EC–11095. A communication from the Associate Administrator for Equal Opportunity Programs, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance'' (RIN1190–AA28) received on October 10, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11096. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, a report relative to the strategic plan for fiscal years 2000 through 2005; to the Committee on Commerce, Science, and Transportation.

EC–11097. A communication from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting, pursuant to law, a notice of the Technology Opportunities Program grants for fiscal year 2000; to the Committee on Commerce, Science, and Transportation.

EC–11098. A communication from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting, pursuant to law, a notice of the Public Telecommunications Facilities Program grants for fiscal year 2000; to the Committee on Commerce, Science, and Transportation.

EC–11099. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the report relative to the audit of the Telecommunications Development Fund; to the Committee on Commerce, Science, and Transportation.

EC–11100. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report entitled ''Agency Compliance with the Unfunded Mandates Reform Act of 1995''; to the Committee on Governmental Affairs.

EC–11101. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Cost-of-Living Allowances (Nonforeign Areas); Hawaii County, Kauai County, Maui County, Guam (Commissary/Exchange), Puerto Rico, and the U.S. Virgin Islands'' (RIN3206–AJ26) received on October 10, 2000; to the Committee on Governmental Affairs.

EC–11102. A communication from the Director of the Office of Personnel Management, transmitting, a draft of proposed legislation entitled ''Federal Employees; Overtime Pay Limitation Amendments Act of 2000''; to the Committee on Governmental Affairs.

EC–11103. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report entitled ''Federal Human Resources Management for the 21st Century''; to the Committee on Governmental Affairs.

EC–11104. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report relative to the commercial activities inventory; to the Committee on Governmental Affairs.

EC–11105. A communication from the Chief Operating Officer, Chemical Safety and Hazard Investigation Board, transmitting, pursuant to law, a report relative to the annual inventory of agency activities; to the Committee on Governmental Affairs.

EC–11106. A communication from the District of Columbia Auditor, transmitting, pursuant to law, the report entitled ''Certification of the Fiscal Year 2000 Revised Revenue Estimate of $3,225,180,000 in Support of the District's $189 Million Multimodal General Obligation Bonds''; to the Committee on Governmental Affairs.

EC–11107. A communication from the Director of the National Gallery of Art, transmitting, pursuant to law, the report relative to the annual management and commercial activities inventory; to the Committee on Governmental Affairs.

EC–11108. A communication from the Executive Director of the Federal Reserve Employee Benefits System, transmitting, pursuant to law, a report relative to the retirement plan for employees of the Federal Reserve System prepared as of December 31, 1999; to the Committee on Governmental Affairs.

EC–11109. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, a report relative to the strategic plan; to the Committee on Governmental Affairs.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JEFFORDS, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1495: A bill to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness (Rept. No. 106–496).

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 2580: A bill to provide for the issuance of bonds to provide funding for the construction of schools of the Bureau of Indian Affairs of the Department of the Interior, and for other purposes (Rept. No. 106–497).

S. 2920: A bill to amend the Indian Gaming Regulatory Act, and for other purposes (Rept. No. 106–498).

## 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 Ms. LANDRIEU:

S. 3183. A bill to require the Secretary of the Treasury to mint coins in commemoration of the contributions of Dr. Martin Luther King, Jr., to the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN:

S. 3184. A bill to amend the Federal Food, Drug, and Cosmetic Act to require premarket consultation and approval with respect to genetically engineered foods, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HARKIN:

S. 3185. A bill to end taxpayer support of Federal Government contractors against whom repeated civil judgments or criminal convictions for certain offenses have been entered; to the Committee on Governmental Affairs.

By Mr. GRASSLEY (for himself, Mr. TORRICELLI, Mr. HATCH, and Mr. BIDEN):

S. 3186. A bill to amend title 11, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. ROTH:

S. 3187. A bill to require the Secretary of Health and Human Services to apply aggregate upper payment limits to non-State publicly owned or operated facilities under the medicaid program; read the first time.

By Mr. KYL (for himself and Mrs. FEINSTEIN):

S. 3188. A bill to facilitate the protection of the critical infrastructure of the United States, to enhance the investigation and prosecution of computer-related crimes, and for other purposes; to the Committee on the Judiciary.

By Ms. SNOWE (for herself, Mr. BAYH, Mr. KOHL, Mr. L. CHAFEE, Mr. MOYNIHAN, and Mr. BREAUX):

S. 3189. A bill to provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, and for other purposes; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROTH:

S. Con. Res. 147. A concurrent resolution to make a technical correction in the enrollment of the bill H.R. 4868; to the Committee on Finance.

By Mr. MCCONNELL (for himself, Mr. DODD, and Mr. LOTT):

S. Con. Res. 148. A concurrent resolution to provide for the disposition and archiving of the records, files, documents, and other materials of joint congressional committees on inaugural ceremonies; considered and agreed to.

By Mr. MACK:

S. Con. Res. 149. A concurrent resolution to correct the enrollment of H.R. 3244; considered and agreed to.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Ms. LANDRIEU:

S. 3183. A bill to require the Secretary of the Treasury to mint coins in commemoration of the contributions of Dr. Martin Luther King, Jr., to the United States; to the Committee on Banking, Housing, and Urban Affairs.

MARTIN LUTHER KING, JR. COMMEMORATIVE COIN ACT OF 2000

Ms. LANDRIEU. Mr. President, today I introduce a bill which is long overdue but now appropriate as our Nation prepares to face the challenges of a new century.

During the 1960s, a young and gifted preacher from Georgia gave a voice to the voiceless by bringing the struggle for freedom and civil rights into the living rooms of all Americans. Dr. Martin Luther King, Jr. raised his voice rather than his fists as he helped lead our Nation into a new era of tolerance and understanding. He ultimately gave his life for this cause, but in the process brought America closer to his dream of a nation without racial divisions.

It has been said that, ''Those who do not understand history are condemned to repeat it.'' America's history includes dark chapters—chapters in

which slavery was accepted and discrimination against African-Americans, women and other minorities was commonplace. It is in acknowledgment of that history, and in honor of Dr. King's bright beacon of hope which has lead us to a more enlightened era of civil justice, that I introduce the Martin Luther King Commemorative Coin Act of 2000.

This bill would instruct the Secretary of the Treasury to mint coins in commemoration of Dr. King's contributions to the United States. Revenues from the surcharge of the coin would be used by the Library of Congress to purchase and maintain historical documents and other materials associated with the life and legacy of Dr. Martin Luther King, Jr.

As we start the 21st Century, I cannot think of better way to honor the civil and human rights legacy of Dr. Martin Luther King, Jr.

Today, Dr. King's message goes beyond any one group, embracing all who have been denied civil or human rights because of their race, religion, gender, sexual orientation or creed. This Congress, as well as previous Congresses, has taken important steps to put these beliefs into civil code.

However, upholding Dr. King's dream is a continuing struggle. Just last month, the House of Representatives passed hate crimes legislation making crimes based on race, religion, gender, and sexual orientation federal offenses. Champions of hate crimes legislation in the Senate and our colleagues in the House of Representatives gave powerful examples of the hatred that exists in our nation even today. As a society, we must always remember Dr. King's message, ''that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident; that all men are created equal.'''

