deeper substance—the SHARE Net (Saving Humanities, Arts, and Resources for Education Networking) Act of 2000.

Education is not just about schools and colleges. Education is everything from our very first breath as infants to our last days. We learn at work, at school, at home and in our cars. We learn from the people around us, from books, newspapers, artwork, radio and television, and, more and more, we learn from the Internet and computers.

Our Nation has been rich in learning. Thomas Jefferson viewed the resources to developing schools, universities and other institutions of learning. Thomas Jefferson viewed the creation of the University of Virginia as one of his greatest accomplish- ments. Other American universities are known for their passion and vision for learning—from Helen Keller to the Little Rock 9.

There have been many here in Con- gress too who have lead on education issues. We tend to remember the more recent steps—the creation of the Pell Grant program or Head Start. But in fact, our commitment and involvement in these issues began much earlier. I believe one of these initiatives, and overlooked, initiatives was the Morrill Acts of 1862 and 1890. These initiatives brought about a sea-change in our Nation’s educational system by al- locating the proceeds from the sale of federally-held western lands to states for the creation of practical, affordable Land Grant Colleges and Universities. These Land-Grant institutions sparked a revolution in higher education, which had been solely the purview of the wealthy and privileged. Land-Grant insti- tutions focused on reaching real people with helpful knowledge. They fo- cused on agriculture, teaching and re- search into other practical areas—they encouraged and facilitated broader par- ticipation in post-secondary education with low costs and continuing edu- cation programs.

Today, Land Grant colleges and uni- versities continue to fulfill their origi- nal missions of research, outreach and teaching. They have grown to be the very backbone of post-secondary edu- cation—providing access to quality, affordable higher education. These institu- tions have also emerged as leaders in advanced research—a vital link in our national economy and one of the keys to our global competitiveness.

Morrill’s vision was not only hugely successful, it was also simple—leverage public assets to transform education. Mr. President, I believe another such opportunity confronts us today as rap- idly-developing technology offers new potential to expand the reach of edu- cation.
The 1996 Telecommunications Act and Balanced Budget Act of 1997 established a Fund for the transition from analog to digital television and for the auction of publically-owned analog spectrum. This auction is expected to produce nearly $6 billion in federal revenue; some believe the figure to be as much as $13 billion. This valuable publically-owned asset is today's equivalent of the frontier lands of a century ago.

These resources should be tapped to fund the further development of our educational system by utilizing today's technologies to expand the reach and impact of existing high-quality educational and community resources. Advanced Internet, digital spectrum and other telecommunications technologies offer new untapped potential to increase the quality and reach of educational resources.

And the educational resources are abundant in our communities. What is needed is a systematic effort to link these resources to increase their accessibility and broaden their content. My bill would do just this. It would support the work of local and regional partnerships of educational and cultural organizations. These partnerships would survey existing resources, identify and fill gaps, link these resources together through technology and broaden access to them and, ultimately, develop a comprehensive, accessible high-tech educational infrastructure to benefit all Americans.

Mr. President, there is no question our educational system is strong. But it cannot be neglected. So let's learn from the past success of the Morrill Acts and build upon this legacy. These laws helped tap the educational resources in our greatest asset and the very foundation of our future: education.

In 1993 Congress created the Corporation for National Service to enhance opportunities for all Americans to participate in communities by actively engaging in local service programs. Community service should not be an option only for those who can afford to perform an important job without pay. It should be an opportunity for everyone. Every week, I have the privilege of reading with a third grade student in Washington, and I have seen her make very impressive progress during the last three years. I know first-hand that those who engage in community service gain as much as they give when they participate.

The Corporation for National Service is expanding these opportunities for service by offering stipends and education awards to AmeriCorps members, and matching funds to senior volunteers. It also offers professional development opportunities to teachers and identified leader schools, who will mentor other schools interested in beginning to pursue service learning. In the last five years, 500,000 adults have given a year of service to communities across the country as AmeriCorps members. 500,000 senior citizens each year provide service to their communities in Foster Grandparent Programs, Senior Companion Programs, and the Retired Senior Volunteer Corps. In addition, over 1 million school children each year participate in service learning programs.

