

A bill (H.R. 3629) to amend the Higher Education Act of 1965 to improve the program for American Indian Tribal Colleges and Universities under part A of title III.

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

Mr. BROWNBACk. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action.

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

The bill (H.R. 3629) was read the third time and passed.

#### DAY OF HONOR 2000

Mr. BROWNBACk. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S.J. Res. 44, and 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 assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 44) supporting the Day of Honor 2000 to honor and recognize the service of minority veterans in the United States Armed Forces during World War II.

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

Mr. BROWNBACk. Mr. President, I ask unanimous consent that Senator HATCH be added as a cosponsor.

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

Mr. BROWNBACk. Mr. President, I ask unanimous consent that the joint resolution be read a third time and passed, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the joint resolution be printed in the RECORD.

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

The joint resolution (S.J. Res. 44) was read the third time and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

#### S.J. RES. 44

Whereas World War II was a determining event of the 20th century in that it ensured the preservation and continuation of American democracy;

Whereas the United States called upon all its citizens, including the most oppressed of its citizens, to provide service and sacrifice in that war to achieve the Allied victory over Nazism and fascism;

Whereas the United States citizens who served in that war, many of whom gave the ultimate sacrifice of their lives, included more than 1,200,000 African Americans, more than 300,000 Hispanic Americans, more than 50,000 Asian Americans, more than 20,000 Native Americans, more than 6,000 Native Hawaiians and Pacific Islanders, and more than 3,000 Native Alaskans;

Whereas because of invidious discrimination, many of the courageous military activities of these minorities were not reported

and honored fully and appropriately until decades after the Allied victory in World War II;

Whereas the motto of the United States, "E Pluribus Unum" (Out of Many, One), promotes our fundamental unity as Americans and acknowledges our diversity as our greatest strength; and

Whereas the Day of Honor 2000 Project has enlisted communities across the United States to participate in celebrations to honor minority veterans of World War II on May 25, 2000, and throughout the year 2000: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—*

(1) commends the African American, Hispanic American, Asian American, Native American, Native Hawaiian, Pacific Islanders, Native Alaskan, and other minority veterans of the United States Armed Forces who served during World War II;

(2) especially honors those minority veterans who gave their lives in service to the United States during that war;

(3) supports the goals and ideas of the "Day of Honor 2000" in celebration and recognition of the extraordinary service of all minority veterans in the United States Armed Forces during World War II; and

(4) authorizes and requests that the President issue a proclamation calling upon the people of the United States to honor these minority veterans with appropriate programs and activities.

#### FREEDOM TO E-FILE ACT

Mr. BROWNBACk. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 777) to require the Department of Agriculture to establish an electronic filing and retrieval system to enable the public to file all required paperwork electronically with the Department and to have access to public information on farm programs, quarterly trade, economic, and production reports, and other similar information.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved, That the bill from the Senate (S. 777) entitled "An Act to require the Department of Agriculture to establish an electronic filing and retrieval system to enable the public to file all required paperwork electronically with the Department and to have access to public information on farm programs, quarterly trade, economic, and production reports, and other similar information", do pass with the following amendments:*

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Freedom to E-File Act".*

#### SEC. 2. ELECTRONIC FILING AND RETRIEVAL.

(a) *ESTABLISHMENT OF INTERNET-BASED SYSTEM.—The Secretary of Agriculture shall establish an electronic filing and retrieval system that uses the telecommunications medium known as the Internet to enable farmers and other persons—*

(1) *to file electronically all paperwork required by the agencies of the Department of Agriculture specified in subsection (b); and*

(2) *to have access electronically to information, readily available to the public in published form, regarding farm programs, quarterly trade,*

*economic, and production reports, price and supply information, and other similar information related to production agriculture.*

(b) *COVERED AGENCIES.—Subsection (a) shall apply to the following agencies of the Department of Agriculture:*

(1) *The Farm Service Agency.*

(2) *The Risk Management Agency.*

(3) *The Natural Resources Conservation Service.*

(4) *The rural development components of the Department included in the Secretary's service center initiative regarding State and field office collocation implemented pursuant to section 215 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6915).*

(c) *TIME-TABLE FOR IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall—*

(1) *to the maximum extent practicable, complete the establishment of the electronic filing and retrieval system required by subsection (a) to the extent necessary to permit the electronic information access required by paragraph (2) of such subsection;*

