

(b) **CONTROL.**—A person has control of a transferable record if a system employed for evidencing the transfer of interests in the transferable record reliably establishes that person as the person to which the transferable record was issued or transferred.

(c) **CONDITIONS.**—A system satisfies subsection (b), and a person is deemed to have control of a transferable record, if the transferable record is created, stored, and assigned in such a manner that—

(1) a single authoritative copy of the transferable record exists which is unique, identifiable, and, except as otherwise provided in paragraphs (4), (5), and (6), unalterable;

(2) the authoritative copy identifies the person asserting control as—

(A) the person to which the transferable record was issued; or

(B) if the authoritative copy indicates that the transferable record has been transferred, the person to which the transferable record was most recently transferred;

(3) the authoritative copy is communicated to and maintained by the person asserting control or its designated custodian;

(4) copies or revisions that add or change an identified assignee of the authoritative copy can be made only with the consent of the person asserting control;

(5) each copy of the authoritative copy and any copy of a copy is readily identifiable as a copy that is not the authoritative copy; and

(6) any revision of the authoritative copy is readily identifiable as authorized or unauthorized.

(d) **STATUS AS HOLDER.**—Except as otherwise agreed, a person having control of a transferable record is the holder, as defined in section 1-201(20) of the Uniform Commercial Code, of the transferable record and has the same rights and defenses as a holder of an equivalent record or writing under the Uniform Commercial Code, including, if the applicable statutory requirements under section 3-302(a), 9-308, or revised section 9-330 of the Uniform Commercial Code are satisfied, the rights and defenses of a holder in due course or a purchaser, respectively. Delivery, possession, and endorsement are not required to obtain or exercise any of the rights under this subsection.

(e) **OBLIGOR RIGHTS.**—Except as otherwise agreed, an obligor under a transferable record has the same rights and defenses as an equivalent obligor under equivalent records or writings under the Uniform Commercial Code.

(f) **PROOF OF CONTROL.**—If requested by a person against which enforcement is sought, the person seeking to enforce the transferable record shall provide reasonable proof that the person is in control of the transferable record. Proof may include access to the authoritative copy of the transferable record and related business records sufficient to review the terms of the transferable record and to establish the identity of the person having control of the transferable record.

(g) **UCC REFERENCES.**—For purposes of this subsection, all references to the Uniform Commercial Code are to the Uniform Commercial Code as in effect in the jurisdiction the law of which governs the transferable record.

SEC. 202. EFFECTIVE DATE.

This title shall be effective 90 days after the date of enactment of this Act.

TITLE III—PROMOTION OF INTERNATIONAL ELECTRONIC COMMERCE

SEC. 301. PRINCIPLES GOVERNING THE USE OF ELECTRONIC SIGNATURES IN INTERNATIONAL TRANSACTIONS.

(a) **PROMOTION OF ELECTRONIC SIGNATURES.**—

(1) **REQUIRED ACTIONS.**—The Secretary of Commerce shall promote the acceptance and use, on an international basis, of electronic signatures in accordance with the principles specified in paragraph (2) and in a manner consistent with section 101 of this Act. The Secretary of Commerce shall take all actions necessary in a

manner consistent with such principles to eliminate or reduce, to the maximum extent possible, the impediments to commerce in electronic signatures, for the purpose of facilitating the development of interstate and foreign commerce.

(2) **PRINCIPLES.**—The principles specified in this paragraph are the following:

(A) Remove paper-based obstacles to electronic transactions by adopting relevant principles from the Model Law on Electronic Commerce adopted in 1996 by the United Nations Commission on International Trade Law.

(B) Permit parties to a transaction to determine the appropriate authentication technologies and implementation models for their transactions, with assurance that those technologies and implementation models will be recognized and enforced.

(C) Permit parties to a transaction to have the opportunity to prove in court or other proceedings that their authentication approaches and their transactions are valid.

(D) Take a nondiscriminatory approach to electronic signatures and authentication methods from other jurisdictions.

(b) **CONSULTATION.**—In conducting the activities required by this section, the Secretary shall consult with users and providers of electronic signature products and services and other interested persons.

(c) **DEFINITIONS.**—As used in this section, the terms “electronic record” and “electronic signature” have the same meanings provided in section 106 of this Act.

TITLE IV—COMMISSION ON ONLINE CHILD PROTECTION

SECTION 401. AUTHORITY TO ACCEPT GIFTS.

Section 1405 of the Child Online Protection Act (47 U.S.C. 231 note) is amended by inserting after subsection (g) the following new subsection:

“(h) **GIFTS, BEQUESTS, AND DEVISES.**—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property, both real (including the use of office space) and personal, for the purpose of aiding or facilitating the work of the Commission. Gifts or grants not used at the termination of the Commission shall be returned to the donor or grantee.”.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

TOM BLILEY,
BILLY TAUZIN,
MICHAEL G. OXLEY,
JOHN D. DINGELL,
EDWARD J. MARKEY,

Managers on the Part of the House.