The national service movement has also encouraged businesses to become actively involved in improving their communities. Local business leaders have stepped up to the plate to sponsor service corps programs, to offer technical support for existing programs, and to use community service as a way to work with local schools.

As Robert Kennedy once said, in words that became the hallmark of his life, “Some people see things as they are and say why. I dream things that never were, and say why not?” Because of community service, more and more citizens are asking that question every day in communities across the country.

In Massachusetts, under the leadership of Maureen Curley and her talented Board of Directors, the Massachusetts Service Alliance has helped citizens to act against the injustices that they see around them. From City Year and Peace Games in Boston to Greenfield READS and the Barnstable Land Trust, they have created new opportunities to tutor, to provide useful information on health care, to fight domestic violence, to help senior citizens live independent lives, and to repair and revitalize their communities in many other ways. They have found that many of our communities are eager to be involved and to stay involved, and they have been successful in creating large numbers of opportunities for that involvement. Last year, 180,000 citizens contributed 3.5 million hours of service in 140 communities across the state. Programs such as Community City Year, the dream of Michael Brown and Alan Khazei in Boston, has a program in 13 sites across the country, engaging over 2,000 Corps members in service. We will welcome their newest site here in Washington in September.

This bipartisan bill that we offer today will allow these programs to continue to grow and enable many more Americans to participate in improving their communities and building a stronger America.

Our former colleague, Dan Coats, has written an eloquent article in support of AmeriCorps. The article appeared in today's edition of The Hill, and I ask unanimous consent that it be made a part of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY I CHANGED MY MIND ABOUT AMERICORPS

By Dan Coats

When I was in the Senate, I did not support the legislation that created AmeriCorps because of my fundamental belief in private voluntary service and my skepticism about government-based solutions. I thought that government supported volunteers would undermine the spirit of voluntary service and that new federal resources might subvert the mission and the independence of the civic sector.

My faith in the civic sector has not diminished one bit; in fact, it is stronger today than ever before. However, I have changed my mind about AmeriCorps. Instead of distorting the mission of the civic sector, AmeriCorps has proved to be a source of new power and energy for nonprofit organizations across the country.

My changed view about AmeriCorps is in no small measure because of the leadership that Harris Wofford, my Democratic former Senate colleague from Pennsylvania, has given to that program. Wofford and I did not vote on the same side very often in the Senate, and we still differ on many issues. But his leadership of AmeriCorps has convinced me that I should have voted with him on this issue.

First, thanks to Wofford's steadfast commitment to place national service above partisanism, AmeriCorps has not become the political program that some of us initially feared. Second, he shares my belief that the solutions to some of our most intractable problems lie in the civic sector. Accordingly, he has set AmeriCorps to the work of support, not supplanting, the civic sector.

I have seen firsthand how AmeriCorps members have provided a jolt of new energy to the civic sector from my experience as president of Big Brothers Big Sisters of America. A Miller Fuller, founder of Habitat for Humanity and another former skeptic of government-supported volunteers, also discovered, the leadership provided by full-time AmeriCorps members is a key addition for nonprofit and faith-based organizations that are tackling the most difficult community and human problems.

AmeriCorps members through their idealism, enthusiasm and can-do spirit, have multiplied the impact of organizations like Big
Brothers Big Sisters and Habitat, and hundreds of other organizations large and small. The mountains which once changed their mind about AmeriCorps continue to grow.

In that last year, Sens. John McCain (R-Ariz.) and Mike DeWine (R-Ohio) and Rep. John Kasich (R-Ohio) have spoken out about the positive role AmeriCorps plays in strengthening the civic sector. Together, we join a growing bipartisan list of present and former federal and state legislators, governors and civic leaders in support of AmeriCorps.

Their support is part of a quiet, yet remarkable, transformation in American politics that has occurred since the white-hot debate that took place a few years ago between those who believed that government should take the lead in solving community problems and those who thought government could accomplish little or nothing, and was even likely to be a negative force.