Dr. King's majestic and inspiring voice as he made this speech will remain in our collective memory forever. His writings and papers compliment the visual history of his legacy. Keeping Dr. King's papers available for public access will serve to remind us of what our country once was, and how a solitary voice changed the path of a nation. It also would be a constant reminder of the vigilance needed to ensure we never return to such a time.

This legislation has been developed in consultation with the King family, the Library of Congress, the Citizens Commemorative Coin Advisory Committee, and the U.S. Mint. Similar legislation has been introduced in the House of Representatives by the Chairman of the House Banking and Financial Services Committee, Congressman JIM LEACH of Iowa.

Although African-Americans have played a vital role in our Nation's history, African-Americans were included on only four out of 157 commemorative coins:

Jackie Robinson, who broke baseball's color barrier and brought about a cultural revolution with the courage and dignity in which he played the great American pass time, and the way he lived his life.

Booker T. Washington, who founded Tuskegee Institute in Alabama and served as a role model for millions of African-Americans who thought a formal education would forever be outside of their grasp.

George Washington Carver, whose scientific experiments began as a way to improve the lot in life of sharecroppers, but ended up revolutionizing agriculture throughout the South.

And the Black Revolutionary War Patriots, a commemorative half-dollar which recognized the 275th anniversary of the birth of Crispus Attucks, who was the first revolutionary killed in the Boston Massacre.

The Martin Luther King, Jr. Commemorative Coin will give us the opportunity to recognize the valuable contributions of all Americans who stood and were counted during our Nation's civil rights struggle.

Americans like the late Reverend Avery C. Alexander, who was a patriarch of the New Orleans' civil rights movement. He championed anti-discrimination, voter registration, labor rights, and environmental regulations as a six-term state legislator and as an adviser to Governor Morrison of Louisiana in the 1950s.

Heroes like Dr. C.O. Simpkins from Shreveport, LA, whose home was bombed simply because he dared to stand by Dr. King and demand that the buses in Shreveport be integrated, and Reverend T. J. Jemison of Baton Rouge, a front-line soldier and good friend of Dr. King who helped coordinate one of the earliest boycotts of the civil rights movement.

Louisiana also was fortunate enough to have elected leaders such as my father Moon Landrieu and Dutch Morial, both former mayors of New Orleans during those turbulent times. They led the way when the personal and political stakes were very high.

These are just a few of the great civil rights leaders from my State. However, throughout Louisiana and all across America thousands of citizens—black and white, young and old, rich and poor—listened to Dr. King, followed his voice and dreamed his dreams. It is in memory of all of our struggles that I introduce this bill.

The great Dutch philosopher Baruch Spinoza said, ''If you want the present to be different from the past, study the past.'' This legislation not only ensures we are able to preserve and study our past, but also honors Dr. King, who played such an integral role in shaping both our present and our future.

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Mr. DURBIN:

S. 3184. A bill to amend the Federal Food, Drug, and Cosmetic Act to require premarket consultation and approval with respect to genetically engineered foods, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

GENETICALLY ENGINEERED FOODS ACT OF 2000

Mr. DURBIN. Mr. President, today I am introducing the Genetically Engineered Foods Act. This legislation would strengthen consumer confidence in the safety of genetically engineered foods, and in the ability of the federal government to exercise effective oversight of this important technology. This bill requires an FDA pre-market review of all genetically engineered foods, and grants FDA important authorities to conduct oversight. In addition, the Genetically Engineered Foods Act creates a transparent process that will better inform and involve the public as decisions are made regarding the safety of genetically engineered foods.

In the past five years, genetically engineered foods have become a major part of the American food supply. Many foods on the grocery store shelves now contain genetically engineered ingredients such as corn, soy, and potatoes. These foods have been enhanced with important qualities that help farmers grow crops more efficiently. But they have also raised significant concerns as to the safety of these new foods, and the adequacy of government oversight. These concerns were heightened by the recent recall of taco shells that contained a variety of genetically engineered corn that was not approved for human use.

Up until now, genetically engineered foods have been screened by the federal Food and Drug Administration under a voluntary program. The Genetically Engineered Foods Act will make this pre-market review program mandatory, and strengthen government oversight in several important ways.

Mandatory Review: Companies developing genetically engineered foods will receive approval from FDA before new foods could be marketed. FDA will scientifically ensure that genetically engineered foods are just as safe as conventional foods before allowing them on the market.

Clear-cut Authority: FDA will be given authority to review all genetically engineered foods, whether produced domestically or imported, including authority over genetically engineered food supplements (such as ginseng extract, for example). Genetically engineered foods not approved for market will be considered ''adulterated'' and subject to FDA recall.

Public Involvement: Scientific studies and other materials submitted to FDA in their review of genetically engineered foods will be available for public review and comment. Members of the public can submit any new information on genetically engineered foods not previously considered by FDA and request a new review of a genetically engineered food, even after the food is on the market.

Testing: FDA, in conjunction with other federal agencies, will be given the authority to conduct scientifically-sound food testing to determine whether genetically engineered foods are inappropriately entering the food supply (for instance, whether a food cleared for use only as an animal feed is showing up in food for humans).

Communication: FDA and other federal agencies will establish a registry of genetically engineered foods for easy, one-stop access to information on which foods have been cleared for market, and what restrictions are in place on their use. Federal agencies will report regularly to Congress on the status of genetically engineered foods in use. The genetically engineered food review process will be fully transparent so that the public has access to all nonconfidential information.

Research: An existing genetically engineered foods research program will be expanded to focus research on possible risks from genetically engineered foods, with a specific emphasis on potential allergens. Research is also directed at understanding impacts, to farmers and to the overall economy, of the growing use of genetically engineered foods.

Mr. President, I urge my colleagues to join me in cosponsoring this important legislation. The American people should be assured that the food they feed their families is the safest in the world. The Genetically Engineered Foods Act can help provide that assurance. I ask unanimous consent that a copy of the legislation be printed in the RECORD.

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

S. 3184

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Genetically Engineered Foods Act''.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) genetically engineered food is rapidly becoming an integral part of the United States and international food supplies;

(2) the potential positive effects of genetically engineered foods are enormous;

(3) the potential for negative effects, both anticipated and unexpected, exists with genetic engineering of foods;

(4) evidence suggests that unapproved genetically engineered foods are entering the food supply;

(5) it is essential to maintain public confidence in the safety of the food supplies and in the ability of the Federal government to exercise adequate oversight of genetically engineered foods;

(6) public confidence can best be maintained through careful review of new genetically engineered foods, and monitoring of the positive and negative effects of genetically engineered foods as the foods become integrated into the food supplies, through a review and monitoring process that is scientifically sound, open, and transparent, and that fully involves the general public; and

(7) since genetically engineered foods are developed worldwide and imported into the United States, it is also imperative to ensure that imported genetically engineered foods are subject to the same level of oversight as domestic genetically engineered foods.

**SEC. 3. PREMARKET REVIEW OF GENETICALLY ENGINEERED FOODS.**

Chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) is amended by adding at the end the following:

**''SEC. 414. GENETICALLY ENGINEERED FOODS.**

''(a) DEFINITIONS.—In this section:

''(1) GENETIC ENGINEERING.—The term 'genetic engineering' means the application of a recombinant DNA technique or a related technology to modify genetic material with a degree of specificity or precision that is not usually available with a conventional breeding technique or another form of genetic modification.

