

Mr. DEWINE. Mr. President, I ask unanimous consent that the bill be read the 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. 4437) was read the third time and passed.

INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

Mr. DEWINE. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House to accompany H.R. 1167.

There being no objection, the Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 1167) entitled "An Act to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, and for other purposes", with the following amendments:

(1) Page 14, line 12, strike [(or of such other agency)].

(2) Page 15, line 1, after "functions" insert: *so*

(3) Page 19, line 4, after "section 106" insert: *other provisions of law*,

(4) Page 20, line 6, strike [305] and insert: *505*

(5) Page 31, line 23, strike [may] and insert: *is authorized to*

(6) Page 39, strike lines 7 through 14, and insert the following:

"(g) *WAGES*.—All laborers and mechanics employed by contractors and subcontractors (excluding tribes and tribal organizations) in the construction, alteration, or repair, including painting or decorating of a building or other facilities in connection with construction projects funded by the United States under this Act shall be paid wages at not less than those prevailing wages on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act of March 3, 1931 (46 Stat. 1494). With respect to construction alteration, or repair work to which the Act of March 3, 1931, is applicable under this section, the Secretary of Labor shall have the authority and functions set forth in the Reorganization Plan numbered 14, of 1950, and section 2 of the Act of June 13, 1934 (48 Stat. 948)."

(7) Page 39, strike line 24 and all that follows through page 40, line 6, and insert the following:

"Regarding construction programs or projects, the Secretary and Indian tribes may negotiate for the inclusion of specific provisions of the Office of Federal Procurement and Policy Act (41 U.S.C. 401 et seq.) and Federal acquisition regulations in any funding agreement entered into under this part. Absent a negotiated agreement, such provisions and regulatory requirements shall not apply."

(8) Page 41, line 1, insert a comma after "Executive orders".

(9) Page 49, strike lines 4 through 10.

(10) Page 56, beginning on line 21, strike [for fiscal years 2000 and 2001].

(11) Page 60, line 6, strike [(a) IN GENERAL.—]

(12) Page 60, strike lines 9 and 10.

(13) Page 60, strike line 16 and all that follows through page 65, line 16.

(14) Page 65, line 17, strike [SEC. 13.] and insert: **SEC. 12.**

(15) Page 66, after line 7, insert the following: **"SEC. 13. EFFECTIVE DATE.**

"Except as otherwise provided, the provisions of this Act shall take effect on the date of the enactment of this Act."

INDIAN TRIBAL PURCHASES OF PRESCRIPTION DRUGS IN SELF GOVERNANCE

Mr. HELMS. Mr. President, it would be helpful to get a clarification for the RECORD from the manager of H.R. 1167, the distinguished Chairman of the Senate Committee on Indian Affairs. I understand that H.R. 1167, the bill to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, contains a provision that would allow Indian tribes to purchase prescription drugs from the Federal Supply Schedule for the purpose of providing health services to Indians under contract with the Indian Health Service.

Mr. CAMPBELL. I would be glad to clarify this matter for the distinguished Senator from North Carolina. Your understanding is correct.

Mr. HELMS. I thank the able Senator. Moreover, I understand that the committee intends that the prescription drugs purchased off the Federal Supply Schedule can only be used for Indians whose health care is provided by the tribe, and cannot be purchased or used for resale, nor may they be dispensed to non-Indian employees of a tribe. Is that correct, Mr. Chairman?

Mr. CAMPBELL. It is the Committee's intent that prescription drugs purchased off the Federal Supply Schedule, as authorized under H.R. 1167, are for the exclusive use of tribal members, not for non-Indian employees of a tribe. Furthermore, it is the intent of the committee that prescription drugs purchased through access to the Federal Supply Schedule by tribes are not to be resold.

Mr. DEWINE. Mr. President, I ask unanimous consent that the Senate agree to the amendments of the House.

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

FUGITIVE APPREHENSION ACT OF 2000

Mr. DEWINE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 695, S. 2516.

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

The legislative clerk read as follows:

A bill (S. 2516) to fund task forces to locate and apprehend fugitives in Federal, State and local felony criminal cases and give administrative subpoena authority to the United States Marshals Service, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with an amendment, as follows:

(Strike out all after the enacting clause and insert the part printed in italic)

S. 2516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fugitive Apprehension Act of 2000".

SEC. 2. FUGITIVE APPREHENSION TASK FORCES.

(a) *IN GENERAL*.—The Attorney General shall, upon consultation with appropriate Department of Justice and Department of the Treasury law enforcement components, establish permanent Fugitive Apprehension Task Forces consisting of Federal, State, and local law enforcement authorities in designated regions of the United States, to be directed and coordinated by the United States Marshals Service, for the purpose of locating and apprehending fugitives.

(b) *AUTHORIZATION OF APPROPRIATIONS*.—There are authorized to be appropriated to the United States Marshals Service to carry out the provisions of this section \$30,000,000 for the fiscal year 2001, \$5,000,000 for fiscal year 2002, and \$5,000,000 for fiscal year 2003.

(c) *OTHER EXISTING APPLICABLE LAW*.—Nothing in this section shall be construed to limit any existing authority under any other provision of Federal or State law for law enforcement agencies to locate or apprehend fugitives through task forces or any other means.

SEC. 3. ADMINISTRATIVE SUBPOENAS TO APPREHEND FUGITIVES.

