

on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

TITLE I—THE CHILD ABUSE PREVENTION AND ENFORCEMENT ACT

SEC. 101. SHORT TITLE.

This title may be cited as the "Child Abuse Prevention and Enforcement Act".

SEC. 102. GRANT PROGRAM.

Section 102(b) of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601(b)) is amended by striking "and" at the end of paragraph (15), by striking the period at the end of paragraph (16) and inserting ";" and", and by adding after paragraph (16) the following:

"(17) the capability of the criminal justice system to deliver timely, accurate, and complete criminal history record information to child welfare agencies, organizations, and programs that are engaged in the assessment of risk and other activities related to the protection of children, including protection against child sexual abuse, and placement of children in foster care.".

SEC. 103. USE OF FUNDS UNDER BYRNE GRANT PROGRAM FOR CHILD PROTECTION.

Section 501(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751) is amended—

(1) by striking "and" at the end of paragraph (25);

(2) by striking the period at the end of paragraph (26) and inserting a semicolon; and

(3) by adding at the end the following:

"(27) enforcing child abuse and neglect laws, including laws protecting against child sexual abuse, and promoting programs designed to prevent child abuse and neglect; and

"(28) establishing or supporting cooperative programs between law enforcement and media organizations, to collect, record, retain, and disseminate information useful in the identification and apprehension of suspected criminal offenders.".

SEC. 104. CONDITIONAL ADJUSTMENT IN SET ASIDE FOR CHILD ABUSE VICTIMS UNDER THE VICTIMS OF CRIME ACT OF 1984.

(a) **IN GENERAL.**—Section 1402(d)(2) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(2)) is amended—

(1) by striking "(2) the next \$10,000,000" and inserting "(2)(A) Except as provided in subparagraph (B), the next \$10,000,000"; and

(2) by adding at the end the following:

"(B)(i) For any fiscal year for which the amount deposited in the Fund is greater than the amount deposited in the Fund for fiscal year 1998, the \$10,000,000 referred to in subparagraph (A) plus an amount equal to 50 percent of the increase in the amount from fiscal year 1998 shall be available for grants under section 1404A.

"(ii) Amounts available under this subparagraph for any fiscal year shall not exceed \$20,000,000.".

(b) **INTERACTION WITH ANY CAP.**—Subsection (a) shall be implemented so that any increase in funding provided thereby shall operate notwithstanding any dollar limitation on the availability of the Crime Victims Fund established under the Victims of Crime Act of 1984.

TITLE II—JENNIFER'S LAW

SECTION 201. SHORT TITLE.

This title may be cited as "Jennifer's Law".

SEC. 202. PROGRAM AUTHORIZED.

The Attorney General is authorized to provide grant awards to States to enable States to improve the reporting of unidentified and missing persons.

SEC. 203. ELIGIBILITY.

(a) **APPLICATION.**—To be eligible to receive a grant award under this title, a State shall submit an application at such time and in such form as the Attorney General may reasonably require.

(b) **CONTENTS.**—Each such application shall include assurances that the State shall, to the greatest extent possible—

(1) report to the National Crime Information Center and when possible, to law enforcement authorities throughout the State regarding every deceased unidentified person, regardless of age, found in the State's jurisdiction;

(2) enter a complete profile of such unidentified person in compliance with the guidelines established by the Department of Justice for the National Crime Information Center Missing and Unidentified Persons File, including dental records, DNA records, x-rays, and fingerprints, if available;

(3) enter the National Crime Information Center number or other appropriate number assigned to the unidentified person on the death certificate of each such unidentified person; and

(4) retain all such records pertaining to unidentified persons until a person is identified.

SEC. 204. USES OF FUNDS.

A State that receives a grant award under this title may use such funds received to establish or expand programs developed to improve the reporting of unidentified persons in accordance with the assurances provided in the application submitted pursuant to section 203(b).

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title \$2,000,000 for each of fiscal years 2000, 2001, and 2002.

Ms. COLLINS. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (H.R. 764), as amended, was read the third time and passed.

Ms. COLLINS. Mr. President, I am sure my colleagues will be as pleased as I am to know we have reached the end, at least of this list, of the bills that we can clear. We are still hoping to clear some additional ones later today.

NATIONAL COLORECTAL CANCER AWARENESS MONTH

Ms. COLLINS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 108, and that the Senate then proceed to its immediate consideration.

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

The legislative clerk read as follows:

A resolution (S. Res. 108) designating the month of March each year as "National Colorectal Cancer Awareness Month".

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

AMENDMENT NO. 2796

Purpose: To amend the designation date of "National Colorectal Cancer Awareness Month."

Ms. COLLINS. Mr. President, there is a technical amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the technical amendment.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] for Mr. HATCH, proposes an amendment numbered 2796.

The amendment is as follows:

On page 2, line 5, strike "March of each year" and insert "March, 2000".

Amend the title so as to read: "Resolution designating the month of March, 2000, as National Colorectal Cancer Awareness Month".

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

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

The amendment (No. 2796) was agreed to.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution, as amended, be agreed to, the preamble be agreed to, the title amendment be agreed to, the motion to reconsider be laid upon the table, and finally, that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 108), as amended, was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

[The resolution was not available for printing. It will appear in a future edition of the RECORD]

Ms. COLLINS. Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania.

Mr. LEAHY. I wonder if the Senator from Maine would yield for one comment?

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania.

Mr. LEAHY. Would the Senator from Pennsylvania yield for 30 seconds?

Mr. SPECTER. I would.

Mr. LEAHY. Mr. President, I commend the Senator from Maine. She has cleared out the Judiciary Committee docket to a fare-thee-well. A lot of the legislation was worked in a bipartisan fashion by Senator HATCH and myself and the distinguished Senator from Pennsylvania and others.

Ms. COLLINS. I thank the Senator for his comments.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Pennsylvania.

FUNDING FOR DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

Mr. SPECTER. Mr. President, I have sought recognition to comment on the pending appropriations bill which includes funding for the three Departments of Health and Human Services, Education, and Labor, the subcommittee which I chair for the Appropriations Committee.

The legislative process has proceeded to this point in an extraordinary way.

It had been my hope and plan that the bill for my subcommittee would have been taken up by the Congress, passed, and presented to the President in advance of the close of the fiscal year, September 30, but that has not occurred.

It had been my hope and plan to present it to the President before the end of the fiscal year so he could have signed it or vetoed it and, had he chosen to veto it, there could have been a public debate on the priorities in the bill and also the key point of having local control on the decision of \$1.3 billion, which has been allocated for additional teachers for the reduction of classroom size.

Unfortunately, it has been the practice in the Congress in recent years to pass the bills after the close of the fiscal year and in a context where we are going to yield to the President's wishes, subject to a veto, because it may result in the closing down of the Government. Winston Churchill had it right when he said that democracy is a terrible form of government except compared to everything else. I think that would apply to representative democracy as well. Somehow we muddle through. We are in the final stage of the muddling process now.

To describe the process to people who are not familiar with the inside of the Senate is very challenging. I was discussing with my son last night the plan to have the Senate convene at 12:01 a.m., November 20, Saturday morning, to take up a cloture motion on the appropriations bill, and then to vote at 1:01 a.m. It was necessary to have the conversation because I had to defer lunch with my 4-year-old granddaughter, Perri, and picking up my 6-year-old granddaughter, Silvi, from school, all of which is fine, but there has to be some reason for that.

We have Senators exercising their rights which, to be repetitious, they have a right to do, such as to have bills read for several hours, which does not change the ultimate outcome, or to have cloture votes with these extraordinary scheduling problems. I learned a long time ago that the Senate is a lot smarter than I am and the rules of the Senate are in place for a purpose.

As one of our distinguished colleagues said yesterday in a closed caucus, Senators ought not be discouraged from exercising their rights because when they take to the floor and debate, have a filibuster, and have extended discussions for the purpose of acquainting the country with what is going on, perhaps it may arouse some public reaction to perhaps change what the Senate might be doing.

So, in essence, I am delighted to see the Senate rules observed and rights to Senators activated. For whatever delay there is, so be it. It is my hope that next year the appropriations bill for my subcommittee on the Departments of Labor, Health and Human Services, and Education will be completed at an early date. I have talked to our distin-

guished majority leader, Senator LOTT, and I have had some encouragement that my bill may be taken up first next year, so that priorities can be established in regular course by the subcommittee, the full committee, and the Senate—the same on the House side—then conferred and presented to the President for his signature or for his veto. If he chooses to veto the bill, so be it.

The bill which was voted out of the Senate by a vote of 73-25 had been very carefully crafted on a bipartisan basis with my distinguished colleague from Iowa, Senator TOM HARKIN. I learned a long time ago that if you want to get anything done in Washington in the Senate and the Congress, it has to be bipartisan. Senator HARKIN and I worked through our bill. We had a very attractive bill. We had emphasized \$300 million more than the President's figure on education, establishing the priorities which we thought were in order.

We had provided very substantial increases to the National Institutes of Health because of the great work done there in looking for cures and being on the verge of cures for very many major maladies. We are within 5 years striking distance, so the experts say, on Parkinson's and have made great progress on Alzheimer's and heart disease and cancer—prostate cancer, breast cancer and cervical cancer.

We picked a figure of \$93.7 billion because we thought that would attract very substantial bipartisan support, that being \$300 million higher in education than the President had, that it would qualify for a President's signature.

Regrettably, the House of Representatives did not pass the bill. In conference, the bill was substantially altered, being joined with the bill for the District of Columbia. It had an across-the-board cut of almost 1 percent. The bill was ultimately vetoed. Then it came back for reconsideration.

On reconsideration, the White House administration wanted to add some \$2.3 billion more. I knew that would cause a major strain on the Republican side of the aisle, and there was a great deal of pressure to yield to the President because of the bad experience we had in December 1995 and early 1996 when the Government was closed down and the Republican-controlled Congress took the blame. The result is that the Congress is now gun shy to fight with the President, gun shy because, with his threatened veto, the Congress has a strong tendency to back down, perhaps not on every point—the family planning issue and the U.N. dues was a notable exception—but backing down on almost every point. The result has been that we are developing an imperial presidency because we have a gun-shy or timid Congress. That is very unfortunate.

The issue came into sharp focus on the matter of classroom size reduction and additional teachers, with the President's program to add 100,000

teachers. I think it is a very good program. I support it. But I do not support it if the local school district says that there are other needs at the local level which are more important to the school district than additional teachers and classroom size.

When we crafted our bill, we said we would acknowledge the President's ideas as the first priority, but if the local school district made a decision after a fact finding study that they wanted to use the money for something else, then let them use the money for something else. We held tough to that position. Without going into all the details, finally we were undercut. The rug was pulled out, and there was a concession to the President on that point, with a bone being thrown to the Congress so that 25 percent could be used for teacher training. But that is not the kind of flexibility that is best public policy. The best public policy is, OK, class size reduction and additional teachers are important and they are the first priority, but if a local school district says our local needs are different, then let's not put them in a Washington, DC, bureaucratic strait-jacket. That is the result of what has happened.

It is my hope that next year we can take this bill up early. This issue will still be with us next year and President Clinton will still be with us next year. When Senator HARKIN and I and other Republicans and Democrats, on a bipartisan basis, establish our priorities, let's legislate. As the Constitution says, the power of the purse is with the Congress—the appropriation power—so let us present the bill to the President. If he vetoes it, let's take the case to the public. I think we can certainly win on the issue of local control versus the Washington bureaucratic strait-jacket. To do that, the bill has to be presented to the President before the end of the fiscal year. It has to be presented to the President in September—hopefully early September. That is the plan for next year.

I would like to see the process modified where we do not have the White House officials in the legislative process as part of the negotiations. The Constitution says that Congress submits a bill to the President and he signs it or vetoes it. But that system has been aborted, observed in the breach more often than in the rule by having OMB officials, the Director of OMB, sitting down with the appropriators to decide what the President will accept before the Congress makes a decision and submits a bill to the President. That is not the constitutional way and we ought to change it.

So against that backdrop with substantial concerns about what has been done, I do intend to vote for this appropriations package. I do so because the good points outweigh the bad points, perhaps close, but the benefits do outweigh the negatives. We come through in this bill with an increase in the National Institutes of Health funding by

\$2.3 billion, for a total of \$17.9 billion. Senator HARKIN and I have taken the lead with an increase, 2 years ago, of almost \$1 billion, last year \$2 billion, and this year \$2.3 billion. Some objections have been lodged, but nobody with sufficient bravado to try to take it out of the bill.

Enormous advances have been made on dreaded diseases. They are within 5 years of curing Parkinson's, so say the experts, with major research advances in Alzheimer's, cancer, heart ailments, and a whole range of various other ailments. With the Federal budget of \$1.8 trillion, \$17.9 billion is not chopped liver, but it is not too much.

This bill also has an increase in special education by \$913 million, bringing the total to more than \$6 billion on what is essentially a Federal obligation, and it frees State and local funds for other purposes. The Head Start increase is \$608 million, to more than \$5.2 billion. Afterschool learning centers more than doubled for a total of \$453 million. The substance abuse and mental health program increases by \$163 million over fiscal year 1999, for more than \$2.6 billion. AIDS funding increased by \$185 million over last year to almost \$1.6 billion. There is first-time funding of \$75 million for the Ricky Ray Hemophilia Act, which are appropriations that are long past due.

We worked out an accommodation on the issue of organ allocation and, regrettably, at the last minute on a backdoor arrangement, a different provision has been added to another bill that will be voted upon by the Congress. Organ allocation has been very contentious. Last year we agreed, under considerable reluctance, to a 1-year deferral. The Secretary of Health and Human Services, Donna Shalala, promulgated regulations on October 1, and then came the cry for an additional delay. Some wanted it at 90 days.

Finally, in a rather unusual way in my capacity as chairman of the conference, I invited Secretary Shalala to come to the conference on Wednesday, November 10. She was on her way home. We reached her in her car and she turned around from Georgetown and headed back to Capitol Hill. For more than an hour and a half we had a meeting with the House chairman, BILL YOUNG, who very much wanted a 90-day delay and the ranking Democrat on Appropriations, Congressman OBEY from Wisconsin, who also argued strongly for a delay. I urged that we not have the delay, as did Congressman JOHN PORTER, chairman of the House subcommittee. Finally, we hammered out an agreement for 42 days—21 days for additional comments and 21 more days for a response to those comments.

I had thought that closed the matter out and reported back to the leadership. The general rule is to leave these issues with the subcommittee chairmen, and we have hammered it out. I found out late yesterday that there is another bill with a 90-day extension. It

is not possible to put a hold on the other measure, which is a conference report. There could be some delay, such as a reading of the bill, a vote for cloture, but the result would be the same.

Let me say this to those who have increased the delay: It increases our tenacity to get these regulations into effect. There is some thinking that there will be an authorization bill that is going to validate the regulations. I am not one for predictions, but I am prepared to make one here. There won't be 60 votes for cloture. If that should be wrong, there certainly won't be 67 votes to override a Presidential veto. George Shultz, when he was Secretary of State, once made a prophetic comment that "nothing is ever settled in Washington." That very thing is true in Washington; he hit that right on the head. Nothing is ever settled in Washington. I thought the delay on the organ transplant issue had been resolved, but it wasn't settled. George Shultz may be wrong; we may settle it with finality when this 90-day period expires.

In summary, the Congress will finally get the job done on this appropriations bill and finally move ahead on the bill from my subcommittee on funding the Departments of Health and Human Services and Labor and Education. I have given a brief thumbnail description as to what the pluses and minuses are. I will vote for it because the advantages outweigh the disadvantages. But it is my hope that we will learn from the experiences this year and do a much better job next year.

I thank the Chair and yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000—CONFERENCE REPORT

Mr. SHELBY. Mr. President, on behalf of the majority leader I submit a report of the committee of conference on the bill (H.R. 1555) to authorize appropriations for fiscal year 2000 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, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 1555, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The Conference report is printed in the House proceedings of the RECORD of November 5, 1999).

Mr. SHELBY. Mr. President, I ask unanimous consent that there be 60 minutes for debate with the time divided as follows: Forty minutes equally divided between the chairman and vice chairman of the Intelligence Committee; 20 minutes under the control of Senator LEVIN.

I further ask unanimous consent that following the use or yielding back of time, which we anticipate, the conference report be agreed to, the motion to reconsider be laid upon the table, and any additional statements relating to the conference report be printed in the RECORD.

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

Mr. SHELBY. Mr. President, I rise today to ask that my colleagues support the conference report on the Intelligence Authorization Act for Fiscal Year 2000.

I want to thank my colleagues in the House for their work on this legislation and especially Chairman GOSS and Ranking Member DIXON for their leadership in the conference.

I believe that the conference committee put together a solid package for consideration by the full Senate that fairly represents the intelligence priorities set forth in both the Senate and House versions of the Intelligence Authorization Act.

I am pleased to report that the conference committee accomplished its task in a bipartisan manner, and I want to thank my colleague from Nebraska, Senator KERREY, for working so closely with me to produce this legislation.

I believe that the conference report embraces many of the key recommendations that the Senate adopted in its version of the bill.

We recommended significant increases in funding for high-priority projects aimed at better positioning the Intelligence Community for the threats of the 21st century, while at the same time reducing funds for programs and activities that were not adequately justified or redundant.

In so doing, we authorized a moderate increase in overall funding for intelligence programs above the President's request. This is a positive step and I hope that next year the administration will follow our lead and begin to reinvest in our intelligence gathering capabilities.

The conference report includes key initiatives that I believe are vital for the future of our Intelligence Community.

These initiatives include:

1. bolstering advanced research and development across the Community, to facilitate, among other things, the modernization of NSA and CIA;