''(2) GENETICALLY ENGINEERED FOOD.—The term 'genetically engineered food' means a food or dietary supplement that—

''(A)(i) is produced in a State; or

''(ii) is offered for import into the United States; and

''(B) is created by genetic engineering.

''(3) PRODUCER.—The term 'producer', used with respect to a genetically engineered food means a person, company, or other entity that develops, manufactures, imports, or takes other action to introduce into interstate commerce, a genetically engineered food.

''(4) SAFE.—The term 'safe', used with respect to a genetically engineered food, means that the food is considered to be as safe as the appropriate comparable food that is not created by genetic engineering.

''(b) REGULATIONS FOR GENETICALLY ENGINEERED FOODS.—

''(1) PREMARKET CONSULTATION AND APPROVAL.—

''(A) IN GENERAL.—The Secretary shall issue regulations that require a producer of a genetically engineered food, in order to obtain the approval described in subparagraph (B), to use a premarket consultation and approval process described in subparagraph (C).

''(B) APPROVAL.—The regulations shall require the producer to use the process in order to obtain approval to introduce the food into interstate commerce, except in cases where the producer has previously successfully completed the process described in subparagraph (C) or the voluntary premarket consultation process described in paragraph (2).

''(C) PROCESS.—The regulations shall require the producer to use a premarket consultation and approval process that—

''(i) includes the procedures of the voluntary premarket consultation process described in paragraph (2); and

''(ii) meets the requirements of this subsection.

''(2) VOLUNTARY PREMARKET CONSULTATION PROCESS.—The process referred to in paragraph (1)(C)(i) is the voluntary premarket consultation process described in—

''(A) the guidance document entitled 'Guidance on Consultation Procedures: Foods Derived From New Plant Varieties', issued in October 1997, by the Office of Premarket Approval of the Center for Food Safety and Applied Nutrition, and the Office of Surveillance and Compliance of the Center for Veterinary Medicine, of the Food and Drug Administration (or any corresponding similar guidance document);

''(B) the statement of policy entitled 'Foods Derived From New Plant Varieties', published in the Federal Register on May 29, 1992, 57 Fed. Reg. 22984 (or any corresponding similar statement of policy); and

''(C) such other documents issued by the Commissioner relating to such process as the Secretary may determine to be appropriate.

''(3) SUBMISSION AND DISSEMINATION OF MATERIALS.—

''(A) SUBMISSION.—The regulations shall require that, as part of the consultation and approval process, each producer of a genetically engineered food submit to the Secretary—

''(i) each summary of research, test results, and other materials that the producer is required to submit under the process described in paragraph (2); and

''(ii) a copy of the research, test results, and other materials.

''(B) DISSEMINATION.—On receipt of a request for the initiation of a consultation and approval process, or on receipt of such summary, research, results, or other materials for a food, the Secretary shall provide public notice regarding the initiation of the process, including making the notice available on the Internet. The Secretary shall make the summaries, research, results, and other materials relating to the food publicly available, including, to the extent practicable, available on the Internet, prior to making any determination under paragraph (4).

''(C) PROTECTION OF TRADE SECRETS.—The regulations shall ensure that laws in effect on the date of enactment of the Genetically Engineered Foods Act that protect trade secrets apply with respect to the information submitted to the Secretary under subparagraph (A). Such regulations may provide for the submission of sanitized information in appropriate cases, and the dissemination of such sanitized information.

''(4) DETERMINATIONS.—The regulations shall require that, as part of the consultation and approval process for a genetically engineered food, the Secretary shall—

''(A) determine whether the producer of the food has submitted, during the consultation, materials and information that are adequate to enable the Secretary to fully assess the safety of the food, and make a description of the determination publicly available; and

''(B) if the Secretary determines that the producer has submitted adequate materials and information, conduct a review of the materials and information, and, in conducting the review—

''(i) prepare a response that—

''(I) summarizes the materials and information;

''(II) explains the determination; and

''(III) contains a finding by the Secretary that the genetically engineered food—

''(aa) is considered to be safe and may be introduced into interstate commerce;

''(bb) is considered to be conditionally safe and may be so introduced if certain stated conditions are met; or

''(cc) is not considered to be safe and may not be so introduced;

''(ii) make the response publicly available; and

''(iii) provide an opportunity for the submission of additional views or data by interested persons on the response.

''(5) REVIEW FOR CAUSE.—

''(A) REQUEST FOR ADDITIONAL REVIEW.—The regulations shall provide that any person may request that the Secretary conduct an additional review, of the type described in paragraph (4)(B), for a food on the basis of materials and information that were not available during an earlier review described in paragraph (4)(B) or that were not considered during the review.

''(B) FINDING FOR ADDITIONAL REVIEW.—The Secretary shall conduct the additional review, on the basis of the materials and information described in subparagraph (A) if the Secretary finds that the materials and information—

''(i) are scientifically credible;

''(ii) represent significant materials and information that was not available or considered during the earlier review; and

''(iii) suggest potential negative impacts relating to the food that were not considered in the earlier review or demonstrate that the materials and information considered during the earlier review were inadequate for the Secretary to make a safety finding.

''(C) ADDITIONAL MATERIALS AND INFORMATION.—In conducting the additional review, the Secretary may require the producer of

the genetically engineered food to provide additional materials and information, as needed to facilitate the review.

''(D) FINDING.—In conducting the review, the Secretary shall—

''(i) issue a response described in paragraph (4)(B) that revises the finding made in the earlier review with respect to the safety of the food; or

''(ii) make a determination, and issue an explanation stating, that no revision to the finding is needed.

''(E) ACTION OF SECRETARY.—If, based on a review under this paragraph, the Secretary determines that the food involved is not safe, the Secretary may withdraw the approval of the food for introduction into interstate commerce or take other action under this Act as the Secretary determines to be appropriate.

''(6) EXEMPTIONS.—

''(A) CATEGORIES OF GENETICALLY ENGINEERED FOODS.—

''(i) PROPOSED RULE.—The Secretary may issue a proposed rule that exempts a category of genetically engineered foods from the regulations described in paragraph (1) if—

''(I) the rule contains a narrowly specified definition of the category;

''(II) the rule specifies the particular foods included in the category;

''(III) the rule specifies the particular genes, proteins, and adjunct technologies (such as use of markers or promoters) that are involved in the genetic engineering for the foods included in the category; and

''(IV) not less than 10 foods in the category have been reviewed under paragraph (4)(B) and found to be safe.

''(ii) PUBLIC COMMENT PERIOD.—The Secretary shall provide an opportunity, for not less than 90 days, for the submission of comments by interested persons on the proposed rule.

''(iii) FINAL RULE.—At the end of the comment period described in clause (ii), the Secretary shall issue a final rule described in clause (i).

''(B) REGULATED GENETICALLY ENGINEERED FOODS.—

''(i) PROPOSED RULE.—The Secretary may issue a proposed rule that exempts from the regulations described in paragraph (1) genetically engineered foods that the Secretary determines are subject to regulation under Federal law other than this section, such as foods from pharmaceutical-producing plants.