(2) *initiate implementation of the electronic filing required by paragraph (1) of such subsection by allowing farmers and other persons to download forms from the Internet and submit completed forms via facsimile, mail, or related means; and*

(3) *modify forms used by the agencies specified in subsection (b) into a more user-friendly format, with self-help guidance materials.*

(d) *INTEROPERABILITY.—In carrying out this section, the Secretary shall ensure that the agencies specified in subsection (b)—*

(1) *use computer hardware and software that is compatible among the agencies and will operate in a common computing environment; and*

(2) *develop common Internet user-interface locations and applications to consolidate the agencies' news, information, and program materials.*

(e) *COMPLETION OF IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall complete the establishment of the electronic filing and retrieval system required by subsection (a) to permit the electronic filing required by paragraph (1) of such subsection.*

(f) *PROGRESS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the progress made toward establishing the electronic filing and retrieval system required by subsection (a).*

#### SEC. 3. AVAILABILITY OF AGENCY INFORMATION TECHNOLOGY FUNDS.

(a) *RESERVATION OF FUNDS.—From funds made available for each agency of the Department of Agriculture specified in section 2(b) for information technology or information resource management, the Secretary of Agriculture shall reserve an amount equal to not more than the following:*

(1) *For fiscal year 2001, \$3,000,000.*

(2) *For each subsequent fiscal year, \$2,000,000.*

(b) *TIME FOR RESERVATION.—The Secretary shall notify Congress of the amount to be reserved under subsection (a) for a fiscal year not later than December 1 of that fiscal year.*

(c) *USE OF FUNDS.—Funds reserved under subsection (a) shall be used to establish the electronic filing and retrieval system required by section 2(a). Once the system is established and operational, reserved amounts shall be used for maintenance and improvement of the system.*

(d) *RETURN OF FUNDS.—Funds reserved under subsection (a) and unobligated at the end of the fiscal year shall be returned to the agency from which the funds were reserved, and such funds shall remain available until expended.*

#### SEC. 4. CONFIDENTIALITY.

*In carrying out this Act, the Secretary of Agriculture—*

(1) *may not make available any information over the Internet that would otherwise not be*

available for release under section 552 or 552a of title 5, United States Code; and

(2) shall ensure, to the maximum extent practicable, that the confidentiality of persons is maintained.

Amend the title so as to read "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."

Mr. BROWNBACK. Mr. President, I move that the Senate concur in the House amendment to the text with a further amendment which is at the desk.

AMENDMENT NO. 3165

(Purpose: To provide a substitute amendment)

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas (Mr. BROWNBACK), for Mr. FITZGERALD, proposes an amendment numbered 3165.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Freedom to E-File Act".

#### SEC. 2. ELECTRONIC FILING AND RETRIEVAL.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, in accordance with subsection (c), the Secretary of Agriculture (referred to in this Act as the "Secretary") shall, to the maximum extent practicable, establish an Internet-based system that enables agricultural producers to access all forms of the agencies of the Department of Agriculture (referred to in this Act as the "Department") specified in subsection (b).

(b) APPLICABILITY.—The agencies referred to in subsection (a) are the following:

(1) The Farm Service Agency.

(2) The Natural Resources Conservation Service.

(3) The rural development components of the Department included in the Secretary's service center initiative regarding State and field office collocation implemented pursuant to section 215 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6915).

(4) The agricultural producer programs component of the Commodity Credit Corporation administered by the Farm Service Agency and the Natural Resources Conservation Service.

(c) IMPLEMENTATION.—In carrying out subsection (a), the Secretary shall—

(1) provide a method by which agricultural producers may—

(A) download from the Internet the forms of the agencies specified in subsection (b); and

(B) submit completed forms via electronic facsimile, mail, or similar means;

(2) redesign the forms by incorporating into the forms user-friendly formats and self-help guidance materials; and

(3) ensure that the agencies specified in subsection (b)—

(A) use computer hardware and software that is compatible among the agencies and will operate in a common computing environment; and

(B) develop common Internet user-interface locations and applications to consolidate the agencies' news, information, and program materials.

(d) PROGRESS REPORTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the progress made toward implementing the Internet-based system required under this section.