(a) *IN GENERAL*.—Chapter 49 of title 18, United States Code, is amended by adding at the end the following:

"§ 1075. Administrative subpoenas to apprehend fugitives

"(a) *DEFINITIONS*.—In this section:

"(1) *FUGITIVE*.—The term 'fugitive' means a person who—

"(A) having been accused by complaint, information, or indictment under Federal law or having been convicted of committing a felony under Federal law, flees or attempts to flee from or evades or attempts to evade the jurisdiction of the court with jurisdiction over the felony;

"(B) having been accused by complaint, information, or indictment under State law or having been convicted of committing a felony under State law, flees or attempts to flee from, or evades or attempts to evade, the jurisdiction of the court with jurisdiction over the felony;

"(C) escapes from lawful Federal or State custody after having been accused by complaint, information, or indictment or having been convicted of committing a felony under Federal or State law; or

"(D) is in violation of subparagraph (2) or (3) of the first undesignated paragraph of section 1073.

"(2) *INVESTIGATION*.—The term 'investigation' means, with respect to a State fugitive described in subparagraph (B) or (C) of paragraph (1), an investigation in which there is reason to believe that the fugitive fled from or evaded, or attempted to flee from or evade, the jurisdiction of the court, or escaped from custody, in or affecting, or using any facility of, interstate or foreign commerce, or as to whom an appropriate law enforcement officer or official of a State or political subdivision has requested the Attorney General to assist in the investigation, and the Attorney General finds that the particular circumstances of the request give rise to a Federal interest sufficient for the exercise of Federal jurisdiction pursuant to section 1075.

"(3) *STATE*.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

"(b) *SUBPOENAS AND WITNESSES*.—

"(1) *SUBPOENAS*.—In any investigation with respect to the apprehension of a fugitive, the Attorney General may subpoena witnesses for the purpose of the production of any records (including books, papers, documents, electronic data, and other tangible and intangible items that constitute or contain evidence) that the Attorney General finds, based on articulable facts, are relevant to discerning the whereabouts of the fugitive. A subpoena under this subsection shall describe the records or items required to be produced and prescribe a return date within a reasonable period of time within which the

records or items can be assembled and made available.

“(2) **WITNESSES.**—The attendance of witnesses and the production of records may be required from any place in any State or other place subject to the jurisdiction of the United States at any designated place where the witness was served with a subpoena, except that a witness shall not be required to appear more than 500 miles distant from the place where the witness was served. Witnesses summoned under this section shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

“(c) **SERVICE.**—

“(1) **AGENT.**—A subpoena issued under this section may be served by any person designated in the subpoena as the agent of service.

“(2) **NATURAL PERSON.**—Service upon a natural person may be made by personal delivery of the subpoena to that person or by certified mail with return receipt requested.

“(3) **CORPORATION.**—Service may be made upon a domestic or foreign corporation or upon a partnership or other unincorporated association that is subject to suit under a common name, by delivering the subpoena to an officer, to a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process.

“(4) **AFFIDAVIT.**—The affidavit of the person serving the subpoena entered on a true copy thereof by the person serving it shall be proof of service.

“(d) **CONTUMACY OR REFUSAL.**—

“(1) **IN GENERAL.**—In the case of the contumacy or refusal to obey a subpoena issued to any person, the Attorney General may invoke the aid of any court of the United States within the jurisdiction of which the investigation is carried on or of which the subpoenaed person is an inhabitant, or in which he carries on business or may be found, to compel compliance with the subpoena. The court may issue an order requiring the subpoenaed person to appear before the Attorney General to produce records if so ordered.

“(2) **CONTEMPT.**—Any failure to obey the order of the court may be punishable by the court as contempt thereof.

“(3) **PROCESS.**—All process in any case to enforce an order under this subsection may be served in any judicial district in which the person may be found.

“(4) **RIGHTS OF SUBPOENA RECIPIENT.**—Not later than 20 days after the date of service of an administrative subpoena under this section upon any person, or at any time before the return date specified in the subpoena, whichever period is shorter, such person may file, in the district within which such person resides, is found, or transacts business, a petition to modify or quash such subpoena on grounds that—

“(A) the terms of the subpoena are unreasonable or unnecessary;

“(B) the subpoena fails to meet the requirements of this section; or

“(C) the subpoena violates the constitutional rights or any other legal rights or privilege of the subpoenaed party.

“(e) **REPORT.**—

“(1) **IN GENERAL.**—The Attorney General shall report in January of each year to the Committees on the Judiciary of the Senate and the House of Representatives on the number of administrative subpoenas issued under this section, whether each matter involved a fugitive from Federal or State charges, and identification of the agency or component of the Department of Justice issuing the subpoena and imposing the charges.

“(2) **EXPIRATION.**—The reporting requirement of this subsection shall terminate in 3 years after the date of enactment of this section.

“(f) **GUIDELINES.**—

“(1) **IN GENERAL.**—The Attorney General shall issue guidelines governing the issuance of administrative subpoenas pursuant to this section.

“(2) **REVIEW.**—The guidelines required by this subsection shall mandate that administrative subpoenas may be issued only after review and approval of senior supervisory personnel within the respective investigative agency or component of the Department of Justice.

“(g) **DELAYED NOTICE.**—

“(1) **IN GENERAL.**—Where an administrative subpoena is issued under this section to a provider of electronic communication service (as defined in section 2510 of this title) or remote computing service (as defined in section 2711 of this title), the Attorney General may—

“(A) in accordance with section 2705(a) of this title, delay notification to the subscriber or customer to whom the record pertains; and

“(B) apply to a court, in accordance with section 2705(b) of this title, for an order commanding the provider of electronic communication service or remote computing service not to notify any other person of the existence of the subpoena or court order.