''(ii) PUBLIC COMMENT PERIOD.—The Secretary shall provide an opportunity, for not less than 90 days, for the submission of comments by interested persons on the proposed rule.

''(iii) FINAL RULE.—At the end of the comment period described in clause (ii), the Secretary shall issue a final rule described in clause (i).

''(7) ISSUANCE DATES.—The Secretary shall issue proposed regulations described in paragraph (1) not later than 6 months after the date of enactment of the Genetically Engineered Foods Act, and final regulations described in paragraph (1) not later than 18 months after such date of enactment.

**''SEC. 415. REPORTS ON GENETICALLY ENGINEERED FOODS.**

''(a) DEFINITIONS.—In this section, the terms 'genetic engineering' and 'genetically engineered food' have the meanings given the terms in section 414.

''(b) GENERAL AUTHORITY.—The Secretary, the Administrator, and the Secretary of Agriculture (referred to in this section as the 'covered officers'), after consultation with the Secretary of Commerce, the Secretary of the Interior, the Council on Environmental Quality, and the heads of such other agencies as the covered officers may determine to be appropriate, shall jointly prepare and submit to the appropriate committees of Congress reports on genetically engineered foods and related concerns.

''(c) CONTENTS.—The reports shall contain—

''(1) information on the types and quantities of genetically engineered foods being offered for sale or being developed, domestically and internationally;

''(2) information on current and emerging issues of concern relating to genetic engineering, including issues relating to—

''(A) the ecological impacts of, antibiotic markers for, insect resistance to, nongerminating or terminator seeds for, or cross-species gene transfer for, genetically engineered foods;

''(B) foods from animals created by genetic engineering;

''(C) non-food crops, such as cotton, created by genetic engineering; and

''(D) socioeconomic concerns (such as the impact of genetically engineered foods on small farms), and liability issues;

''(3) information on options for labeling genetically engineered foods, the benefits and drawbacks of each option, and an assessment of the authorities under which such labeling might be required;

''(4) a response to and information on the status of implementation of the recommendations contained in a report entitled 'Genetically Modified Pest Protected Plants', issued in April 2000, by the National Academy of Sciences;

''(5) an assessment of data needs relating to genetically engineered foods;

''(6) a projection of the number of genetically engineered foods that will require regulatory review in the next 5 years, and the adequacy of the resources of the Food and Drug Administration, Environmental Protection Agency, and Department of Agriculture to conduct the review; and

''(7) an evaluation of the national capacity to test foods for the presence of genetically engineered ingredients.

''(d) SUBMISSION OF REPORTS.—The covered officers shall submit reports described in this section not later than 2 years, 4 years, and 6 years after the date of enactment of the Genetically Engineered Foods Act.

**''SEC. 416. MARKETPLACE TESTING.**

''(a) IN GENERAL.—The Secretary, in conjunction with the Secretary of Agriculture and the Administer of the Environmental Protection Agency, shall establish a program to conduct testing, as determined necessary by the Secretary, to identify genetically engineered foods at all stages of production (from the farm to the retail store).

''(b) PERMISSIBLE TESTING.—Under the program under subsection (a), the Secretary may conduct tests on foods —

''(1) to identify genetically engineered ingredients that have not been approved for use pursuant to this Act, including foods that are developed in foreign countries that have not been approved for marketing in the United States under this Act; and

''(2) to identify the presence of genetically engineered ingredients the use of which is restricted under this Act (including approval for animal feed only, approval only if properly labeled, approval for growing or marketing only in selected regions).

**''SEC. 417. GENETICALLY ENGINEERED FOOD REGISTRY.**

''(a) ESTABLISHMENT.—The Secretary, in conjunction with the Secretary of Agriculture and the Administer of the Environmental Protection Agency, shall establish a registry for genetically engineered foods that contains a description of the regulatory status of all such foods that have been submitted to the Secretary for premarket approval and that meets the requirements of subsection (b).

''(b) REQUIREMENT.—The registry established under subsection (a) shall—

''(1) identify all genetically engineered food that have been submitted to the Secretary for premarket approval;

''(2) contain the technical and common names of each of the foods identified under paragraph (1)

''(3) contain a description of the regulatory status under this Act of each of the foods identified under paragraph (1);

''(4) contain a technical and non-technical summary of the types of genetic changes made to each of the foods identified under paragraph (1) and the reasons for such changes;

''(5) identify an appropriate public contact official at each entity that has created each of the foods identified in paragraph (1);

''(6) identify an appropriate public contact official at each Federal agency with oversight responsibility over each of the foods identified in paragraph (1); and

''(7) be accessible by the public.''.

**SEC. 4. PROHIBITED ACTS.**

Section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342) is amended by adding at the end the following:

''(h) If it is a food containing a genetically engineered food as an ingredient, or is a genetically engineered food (as defined in section 414(a)) that is subject to section 414(b) that—

''(1) does not meet the requirements of section 414(b); and

''(2)(A) is produced in the United States and introduced into interstate commerce by a producer (as defined in section 414(a)); or

''(B) is introduced into interstate commerce by an importer.''.

**SEC. 5. GRANTS FOR RESEARCH ON ECONOMIC AND ENVIRONMENTAL RISKS AND BENEFITS OF USING BIOTECHNOLOGY IN FOOD PRODUCTION.**

(a) IN GENERAL.—Section 1668 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921) is amended by striking subsections (a) and (b) and inserting the following:

''(a) PURPOSES.—The purposes of this section are—

''(1) to authorize and support research intended to identify and analyze technological developments in the area of biotechnology for the purpose of evaluating the potential positive and adverse effects of the developments on the United States farm economy and the environment, and addressing public concerns about potential adverse environmental effects, of using biotechnology in food production; and

''(2) to authorize research to help regulatory agencies develop policies, as soon as practicable, concerning the introduction and use of biotechnology.

''(b) GRANT PROGRAM.—The Secretary of Agriculture, acting through the Cooperative State Research, Education, and Extension Service and the Agricultural Research Service, shall establish a competitive grant program to conduct research to promote the purposes described in subsection (a).''.

(b) TYPES OF RESEARCH.—Section 1668(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921(c)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) Research designed to evaluate—

''(A) the potential effect of biotechnology developments on the United States farm economy;

''(B) the competitive status of United States agricultural commodities and foods in foreign markets; and

''(C) consumer confidence in the healthfulness and safety of agricultural commodities and foods.''.

(c) PRIORITY.—Section 1668(d)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921(d)(1)) is amended by inserting before the semicolon the following: '', but giving priority to projects designed to develop improved methods for identifying potential allergens in pest-protected plants, with particular emphasis on the development of tests with human immune-system endpoints and of more reliable animal models''.

(d) CONFORMING AMENDMENTS.—

(1) Section 1668 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921) is amended by striking the section heading and inserting the following:

**''SEC. 1668. GRANTS FOR RESEARCH ON ECONOMIC AND ENVIRONMENTAL RISKS AND BENEFITS OF USING BIOTECHNOLOGY IN FOOD PRODUCTION.''.**

(2) Section 1668(g)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921(g)(2)) is amended by striking ''for research on biotechnology risk assessment''.