Now, as evidenced by both major party presidential candidates and by growing bipartisan support in Congress, a new tide has emerged, leading to a unique partnership between AmeriCorps, the non-profit organizations and private and religious institutions that are critical to strengthening our communities. It is these institutions that transmit values between generations that encourage cooperation between citizens, and make our communities stronger.

In a recent speech to the nation's governors, retired Gen. Colin Powell declared himself "a strong supporter of AmeriCorps." After spending two years working with the organization, Powell concluded "[W]hat they do in training other individuals to volunteer is really incredible. So it is a tremendous investment in your people, a tremendous investment in the future. . . ."

Later this month, a bipartisan coalition in Congress will introduce legislation to reauthorize AmeriCorps and its parent agency, the Corporation for National Service. I hope that Congress will move quickly to enact this legislation so that AmeriCorps can continue to work with the nonprofit and faith-based sectors to strengthen our communities and help us all as we build a more competitive nation.

Mr. DODD. Mr. President, I am pleased to rise today as an original cosponsor of the National and Community Service Act of 2000 and urge my colleagues to join me in supporting the reauthorization of the Corporation for National Service through this legislation.

While Americans often wonder what, exactly, it is that the numerous agencies and commissions scattered around town do, it is quite clear what the Corporation for National Service does. It's members tutor and mentor at-risk youth. They build affordable housing and clean up the Nation's rivers, streams and parks. They help seniors live in productive, productive lives.

They build our communities. They renew our country. That is what the Corporation for National Service does in my view—provide a true national service to the citizens of this country. The Corporation for National Service is one of the most impressive success stories in recent memory. The numbers are simply remarkable. Take the AmeriCorps initiative for example.

Since it's inception in 1993, more than 150,000 Americans have served or are currently serving as AmeriCorps members. They have provided much-needed assistance to 33 million of their neighbors in more than 4,000 communities.

Specifically, AmeriCorps members have helped nearly 3 million children succeed in school through tutoring and mentoring initiatives. They have worked with the police and other community organizations to safeguard our neighborhoods—establishing, operating crime patrols and working with 600,000 at-risk youth in after-school programs.

AmeriCorps members have improved the daily lives of Americans by building or rehabilitating over 25,000 homes, working with hundreds of thousands of unemployed workers, and providing food, clothing and other necessities to over 2.5 million homeless people. With regard to our natural environment, AmeriCorps members have planted over 50 million trees and removed 70,000 tons of trash from our neighborhoods. And when I talk about the leverage created through AmeriCorps members recruiting and training others, I am talking about nearly two million volunteers brought to bear on locally generated programs because of the efforts of AmeriCorps members.

The National Senior Service Corps has been another resounding success. What Tom Brokaw has dubbed "The Greatest Generation" is still ready to病变a new day. Since its inception, this program has on those who dedicate themselves as volunteers. But we must not forget the impact that service has on those who give of themselves—time and their energy—to make a difference. The personal satisfaction one receives from working for others is a feeling I can speak about personally. Long before AmeriCorps was a reality, I was Peace Corps volunteer in a small town in the Dominican Republic. But whether it is in the Dominican Republic or in my home state of Connecticut—or any state across this nation—there are many small towns that need help sustaining their educational system or providing health care to their neighbors or maintaining their environment or any number of areas. And an honest day's work on behalf of these efforts translates in any language. It is a source of tremendous satisfaction and pride for those who drive participants in either the Peace Corps or AmeriCorps here home, to continue to work and continue to build their communities, something that can't be quantified.

There is also a real period of personal learning that AmeriCorps members go through. A study by Aguirre International determined that "participation in AmeriCorps results in substantial gains in life skills for more than three-quarters of the members" who participate. When we talk about life skills here, we are talking about communications skills, interpersonal skills, analytical problem-solving, organizational skills and using information technology. These are necessary skills in the 21st century's partnerships and partnerships.

AmeriCorps members take these skills with them after their term of service, back to employers who want them, back to communities who need them.

The Corporation for National Service is a testament to a strong ethic of civil responsibility and a lifelong desire to serve. By immersing its members in local, state and national issues, and asking them to address and interact with these issues, the Corporation for National Service is a catalyst for civic participation. And regardless of which side of the aisle you sit on, I think we can all agree that an active and involved constituency is what we all hope for.