“(2) **SUBPOENAS FOR FINANCIAL RECORDS.**—If a subpoena is issued under this section to a financial institution for financial records of any customer of such institution, the Attorney General may apply to a court under section 1109 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3409) for an order to delay customer notice as otherwise required.

“(3) **NONDISCLOSURE REQUIREMENTS.**—

“(A) **IN GENERAL.**—Except as otherwise provided in paragraphs (1) and (2), the Attorney General may require the party to whom an administrative subpoena is directed to refrain from notifying any other party of the existence of the subpoena for 30 days.

“(B) **EXTENSION.**—The Attorney General may apply to a court for an order extending the time for such period as the court deems appropriate.

“(C) **CRITERIA FOR EXTENSION.**—The court shall enter an order under subparagraph (B) if it determines that there is reason to believe that notification of the existence of the administrative subpoena will result in—

“(i) endangering the life or physical safety of an individual;

“(ii) flight from prosecution;

“(iii) destruction of or tampering with evidence;

“(iv) intimidation of potential witnesses; or

“(v) otherwise seriously jeopardizing an investigation or undue delay in trial.

“(h) **IMMUNITY FROM CIVIL LIABILITY.**—Any person, including officers, agents, and employees, who in good faith produce the records or items requested in a subpoena shall not be liable in any court of any State or the United States to any customer or other person for such production or for nondisclosure of that production to the customer, in compliance with the terms of a court order for nondisclosure.”

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The analysis for chapter 49 of title 18, United States Code, is amended by adding at the end the following:

“1075. Administrative subpoenas to apprehend fugitives.”

SEC. 4. STUDY AND REPORT OF THE USE OF ADMINISTRATIVE SUBPOENAS.

Not later than December 31, 2001, the Attorney General shall complete a study on the use of administrative subpoena power by executive branch agencies or entities and shall report the findings to the Committees on the Judiciary of the Senate and the House of Representatives. Such report shall include—

(1) a description of the sources of administrative subpoena power and the scope of such subpoena power within executive branch agencies;

(2) a description of applicable subpoena enforcement mechanisms;

(3) a description of any notification provisions and any other provisions relating to safeguarding privacy interests;

(4) a description of the standards governing the issuance of administrative subpoenas; and

(5) recommendations from the Attorney General regarding necessary steps to ensure that administrative subpoena power is used and enforced consistently and fairly by executive branch agencies.

AMENDMENT NO. 4020

Mr. DEWINE. Mr. President, I send an amendment to the desk on behalf of Senators THURMOND, BIDEN, and LEAHY.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio (Mr. DEWINE) for Mr. THURMOND, Mr. BIDEN, and Mr. LEAHY, proposes an amendment numbered 4020.

The amendment is as follows:

(Purpose: To impose nondisclosure requirements, and for other purposes)

On page 14, beginning with line 21, strike through page 15, line 20 and insert the following:

“(3) **NONDISCLOSURE REQUIREMENTS.**—

“(A) **IN GENERAL.**—Except as provided in paragraphs (1) and (2), the Attorney General may apply to a court for an order requiring the party to whom an administrative subpoena is directed to refrain from notifying any other party of the existence of the subpoena or court order for such period as the court deems appropriate.

“(B) **ORDER.**—The court shall enter such order if it determines that there is reason to believe that notification of the existence of the administrative subpoena will result in—

“(i) endangering the life or physical safety of an individual;

“(ii) flight from prosecution;

“(iii) destruction of or tampering with evidence;

“(iv) intimidation of potential witnesses; or

“(v) otherwise seriously jeopardizing an investigation or undue delay of a trial.

On page 16, line 9 insert “, in consultation with the Secretary of the Treasury,” after “eral”.

Mr. THURMOND. Mr. President, I am very pleased that tonight the Senate is considering S. 2516, the Fugitive Apprehension Act. Senator BIDEN and I introduced this important legislation to help address the serious threat of federal and state fugitives. The need for it was clearly demonstrated in a hearing I held on this matter last month in my subcommittee.

The number of wanted persons is truly alarming. There are over 38,000 felony warrants outstanding in federal cases. There are over one-half million felony or other serious fugitives listed in the National Crime Information Center database. Yet, this is far less than the actual number of dangerous fugitives roaming the streets because many states do not put all dangerous wanted persons into the database. As recently reported in the Washington Post, California has 2.5 million unserved felony and misdemeanor warrants, and Baltimore has 61,000.

While violent crime in the United States has been decreasing in recent years, the number of serious fugitives has been climbing. The number of N.C.I.C. fugitives has doubled since 1987, and continues to rise steadily each year.

Fugitives represent not only an outrage to the rule of law, they are also a serious threat to public safety. Many of

them continue to commit additional crimes while they roam undetected.

The bill would provide \$40 million dollars over three years for the Marshals Service to form fugitive task forces with state and local authorities. The Marshals Service is the lead federal agency regarding this matter. Task forces combine the expertise of the Marshals Service in these specialized investigations with the knowledge that local law enforcement has about their communities. This teamwork helps authorities prioritize and apprehend large numbers of dangerous criminals.

The legislation would also provide administrative subpoena authority, which would allow investigators to track down leads about wanted persons faster and more efficiently. Currently, the time it takes to get vital information, such as telephone or apartment rental records, through a formal court order can make the difference between whether a fugitive is apprehended or remains on the run.