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Mr. KYL (for himself and Mrs. FEINSTEIN):

S. 3188. A bill to facilitate the protection of the critical infrastructure of the United States, to enhance the investigation and prosecution of computer-related crimes, and for other purposes; to the Committee on the Judiciary.

CYBER SECURITY ENHANCEMENT ACT OF 2000

Mr. KYL. Mr. President, today I rise to introduce the Cyber Security Enhancement Act of 2000. This legislation is designed to enhance America's ability to protect our critical infrastructures from attack by hackers, terrorists, or hostile nations. It is a result of many meetings and hearings I have held as the Chairman of the Judiciary Subcommittee on Technology, Terrorism, and Government Information that focused on cyber security and critical infrastructure protection.

As we all know, the Information Revolution has transformed virtually every aspect of our daily lives. However, advancements in technology have not been accompanied by adequate security. Today, our nation's critical infrastructures have all become interdependent, with vulnerable computer networks as the backbone. These networks, and the vital services they support like transportation, electric power, air traffic control, and telecommunications, are vulnerable to disruption or destruction by anyone with a computer and a modem. And an attack on one sector can cascade to others, causing significant loss of revenue, disruption of services, or loss of life.

The Cyber Security Enhancement Act seeks to remove some of the impediments to effective cooperation between the private sector and the government that prevent effective cyber security. Over the past three years, Senator FEINSTEIN and I have held seven hearings in our subcommittee on cyber security issues. Although we received many recommendations from experts at these hearings and from Executive Branch commissions, I have only included those ideas in this bill that I thought would clearly improve cyber security efforts.

In particular, this bill would allow companies to voluntarily submit information on cyber vulnerabilities, threats, and attacks to the federal government, without this information being subject to Freedom of Information Act disclosure. The bill would also clarify anti-trust law to permit companies to share information with each other on these cyber security issues. In addition, the bill would authorize the Attorney General to issue administrative subpoenas in order to swiftly trace the source of a cyber attack. It then requires the Attorney General to report to Congress on a plan to standardize requests from law enforcement agencies to private companies for electronic information and records used during a cyber investigation. Finally, it requires the Attorney General and the Secretary of Commerce to report on efforts to encourage the utilization of technologies that prevent the use of false Internet addresses.

I would like to provide a brief background some of the actions by the government that have helped to highlight the impediments addressed by the Cyber Security Enhancement Act:

Because of my concern for America's new ''Achilles heel'', I authored an amendment to the 1996 Defense Authorization Act, directing the President to submit a report to Congress ''setting forth the results of a review of the national policy on protecting the national information infrastructure against strategic attacks.''

In July 1996, the President's Commission on Critical Infrastructure Protection, PCCIP, was established. It was required to report to the President on the scope and nature of the vulnerabilities and threats to the nations critical infrastructures. It was also charged to recommend a comprehensive national policy and implementation plan for critical infrastructure protection and determine legal and policy issues raised by their proposals. The Cyber Security Enhancement Act implements some of their legal recommendations.

The Commission released its report in October of 1997. It called for an unprecedented partnership between the public and private sector to better secure our information infrastructure. This partnership is essential because approximately 90 percent of the critical infrastructures are owned and operated by private industry.

In May 1998, the President issued Presidential Decision Directive 63, PDD 63, as a response to the Commissions recommendations. This directive set 2003 as the goal for protecting our critical infrastructures from attack. Among other provisions, PDD–63 created Information Sharing and Analysis Centers, ISACs, for the private sector to share information on cyber vulnerabilities and attacks.

Finally, on January 7th, 2000, President Clinton released the first edition of the national plan to protect our critical infrastructures. The plan was a modest first step towards addressing the cyber security challenges before the nation. Like the PCCIP, its key element was the call for a public-private partnership. In February of 2000, I chaired a hearing in my Judiciary Subcommittee on Technology, Terrorism, and Government Information on the national plan and its privacy implications. I plan to hold additional oversight hearings on the plan in the future.

Overall protection from cyber attack necessitates that information about cyber vulnerabilities, threats, and attacks be communicated among companies, and with government agencies. Two major legal obstacles towards accomplishing this goal have been repeatedly identified.

A company which voluntarily submits cyber vulnerability and attack information to the federal government in order to help raise overall security must be assured that this information is protected from disclosure or they will not voluntarily submit such information. My legislation provides a narrowly defined exemption from the Freedom of Information Act for this purpose.

In its report, the PCCIP specifically addressed the legal impediments to information sharing. In that section, the Commission stated:

> We envision the creation of a trusted environment that would allow the government and private sector to share sensitive information openly and voluntarily. Success will depend upon the ability to protect as well as disseminate needed information. We propose altering several legal provisions that appear to inhibit protection and thus discourage participation.
>
> The Freedom of Information Act, FOIA, makes information in the possession of the federal government available to the public upon request. Potential participants in an information sharing mechanism may require assurances that their sensitive information will remain confidential if shared with the federal government.
>
> We recommend: The proposed Office of National Infrastructure Assurance (now the Critical Infrastructure Assurance Office) require appropriate protection of specific private sector information. This might require, for example, inclusion of a b(3) FOIA exemption in enabling legislation.

Currently, there are over 100 exemptions to FOIA that have been created by other laws. My legislation creates another so called ''(b)(3)'' exemption that would ensure that Federal entities, agencies, and authorities that receive information submitted under the statute can offer the strongest possible assurances that information received will be protected from FOIA disclosure.

Our legislation would not allow submitters to hide information from the public. If current reporting obligations require that certain information be

submitted to a particular agency, this non-disclosure provision would not alter that requirement. The legislation would only protect voluntarily submitted information that the government would otherwise not have.

There is tremendous support for this FOIA exemption. My subcommittee held a hearing in March to address the impediments to information sharing. At that hearing, I asked Harris Miller, President of the Information Technology Association of America (the largest and oldest association of its kind in the nation): ''With respect to FOIA, is it fair to say that we won't have adequate information sharing until we offer an exemption to FOIA for critical information infrastructure protection?'' Mr. Miller responded: ''Absolutely. As long as companies believe that by cooperating with the government they're facing the risk of very sensitive and confidential information about proprietary secrets or about customer records, however well intentioned, ending up in the public record, that is going to be, to use your phrase, a show stopper.''

FBI Director Louis Freeh testified at the same hearing. He was asked if he supported a FOIA exemption and said: ''I would certainly tend to favor it in the limited area of trade secrets, proprietary information, intellectual property, much like my comments about the Economic Espionage Act, where that is carved out as an area that protects things that are critical to conduct an investigation, but would be devastating economically and otherwise to the owner of that property, if it was disclosed or made publicly available.''

The Critical Infrastructure Assurance Office has sponsored the ''Partnership for Critical Infrastructure Security'', which is a collaborative effort of industry and government to address risks to national critical infrastructures and assure delivery of essential services. It has representation from all sectors of private industry. During their meeting in February, five working groups were formed, one of which addressed legal impediments to information sharing. FOIA was raised as a primary impediment.

