

entitled "Secondary Direct Food Additives Permitted in Food for Human Consumption" (RIN 00F-0786); to the Committee on Health, Education, Labor, and Pensions.

EC-9317. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Sterility Requirement for Aqueous-Based Drug Products for Oral Inhalation" (RIN0910-AA88) received on June 5, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9318. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Investigational New Drug Applications; Amendment to Clinical Hold Regulations for Products Intended for Life-Threatening Diseases and Conditions" (RIN0910-AA84) received on June 7, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9319. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted In Feed and Drinking Water of Animals; Selenium Yeast" (RIN98F-0916) received on June 14, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9320. A communication from Director of Regulations Policy and Management Staff, Federal Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "General Hospital and Personal Use Devices; Classification of Liquid Chemical Sterilants/High Level Disinfectants and General Purpose Disinfectants" (RIN98N-0786) received on June 16, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9321. A communication from the Assistant Secretary for Employment and Training, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Workforce Investment Act" (RIN1205-AB20) received on May 24, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9322. A communication from the Assistant Secretary for Employment and Training, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Birth and Adoption Unemployment Compensation" (RIN1205-AB21) received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9323. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "The State Vocational Rehabilitation Services Program (Evaluation Standards and Performance Indicators)" (RIN1820-AB14) received on May 31, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9324. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "NIDRR-Assistive Technology Act Technical Assistance Program" (RIN84.224) received on May 31, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9325. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Safe and Drug-Free Schools and

Communities National Program Federal Activities—The Challenge Newsletter" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9326. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Safe and Drug-Free Schools and Communities National Program Federal Activities—Alcohol and Other Drug Prevention Models on College Campuses Grant Competition" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9327. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Safe and Drug-Free Schools and Communities National Program Federal Activities—Middle School Drug Prevention and School Safety Program Coordinators Grant Competition" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9328. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Safe and Drug-Free Schools and Communities National Program Federal Activities—Grant Competition to Prevent High-Risk Drinking and Violent Behavior Among College Students" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-9329. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Safe and Drug-Free Schools and Communities National Program Federal Activities—Effective Alternative Strategies: Grant Competition to Reduce Student Suspensions and Expulsions and Ensure Educational Progress of Students Who Are Suspended or Expelled" received on June 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

H.R. 642: A bill to redesignate the Federal building located at 701 South Santa Fe Avenue in Compton, California, and known as the Compton Main Post Office, as the "Mervyn Malcolm Dymally Post Office Building".

H.R. 643: A bill to redesignate the Federal building located at 10301 South Compton Avenue, in Los Angeles, California, and known as the Watts Finance Office, as the "Augustus F. Hawkins Post Office Building".

H.R. 1666: A bill to designate the facility of the United States Postal Service at 200 East Pinckney Street in Madison, Florida, as the "Captain Colin P. Kelly, Jr. Post Office".

H.R. 2307: A bill to designate the building of the United States Postal Service located at 5 Cedar Street in Hopkinton, Massachusetts, as the "Thomas J. Brown Post Office Building".

H.R. 2357: A bill to designate the United States Post Office located at 3675 Warrensville Center Road in Shaker Heights, Ohio, as the "Louise Stokes Post Office".

H.R. 2460: A bill to designate the United States Post Office located at 125 Border Ave-

nue West in Wiggins, Mississippi, as the "Jay Hanna 'Dizzy' Dean Post Office".

H.R. 2591: A bill to designate the United States Post Office located at 713 Elm Street in Wakefield, Kansas, as the "William H. Avery Post Office".

H.R. 2952: A bill to redesignate the facility of the United States Postal Service located at 100 Orchard Park Drive in Greenville, South Carolina, as the "Keith D. Oglesby Station".

H.R. 3018: A bill to designate the United States Post Office located at 557 East Bay Street in Charleston, South Carolina, as the "Marybelle H. Howe Post Office".

H.R. 3699: A bill to designate the facility of the United States Postal Service located at 8409 Lee Highway in Merrifield, Virginia, as the "Joel T. Broyhill Postal Building".

H.R. 3701: A bill to designate the facility of the United States Postal Service located at 3118 Washington Boulevard in Arlington, Virginia, as the "Joseph L. Fisher Post Office Building".