#### SEC. 3. ACCESSING INFORMATION AND FILING OVER THE INTERNET.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, in accordance with subsection (b), the Secretary shall expand implementation of the Internet-based system established under section 2 by enabling agricultural producers to access and file all forms and, at the option of the Secretary, selected records and information of the agencies of the Department specified in section 2(b).

(b) IMPLEMENTATION.—In carrying out subsection (a), the Secretary shall ensure that an agricultural producer is able—

(1) to file electronically or in paper form, at the option of the agricultural producer, all forms required by agencies of the Department specified in section 2(b);

(2) to file electronically or in paper form, at the option of the agricultural producer, all documentation required by agencies of the Department specified in section 2(b) and determined appropriate by the Secretary; and

(3) to access information of the Department concerning farm programs, quarterly trade, economic, and production reports, and other similar production agriculture information that is readily available to the public in paper form.

#### SEC. 4. AVAILABILITY OF AGENCY INFORMATION TECHNOLOGY FUNDS.

(a) RESERVATION OF FUNDS.—From funds made available for agencies of the Department specified in section 2(b) for information technology or information resource management, the Secretary shall reserve from those agencies' applicable accounts a total amount equal to not more than the following:

(1) For fiscal year 2001, \$3,000,000.

(2) For each subsequent fiscal year, \$2,000,000.

(b) TIME FOR RESERVATION.—The Secretary shall notify Congress of the amount to be reserved under subsection (a) for a fiscal year not later than December 1 of that fiscal year.

(c) USE OF FUNDS.—

(1) ESTABLISHMENT.—Funds reserved under subsection (a) shall be used to establish the Internet-based system required under section 2 and to expand the system as required by section 3.

(2) MAINTENANCE.—Once the system is established and operational, reserved amounts shall be used for maintenance and improvement of the system.

(d) RETURN OF FUNDS.—Funds reserved under subsection (a) and unobligated at the end of the fiscal year shall be returned to the agency from which the funds were reserved, to remain available until expended.

#### SEC. 5. FEDERAL CROP INSURANCE CORPORATION AND RISK MANAGEMENT AGENCY.

(a) IN GENERAL.—Not later than December 1, 2000, the Federal Crop Insurance Corporation and the Risk Management Agency shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a plan, that is consistent with this Act, to allow agricultural producers to—

(1) obtain, over the Internet, from approved insurance providers all forms and other information concerning the program under the jurisdiction of the Corporation and Agency in which the agricultural producer is a participant; and

(2) file electronically all paperwork required for participation in the program.

(b) ADMINISTRATION.—The plan shall—

(1) conform to sections 2(c) and 3(b); and

(2) prescribe—

(A) the location and type of data to be made available to agricultural producers;

(B) the location where agricultural producers can electronically file their paperwork; and

(C) the responsibilities of the applicable parties, including agricultural producers, the Risk Management Agency, the Federal Crop Insurance Corporation, approved insurance providers, crop insurance agents, and brokers.

(c) IMPLEMENTATION.—Not later than December 1, 2001, the Federal Crop Insurance Corporation and the Risk Management Agency shall complete implementation of the plan submitted under subsection (a).

#### SEC. 6. CONFIDENTIALITY.

In carrying out this Act, the Secretary—

(1) may not make available any information over the Internet that would otherwise not be available for release under section 552 or 552a of title 5, United States Code; and

(2) shall ensure, to the maximum extent practicable, that the confidentiality of persons is maintained.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate concur in the House amendment to the title.

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

#### ORDERS FOR MONDAY, MAY 22, 2000

Mr. BROWNBACK. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m. on Monday, May 22. I further ask consent that on Monday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate begin a period of morning business with Senators speaking for up to 5 minutes each, with the following exceptions: Senator DURBIN, or his designee, from 11 a.m. until noon; Senator THOMAS, or his designee, from noon to 1 p.m.

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

#### PROGRAM

Mr. BROWNBACK. Mr. President, for the information of all Senators, the Senate will be in a period of morning business on Monday. It is anticipated that the Senate will proceed to executive session to begin debate on three judicial nominees. If those judges are debated, any votes ordered on Monday will be scheduled to occur on Tuesday, May 23, at 9:30 a.m. Therefore, all Senators should be prepared to vote early on Tuesday. Also on Tuesday, it is hoped that the Senate can begin consideration of the Agriculture appropriations bill. A vote on final passage of this important appropriations bill is expected prior to the Memorial Day recess.