Across the range of initiatives that I have touched upon today, are a couple of common themes. Primarily, these efforts are initiated from the ground-up. These programs were not crafted by Senators or Congressmen or someone in Washington, they are generated by people within the community they serve and administered at the state level. That allows these programs the flexibility to take advantage
of the individual strengths of each community and as a result, better ad
ddress the needs of their residents.

Secondly, these programs harness what we all know is the true strength of America, its citizens. The corporation for National Service is channeling a constant flow of human energy, ingenuity, and talent into the states and communities of our country. The Cor-
poration partners with organizations that have a proven track record to pro-
vide the necessary human resource to grow and expand these already successful programs. It is a model that works. It is an idea that has captured the imagination and harnessed the energy of this Nation. It is our responsibility to ensure that it continues.

The legislation we offer today will ensure that the Corporation for Na-
tional Service continues through 2005. It retains the successful structure of the system that has been so effective over the last seven years, but makes allowances for a few improvements in the overall program, including a more responsive effort to ensure an increased participation by people with disabili-
ties and a recognition that Indian tribes are qualified organizations to receive grants. This is a good bill. I hope we can work with our colleagues in the House to ensure that legislation reau-
thorizing the Corporation for National Service is passed by both houses and sent to the president for signature this year.

Mr. JEFFORDS. Mr. President, I am pleased to join a number of my col-
leagues in introducing the National and Community Service Amendments Act of 2000. This legislation will reau-
thorize the National and Community Service Act and the Domestic Volun-
teer Service Act.

The idea of the Federal government becoming a partner in community ser-
vice originated with President Franklin Roosevelt’s creation of the Civilian Conservation Corps. It was continued with President Kennedy’s development of the Peace Corps and President John-
son’s VISTA initiative. President Nixon contributed to the community service movement by expanding senior volunteer programs. In the 1990s, both a republican president and a demo-
cratic president strengthened the commu-
nity service structure. President Bush established the Points of Light Foundation and President Clinton cre-
ated the Corporation for National Ser-
vice. The Corporation for National Ser-
cience not only incorporated the commun-
ity service programs previously estab-
lished, but also created AmeriCorps.

Since AmeriCorps began more than six years ago, over 40,000 individual shae become AmeriCorps members, serving local and national organiza-
tions. Recently, the Senate Committee on Health, Education, Labor, and Pen-
sions, which I chair, held a hearing re-
garding the reauthorization of the Na-
tional and Community Service Act of 1990 and the Domestic Volunteer Ser-
cice Act of 1973. One of the witnesses who testified was Emily Zollo, an AmeriCorps member from Cabot, Vermont. Emily serves with the Northeast Kingdom Initiative AmeriCorps Program in Lyndonville, Vermont. Her assignment is at the Cobleigh Pub-
lic Library in Lyndonville where she works with the “Books on Wheels” bookmobile program. Emily drives the bookmobile and as she eloquently stat-
ed, “brings books and stories to seven rural villages and towns that vary in
population from 350-5,000 residents.” Emily Zollo eloquently summed up her AmeriCorps experience by stating: “Al-
though the best part of my AmeriCorps experience has been meeting with kids at the various stops, learning how they see the books which help them see a wider world, I have also learned some better ways to work and serve in the community. I feel that service has become a part of me and will be incorporated into my career. I feel good about what you do, knowing you are making a difference in your community.”

Other community service programs include Learn and Serve America which provides assistance to over one million students from kindergarten through college who participate in community service activities that are aligned with the students’ academic programs. In my home State of Vermont, Learn and Serve is making a difference in a number of elementary and secondary schools, including voca-
tional technical educational centers. Another service program, the National Senior Service Corps, serves nearly five million seniors fifty-five and older, who use their talents as Fos-
ter Grandparents, serving as mentors to young people with special needs. In addition, the Senior Companions pro-
gram helps other seniors live independ-
ently. Retired and Senior Volunteer Program members provide an array of services for unmet community needs. The senior programs are very essential to rural communities. In Springfield, Vermont, the Windsor County Retired
and Senior Volunteer Program pro-
vides services to isolated seniors and persons with disabilities.

A key aspect of the National and Community Service Act is the State Commissions. The State Commissions decide which programs are to be fund-
ed, recruit volunteers, and evaluate and disseminate information about community and domestic service op-
portunities. The important role of States was also discussed at the hear-
ing by several witnesses who rep-
resented various regions of the coun-
try. We heard about the positive im-
 pact of organizing service activities in a small rural State from Jane Wil-
liams, the executive director of the Vermont Commission on National and Community Service. Under Jane’s lead-
ership, the Vermont commission has been instrumental in building unique partnerships between public and private agencies by engaging particu-
larly young people in service to their communities.

Community service is not a demo-
crat, republican, or independent issue—it’s an ideal—an ideal that is central to the philosophy of America—neighbor helping neighbor. It is in that spirit that I am pleased to be a cosponsor of the National and Community Service Amendments Act of 2000.

Mr. ROCKEFELLER. Mr. President, today Senator KENNEDY and a bipar-
tisan coalition are introducing the Na-
tional and Community Service Amend-
ments Act of 2000 to strengthen this program of community service throughout our country. I am proud to be an original cosponsor of this bill because I know how public service has enriched my life. As elected representa-
tives, we are entrusted with preserving the strong democracy and just society that our founders envisioned. The pro-
grams supported by this legislation, such as AmeriCorps, extend the oppor-
tunity to young people to do something for others.

While working in the Peace Corps, at an Asian desk, I was motivated to ac-
cept the challenge made by president Kennedy and I joined VISTA. Through VISTA, I came to West Virginia and a "coal camp," a small, struggling town. The idea of living a life in Emmons was not easy. But after a lot of effort, I was able to both make friends and work to make some kind of difference. We pulled down an aban-
doned school house in southern West Virginia and hauled the boards back to Emmons, where we built a community center. We brought a mobile health van for women to get Pap smears for the first time. And we waged a long, hard fight to get the school bus to stop close enough so the teenagers did not have to walk away from school. The transportation to high school did not exist. Those two years in Emmons, and the experiences gained there, changed me forever. I stayed in West Virginia and chose to make public service my career.

When President Clinton chose to unveil a new domestic civil-service pro-
gram in 1993, I was proud to stand by him as he announced the creation of AmeriCorps in Princeton, New Jersey. AmeriCorps is an exciting program promoting community service, like VISTA. Under AmeriCorps, members invest their time in community service and earn educational awards that help
finance college or pay back student loans.

Since its inception just a few years ago, AmeriCorps has renewed community service across our nation with a network of programs designed to meet the specific needs of an area. In West Virginia, AmeriCorps has established more than half dozen programs that help children learn how to read, provide them with caring mentors, and promote healthy lifestyles.

In highlighting a few of these programs I must begin with the AmeriCorps Promise Fellows. These individuals service eighteen West Virginia counties, striving to mobilize communities to provide children with resources critical to their development. In the same way that I helped the community of Emmons build a center where young people could learn and play, AmeriCorps Promise Fellows work to establish safe places and structured activities in their local areas. Another AmeriCorps program, the Energy Express, provides balanced meals, an environment that abounds with literature, and the attention of mentors to school-aged children during the summer months. I visited the Energy Express site in Fairview, West Virginia, and read to children there. The programs also aid adult members of the community, as evidenced by the success of Project MOVE in west-central West Virginia that strives to move people from welfare to work. After the first year, the heads of households in twenty families had become employed and had sustained themselves for more than three months.

The three programs are just a sampling of what AmeriCorps does in a rural state like West Virginia. In more urban areas throughout the country, AmeriCorps has programs that address the unique needs of those cities and their populations. I place an enormous value on public service, and I know that I gained much from my VISTA experience in Emmons. Continuing AmeriCorps, VISTA and our range of community service programs will enhance the lives of Americans, young and old, who join and enrich our communities.

ADDITIONAL COSPONSORS

S. 353

At the request of Mr. Grassley, the name of the Senator from Texas (Mr. Gramm) was added as a cosponsor of S. 353, a bill to provide for class action reform, and for other purposes.