H.R. 4241: A bill to designate the facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the "Les Aspin Post Office Building".

S. 2043: A bill to designate the United States Post Office building located at 3101 West Sunflower Avenue in Santa Ana, California, as the "Hector G. Godinez Post Office Building".

#### 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 Mr. DURBIN:

S. 2759. A bill to amend the Illinois Land Conservation Act of 1995 to provide for the use of certain fees and receipts collected under that Act for public schools and public roads in the vicinity of Midewin National Tallgrass Prairie, Illinois; to the Committee on Energy and Natural Resources.

By Mr. HARKIN:

S. 2760. A bill to clarify the authority of the Secretary of Agriculture to establish performance standards for the reduction of microbiological pathogens in meat and poultry; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEAHY (for himself and Mr. KOHL):

S. 2761. A bill to fund task forces to locate and apprehend fugitives in Federal, State, and local felony criminal cases and to provide administrative subpoena authority; to the Committee on the Judiciary.

By Mr. DODD:

S. 2762. A bill to establish SHARE Net grants to support the development of a comprehensive, accessible, high-technology infrastructure of educational and cultural resources for nonprofit institutions, individuals, and others for educational purposes through a systematic effort to coordinate, link and enhance, through technology, existing specialized resources and expertise in public and private cultural and educational institutions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS:

S. 2763. A bill to amend the Food Security Act of 1985 to permit owners and operators to use certain practices to meet the requirement for establishing approved vegetative cover on highly erodible cropland subject to conservation reserve contracts; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. DODD, Mr. DEWINE, Ms.

MIKULSKI, Mr. SMITH of Oregon, Mr. BINGAMAN, Mr. L. CHAFEE, Mr. WELLSTONE, Mr. JEFFORDS, Mrs. MURRAY, Ms. COLLINS, Mr. ROCKEFELLER, Mr. BURNS, Mr. DURBIN, Mr. COCHRAN, Mr. KERRY, Mr. VOINOVICH, Mr. CLELAND, Mr. SARBANES, Mr. BAUCUS, Mrs. BOXER, Mr. LIEBERMAN, and Mr. BREAUX):

S. 2764. A bill to amend the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973 to extend the authorizations of appropriations for the programs carried out under such Acts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 2765. A bill to amend the securities laws to provide for regulatory parity for single stock futures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN:

S. 2760. A bill to clarify the authority of the Secretary of Agriculture to establish performance standards for the reduction of microbiological pathogens in meat and poultry; to the Committee on Agriculture, Nutrition, and Forestry.

##### MICROBIOLOGICAL PERFORMANCE STANDARDS CLARIFICATION ACT OF 2000

Mr. HARKIN. Mr. President, today I am introducing the Microbiological Performance Standards Clarification Act of 2000. Passage of this bill is vital because on May 25th, the District Court of the Northern District of Texas struck down the U.S. Department of Agriculture's (USDA) authority to enforce its Microbiological Performance Standard for Salmonella. The District Court's decision in *Supreme Beef v. USDA* (Supreme) seriously undermines the sweeping food safety changes adopted by USDA in its 1996 Hazard Analysis Critical Control Point and Pathogen Reduction (HACCP) rule.

The District Court's decision in *Supreme* says that USDA does not have the authority to enforce Microbiological Performance Standards for reducing viral and bacterial pathogens.

The Pathogen Reduction Rule recognized that bacterial and viral pathogens were the foremost food safety threat in America, responsible for 5,000 deaths and 33 million illnesses. To address the threat of foodborne illness, USDA developed a modern inspection system based on two fundamental principles.

The first was that industry has the primary responsibility to determine how to produce the safest products possible. Industry had to examine their plants and determine how to control contamination at every step of the food production process, from the moment a product arrives at their door until the moment it leaves their plant.

The second, even more crucial principle was that plants nationwide must reduce levels of dangerous pathogens in meat and poultry products. To ensure the new inspection system accom-

plished this, USDA developed Microbiological Performance Standards. These standards provide targets for reducing pathogens and require all USDA-inspected facilities to meet them. Facilities failing to meet a standard are shut down until they create a corrective action plan to meet the standard.