This bill has been endorsed by various law enforcement organizations, including the National Sheriffs Association, the Fraternal Order of Police, and the National Association of Police Organizations, and the subpoena authority is supported by the Administration. This is an important step that we can take to help federal and state law enforcement address the serious fugitive threat that exists in our country.

I ask consent to have printed in the RECORD a section-by-section analysis of the bill.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

The title is the "Fugitive Apprehension Act of 2000."

Section 2. Fugitive apprehension task forces

The purpose of this provision is to assist Federal, state and local law enforcement authorities by forming multi-agency task forces around the country to locate and apprehend fugitives wanted by their jurisdictions.

The bill would authorize to be appropriated to the U.S. Marshals Service \$40 million dollars over three years to establish new, permanent Fugitive Apprehension Task Forces and supplement the efforts of task forces already operating in areas throughout the United States. The Fugitive Apprehension Task Forces would be totally dedicated to locating and apprehending fugitives under the direction of a National Director and not under a specific District to insure that they are not utilized for other Marshals Service missions.

Section 3. Administrative subpoena authority

This section of the bill creates a new section 1075 in Title 18, United States Code, providing for administrative subpoena authority to ascertain the whereabouts of fugitives.

Section 1075(a) contains various definitions for "fugitive," "investigation," and "state," that delimit the scope of the section's operative provisions.

Section 1075(b) provides for the issuance of administrative subpoenas in investigations as defined in section 1075(a). The Attorney

General may subpoena witnesses for the production of records the Attorney General finds, based on articulable facts, are relevant to discerning the whereabouts of a fugitive. A subpoena must describe the records or items required to be produced and prescribe a return date within a reasonable period of time within which the records or items can be assembled and made available. Witnesses may not be required to travel more than 500 miles from the place of service of the subpoena, and must be paid the same fees and mileage paid witnesses in United States courts.

Section 1075(c) provides for methods of service of a subpoena under this section.

Section 1075(d) empowers courts to enforce subpoenas issued under this section. Subpoena recipients may move to modify or quash an administrative subpoena within 20 days of service of the subpoena, or prior to the return date, whichever period is shorter, on specified grounds.

Section 1075(e) provides that the Attorney General must issue a report to the Congress about the use of this section, for the first three years following enactment of the statute.

Section 1075(f) provides that the Attorney General shall issue guidelines governing the issuance of administrative subpoenas aimed at the apprehension of fugitives as authorized by this section. The guidelines shall mandate that no such subpoenas issue absent review and approval of senior supervisory personnel within the respective investigative agency or component of the Department of Justice.

Section 1075(g) provides that administrative subpoenas issued to a provider of electronic communication service (as defined in 18 U.S.C. §2510) or remote computing service (as defined in 18 U.S.C. §2711) may include delayed notification and nondisclosure provisions consistent with 18 U.S.C. §2705. Paragraph (g) further provides that subpoenas issued under this section for financial records are subject to the Attorney General's power to request a delayed customer notice pursuant to 12 U.S.C. §3409. Administrative subpoenas issued pursuant to this section should be governed, where appropriate, by 18 U.S.C. §2705 and 12 U.S.C. §3409. Otherwise, the Attorney General may apply for a court order imposing a non-disclosure period for specified reasons.

Section 1075(h) provides that good faith compliance with a subpoena issued under this section, and good faith compliance with a nondisclosure order under this provision (whether incorporated in a subpoena by the Attorney General or separately ordered by a court), will be immunized from civil liability in state and federal courts.

Section 4. Study and report of the use of administrative subpoenas

This section requires the Attorney General, in consultation with the Secretary of the Treasury, to complete a study of the use of administrative subpoena power, and report to the Congress by December 31, 2001.

Mr. LEAHY. Mr. President, I am pleased that the Senate is passing S. 2516, "The Fugitive Apprehension Act of 2000."

During Senate Judiciary Committee consideration of this legislation, we were able to reconcile in the Thurmond-Biden-Leahy substitute amendment to S. 2516, the significant differences between that bill, as introduced, and S. 2761, "The Capturing Criminals Act," which I introduced with Senator KOHL on June 21, 2000. I commend Senators THURMOND and

BIDEN for their leadership on this issue and am glad we were able to make a number of changes to the bill to ensure that the authority granted is consistent with privacy and other appropriate safeguards.

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.

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 65,359 state fugitives.

Nevertheless, the number of outstanding fugitives is too large. The substitute amendment we consider today will help make a difference by providing new but limited administrative subpoena authority to the Department of Justice to obtain documentary evidence helpful in tracking down fugitives and by authorizing the Attorney General to establish fugitive task forces.

"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 grand jury subpoenas to obtain phone or bank records to track down a fugitive would be an abuse of the grand jury. Trial subpoenas may also not be used, either because the fugitive is already convicted or no trial may take place without the fugitive.

This inability to use trial and grand jury subpoenas for fugitive investigations creates a gap in law enforcement procedures. Law enforcement partially fills this gap by using the All Writs Act, 28 U.S.C. § 1651(a), which authorizes federal courts to "issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law." The procedures, however, for obtaining orders under this Act, and the scope and non-disclosure terms of such orders, vary between jurisdictions.

Thus, authorizing administrative subpoena power will help bridge the gap in fugitive investigations to allow federal law enforcement agencies to obtain records useful for tracking a fugitive's whereabouts.