S. 662

At the request of Mr. L. Chafee, the name of the Senator from Washington (Mr. Gorton) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 708

At the request of Mr. DeWine, the name of the Senator from North Carolina (Mr. Edwards) was added as a cosponsor of S. 708, a bill to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and the quality and availability of training for judges, attorneys, and volunteers working in such courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

S. 729

At the request of Mr. Craig, the name of the Senator from Oklahoma (Mr. Nickles) was added as a cosponsor of S. 729, a bill to ensure that Congress and the public have the right to participate in the declaration of national monuments on federal land.

S. 1017

At the request of Mr. Mack, the name of the Senator from Montana (Mr. Baucus) was added as a cosponsor of S. 1017, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit.

S. 1066

At the request of Mr. Roberts, the name of the Senator from Nebraska (Mr. Kerrey) was added as a cosponsor of S. 1066, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes.

S. 1322

At the request of Mr. Daschle, the name of the Senator from New Jersey (Mr. Lautenberg) was added as a cosponsor of S. 1322, a bill to prohibit health insurance and employment discrimination against individuals and their family members on the basis of predictive genetic information or genetic services.

S. 1443

At the request of Mr. L. Chafee, his name was added as a cosponsor of S. 1443, a bill to amend section 10102 of the Elementary and Secondary Education Act of 1965 regarding elementary school and secondary school counseling.

S. 1805

At the request of Mr. Kennedy, the name of the Senator from Hawaii (Mr. Inouye) was added as a cosponsor of S. 1805, a bill to restore food stamp benefits for aliens, to provide States with flexibility in administering the food stamp vehicle allowance, to index the excess shelter expense deduction to inflation, to authorize additional appropriations to purchase and make available additional commodities under the emergency food assistance program, and for other purposes.

S. 2018

At the request of Mrs. Hutchison, the name of the Senator from Utah (Mr. Bennett) was added as a cosponsor of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the conditions of payment for hospital services furnished by a hospital in order to allow a hospital to make payments to PPS hospitals under the Medicare program.

S. 2045

At the request of Mr. Hatch, the name of the Senator from Kentucky (Mr. Bunning) was added as a cosponsor of S. 2045, a bill to amend the Immigration and Nationality Act with respect to H–1B nonimmigrant aliens.

S. 2070

At the request of Mr. Fitzgerald, the name of the Senator from Missouri (Mr. Ashcroft) was added as a cosponsor of S. 2070, a bill to improve safety standards for child restraints in motor vehicles.

S. 2071

At the request of Mr. Gorton, the name of the Senator from Kentucky (Mr. Bunning) was added as a cosponsor of S. 2071, a bill to benefit electricity consumers by promoting the reliability of the bulk-power system.

S. 2271

At the request of Mr. DeWine, the name of the Senator from North Carolina (Mr. Edwards) was added as a cosponsor of S. 2271, a bill to amend the Social Security Act to improve the quality and availability of training for judges, attorneys, and volunteers working in the Nation's abuse and neglect courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997.

S. 2272

At the request of Mr. DeWine, the name of the Senator from North Carolina (Mr. Edwards) was added as a cosponsor of S. 2272, a bill to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

S. 2299

At the request of Mr. L. Chafee, the name of the Senator from Florida (Mr. Graham) was added as a cosponsor of S. 2299, a bill to amend title XIX of the Social Security Act to continue State Medicaid disproportionate share hospital (DSH) allotments for fiscal year 2001 at the levels for fiscal year 2000.

S. 2394

At the request of Mr. Moynihan, the name of the Senator from Vermont (Mr. Jeffords) was added as a cosponsor of S. 2394, a bill to amend title XVIII of the Social Security Act to stabilize indirect graduate medical education payments.

S. 2423

At the request of Mr. Durbin, the name of the Senator from Massachusetts (Mr. Kerry) was added as a cosponsor of S. 2423, a bill to provide Federal Perkins Loan cancellation for public defenders.

S. 2505

At the request of Mr. Jeffords, the name of the Senator from Virginia (Mr.