To date, USDA has only issued one Microbiological Performance Standard, for Salmonella. The vast majority of plants in the U.S. have been able to meet the new standard, so it is clearly workable. In addition, USDA reports that Salmonella levels for meat and poultry products have fallen substantially. The Salmonella standard, therefore, has been successful. The District Court's decision threatens to destroy this success and set our food safety system back years.

Congress cannot let a court's unfortunate misinterpretation of USDA's authority undermine our efforts to provide the safest food possible and the strongest food safety system available. Whatever the ultimate outcome of the *Supreme Beef* case, it is intolerable to have so much uncertainty about USDA's authority to enforce food safety regulations. The public should not have to worry about whether the products on their table have met food safety standards. This legislation provides the necessary clarification and assurance that if a product bears the USDA stamp of approval, it has met all of USDA's food safety requirements.

I plan to seek every opportunity to get this language enacted. I think it is essential, both to ensuring the modernization of our food safety system, and ensuring consumers that we are making progress in reducing dangerous pathogens.

I hope that both parties, and both houses of Congress will be able to act to pass this legislation before the July 4th weekend. The public's confidence in our meat and poultry inspection system is at stake.

By Mr. LEAHY (for himself and Mr. KOHL):

S. 2761. A bill to fund task forces to locate and apprehend fugitives in Federal, State, and local felony criminal cases and to provide administrative subpoena authority; to the Committee on the Judiciary.

##### CAPTURING CRIMINALS ACT OF 2000

Mr. LEAHY. Mr. President, as a former prosecutor, I am well aware that fugitives from justice are an important problem and that their capture is an essential function of law enforcement. According to the FBI, nearly 550,000 people are currently fugitives from justice on federal, state, and local felony charges combined. This means that there are almost as many fugitive felons as there are citizens residing in my home state of Vermont.

The fact that we have more than one half million fugitives from justice, a significant portion of whom are convicted felons in violation of probation

or parole, who have been able to flaunt courts order and avoid arrest, breeds disrespect for our laws and poses undeniable risks to the safety of our citizens. We must do better. The Leahy-Kohl "Capturing Criminals Act of 2000," which I introduce today, will provide additional tools and resources to our federal law enforcement agencies to pursue and capture fugitive felons on both federal and state charges.

Our federal law enforcement agencies should be commended for the job they have been doing to date on capturing federal fugitives and helping the states and local communities bring their fugitives to justice. The U.S. Marshals Service, our oldest law enforcement agency, has arrested over 120,000 federal, state and local fugitives in the past four years, including more federal fugitives than all the other federal agencies combined. In prior years, the Marshals Service spearheaded special fugitive apprehension task forces, called FIST Operations, that targeted fugitives in particular areas and was singularly successful in arresting over 34,000 fugitive felons.

Similarly, the FBI has established twenty-four Safe Streets Task Forces exclusively focused on apprehending fugitives in cities around the country. Over the period of 1995 to 1999, the FBI's efforts have resulted in the arrest of a total of 132,292 fugitives, including 64,336, who were state fugitives.

The Capturing Criminals Act would help our law enforcement agencies keep the pressure on fugitives by authorizing the Attorney General to establish regional Fugitive Apprehension Task Forces, to be coordinated by the United States Marshals Service; authorizing administrative subpoenas for use in obtaining records relevant to finding federal and state fugitives; and, finally, requesting a comprehensive report on the administrative subpoena authorities held by federal agencies, which vary in scope, enforcement and privacy safeguards.

"Administrative subpoena" is the term generally used to refer to a demand for documents or testimony by an investigative entity or regulatory agency that is empowered to issue the subpoena independently and without the approval of any grand jury, court or other judicial entity. I am generally skeptical of administrative subpoena power. Administrative subpoenas avoid the strict grand jury secrecy rules and the documents provided in response to such subpoenas are, therefore, subject to broader dissemination. Moreover, since investigative agents issue such subpoenas directly, without review by a judicial officer or even a prosecutor, fewer "checks" are in place to ensure the subpoena is issued with good cause and not merely as a fishing expedition.

Nonetheless, unlike initial criminal inquiries, fugitive investigations present unique difficulties. Law enforcement may not use grand jury subpoenas since, by the time a person is a fugitive, the grand jury phase of an investigation is usually over. Use of