Former Senator Sam Nunn and Frank Cilluffo, of the Center for Strategic and International Studies, wrote an op-ed on cyber security in the Atlanta Journal-Constitution last month. In the article, they stated: ''We need to review and revise the Freedom of Information Act, which now constitutes an obstacle to the sharing of information between the public and private sectors.''

We clearly need to assure private companies that information they share with the government in order to improve cyber security and protect our critical infrastructures will be protected from public disclosure. This legislation provides that assurance.

Information-sharing activities between companies in the private sector is inhibited by concern over anti-trust violations. According to the PCCIP, ''Potential contributors from the private sector are reluctant to share specific threat and vulnerability information because of impediments they perceive to arise from antitrust and unfair business practice laws.''

The Cyber Security Enhancement Act includes an assurance that companies who share information with each other on the narrow issues of cyber threats, vulnerabilities, and attacks will not be subject to anti-trust penalties. This protection was similarly provided to companies during the preparation for Y2K. There is also a great deal of support for this provision.

David Aucsmith, Intel's chief security officer, testified at a Scottsdale, AZ field hearing of my subcommittee on cyber security on April 22. In reference to information sharing between companies, he stated, ''However, there are problems with that cooperation. We are now having a collection of industry competitors coming together to share information. This brings up anti-trust issues.''

In the op-ed by Nunn and Cilluffo, they stated, ''Likewise, we need to address legislatively the multitude of issues related to liability, including anti-trust exposure that may arise in sector-to-sector cooperation in cyberspace.''

Harris Miller, President of the ITAA, wrote an op-ed on cyber security for the Washington Post in May. In his section on information sharing, he commented, ''Part of the answer will require new approaches to the Freedom of Information Act and the anti-trust laws so that sensitive information can be protected.''

Companies need assurance that their participation in information sharing activities about cyber vulnerabilities, threats, and attacks will not result in punishment. The Cyber Security Enhancement Act provides the assurance that such narrow areas of cooperation will not result in unwarranted anti-trust prosecution.

Cyber attacks often leave no witnesses. When an attack does occur, its origin, scope, and objective are usually not obvious at first. Time is a critical factor in the pursuit of a cyber attacker, and new tools are needed to fight this problem. At the March hearing of my subcommittee, FBI Director Louis Freeh testified about the need for law enforcement to have administrative subpoena authority in order to swiftly trace the source of a cyber attack. The Cyber Security Enhancement Act will permit law enforcement to use administrative subpoenas to gain source information of an attack. Under current law, the authority to issue administrative subpoenas is limited to cases involving violations of Title 21 (i.e. drug controlled substances' cases), investigations concerning a federal health care offenses, or cases involving child sexual exploitation or abuse.

The ''Love Bug'' virus investigation is an excellent example of where speed is of the essence in catching a cyber criminal. Philippine authorities investigating the ''Love Bug'' computer virus wanted to search the suspects' apartment sooner, but were unable to find a judge over the weekend. The delay apparently gave the apartment's residents time to dispose of the personal computer and key evidence.

The administrative subpoena provision in my legislation is very narrowly limited to cybercrime investigations involving violations of nine federal statues that address computer crimes. This provision is only concerned with obtaining information about the source of the electronic communication. It specifically protects privacy rights by prohibiting the disclosure of the contents of an electronic message. Administrative subpoenas will provide law enforcement with the speed and the means to enhance the protection of our critical infrastructures from attack in cyberspace.

The Cyber Security Enhancement Act will remove roadblocks to information sharing and investigation of cyber attacks. It will foster greater cooperation among the private sector and with the government on cyber security issues by providing limited protection from FOIA and anti-trust laws. It will take away the current ability of cyber criminals to evade law enforcement's efforts to catch them by authorizing administrative subpoenas. It will encourage standardization in requests for information by law enforcement to the private sector. It will encourage the use of technologies that inhibit a cyber attacker from utilizing a false Internet address.

Ultimately, this legislation enhances the protection of our nation's critical infrastructures from cyber attack by hackers, terrorists, or hostile nations. I am committed to doing what I can to secure our nation's way of life in the Information Age. This legislation is a critical first step.

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By Ms. SNOWE (for herself, Mr. BAYH, Mr. KOHL, Mr. L. CHAFEE, Mr. MOYNIHAN, and Mr. BREAUX):

S. 3189. A bill to provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, and for other purposes; to the Committee on Finance.

CHILD SUPPORT DISTRIBUTION ACT OF 2000

Ms. SNOWE. Mr. President, I rise today to introduce the Child Support Distribution Act. This is companion legislation to Congresswoman NANCY JOHNSON's bill in the House, which passed the House overwhelmingly on September 7, 2000. I want to begin by thanking Senator KOHL for his leadership on child support issues; I am delighted to have been able to team up with him again in this important area. The child support provisions of this bill

closely resemble his original legislation—the Children First Child Support Reform Act—of which I am a proud cosponsor. I also want to thank Senator BAYH for his leadership on new fatherhood initiatives. I am pleased that we could work together and incorporate their ideas into this vital legislation. I am pleased to have Senators CHAFEE, MOYNIHAN, and BREAUX as original cosponsors on this bill.

There is no question that children are the very future of our country and I believe fundamentally that every child has the right to grow up healthy, happy, and safe. Throughout my career, promoting children's well-being and keeping our children safe is a mission that has been close to my heart. While we cannot expect the government to ensure that every child receives parental love and attention, we can ensure that parents pay court-ordered child support, and we can ensure that the custodial parent—not the government—receives this vital financial support.

Ending poverty and promoting self-sufficiency is an on-going national commitment. Four years ago Congress restored welfare to a temporary assistance program, rather than a program that entangles and traps generation after generation. Today, the welfare caseload has fallen by six million recipients from 12.6 million in 1996 to 6.6 million in September 1999. This reflects a drop of 49 percent in just three years. We also have the lowest percentage (2.4) of the American population on welfare since 1967.

Unfortunately, while we are succeeding in promoting self-sufficiency and self-reliance through welfare reform, we are sending out a double-edged message on the need to pay child support. Current law regarding the assignment and distribution of child support for families on welfare is extremely complicated—depending on when families applied for welfare, when the child support was paid, whether that child support was for current or past-due payments, and depending on how the child support was collected, in other words, through direct payments, through garnishing wages or other government assistance programs, or the federal income tax return intercept program.

The ''Child Support Distribution Act of 2000'' would provide more child support money to families leaving welfare; would simplify the rules governing the assignment and distribution of child support collected by States; would improve the collection of child support; would authorize demonstration programs encouraging public agencies to help collect child support; and would implement a fatherhood grant program to promote marriage, encourage successful parenting, and help fathers find jobs and increase their earnings.

Under current law, when child support is collected for families receiving Temporary Assistance for Needy Families, TANF, the money is divided between the state and federal governments as payment for the welfare the family has received. The 1996 Welfare Reform Act gave states the option to decide how much, if any, of the state share of child support payments collected on behalf of TANF families to send to the family.

The 1996 Welfare Reform law also required that in order to qualify for TANF benefits, beneficiaries must ''assign''—or give—their child support rights to the state for periods before and while the family is on welfare. This means that the State is allowed to keep (and divide with the federal government) child support arrearages that were owed even before the family went on TANF if they are collected while the family is receiving welfare benefits.