From the Committee on Commerce, Science, and Transportation:

JOHN MCCAIN,
CONRAD BURNS,
TED STEVENS,
SLADE GORTON,
SPENCER ABRAHAM,
ERNEST F. HOLLINGS,
JAMES M. INOUE,
JAY ROCKEFELLER,
JOHN F. KERRY,
RON WYDEN,

From the Committee on Banking, Housing, and Urban Affairs, for items within their jurisdiction:

PAUL S. SARBANES,
ORRIN HATCH,
PATRICK LEAHY,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments

of the House to the bill (S. 761) to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the bill struck all of the Senate bill after the enacting clause, and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and House amendment.

The managers on the part of the House and Senate met on May 18, 2000, and reconciled the differences between the two bills.

TOM BLILEY,
BILLY TAUZIN,
MICHAEL G. OXLEY,
JOHN D. DINGELL,
EDWARD J. MARKEY,

Managers on the Part of the House.

From the Committee on Commerce, Science, and Transportation:

JOHN MCCAIN,
CONRAD BURNS,
TED STEVENS,
SLADE GORTON,
SPENCER ABRAHAM,
ERNEST F. HOLLINGS,
DANIEL K. INOUE,
JAY ROCKEFELLER,
JOHN F. KERRY,
RON WYDEN,

From the Committee on Banking, Housing, and Urban Affairs, for items within their jurisdiction:

PAUL S. SARBANES,
ORRIN HATCH,
PATRICK LEAHY,

Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARKEY (at the request of Mr. GEPHARDT) for today on account of family illness.

Mr. SMITH of Washington (at the request of Mr. GEPHARDT) for after 8:00 p.m. today and June 9, on account of personal business.

Mr. GILMAN (at the request of Mr. ARMEY) for after 8:00 p.m. today and June 9, on account of attending a family funeral.

Mr. ISTOOK (at the request of Mr. ARMEY) for after 4:00 p.m. today and June 9, on account of a family medical emergency.

Mr. GREENWOOD (at the request of Mr. ARMEY) for today on account of personal reasons.

Mr. GILLMOR (at the request of Mr. ARMEY) for after 7:00 p.m. today through June 13 on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. McNULTY) to revise and

extend their remarks and include extraneous material:)

Mr. RUSH, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. HULSHOF) to revise and extend their remarks and include extraneous material:)

Mr. KASICH, for 5 minutes, today.

Mr. SUNUNU, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2625. An act to amend the Public Health Service Act to revise the performance standards and certification process for organ procurement organizations; to the Committee on Commerce.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2559. An act to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program.

H.R. 3642. An act to authorize the President to award posthumously a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes.

H.R. 4542. An act to designate the Washington Opera in Washington, D.C., as the National Opera.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 777—An act to require the Secretary of Agriculture to establish an electronic filing and retrieval system to enable farmers and other persons to file paperwork electronically with selected agencies of the Department of Agriculture and to access public information regarding the programs administered by these agencies.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 2559. To amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management

tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program.

H.R. 3642. To authorize the President to award posthumously a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes.

ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Friday, June 9, 2000, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8049. A letter from the Assistant Secretary, Health Affairs, Department of Defense, transmitting reports entitled, "The DoD Health Care Benefit: How Does It Compare to FEHBP and Other Plans?" and "TRICARE/CHAMPUS Behavioral Health Benefit Review"; to the Committee on Armed Services.

8050. A letter from the Assistant, Legal Division, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Privacy of Consumer Financial Information [Docket No. 2000-45] (RIN: 1550-AB36) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8051. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Privacy of Consumer Financial Information (RIN: 1550-AB36) received May 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8052. A letter from the Legislative and Regulatory Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Privacy of Consumer Financial Information [Docket No. 2000-45] (RIN: 1550-AB36) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8053. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 99F-1910] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8054. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 99F-5111] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8055. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Polymers [Docket No. 98F-1019] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8056. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Fed-

eral Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Mt. Washington, Jefferson, New Hampshire, and Newry, Maine) [MM Docket No. 99-8 RM-9433, RM-9642] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8057. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (St. Johnsbury and Barton, Vermont) [MM Docket No. 99-6 RM-9431 RM-9596] received May 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8058. A letter from the Lieutenant General, USA, Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Australia for defense articles and services (Transmittal No. 00-37), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

8059. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Fiscal Year 1999 report on implementation of the support for East European Democracy Act (SEED) Program, pursuant to 22 U.S.C. 5474(c); to the Committee on International Relations.

8060. A letter from the Acting Assistant Administrator for Fisheries, Domestic Fisheries Division, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2000 Specifications [Docket No. 000119014-0137-02; I.D. No. 112399C] (RIN: 0648-AM48) received May 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8061. A letter from the Secretary of Health and Human Services, transmitting the Evaluation of the Community Nursing Organization Demonstration Final Report; jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska. Committee on Resources. H.R. 3292. A bill to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana; with an amendment (Rept. 106-659). Referred to the Committee on the Whole House on the State of the Union.

Mr. YOUNG of Florida. Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2001 (Rept. 106-660). Referred to the Committee on the Whole House on the State of the Union.

Mr. BILEY. Committee of Conference. Conference report on S. 761. An Act to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, and for other purposes. (Rept. 106-661). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows: