[the database] to include Federal crimes and crimes committed in the District of Columbia,'' but Federal officials claim more express authority is necessary. We are not so sure they're right, but there is no need to wait any longer.

Our measure closes once and for all this loophole that allows DNA samples from Federal (including military) and Washington, D.C. offenders to go uncollected. Under our proposal, DNA samples would be obtained from any Federal offender—or any D.C. offender under Federal custody or supervision—convicted of a violent crime or other qualifying offense. And it would require the collection of samples from juveniles found delinquent under Federal law for conduct that would constitute a violent crime if committed by an adult. Our proposal was prepared with the assistance of the FBI, the Administrative Office of the U.S. Courts, the Bureau of Prisons, the U.S. Parole Commission, agencies within the District of Columbia responsible for supervision of released felons, and the Department of Defense.

Modern crime-fighting technology like DNA testing and DNA databases make law enforcement much more effective. But in order to take full advantage of these valuable resources, we need this measure to make the database as comprehensive—and as productive—as possible. Violent criminals should not be able to evade arrest simply because a state didn't analyze its DNA samples or because an inexcusable loophole leaves Federal and D.C. offenders out of the DNA database. This measure will ensure that we apprehend violent repeat offenders, regardless of whether they originally violated state, Federal or D.C. law. And, by collecting more DNA evidence and utilizing the best of DNA technology, we also can help exonerate individual suspects whose DNA does not match with particular crime scenes.

Mr. President, this measure will help police use modern technology to solve crimes and prevent repeat offenders from committing new ones. Let me credit Senators DEWINE, HATCH, LEAHY and Congressman MCCOLLUM for their hard work which is finally paying off.

Mr. GRASSLEY. I ask unanimous consent the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4640), as amended, was read the third time and passed.

ICCVAM AUTHORIZATION ACT OF 2000

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 4281, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4281) to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new or revised scientifically valid 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.

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

Mr. DEWINE. Mr. President, I rise today to support passage of H.R. 4281, the ''ICCVAM Authorization Act of 2000.'' This bill would make permanent the Interagency Coordinating Committee on the Validation of Alternative Methods, otherwise known as ''ICCVAM.'' Doing so would give companies and federal agencies a sense of certainty and would encourage them to make the long-term research investments necessary to develop new, revised, and alternative toxicology test methods for ICCVAM to review. This would decrease and ultimately could lead to the end of animal use in testing shampoos, pesticides, and other products, while ensuring that human safety and product effectiveness remain protected.

ICCVAM was created pursuant to the 1993 National Institutes of Health Revitalization Act's mandate that the National Institute of Environmental Health Sciences (NIEHS) recommend new processes for federal agencies' acceptance of new, revised, or alternative toxicology test methods. ICCVAM is composed of representatives of various federal agencies that use or regulate the use of animals in toxicity testing.

ICCVAM evaluates and recommends improved test methods and makes it possible for more uniform testing to be adopted across federal agencies. Ultimately, ICCVAM streamlines the test method validation and approval process by evaluating methods of interest to multiple agencies, thus reducing the need for companies to perform multiple animal tests to meet the requirements of different federal agencies. This bill and ICCVAM do not apply to regulations related to medical research.

Recent advances in analytical chemistry and computer modeling have created new opportunities for the development of more accurate, faster, and less expensive test methods—methods that use fewer animals or bypass the need to use any animals in toxicity testing. This is a ''win-win'' situation for the public, industry, animal protection groups, and agencies.

This is a truly bipartisan and cooperative effort among industry, animal protection groups, and various federal agencies. It simply makes sense to make permanent a process that is currently working so well. This bill is supported by the Doris Day Animal League, Procter & Gamble, the Colgate-Palmolive Company, the Humane Society, the American Humane Association, the Massachusetts Society for the Prevention of Cruelty to Animals, the Gillette Company, the Chemical Specialties Manufacturers Association, the American Chemistry Council, the Soap and Detergent Association, the Synthetic Organic Chemical Manufacturers Association, and the American Crop Protection Association.

I thank Senators KENNEDY, MURRAY, SMITH of New Hampshire, ABRAHAM, SANTORUM, and BOXER for their support of ICCVAM and for their work in this bipartisan effort. I also thank Chairman JEFFORDS for his help in moving forward the Senate counterpart bill I introduced—S. 1495—upon which we based our bipartisan negotiations.

CHEMICAL TESTING PROGRAMS AND CREATING A SCIENTIFIC ADVISORY COMMITTEE

Mrs. BOXER. Mr. President, I appreciate the work of my colleague from Ohio, Mr. DEWINE on S. 1495, the ICCVAM Authorization Act of 2000, and was pleased to cosponsor that legislation. The measure will help ensure that we improve the review of chemical test methods employed by federal agencies with the ultimate goal of reducing the unnecessary use of animals in testing.

The bill we consider here today is the House-passed version, H.R. 4281, which is somewhat different than S. 1495. Would the Senator from Ohio be willing to clarify a few important points about this legislation for our colleagues?

Mr. DEWINE. Mr. President, I would be pleased to clarify aspects of this legislation for my colleagues.

Mr. BAUCUS. I am concerned that this legislation could be used to delay the EPA's chemical testing programs including the proposed Endocrine Disruptor Screening Program, the agency's children's health testing initiatives, and EPA's pesticide registration/re-registration process. Can my colleague from Ohio assure me that nothing in this bill is intended to prevent or slow the implementation of existing statutory mandates under the Food Quality Protection Act and the Safe Drinking Water Act for these important programs?

Mr. DEWINE. I can assure my colleague from Montana that nothing in this legislation is intended to prevent or slow the implementation of existing statutory mandates under the FQPA and SDWA.

In fact, the EPA is currently exercising its discretion to submit test methods to be used in the EDSP to the ICCVAM for assessment of validation. Nothing in this legislation challenges a Federal agency's authority to choose which screens and tests to send to ICCVAM for review, and an agency's decision whether to refer a test to ICCVAM and whether to follow ICCVAM recommendations is within the agency's discretion.

Furthermore, the bill will not have an impact on existing animal tests in existing federal regulatory programs. Its goal is to facilitate the appropriate validation of new, revised and alternative test methods for future use. using the ICCVAM to assess validation of these test methods can streamline

individual assessment by multiple agencies and enhance the scientific validity of these programs, thereby better protecting public health, and ensuring that laboratory animals used in these programs are not used in vain.

Mrs. BOXER. I have one additional question for my colleague from Ohio. The legislation also creates a Scientific Advisory Committee, SAC, to advise ICCVAM, and provides that the SAC should be comprised of at least one representative from industry and one representative of a national animal protection organization.

My understanding of this provision is that it is not exclusive, and that the SAC will also include at least one representative from the environmental community and one member from the public health community as equal voting members. I along with my colleague from Montana view this issue of equal representation as essential to this legislation.

Can we have the commitment of the Senator from Ohio that at least one voting member of the SAC will be from the environmental or public health community?

Mr. DEWINE. The Senator from California is correct that this provision is not meant to be exclusive, and she has my commitment this is the intent of this legislation and that the SAC can be comprised of at least one voting member from the environmental and one voting member from the public health community, in addition to the other members explicitly specified in the legislation.

Mr. GRASSLEY. I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4281) was read the third time and passed.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 5630, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5630) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

AMENDMENT NO. 4360

Mr. GRASSLEY. Mr. President, I understand that Senator ALLARD has an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for Mr. ALLARD, proposes an amendment numbered 4360.

The amendment is as follows:

(Purpose: To strike section 501, relating to contracting authority for the National Reconnaissance Office)

On page 48, strike lines 4 through 16.

On page 48, line 17, strike ''502.'' and insert ''501.''.

On page 49, line 7, strike ''503.'' and insert ''502.''.

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

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

The amendment (No. 4360) was agreed to.

Mr. SHELBY. Mr. President, I am disappointed, but perhaps not surprised, to be back on the floor with the Intelligence Authorization Act for Fiscal Year 2001.

After 8 years of subordinating national security to political concerns, the Clinton-Gore administration now exits on a similar note. Three days before the election, in the face of hysterical, largely inaccurate, but extremely well-timed media lobbying blitz, the President overruled his national security experts and vetoed this bill over a provision designed to reduce damaging leaks of classified national security information.

Ironically, the White House—with the full knowledge of Chief of Staff John Podesta—had previously signed off on section 304 of the Intelligence bill, the anti ''leaks'' provision that prompted the veto. Section 304, which has been public since May and which represents the product of extensive consultations with the Justice Department and the Senate Judiciary Committee, would have filled gaps in existing law by giving the Justice Department new authority to prosecute all unauthorized disclosures of classified information.

Section 304 and the rest of the intelligence authorization bill were unanimously approved by the Intelligence Committee on April 27, and adopted by the full Senate without dissent on October 2. The President's Executive Office submitted to the Congress a ''Statement of Administration Policy'' in support of the leaks provision. The conference report was adopted by the Senate on October 12.

Let me take a minute to explain why the committee decided, after extensive consultations with the Justice Department, to adopt this provision.

While current law bars unauthorized disclosure of certain categories of information, for example, cryptographic or national defense information, many other sensitive intelligence and diplomatic secrets are not protected. And the U.S. Government, in the words of Director of Central Intelligence George Tenet, ''leaks like a sieve.''

While leakers seldom if ever face consequences for leaks, our intelligence professionals do. These range from the very real risks to the lives and freedom of U.S. intelligence officers and their sources, to the compromise of sensitive and sometimes irreplaceable intelligence collection methods. Human or technical, these sources won't be there to warn of the next terrorist attack, crisis, or war.

If someone who is providing us intelligence on terrorist plans or foreign missile programs asks, ''If I give you this information, can you protect it,'' the honest answer is often ''no.'' So they may rethink, reduce, or even end their cooperation. Leaks also alienate friendly intelligence services and make them think twice before sharing sensitive information, as the National Commission on Terrorism recently concluded.

Some of section 304's opponents downplay the seriousness of leaks compared to traditional espionage. Yet leaks can be even more damaging. Where a spy generally serves one customer, media leaks are available to anyone with 25 cents to buy the Washington Post, or access to an Internet connection.

As important as what this legislation does is what it doesn't do. Media organizations and others have conjured up a parade of dire consequences that would ensue if section 304 had become law. Yet this carefully drafted provision would not have silenced whistle blowers, who would continue to enjoy current statutory protections, including those governing the disclosure of classified information to appropriate congressional oversight committees. Having led the move to enact whistleblower protection for intelligence community employees, I am extremely sensitive to this concern.

It would not have criminalized mistakes: the provision would have applied only in cases where unauthorized disclosures are made both willfully and knowingly. That means that the person both intends and understands the nature of the act. Mistakes could not be prosecuted since they are, by definition, neither willful nor knowing.

It would not have eroded first amendment rights. In particular, section 304 is not an Official Secrets Act, as some critics have alleged. Britain's Official Secrets Act authorizes the prosecution of journalists who publish classified information. Section 304, on the other hand, criminalizes the actions of persons who are charged with protecting classified information, not those who receive or publish it. Even under existing statutes, the Department of Justice rarely seeks to interview or subpoena journalists when investigating leaks. In fact, there has never been a prosecution of a journalist under existing espionage or unauthorized disclosure statutes, despite the fact that some of these current laws criminalize the actions of those who receive classified information without proper authorization.