The original intent of these assignment and distribution strategies was to reimburse the state and federal governments for their outlays to the welfare family. But how much sense does it make to tell a family that is on welfare or trying to get off welfare that the State is entitled to the first cut of any child support payment, even if the absent parent begins to pay back the child support that was owed before the family went on welfare?

This means that the state gets the support before a parent can buy new shoes for her child, before she can buy her child a new coat for the approaching winter, before she can buy groceries for her family, or pay the rent for the next month. So in the real world, not just a policy-oriented world, our current law regarding child support payments provides a disincentive for struggling parents to leave welfare, and it certainly provides no incentive for the absent parent to pay, much less catch up with, their child support bills. I wonder how we can realistically expect to foster a positive relationship between a custodial parent, and the parent paying child support, when the State is entitled to all of the support money.

The key provisions of the bill I am introducing today will allow states to pass through the entire child support collected on their behalf while a person is on welfare; will change how and when child support is ''owed'' to the states for reimbursement for welfare benefits; and will expand the child support collection provisions such as revoking passports for past-due child support.

We must ensure both non-custodial and custodial parents that child support payments are directly benefitting their children. This bill will enable families to keep more of the past-due child support owed to them and it will further the goals of the 1996 Welfare Reform Act by helping families to remain self-sufficient. This bill will give mothers leaving welfare an additional $4 billion child support collections over the first five years of full implementation. It will also lead to the voluntary payment by states of about $900 million over five years in child support to families while they are still on welfare.

Children are the leaders of tomorrow; they are the very future of our great nation. We owe them nothing less than the sum of our energies, our talents, and our efforts in providing them a foundation on which to build happy, healthy and productive lives. And, when appropriate, we need to help parents financially support and provide for their children. Because it simply makes little sense to ask people to be self-sufficient, to pay their child-support bills, and then to allow the State to collect all of that child-support.

I encourage my colleagues to take a serious look at this bill and pass it before we adjourn.

Mr. BAYH. Mr. President, I rise today with the hope that this important legislation will be addressed prior to the adjournment of this Congress. As an original cosponsor of the ''Child Support Distribution Act of 2000,'' I strongly support the promotion of responsible fatherhood and putting more money in the hands of families for their children. The House of Representatives has done their part by passing a similar bill 405 to 18. It is time for the Senate to act.

This bill incorporates provisions from a bill I authored, S. 1364, the ''Promoting Responsible Fatherhood Act,'' a bipartisan bill to help fathers and noncustodial parents provide emotional and financial support for their children. The provision in this bill to provide states with grants for fatherhood programs is essential to ensure smaller more localized programs receive funding and to provide each state with seed money to expand upon current fatherhood initiatives.

With the inclusion of fatherhood and media grants, this bill strikes an appropriate balance to address ''dead-broke'' fathers and ''deadbeat'' fathers. In order to help dead-broke fathers act responsibly, this bill authorizes grants to fatherhood programs to provide employment training and build upon parenting skills. Last year, I visited the Father Resource Program, run by Dr. Wallace McLaughlin in Indianapolis, Indiana. This program is a wonderful example of a local, private/public partnership that delivers results. It has served more than 500 fathers, primarily young men between the ages of 15 and 25, by providing father peer support meetings, premarital counseling, family development forums and family support services, as well as co-parenting, employment, job training, education, and life skills classes.

The fathers there were eager to tell me when I asked about the difference these programs have made in their lives and the lives of their children.

One said to me, ''After the six-week fatherhood training program, the support doesn't stop . . . I was wild before. The program taught me self-discipline, parenting skills, responsibility.''

Another said, ''As fathers, we would like to interact with our kids. When

they grow into something, we want to feel proud and say that we were a part of that.''

And yet another, ''The program showed me how to have a better relationship with my child's mother, and a better relationship with my child. Before those relationships were just financial.''

While the program's emotional benefits to families are difficult to measure, we do know it is helping fathers enter the workforce. Over 80 percent of the men who have graduated from the program are currently employed.

In addition, to grant programs that provide parenting skills, employment related training, and encourage healthy child-parent relationships there needs to be a cultural shift. This shift will only take place when society deems it unacceptable to evade one's responsibility as a father. This shift is necessary to motivate the ''deadbeat'' fathers to take responsibility for their children. In an effort to achieve this cultural shift, the ''Child Support Distribution Act of 2000'' includes $25 million for a media grant program that will allow each state to air television ads that convey the importance of fatherhood.

In addition, this bill expands upon the provision in S. 1364 to encourage states to pass-through child support funds directly to families that are currently on government assistance. This provision would provide an additional $6.2 billion in the hands of families and children over the next ten years. In addition, it will increase the likelihood that noncustodial parents will pay child support and allow children to benefit from their noncustodial parents' financial contributions. Making families self sufficient through the participation of both parents in their children's lives is the next step in welfare reform.

Society has been aware of the connection between fatherlessness and children experiencing social ills such as poverty, crime, and teen pregnancy for sometime now. However, the Federal Government continues to spend billions of dollars to address these social ills and very little to address the root causes of such social ills. In order to break the cycle of poverty, government dependance, and crime Congress needs to address fatherlessness and the breakdown of the family structure.

The investment called for in this legislation is fiscally responsible—it helps deal with the root causes, not just the symptoms, of many of the social problems that cost our society a great deal of money.

The cost to society of drug and alcohol abuse is more than $110 billion per year.

The federal government spends $8 billion a year on dropout prevention programs.

Last year we spent more than $105 billion on poverty relief programs for families and children.

The social and economic costs of teenage pregnancy, abortion and sexually transmitted diseases have been estimated at more than $21 billion per year.

All this adds up to a staggering price we pay for the consequences of our fraying social fabric, broken families and too many men not being involved with their kids.

The number of kids living in households without fathers has tripled over the last forty years, from just over 5 million in 1960 to more than 17 million today. Children need positive role models.

The House overwhelmingly declared their support for child support and fatherhood measures. I urge the Senate to declare their support for these measures and pass this legislation this year. I yield the remaining time to the floor.

Mr. KOHL. Mr. President, I rise today as an original co-sponsor of this important legislation, the ''Child Support Distribution Act of 2000,'' and am pleased to join with Senators SNOWE, BAYH, CHAFEE, MOYNIHAN and BREAUX in this effort to help build stronger families and improve our public child support system.

I want to thank and commend Senator SNOWE and the other co-sponsors for working with me to present this combined child support/fatherhood legislative package, containing child support provisions that are similar to my legislation, S. 1036, the ''Children First Child Support Reform Act.'' Both my bill and the legislation we are introducing today take significant steps to increase child support collections and to increase the support dollars that are delivered directly—or passed-through—to families involved in the public system.

In Fiscal Year 1998, the public child support system collected child support payments for only 23 percent of its caseload. This means that our nation's children are owed roughly $47 billion in over-due child support. Though every year we collect more, it is clear that our child support system is still not working as it should and that too many children still lack the support they need and deserve.

In 1997, I worked with my State of Wisconsin to institute an innovative program of passing through child support payments directly to families—and they have with great success. Wisconsin has found that when child support payments are delivered to families, non-custodial parents are more apt to pay, and to pay more. In addition, Wisconsin has found that, overall, this policy does not increase government costs. That makes sense because ''passing through'' support payments to families means they have more of their own resources, and are less apt to depend on public help to meet other needs such as food, transportation or child care.

And since 1997, I have worked to promote expansion of this policy to the other states. I contributed to the Administration's child support financing reform consultation process and urged the President to make pass-through expansion part of his budget for fiscal year 2001, which he agreed to do. I also worked to reach consensus on pass-through expansion with the states, children's advocates and fatherhood groups. These efforts led to my introducing bipartisan legislation last year on child support financing reform, S. 1036, that advanced many of the policies and principles incorporated into this legislation. I also testified on child support pass-through policy at a hearing before the Senate Finance Committee on July 25, 2000.

Though we've come a long way since the 1997 beginning of an expanded pass-through program in Wisconsin, we now have a key opportunity to encourage other states to follow Wisconsin's example. A House version of this child support/fatherhood legislation passed the House on September 7th by an overwhelming bipartisan vote of 405 to 18. On September 25th, I sent a letter to the Senate leadership, a letter co-signed by 21 of my Senate colleagues, urging the leadership to take action on child support and fatherhood policy reforms before the end of this legislative session. And it is our goal and my sincere hope that this bipartisan ''Child Support Distribution Act,'' which so closely resembles the House bill, will be approved by the Senate unanimously. This legislation will deliver over $6 billion in increased child support payments to families over the next ten years. And as my 21 Senate colleagues and I emphasized in our letter, we can and should move this legislation this year because our nation's children need and deserve nothing less.

While we all agree that the level of over-due child support is unacceptable, we also know that poor collection rates don't tell a simple story. There are many reasons why non-custodial parents may not be paying support for their children. Some are not able to pay because they don't have jobs or have fallen on hard times. Others may not pay because they are unfairly prevented from spending time with their children.

But other fathers don't pay because the public system actually discourages them from paying. As my colleagues may know, under the current system, nearly $2 billion in child support is retained every year as repayment for public assistance, rather than delivered to the children to whom it is owed. This policy has existed since 1975 when we designed the public child support system to recover the costs of welfare assistance. Once collected, those support dollars are split between the state and federal governments as reimbursement for welfare costs.

Since the money doesn't benefit their kids, fathers are either discouraged from paying support altogether or at least discouraged from paying through the formal system. And on the other side of the equation, mothers have no incentive to push for payment since the support doesn't go to them.

Our ''Child Support Distribution Act,'' just like my ''Children First Child Support Reform Act,'' attempts to address this problem. The legislation reforms child support policy so that families working their way off—or just off—public assistance, keep more of their own child support payments. With this bill, the federal-state child support partnership will embark upon a new policy era with a mission focused both on promoting self-sufficiency, rather than cost recovery, and on making child support payments truly meaningful for families.

We know that creating the right incentives for non-custodial parents to pay support and increasing collections has long-term benefits. People who can count on child support are more likely to stay in jobs and stay off public assistance.

Delivering or passing through child support directly to families would simplify the job for states as well. The states currently devote six to eight percent of what they spend to run the entire child support program—$250 million per year—on distributing collections. This has created an administrative nightmare. Right now, the states divvy up child support dollars into as many as nine pots. Under my proposal, states would have greater freedom to adopt a straightforward policy of collecting child support and delivering it to families, without costly and burdensome regulations.

Moving towards a simpler child support system that puts greater emphasis on getting funds to families is the right and most fair approach —for fathers, mothers, and children, and for all of us interested in making the child support program work. I urge my Senate colleagues to support this legislation this year, and I look forward to our working to deliver more child support resources to the children to whom they are owed so that all our communities benefit from healthier, happier children and stronger, more stable families.

Mr. BREAUX. Mr. President, I would like to express my strong support for the Child Support Distribution Act of 2000 introduced today in the Senate. I would also like to commend my colleagues on their efforts to reconcile the House-passed Child Support Distribution Act, H.R. 4678, with similar bills introduced in the Senate. I agree that it is imperative for the Senate to join the House in passing strong bipartisan legislation to strengthen the child support system and assist low income families by allowing them to retain child support payments. I also believe that it is important to encourage noncustodial fathers to take responsibility for their children's well-being and I am pleased that this legislation includes funding to states to develop programs promoting responsible parenthood.

I feel so strongly about this legislation because of the significance of child poverty in the United States, and particularly in my own State of Louisiana. According to the Children's Defense Fund, there are almost 366,000 children living in poverty in the State of Louisiana, almost 30 percent of the state's children. Over 33 percent of families in Louisiana have no father in the home and 40 percent of babies are born out-of-wedlock. Studies show that children who are raised with no father are five times more likely to live in poverty and twice as likely to commit a crime or commit suicide, as well as more likely to use drugs and alcohol or to become pregnant. It is time to break this cycle of child poverty. Strengthening the child support system, ensuring that money gets into the hands of the families that need it, and supporting programs that encourage responsible parenthood are important steps in addressing child poverty. I am pleased to cosponsor the Child Support Distribution Act and encourage the Senate to act on it this Congress. Thank you for this opportunity to voice my support for this important legislation.

## ADDITIONAL COSPONSORS

S. 206

At the request of Mr. ASHCROFT, his name was added as a cosponsor of S. 206, a bill to amend title XXI of the Social Security Act to provide for improved data collection and evaluations of State Children's Health Insurance Programs, and for other purposes.

S. 768

At the request of Mr. SESSIONS, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 768, a bill to establish court-martial jurisdiction over civilians serving with the Armed Forces during contingency operations, and to establish Federal jurisdiction over crimes committed outside the United States by former members of the Armed Forces and civilians accompanying the Armed Forces outside the United States.

S. 1159

At the request of Mr. STEVENS, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 1159, a bill to provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

S. 1536

At the request of Mr. DEWINE, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1536, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

S. 1969

At the request of Mr. CRAIG, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1969, a bill to provide for improved management of, and increases accountability for, outfitted activities by which the public gains access to and occupancy and use of Federal land, and for other purposes.

S. 2773

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2773, a bill to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes.

S. 3009

At the request of Mr. HUTCHINSON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 3009, a bill to provide funds to the National Center for Rural Law Enforcement.

S. 3050

At the request of Mr. HATCH, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 3050, a bill to amend title XVIII of the Social Security Act to make improvements to the prospective payment system for skilled nursing facility services.

S. 3101

At the request of Mr. ASHCROFT, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 3101, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States.

S. 3119

At the request of Mr. WYDEN, the names of the Senator from Washington (Mr. GORTON) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 3119, a bill to amend the Act entitled ''An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes.''

S. 3131

At the request of Mr. MURKOWSKI, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 3131, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians and other health care providers that are attempting to properly submit claims under the medicare program and to ensure that the Secretary targets truly fraudulent activity for enforcement of medicare billing regulations, rather than inadvertent billing errors.

S. 3147

At the request of Mr. ROBB, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 3147, a bill to authorize the establishment, on land of the Department of the Interior in the District of Columbia or its environs, of a memorial and gardens in honor and commemoration of Frederick Douglass.

S. 3152

At the request of Mr. ROTH, the names of the Senator from Georgia