The Thurmond-Biden-Leahy substitute amendment incorporates a number of provisions from the Leahy-Kohl "Capturing Criminals Act" and makes significant and positive modifications to the original version of S. 2516. First, as introduced, S. 2516 would have limited use of an administrative subpoena to those fugitives who have been "indicted," and failed to address the fact that fugitives flee after arrest on the basis of a "complaint" and may flee after the prosecutor has filed an "information" in lieu of an indictment. The substitute amendment, by contrast, would allow use of such subpoenas to track fugitives who have been accused in a "complaint, information or indictment."

Second, S. 2516, as introduced, would have required the U.S. Marshal Service to report quarterly to the Attorney General (who must transmit the report to Congress) on use of the administrative subpoenas. While a reporting requirement is useful, the requirement as described in the original S. 2516 was overly burdensome and insufficiently specific. The substitute amendment, as in the Capturing Criminals Act, would require the Attorney General to report for the next three years to the Judiciary Committees of both the House and Senate with the following information about the use of administrative subpoenas in fugitive investigations: the number issued, by which agency, identification of the charges on which the fugitive was wanted and whether the fugitive was wanted on federal or state charges.

Third, although the original S. 2516 outlined the procedures for enforcement of an administrative subpoena, it was silent on the mechanisms for contesting the subpoena by the recipient. The substitute amendment expressly addresses this issue. As set forth in the Capturing Criminals Act, this substitute amendment would allow a person who is served with an administrative subpoena to petition a court to modify or set aside the subpoena on grounds that compliance would be "unreasonable or oppressive" (a standard used in Fed. R. Crim. P. 17 for trial subpoenas) or would violate constitutional or other legal rights of the person.

Fourth, the original S. 2516 did not provide, or set forth a procedure, for the government to command a custodian of records not to disclose or to delay notice to a customer about the existence of the subpoena. This is particularly critical in fugitive investigations when law enforcement does not want to alert the fugitive that the police are on his/her trail. The substitute amendment incorporates from the Capturing Criminals Act the express authority for law enforcement to apply for a court order directing the custodian of records to delay notice to subscribers of the existence of the subpoena on the same terms applicable in current law to other subpoenas issued to phone companies and other electronic service providers and to banks.

Fifth, the original S. 2516 did not provide any immunity from civil liability for persons complying with administrative subpoenas in fugitive investigations. As in the Capturing Criminals Act, the substitute amendment would provide immunity from civil liability for good faith compliance with an administrative subpoena, including non-disclosure in compliance with the terms of a court order.

Sixth, S. 2516, as introduced, would have authorized use of an administrative subpoena upon a finding by the Attorney General that the documents are "relevant and material," which is further defined to mean that "there are articulable facts that show the fugitive's whereabouts may be discerned from the records sought." Changing the standard for issuance of a subpoena from "relevancy" to a hybrid of "relevant and material" sets a confusing and bad precedent. Accordingly, the substitute amendment would authorize issuance of an administrative subpoena for documents if the Attorney General finds based upon articulable facts that they are relevant to discerning the fugitive's whereabouts.

Seventh, the original S. 2516 authorized the Attorney General to issue guidelines delegating authority for issuance of administrative subpoenas only to the Director of the U.S. Marshals Service, despite the fact that the FBI, and the Drug Enforcement Administration also want this authority to find fugitives on charges over which they have investigative authority. The

substitute amendment would authorize the Attorney General to issue guidelines delegating authority for issuance of administrative subpoenas to supervisory personnel within components of the Department.

Eighth, the original S. 2516 did not address the issue that a variety of administrative subpoena authorities exist in multiple forms in every agency. The substitute amendment incorporates from the Capturing Criminals Act a requirement that the Attorney General provide a report on this issue.

Finally, as introduced, S. 2516 authorized the U.S. Marshal Service to establish permanent Fugitive Apprehension Task Forces. By contrast, the substitute amendment would authorize \$40,000,000 over three years for the Attorney General to establish multi-agency task forces (which will be coordinated by the Director of the Marshals Service) in consultation with the Secretary of the Treasury and the States, so that the Secret Service, BATF, the FBI and the States are able to participate in the Task Forces to find their fugitives.

This Thurmond-Biden-Leahy substitute amendment makes necessary changes to this bill that will help law enforcement—with increased resources for regional fugitive apprehension task forces and administrative subpoena authority—bring to justice both federal and state fugitives who, by their conduct, have demonstrated a lack of respect for our nation's criminal justice system.

Mr. DEWINE. Mr. President, I ask unanimous consent the amendment be agreed to, the committee substitute amendment, as amended, agreed to, the bill be read the 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 amendment (No. 4020) was agreed to.

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

The bill (S. 2516), as amended, was passed.

S. 2516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fugitive Apprehension Act of 2000".

SEC. 2. FUGITIVE APPREHENSION TASK FORCES.

(a) IN GENERAL.—The Attorney General shall, upon consultation with appropriate Department of Justice and Department of the Treasury law enforcement components, establish permanent Fugitive Apprehension Task Forces consisting of Federal, State, and local law enforcement authorities in designated regions of the United States, to be directed and coordinated by the United States Marshals Service, for the purpose of locating and apprehending fugitives.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

the United States Marshal Service to carry out the provisions of this section \$30,000,000 for the fiscal year 2001, \$5,000,000 for fiscal year 2002, and \$5,000,000 for fiscal year 2003.

(c) OTHER EXISTING APPLICABLE LAW.—Nothing in this section shall be construed to limit any existing authority under any other provision of Federal or State law for law enforcement agencies to locate or apprehend fugitives through task forces or any other means.

SEC. 3. ADMINISTRATIVE SUBPOENAS TO APPREHEND FUGITIVES.

(a) IN GENERAL.—Chapter 49 of title 18, United States Code, is amended by adding at the end the following:

“§ 1075. Administrative subpoenas to apprehend fugitives

“(a) DEFINITIONS.—In this section:

“(1) FUGITIVE.—The term ‘fugitive’ means a person who—

“(A) having been accused by complaint, information, or indictment under Federal law or having been convicted of committing a felony under Federal law, flees or attempts to flee from or evades or attempts to evade the jurisdiction of the court with jurisdiction over the felony;

“(B) having been accused by complaint, information, or indictment under State law or having been convicted of committing a felony under State law, flees or attempts to flee from, or evades or attempts to evade, the jurisdiction of the court with jurisdiction over the felony;

“(C) escapes from lawful Federal or State custody after having been accused by complaint, information, or indictment or having been convicted of committing a felony under Federal or State law; or

“(D) is in violation of subparagraph (2) or (3) of the first undesignated paragraph of section 1073.

“(2) INVESTIGATION.—The term ‘investigation’ means, with respect to a State fugitive described in subparagraph (B) or (C) of paragraph (1), an investigation in which there is reason to believe that the fugitive fled from or evaded, or attempted to flee from or evade, the jurisdiction of the court, or escaped from custody, in or affecting, or using any facility of, interstate or foreign commerce, or as to whom an appropriate law enforcement officer or official of a State or political subdivision has requested the Attorney General to assist in the investigation, and the Attorney General finds that the particular circumstances of the request give rise to a Federal interest sufficient for the exercise of Federal jurisdiction pursuant to section 1075.

“(3) STATE.—The term ‘State’ means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

“(b) SUBPOENAS AND WITNESSES.—

“(1) SUBPOENAS.—In any investigation with respect to the apprehension of a fugitive, the Attorney General may subpoena witnesses for the purpose of the production of any records (including books, papers, documents, electronic data, and other tangible and intangible items that constitute or contain evidence) that the Attorney General finds, based on articulable facts, are relevant to discerning the whereabouts of the fugitive. A subpoena under this subsection shall describe the records or items required to be produced and prescribe a return date within a reasonable period of time within which the records or items can be assembled and made available.

“(2) WITNESSES.—The attendance of witnesses and the production of records may be required from any place in any State or other place subject to the jurisdiction of the United States at any designated place where

the witness was served with a subpoena, except that a witness shall not be required to appear more than 500 miles distant from the place where the witness was served. Witnesses summoned under this section shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

“(c) SERVICE.—

“(1) AGENT.—A subpoena issued under this section may be served by any person designated in the subpoena as the agent of service.

“(2) NATURAL PERSON.—Service upon a natural person may be made by personal delivery of the subpoena to that person or by certified mail with return receipt requested.

“(3) CORPORATION.—Service may be made upon a domestic or foreign corporation or upon a partnership or other unincorporated association that is subject to suit under a common name, by delivering the subpoena to an officer, to a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process.

“(4) AFFIDAVIT.—The affidavit of the person serving the subpoena entered on a true copy thereof by the person serving it shall be proof of service.

“(d) CONTUMACY OR REFUSAL.—

“(1) IN GENERAL.—In the case of the contumacy by or refusal to obey a subpoena issued to any person, the Attorney General may invoke the aid of any court of the United States within the jurisdiction of which the investigation is carried on or of which the subpoenaed person is an inhabitant, or in which he carries on business or may be found, to compel compliance with the subpoena. The court may issue an order requiring the subpoenaed person to appear before the Attorney General to produce records if so ordered.

“(2) CONTEMPT.—Any failure to obey the order of the court may be punishable by the court as contempt thereof.

“(3) PROCESS.—All process in any case to enforce an order under this subsection may be served in any judicial district in which the person may be found.

“(4) RIGHTS OF SUBPOENA RECIPIENT.—Not later than 20 days after the date of service of an administrative subpoena under this section upon any person, or at any time before the return date specified in the subpoena, whichever period is shorter, such person may file, in the district within which such person resides, is found, or transacts business, a petition to modify or quash such subpoena on grounds that—

“(A) the terms of the subpoena are unreasonable or unnecessary;

“(B) the subpoena fails to meet the requirements of this section; or

“(C) the subpoena violates the constitutional rights or any other legal rights or privilege of the subpoenaed party.

“(e) REPORT.—

“(1) IN GENERAL.—The Attorney General shall report in January of each year to the Committees on the Judiciary of the Senate and the House of Representatives on the number of administrative subpoenas issued under this section, whether each matter involved a fugitive from Federal or State charges, and identification of the agency or component of the Department of Justice issuing the subpoena and imposing the charges.

“(2) EXPIRATION.—The reporting requirement of this subsection shall terminate in 3 years after the date of enactment of this section.

“(f) GUIDELINES.—

“(1) IN GENERAL.—The Attorney General shall issue guidelines governing the issuance of administrative subpoenas pursuant to this section.

“(2) REVIEW.—The guidelines required by this subsection shall mandate that administrative subpoenas may be issued only after review and approval of senior supervisory personnel within the respective investigative agency or component of the Department of Justice.

“(g) DELAYED NOTICE.—

“(1) IN GENERAL.—Where an administrative subpoena is issued under this section to a provider of electronic communication service (as defined in section 2510 of this title) or remote computing service (as defined in section 2711 of this title), the Attorney General may—

“(A) in accordance with section 2705(a) of this title, delay notification to the subscriber or customer to whom the record pertains; and

“(B) apply to a court, in accordance with section 2705(b) of this title, for an order commanding the provider of electronic communication service or remote computing service not to notify any other person of the existence of the subpoena or court order.

“(2) SUBPOENAS FOR FINANCIAL RECORDS.—If a subpoena is issued under this section to a financial institution for financial records of any customer of such institution, the Attorney General may apply to a court under section 1109 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3409) for an order to delay customer notice as otherwise required.

“(3) NONDISCLOSURE REQUIREMENTS.—

“(A) IN GENERAL.—Except as provided in paragraphs (1) and (2), the Attorney General may apply to a court for an order requiring the party to whom an administrative subpoena is directed to refrain from notifying any other party of the existence of the subpoena or court order for such period as the court deems appropriate.

“(B) ORDER.—The court shall enter such order if it determines that there is reason to believe that notification of the existence of the administrative subpoena will result in—

“(i) endangering the life or physical safety of an individual;

“(ii) flight from prosecution;

“(iii) destruction of or tampering with evidence;

“(iv) intimidation of potential witnesses; or

“(v) otherwise seriously jeopardizing an investigation or undue delay of a trial.

“(h) IMMUNITY FROM CIVIL LIABILITY.—Any person, including officers, agents, and employees, who in good faith produce the records or items requested in a subpoena shall not be liable in any court of any State or the United States to any customer or other person for such production or for non-disclosure of that production to the customer, in compliance with the terms of a court order for nondisclosure.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 49 of title 18, United States Code, is amended by adding at the end the following:

“1075. Administrative subpoenas to apprehend fugitives.”

SEC. 4. STUDY AND REPORT OF THE USE OF ADMINISTRATIVE SUBPOENAS.

Not later than December 31, 2001, the Attorney General, in consultation with the Secretary of the Treasury, shall complete a study on the use of administrative subpoena power by executive branch agencies or entities and shall report the findings to the Committees on the Judiciary of the Senate and the House of Representatives. Such report shall include—

(1) a description of the sources of administrative subpoena power and the scope of such subpoena power within executive branch agencies;

(2) a description of applicable subpoena enforcement mechanisms;

(3) a description of any notification provisions and any other provisions relating to safeguarding privacy interests;

(4) a description of the standards governing the issuance of administrative subpoenas; and

(5) recommendations from the Attorney General regarding necessary steps to ensure that administrative subpoena power is used and enforced consistently and fairly by executive branch agencies.

ORDER FOR COMMITTEES TO FILE LEGISLATIVE MATTERS

Mr. DEWINE. Mr. President, I ask unanimous consent that, notwithstanding the adjournment of the Senate, committees have until 1 p.m. on Friday, August 25, in order to file legislative matters.

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

MEASURE READ FOR THE FIRST TIME—S. 2940

Mr. DEWINE. Mr. President, I understand that S. 2940 is at the desk, and I ask for its first reading.

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

The legislative clerk read as follows:

A bill (S. 2940) to authorize additional assistance for international malaria control, and to provide for coordination and consultation in providing assistance under the Foreign Assistance Act of 1961 with respect to malaria, HIV, and tuberculosis.

Mr. DEWINE. Mr. President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Under the order, the bill will receive its next reading on the next legislative day.

MEASURE READ FOR THE FIRST TIME—S. 2941

Mr. DEWINE. Mr. President, I understand that S. 2941 is at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (S. 2941) to amend the Federal Election Campaign Act of 1971 to provide meaningful campaign finance reform through better reporting, decreasing the role of soft money, and increasing individual contribution limits, and for other purposes.

Mr. DEWINE. I now ask for its second reading, and I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

ORDERS FOR THURSDAY, JULY 27, 2000

Mr. DEWINE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Thursday, July 27. I further ask consent that on Thursday, immediately

following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business for Coverdell tributes only until 11 a.m., with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. DEWINE. When the Senate convenes at 9:30 a.m., the Senate will be in a period of morning business until 11 a.m. for statements in memory of Senator Paul Coverdell. Following morning business, the Senate will have a swearing-in ceremony for Senator-designate Zell Miller. After the ceremony and the remarks by the Senator-designate, the Senate will proceed to a cloture vote on the motion to proceed to the energy and water appropriations bill. By previous order, following the cloture vote, the Senate will begin consideration of the conference report to accompany the Department of Defense appropriations bill, with a vote to occur at approximately 3:15 p.m. Assuming cloture is invoked on the motion to proceed to the energy and water appropriations bill, the Senate will then begin 30 hours of postcloture debate.

As a reminder, cloture was filed on the motion to proceed to the PNTR China legislation during today's session. It is hoped an agreement can be made to schedule that vote for tomorrow afternoon.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DEWINE. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:04 p.m., adjourned until, Thursday, July 27, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate July 26, 2000:

NATIONAL CREDIT UNION ADMINISTRATION BOARD

GEOFF BACINO, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR THE TERM OF SIX YEARS EXPIRING AUGUST 2, 2005, VICE NORMAN E. D'AMOURS, TERM EXPIRED.

DEPARTMENT OF TRANSPORTATION

DAVID Z. PLAVIN, OF NEW YORK, TO BE A MEMBER OF THE FEDERAL AVIATION MANAGEMENT ADVISORY COUNCIL FOR A TERM OF ONE YEAR. (NEW POSITION)

BROADCASTING BOARD OF GOVERNORS

EDWARD E. KAUFMAN, OF DELAWARE, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2003. (REAPPOINTMENT)
ALBERTO J. MORA, OF FLORIDA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2003. (REAPPOINTMENT)

FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE AND

STATE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JOHN F. ALOIA, OF NEW JERSEY
EDIE J. BACKMAN, OF VIRGINIA
CHRISTOPHER J. BANE, OF VIRGINIA
DESIREE A. BARON, OF MICHIGAN
DAVID HILL BENNER, OF VIRGINIA
DANA M. BROWN, OF CALIFORNIA
CHRISTOPHER P. CHIARELLO, OF VIRGINIA
D. SHANE CHRISTENSEN, OF CALIFORNIA
ELIZABETH OVERTON COLTON, OF VIRGINIA
LAMONT CARY COLUCCI, OF WISCONSIN
JOHN P. COONEY III, OF NEW YORK
CHAD PARKER CUMMINS, OF CALIFORNIA
ERIC G. FALLS, OF VIRGINIA
EVAN T. FELSING, OF NEW JERSEY
MARGARET J. FLETCHER, OF VIRGINIA
ELISE J. FOX, OF CALIFORNIA
SAMIR A. GEORGE, OF VIRGINIA
MICHAEL JOSEPH GIARUCKIS, OF FLORIDA
JULIET S. GOLE, OF MARYLAND
GLENN GRIMES, OF VIRGINIA
GLENN JAMES GUIMOND, OF CALIFORNIA
TRACY HAILEY GEORGIEVA, OF FLORIDA
NORMAN C. HALL, OF VIRGINIA
JENNY S. HAN, OF LOUISIANA
JASON M. HANCOCK, OF VIRGINIA
RUTH ANN HARGUS, OF VIRGINIA
ANDREW R. HERRUP, OF THE DISTRICT OF COLUMBIA
NICHOLAS J. HILGERT III, OF VIRGINIA
CHARLES DAVID HILLON, OF VIRGINIA
KIMBERLY A. HOPFSTROM, OF FLORIDA
HANS A. HOLMER, OF THE DISTRICT OF COLUMBIA
JOHN A. IRVIN, OF VIRGINIA
KEVIN A. KIERCE, OF VIRGINIA
JOSEPH C. KOEN, OF TEXAS
JOHN A. KRINGEN, OF VIRGINIA
ANNE M. LARSON, OF VIRGINIA
BRYAN D. LARSON, OF COLORADO
EUGENE LENSTON, OF CALIFORNIA
DAVID WALTER LETTENNEY, OF MARYLAND
DANA M. LINNET, OF MASSACHUSETTS
GREGORY DANIEL LOGERFO, OF NEW YORK
DAVID P. MATHEWSON, OF VIRGINIA
LORRIE W. MCCORKELL, OF VIRGINIA
CRAIG W. MCCARRAH III, OF VIRGINIA
RANDALL T. MERIDETH, OF MINNESOTA
EDWARD L. MICCIO, OF CALIFORNIA
FRANKLIN B. MILES, OF VIRGINIA
DAVID ERIC MITCHELL, OF TEXAS
ANNE MARIE MOORE, OF NEW HAMPSHIRE
DAVID THOMAS MOORE, OF CALIFORNIA
KATHARINE MOSELEY, OF THE DISTRICT OF COLUMBIA
STANLEY M. NESTOR, OF PENNSYLVANIA
MICHAEL J. OLEJARZ, OF FLORIDA
RANDALL M. OLSON, OF VIRGINIA
CHRISTOPHER J. PANICO, OF CONNECTICUT
ANDREW B. PAUL, OF OHIO
SHERYL A. PICKNEY-MAAS, OF SOUTH CAROLINA
DANIEL MOSHE RENNA, OF THE DISTRICT OF COLUMBIA
DAVID N. RICHELSON, OF CONNECTICUT
SHERI SIMPSON RIEDL, OF VIRGINIA
SCOTT R. RIEDMANN, OF OHIO
MARK S. RILEY, OF VIRGINIA
LISA CHRISTINE ROYDEN, OF VIRGINIA
EDWIN S. SAEGER, OF MARYLAND
PHILIP S. SALTER, OF VIRGINIA
MARK ANDREW SCHAPIRO, OF NEW YORK
GREGORY KENT SCHIFFER, OF TEXAS
DAVID C. SCHROEDER, OF FLORIDA
MICHAEL K. SINGH, OF ILLINOIS
MARY JANE SKAPEK, OF VIRGINIA
BRICE SLOAN, OF IDAHO
MATTHEW DAVID SMITH, OF NEW HAMPSHIRE
LEE J. SPERRY, OF VIRGINIA
RUTH ANNE STEVENS, OF OHIO
TRACY LYNN TAYLOR, OF THE DISTRICT OF COLUMBIA
WILLIAM W. TENNEY, OF VIRGINIA
BETTY L. WADE, OF WEST VIRGINIA
DANIEL JOSEPH WARTKO, OF THE DISTRICT OF COLUMBIA
TIMOTHY W. WILKIE, OF HAWAII
GREGORY M. WINSTEAD, OF FLORIDA
NOAH S. ZARING, OF IOWA
DAVID L. ZINKOWICH, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE AS INDICATED, EFFECTIVE NOVEMBER 21, 1999:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

AGENCY FOR INTERNATIONAL DEVELOPMENT

GEORGE DEIKUN, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE AS INDICATED, EFFECTIVE NOVEMBER 21, 1999:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DEPARTMENT OF STATE

PAUL G. CHURCHILL, OF ILLINOIS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE