

was added as a cosponsor of S. 3003, a bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome.

S. 3027

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 3027, a bill to prevent the inadvertent disclosure of information on a computer through certain "peer-to-peer" file sharing programs without first providing notice and obtaining consent from an owner or authorized user of the computer.

S. 3035

At the request of Mr. BAUCUS, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 3035, a bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3065

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3084

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 3084, a bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes.

S. 3113

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Hawaii (Mr. AKAKA) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 3113, a bill to amend the Immigra-

tion and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture.

S. RES. 204

At the request of Mr. VITTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 204, a resolution designating March 31, 2010, as "National Congenital Diaphragmatic Hernia Awareness Day".

S. RES. 412

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. Res. 412, a resolution designating September 2010 as "National Childhood Obesity Awareness Month".

S. RES. 447

At the request of Ms. MIKULSKI, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 447, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

S. RES. 452

At the request of Mr. JOHANNIS, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 452, a resolution supporting increased market access for exports of United States beef and beef products to Japan.

AMENDMENT NO. 3453

At the request of Mr. SESSIONS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 3453 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3456

At the request of Mr. LIEBERMAN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of amendment No. 3456 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3458

At the request of Mr. VITTER, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 3458 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3484

At the request of Mr. LAUTENBERG, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 3484 intended to be proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3493

At the request of Ms. CANTWELL, the names of the Senator from Oregon (Mr.

MERKLEY) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 3493 intended to be proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3497

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 3497 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3523

At the request of Ms. CANTWELL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of amendment No. 3523 intended to be proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER (for himself and Mr. DURBIN):

S. 3120. A bill to encourage the entry of felony warrants into the National Crime Information Center database by States and provide additional resources for extradition; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I am now introducing the Fugitive Information Networked Database Act of 2010.

On December 12 of last year, the Philadelphia Inquirer began a series of articles that served as a blistering indictment of the Philadelphia criminal justice system. The Inquirer described it as "a system that too often fails to punish violent criminals, fails to protect witnesses, fails to catch thousands of fugitives, fails to decide cases on their merits, and fails to provide justice." The Inquirer article 3 days later elaborated on the fugitive problem, noting that as of November 2009, there were almost 47,000 long-term fugitives at large.

The warrant situation in Philadelphia is complicated by the fact that the Philadelphia Police Department only enters into the national database a few hundred bench warrants deemed by the district attorney's office to concern extraditable offenses. Those who abscond from criminal proceedings in Philadelphia and flee to other States likely will not be captured because the information for their warrants is not automatically entered into the NCIC database.

The legislation I am introducing today, along with Senator DURBIN, builds on legislation previously entered by then-Senator BIDEN and Senator DURBIN. The proposed legislation will provide substantial Federal funding to assist the States in tracking and returning these fugitives.

Mr. President, I ask unanimous consent that the full text of my statement which I have just summarized and the

text of the bill be printed in the RECORD.

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

SENATOR SPECTER'S STATEMENT UPON INTRODUCING THE FUGITIVE INFORMATION NETWORKED DATABASE ACT OF 2010, THE FIND ACT

Mr. President, I have sought recognition to introduce the Fugitive Information Networked Database Act of 2010, the FIND Act. On December 12, 2009, the Philadelphia Inquirer began a series of articles that served as a blistering indictment of the Philadelphia criminal justice system. The Inquirer described it as "a system that all too often fails to punish violent criminals, fails to protect witnesses, fails to catch thousands of fugitives, fails to decide cases on their merits—fails to provide justice." (Craig R. McCoy, Nancy Phillips, and Dylan Purcell, Justice: Delayed, Dismissed, Denied, Philadelphia Inquirer, Dec. 12, 2009). Three days later, on December 15, 2009, the Philadelphia Inquirer elaborated on the fugitive problem noting that as of November 2009, "there were 46,801 long-term fugitives—suspects generally on the run for at least a year. The bulk of these fugitives date from this decade and the last." (Dylan Purcell, Craig R. McCoy, and Nancy Phillips, Violent Criminals Flout Broken Bail System, Tens of Thousands of Philadelphia Fugitives are on the Streets, Abetted by the City's Deeply Flawed Program, Philadelphia Inquirer, Dec. 15, 2009). The article reported that Philadelphia "[f]ugitives now owe taxpayers a whopping \$1 billion in forfeited bail, according to court officials who computed the figure . . ." (Id.). Despite the obvious incentive to recapture those funds in this era of budget shortfalls, the article noted, that the "Clerk of Quarter Sessions Office . . . has never kept a computerized list of the debtors."

These problems warranted Senate hearings and in my capacity as the Chairman of the Judiciary Subcommittee on Crime and Drugs, I held a field hearing in Philadelphia titled, "Exploring Federal Solutions to the State and Local Fugitive Crisis," on January 19, 2010. What we learned was that Philadelphia's fugitive problem, though serious in scope, is not just a local problem but is in fact a significant national problem.

Nationwide, there are an estimated 2.7 million active Federal, State, and local outstanding felony warrants. Many of these fugitives commit additional crimes. Every day large numbers of fugitives evade capture because state and local law enforcement authorities have insufficient resources to find and arrest them. And even if found, state and local law enforcement authorities often do not have the funds to pay for the fugitive's extradition to face trial. Shockingly, many fugitives are released without prosecution.

The nationwide database operated by the FBI's National Crime Information Center ("NCIC") is missing over half of the country's 2.7 million felony warrants, including warrants for hundreds of thousands of violent crimes. Fugitives who have fled to another state will not be caught—even if they are stopped and questioned by the police on a routine traffic stop—because their war-

rants have not been entered into the NCIC database.

In early 2008, the St. Louis Post Dispatch published a series of articles—affirmed by the Department of Justice documenting law enforcement's widespread failure to find and arrest fugitives. For purposes of the series, "fugitive" included un-arrested suspects with pending warrants that law enforcement cannot find, and those who cannot be found after violating the rules of their pre-trial detention, probation, or parole. The articles revealed that the reach of this national problem is extensive and cited federal estimates from two years ago that as many as an estimated 800,000 to 1.6 million outstanding state or local warrants are inaccessible to law enforcement outside the state or locality in which they were issued because the information about the warrants had not been entered into the NCIC database.

In Philadelphia, while all warrants, including bench warrants, are entered into a state database, only a small fraction of these warrants is entered into the NCIC database. The Philadelphia Police Department only enters into the NCIC database a few hundred bench warrants deemed by the District Attorney's Office to concern extraditable offenses and surprisingly the Police Departments makes these entries manually and not by automatic computer transfers. Thus, those who abscond from criminal proceedings in Philadelphia and flee to other states likely will not be captured because information from their warrants is not automatically entered into the NCIC database.

Last Congress, on June 16, 2008, then-Senator Biden introduced the FIND Act (S. 3136), that sought to address similar problems. At the time, Senator Biden said, "Too often, State and local law enforcement agencies enter warrants into the State and local databases, but not into the national database." His statement was prescient then and is still true now. By September 2008, Senator Biden had been joined by Senators Clinton and Durbin as cosponsors and the bill had passed the Judiciary Committee.

Today I take up Vice President Biden's mantle and, along with Senator Durbin, introduce the "Fugitive Information Networked Database Act of 2010," the FIND Act. This bill directs the Attorney General to make a total of \$10 million in grants each fiscal year 2011 through 2015 to states and Indian tribes for use in developing and implementing or upgrading secure electronic warrant management systems for the preparation, submission, and validation of state felony warrants that are interoperable with the NCIC database. A portion of these grant funds can be used to hire additional personnel to validate warrants entered into the NCIC database. The bill also directs the Attorney General to make a total of \$30 million in grants each fiscal year 2011 to 2015 to states and Indian tribes for extraditing fugitives for prosecution and encourages their participation in the U.S. Marshal's Justice Prisoner and Alien Transportation Service ("JPATS") program. The bill directs the Comptroller General to submit a statistical report to the House and Senate Judiciary Committees on felony warrants issued by state, local, and tribal governments and entered into the NCIC database and on the apprehension and extradition of persons with active felony warrants.

Finally, in an enhancement of the prior FIND Act, this new bill requires any state seeking a grant renewal to file public reports with the Attorney General and within its own county clerk's offices indicating (i) the number of defendants assessed or interviewed for pretrial release; (ii) the number of indigent defendants included in (i); (iii) the total number of failures to appear for all defendants released; and (iv) the number and type of infractions committed by defendants while on pretrial release.

I urge my colleagues to support this important legislation which is designed to facilitate state and local data entry into the NCIC database through grants, increase the extradition of fugitives travelling in interstate commerce and to ascertain whether our pretrial release programs are operating effectively. The fugitive problem is national in scope, involves individuals travelling in interstate commerce, and requires federal solutions. By enacting this bill, we take an important first step.

S. 3120

*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 Information Networked Database Act of 2010" or the "FIND Act".

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Nationwide, there are an estimated 2,700,000 active Federal, State, and local warrants for the arrest of persons charged with felony crimes.

(2) State and local law enforcement authorities have insufficient resources to devote to searching for and apprehending fugitives. As a result, large numbers of fugitives evade arrest. State and local law enforcement authorities also lack resources for extraditing fugitives who have been arrested in other States. As a result, such fugitives frequently are released without prosecution.

(3) Increasing the resources available for conducting fugitive investigations and transporting fugitives between States would increase the number of fugitives who are arrested and prosecuted.

(4) The United States Marshals Service (referred to in this Act as the "USMS") plays an integral role in the apprehension of fugitives in the United States, and has a long history of providing assistance and expertise to Federal, State, and local law enforcement agencies in support of fugitive investigations, including through 82 District Task Forces, and through the 7 Regional Fugitive Task Force Programs that have partnered with Federal, State and local law enforcement agencies to locate and apprehend fugitives.

(5) The USMS utilizes the Justice Prisoner and Alien Transportation Service (referred to in this Act as the "JPATS") to transport Federal detainees and prisoners. It also makes JPATS available to State and local law enforcement agencies on a reimbursable, space-available basis for the purpose of transporting a fugitive from the place where the fugitive was arrested to the jurisdiction

that issued the warrant for the arrest of the fugitive. Through JPATS, these agencies are able to reduce the cost of extradition significantly.

(6) Expanding the availability of JPATS to State and local law enforcement agencies would lower the cost of transporting fugitives for extradition and lead to the prosecution of a greater number of fugitives.

(7) Since 1967, the Federal Bureau of Investigation has operated the National Crime Information Center, which administers a nationwide database containing criminal history information from the Federal Government and the States, including outstanding arrest warrants. The National Crime Information Center database allows a law enforcement officer who stops a person in 1 State to obtain information about a warrant for that person issued in another State. It contains approximately 1,700,000 felony and misdemeanor warrants. It is missing nearly half of the 2,800,000 to 3,200,000 of the felony warrants issued across the Nation, including warrants for hundreds of thousands of violent crimes.

(8) The failure of a State to enter a warrant into the National Crime Information Center database enables a fugitive to escape arrest even when the fugitive is stopped by a law enforcement officer in another State, because the officer is not aware there was a warrant issued for the fugitive. Many of such fugitives go on to commit additional crimes. In addition, such fugitives pose a danger to law enforcement officers who encounter them without knowledge of the pending charges against the fugitives or their record of fleeing law enforcement authorities.

(9) All warrants entered into the National Crime Information Center database must be validated on a regular basis to ensure that the information in the warrant is still accurate and that the warrant is still active.

(10) Improving the entry and validation of warrants in the National Crime Information Center database would enable law enforcement officers to identify and arrest a larger number of fugitives, improve the safety of these officers, and better protect communities from crime.

(11) Federal funds for State and local law enforcement are most effective when they do not supplant, but rather supplement State and local funds.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **ACTIVE WARRANT.**—The term “active warrant” means a warrant that has not been cleared. A warrant may be cleared by arrest or by the determination of a law enforcement agency that a warrant has already been executed or that the subject is deceased.

(2) **FELONY WARRANT.**—The term “felony warrant” means any warrant for a crime that is punishable by a term of imprisonment exceeding 1 year.

(3) **INDIAN COUNTRY.**—The term “Indian country” has the meaning given the term in section 1151 of title 18, United States Code.

(4) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(5) **NATIONAL CRIME INFORMATION CENTER DATABASE.**—The term “National Crime Information Center database” means the computerized index of criminal justice information operated by the Federal Bureau of Investigation under section 534 of title 28, United States Code, and available to Federal, State, and local law enforcement and other criminal justice agencies.

(6) **STATE.**—The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto

Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

(7) **UNIT OF LOCAL GOVERNMENT.**—The term “unit of local government”—

(A) means—

(i) any city, county, township, borough, parish, village, or other general purpose political subdivision of a State; or

(ii) any law enforcement district or judicial enforcement district that is established under applicable State law and has the authority to, in a manner independent of other State entities, establish a budget and impose taxes;

(B) includes law enforcement agencies, courts, and any other government agencies involved in the issuance of warrants; and

(C) in the case of Indian tribes, includes tribal law enforcement agencies, tribal courts and any other tribal agencies involved in the issuance of warrants.

### SEC. 4. GRANTS TO ENCOURAGE STATES TO ENTER FELONY WARRANTS.

(a) **AUTHORIZATION OF GRANTS.**—

(1) **IN GENERAL.**—The Attorney General shall make grants to States or Indian tribes in a manner consistent with the National Criminal History Improvement Program, which shall be used by States or Indian tribes, in conjunction with units of local government, to—

(A)(i) develop and implement secure, electronic State, local or tribal warrant management systems that permit the prompt preparation, submission, and validation of warrants and are compatible and interoperable with the National Crime Information Center database to facilitate information sharing and to ensure that felony warrants entered into warrant databases by State, local and tribal government agencies can be automatically entered into the National Crime Information Center database; or

(ii) upgrade existing State, local or tribal electronic warrant management systems to ensure compatibility and interoperability with the National Crime Information Center database to facilitate information sharing and to ensure that felony warrants entered into warrant databases by State, local and tribal government agencies can be automatically entered into the National Crime Information Center database; and

(B) ensure that all State, local, and tribal government agencies that need access to the National Crime Information Center database for criminal justice purposes can access the database.

(2) **DURATION.**—A grant awarded under this section shall be—

(A) for a period of 1 year; and

(B) renewable at the discretion of the Attorney General if the State seeking renewal submits an application to the Attorney General that demonstrates compliance with subsection (b)(2).

(3) **HIRING OF PERSONNEL.**—Not more than 5 percent of the grant funds awarded under this section to each State and Indian tribe may also be used to hire additional personnel, as needed, to validate warrants entered into the National Crime Information Center database.

(4) **SET-ASIDE.**—Not more than 5 percent of the total funds available to be awarded under this section may be reserved for Indian tribes.

(b) **ELIGIBILITY.**—

(1) **IN GENERAL.**—In order to be eligible for a grant authorized under subsection (a), a State or Indian tribe shall submit to the Attorney General—

(A) a plan to develop and implement, or upgrade, systems described in subsection (a)(1);

(B) a report that—

(i) details the number of active felony warrants issued by the State or Indian tribe, including felony warrants issued by units of

local government within the State or Indian tribe;

(ii) describes the number and type of active felony warrants that have not been entered into a State, local, or tribal warrant database or into the National Crime Information Center database;

(iii) explains the reasons State, local, and tribal government agencies have not entered active felony warrants into the National Crime Information Center database; and

(iv) demonstrates that State, local, and tribal government agencies have made good faith efforts to eliminate any such backlog; and

(C) guidelines for warrant entry by the State or Indian tribe, including units of local government within the State or Indian tribe, that—

(i) ensure that felony warrants issued by the State or Indian tribe, including units of local government within the State or Indian tribe, will be entered into the National Crime Information Center database; and

(ii) include a description of the circumstances, if any, in which, as a matter of policy, certain such warrants will not be entered into the National Crime Information Center database.

(2) **DEPOSIT BAIL AND CITIZENS RIGHT TO KNOW.**—A State that submits a grant renewal application under subsection (a)(3)(B) shall require that each unit of local government or State pretrial services agency in such State that has received grant funds under this section file with the Attorney General and the appropriate county clerk's office of jurisdiction the following public reports on defendants released at the recommendation or under the supervision of the unit of local government or State pretrial services agency:

(A) An annual report specifying—

(i) the number of defendants assessed or interviewed for pretrial release;

(ii) the number of indigent defendants included in clause (i);

(iii) the number of failures to appear for a scheduled court appearance; and

(iv) the number and type of program non-compliance infractions committed by a defendant released to a pretrial release program.

(B) An annual report at the end of each year, setting forth the budget of the unit of local government or State pretrial services agency for the reporting year.

(c) **REPORT TO THE ATTORNEY GENERAL.**—A State or Indian tribe that receives a grant under this section shall, 1 year after receiving the grant, submit a report to the Attorney General that includes—

(1) the number of active felony warrants issued by that State or Indian tribe, including units of local government within that State or Indian tribe;

(2) the number of the active felony warrants entered into the National Crime Information Center database; and

(3) with respect to felony warrants not entered into the National Crime Information Center database, the reasons for not entering such warrants.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Attorney General \$10,000,000 for each of the fiscal years 2011 through 2015 for grants to carry out the requirements of this section.

### SEC. 5. FEDERAL BUREAU OF INVESTIGATION COORDINATION.

The Federal Bureau of Investigation shall provide to State, local, and tribal government agencies the technological standard to ensure the compatibility and interoperability of all State, local, and tribal warrant

databases with the National Crime Information Center database, as well as other technical assistance to facilitate the implementation of automated State, local, and tribal warrant management systems that are compatible and interoperable with the National Crime Information Center database.

#### SEC. 6. REPORT REGARDING FELONY WARRANT ENTRY.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the House and Senate Committees on the Judiciary a report regarding—

(1) the number of active felony warrants issued by each State and Indian tribe, including felony warrants issued by units of local government within the State or Indian tribe;

(2) the number of the active felony warrants that State, local, and tribal government agencies have entered into the National Crime Information Center database; and

(3) for the preceding 3 years, the number of persons in each State with an active felony warrant who were—

(A) apprehended in other States or in Indian Country but not extradited; and

(B) apprehended in other States or in Indian Country and extradited.

(b) ASSISTANCE.—To assist in the preparation of the report required by subsection (a), the Attorney General shall provide the Comptroller General of the United States access to any information collected and reviewed in connection with the grant application process described in section 4.

(c) REPORT BY ATTORNEY GENERAL.—On an annual basis, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report containing the information received from the States and Indian tribes under this section.

#### SEC. 7. EXTRADITION ASSISTANCE.

##### (a) GRANT ASSISTANCE.—

##### (1) AUTHORIZATION OF GRANT ASSISTANCE.—

(A) IN GENERAL.—The Attorney General shall, subject to paragraph (4), make grants to States and Indian tribes for periods of 1 year which shall be used by States and Indian tribes, including units of local government within the State or Indian tribe, to extradite fugitives from another State or Indian country for prosecution.

(B) SET ASIDE.—Not more than 5 percent of the grant funding available under this section may be reserved for Indian tribal governments, including tribal judicial systems.

(2) MATCHING FUNDS.—The Federal share of a grant received under this section may not exceed 80 percent of the costs of a program or proposal funded under this section unless the Attorney General waives, wholly or in part, the requirements of this paragraph in the event of extraordinary circumstances.

(3) GRANT APPLICATIONS.—A State or Indian tribe seeking a grant under this subsection shall submit an application to the Attorney General that—

(A) describes the process and any impediments to extraditing fugitives apprehended in other States or in Indian Country after being notified of such fugitives' apprehension;

(B) specifies the way in which grant amounts will be used, including the means of transportation the State or Indian tribe, or unit of local government within the State or Indian tribe, intends to use for extradition and whether the State or Indian tribe or unit of local government will participate in the JPATS program, as well as whether it has participated in that program in the past;

(C) specifies the number of fugitives extradited by all jurisdictions within that State

or Indian tribe for each of the 3 years preceding the date of the grant application; and

(D) specifies the total amount spent by all jurisdictions within that State or Indian tribe on fugitive extraditions for each of the 3 years preceding the date of the grant application.

##### (4) ELIGIBILITY.—

(A) IN GENERAL.—In determining whether to award a grant under this section to a State or Indian tribe, the Attorney General shall consider the following:

(i) The information in the application submitted under paragraph (3).

(ii) The percentage of felony warrants issued by the State or Indian tribe, including units of local government within the State or Indian tribe, that were entered into the National Crime Information Center database, as calculated with the information provided under subsection (b) and, beginning 1 year after the date of enactment of this Act, whether the State or Indian tribe has made substantial progress in improving the entry of felony warrants into the National Crime Information Center database.

(iii) For grants issued after an initial 1 year grant, whether the State or Indian tribe, including units of local government within the State or Indian tribe, has increased substantially the number of fugitives extradited for prosecution.

(B) PREFERENCES.—In allocating extradition grants under this section, the Attorney General should give preference to States or Indian tribes that—

(i) 3 years after the date of enactment of this Act, have entered at least 50 percent of active felony warrants into the National Crime Information Center database;

(ii) 5 years after the date of enactment of this Act, have entered at least 70 percent of active felony warrants into the National Crime Information Center database; and

(iii) 7 years after the date of enactment of this Act, have entered at least 90 percent of active felony warrants into the National Crime Information Center database.

(5) USE OF FUNDS.—States and Indian tribes, including units of local government within the State or Indian tribe, receiving a grant under this section may use grant monies to credit the costs of transporting State and local detainees on behalf of such State to the Justice Prisoner and Alien Transportation System.

(6) RECORD KEEPING.—States and Indian tribes, including units of local government within the State or Indian tribe, that receive a grant under this section shall maintain and report such data, records, and information (programmatic and financial) as the Attorney General may require.

##### (7) AUDIT.—

(A) IN GENERAL.—The Attorney General shall conduct an audit of the use of funds by States and Indian tribes receiving grants under this section 18 months after the date of the enactment of this Act and biennially thereafter.

(B) INELIGIBILITY.—A State or Indian tribe, or unit of local government within a State or Indian tribe, that fails to increase substantially the number of fugitives extradited after receiving a grant under this section will be ineligible for future funds.

(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$30,000,000 for each of fiscal years 2011 through 2015.

##### (b) ACTIVE FELONY WARRANTS ISSUED BY STATES AND INDIAN TRIBES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter on a date designated by the Attorney General, to assist the Attorney General in making a determination under subsection (a)(4) concerning eligibility

to receive a grant, each State and Indian tribe applying for a grant under this section shall submit to the Attorney General—

(A) the total number of active felony warrants issued by the State or Indian tribe, including units of local government within the State or Indian tribe, regardless of the age of the warrants; and

(B) a description of the categories of felony warrants not entered into the National Crime Information Center database and the reasons for not entering such warrants.

(2) FAILURE TO PROVIDE.—A State or Indian tribe that fails to provide the information described in paragraph (1) by the date required under such paragraph shall be ineligible to receive any funds under subsection (a), until such date as it provides the information described in paragraph (1) to the Attorney General.

##### (c) ATTORNEY GENERAL REPORT.—

(1) IN GENERAL.—Not later than January 31 of each year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report—

(A) containing the information submitted by the States and Indian tribes under subsection (b);

(B) containing the percentage of active felony warrants issued by those States and Indian tribes that has been entered into the National Crime Information Center database, as determined under subsection (a)(4)(A)(ii);

(C) containing a description of the categories of felony warrants that have not been entered into the National Crime Information Center database and the reasons such warrants were not entered, as provided to the Attorney General under subsection (b)(1);

(D) comparing the warrant entry information to data from previous years and describing the progress of States and Indian tribes in entering active felony warrants into the National Crime Information Center database;

(E) containing the number of persons that each State or Indian tribe, including units of local government within the State or Indian tribe, has extradited from other States or in Indian country for prosecution and describing any progress the State or Indian tribe has made in improving the number of fugitives extradited for prosecution; and

(F) describing the practices of the States and Indian tribes regarding the collection, maintenance, automation, and transmittal of felony warrants to the National Crime Information Center, that the Attorney General considers to be best practices.

(2) BEST PRACTICES.—Not later than January 31 of each year, the Attorney General shall provide the information regarding best practices, referred to in paragraph (1)(F), to each State and Indian tribe submitting information to the National Crime Information Center.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. HARKIN, Mr. BENNET, Mrs. SHAHEEN, Mr. CASEY, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. BROWN of Ohio, Mr. UDALL of New Mexico, Mr. DURBIN, Mrs. MURRAY, Mr. SCHUMER, and Mr. SANDERS):

S. 3123. A bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a program to assist eligible schools and nonprofit entities

through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LEAHY. Mr. President, I rise today to introduce my Growing Farm to School Programs Act of 2010. This important proposal will support grassroots efforts all across our Nation to improve the health and well-being of children while supporting local farmers and bolstering local economies.

I am pleased to have 13 of my respected Senate colleagues from across the country join with me today as original cosponsors of this bill. Farm to School is a proven, common-sense, community-driven approach to incorporate farm fresh local food into school meals. Schools nationwide understand the many benefits of farm to school but often lack the startup funding and the technical capacity to plan and implement the program. This bill will provide the important seed money and technical assistance needed to enable our schools to teach children about good nutrition and show them the importance of agriculture while also supporting local farms.

It is amazing how far some farm products travel to get to our school cafeterias, and how heavily processed it is when it arrives. While our Nation's schools should provide an enormous market for our struggling small and mid-sized farmers, for far too long the products grown by our family farms have largely been absent from school lunch trays. We should not be surprised that many kids today do not understand the link between the food they eat and farms on which it is raised. By offering our children local, fresh, less-processed choices, and a chance to learn how and where their food is grown we can also provide economic benefits for small, local farms and keep food dollars within the community.

Communities and schools all across our Nation are beginning to link farms and school with great success. In my home State of Vermont, from rural towns across the state to the city of Burlington, many of our schools have integrated school meals with classroom learning and local agriculture. As more schools create these important connections, neighboring communities are often also eager to start similar programs. Unfortunately many of these schools do not have sufficient staff, expertise, equipment, or funding to start a Farm to School program on their own. The Growing Farm to Schools Programs Act will provide the small amount of funding and technical assistance that these schools need to create a program. Once in place, these programs can be expected to be self-sustaining.

In introducing the Growing Farm to School Programs Act of 2010, I am hop-

ing that we will be able to provide more communities, schools, and farmers the opportunity to grow and cultivate Farm to School programs. I thank my 13 co-sponsors and urge my other colleagues to join us in support of this exciting initiative.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3123

*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 "Growing Farm to School Programs Act of 2010".

#### SEC. 2. ACCESS TO LOCAL FOODS: FARM TO SCHOOL PROGRAM.

Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively;

(2) in subsection (g), by striking "(g) ACCESS TO LOCAL FOODS AND SCHOOL GARDENS.—" and all that follows through "(3) PILOT PROGRAM FOR HIGH-POVERTY SCHOOLS.—" and inserting the following:

"(g) ACCESS TO LOCAL FOODS: FARM TO SCHOOL PROGRAM.—

"(1) DEFINITION OF ELIGIBLE SCHOOL.—In this subsection, the term 'eligible school' means a school or institution that participates in a program under this Act or the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

"(2) PROGRAM.—The Secretary shall carry out a program to assist eligible schools, State and local agencies, Indian tribal organizations, agricultural producers or groups of agricultural producers, and nonprofit entities through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools.

"(3) GRANTS.—

"(A) IN GENERAL.—The Secretary shall award competitive grants under this subsection to be used for—

"(i) training;

"(ii) supporting operations;

"(iii) planning;

"(iv) purchasing equipment;

"(v) developing school gardens;

"(vi) developing partnerships; and

"(vii) implementing farm to school programs.

"(B) REGIONAL BALANCE.—In making awards under this subsection, the Secretary shall, to the maximum extent practicable, ensure—

"(i) geographical diversity; and

"(ii) equitable treatment of urban, rural, and tribal communities.

"(C) MAXIMUM AMOUNT.—The total amount provided to a grant recipient under this subsection shall not exceed \$100,000.

"(4) FEDERAL SHARE.—

"(A) IN GENERAL.—The Federal share of costs for a project funded through a grant awarded under this subsection shall not exceed 75 percent of the total cost of the project.

"(B) FEDERAL MATCHING.—As a condition of receiving a grant under this subsection, a grant recipient shall provide matching support in the form of cash or in-kind contributions, including facilities, equipment, or

services provided by State and local governments, nonprofit organizations, and private sources.

"(5) CRITERIA FOR SELECTION.—To the maximum extent practicable, in providing assistance under this subsection, the Secretary shall give the highest priority to funding projects that, as determined by the Secretary—

"(A) benefit local small- and medium-sized farms;

"(B) make local food products available on the menu of the eligible school;

"(C) serve a high proportion of children who are eligible for free or reduced price lunches;

"(D) incorporate experiential nutrition education activities in curriculum planning that encourage the participation of school children in farm and garden-based agricultural education activities;

"(E) demonstrate collaboration between eligible schools, nongovernmental and community-based organizations, agricultural producer groups, and other community partners;

"(F) include adequate and participatory evaluation plans;

"(G) demonstrate the potential for long-term program sustainability; and

"(H) meet any other criteria that the Secretary determines appropriate.

"(6) EVALUATION.—As a condition of receiving a grant under this subsection, each grant recipient shall agree to cooperate in an evaluation by the Secretary of the program carried out using grant funds.

"(7) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance and information to assist eligible schools, State and local agencies, Indian tribal organizations, and nonprofit entities—

"(A) to facilitate the coordination and sharing of information and resources in the Department that may be applicable to the farm to school program;

"(B) to collect and share information on best practices; and

"(C) to disseminate research and data on existing farm to school programs and the potential for programs in underserved areas.

"(8) FUNDING.—

"(A) IN GENERAL.—On October 1, 2010, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this subsection \$50,000,000, to remain available until expended.

"(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this subsection the funds transferred under subparagraph (A), without further appropriation.

"(h) PILOT PROGRAM FOR HIGH-POVERTY SCHOOLS.—

"(1) IN GENERAL.—"; and

(3) in subsection (h) (as redesignated by paragraph (2))—

(A) in subparagraph (F) of paragraph (1) (as so redesignated), by striking "in accordance with paragraph (1)(H)" and inserting "carried out by the Secretary"; and

(B) by redesignating paragraph (4) as paragraph (2).

#### SEC. 3. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 456—CONGRATULATING RADFORD UNIVERSITY ON THE 100TH ANNIVERSARY OF THE UNIVERSITY

Mr. WEBB (for himself and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 456

Whereas Radford University was chartered on March 10, 1910, by the Commonwealth of Virginia as the State Normal and Industrial School for Women at Radford;

Whereas Radford University was chartered to prepare teachers to educate the people of the United States;

Whereas Radford University has grown substantially in scope and quality since the day on which the university was chartered;

Whereas Radford University was renamed the Radford State Teachers College in 1924 and the Women's Division of Virginia Polytechnic Institute in 1944, respectively;

Whereas Radford University was renamed Radford College in 1964 when the relationship between the Virginia Polytechnic Institute and Radford University ended;

Whereas Radford College was renamed Radford University in 1979;

Whereas, since the founding of the university, Radford University has provided thousands of students with the benefits of a Radford education;

Whereas Radford University graduates have made meaningful and lasting contributions to society through service, including service in—

- (1) education;
- (2) the sciences;
- (3) business;
- (4) health and human services;
- (5) government;
- (6) the arts and humanities; and
- (7) other endeavors;

Whereas Radford University is a productive and vital academic community with thousands of students;

Whereas the students of Radford University approach university life with an enthusiasm for learning and personal development;

Whereas the brilliant faculty of Radford University is committed to the highest ideals of academic scholarship and the advancement of society;

Whereas the devoted administrators and staff members of Radford University strive to foster an environment that supports the noble work of the university;

Whereas the centennial of Radford University is an appropriate time for faculty, staff, students, alumni, and friends—

(1) to unite in recognition of the past achievements Radford University with pride; and

(2) to consider ways to create an even more successful university during the century ahead;

Whereas Radford University celebrates the culture of service of the university through a program entitled "Centennial Service Challenge" that invites every member of the campus and extended university community to engage in, and document community service in honor of, the centennial; and

Whereas Radford University will observe a Centennial Charter Day Celebration on March 24, 2010, and host numerous other academic programs and arts and cultural events throughout 2010 to commemorate the event; Now, therefore, be it

Resolved, That the Senate commends Radford University on the 100th anniversary of the university.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3524. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3512 submitted by Ms. CANTWELL and intended to be proposed to the amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table.

SA 3525. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3526. Mr. BROWN, of Ohio submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3527. Mr. MCCAIN proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3528. Mr. MCCAIN (for himself, Mr. REID, Mr. KYL, and Mr. ENSIGN) proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3529. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3530. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3531. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3532. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3533. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3534. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3535. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3536. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3537. Mr. BROWN, of Ohio (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3538. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3539. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3540. Mr. WHITEHOUSE proposed an amendment to the bill S. 1782, to provide im-

provements for the operations of the Federal courts, and for other purposes.

SA 3541. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3524.** Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3512 submitted by Ms. CANTWELL and intended to be proposed to the amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SEC. 7. PROMOTION OF JOB CREATION AND TOURISM IN GATEWAY COMMUNITIES AND NATIONAL PARKS.**

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Federal Aviation Administration.

(2) GATEWAY COMMUNITY.—The term "gateway community" means a community near or within a unit of the national park system that facilitates visitation, tourism, promotion, and conservation of the park.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) STUDY OF PROMOTION OF JOB CREATION AND TOURISM IN GATEWAY COMMUNITIES.—

(1) IN GENERAL.—The Secretary shall conduct a study of job creation and tourism promoted by the National Park Service in gateway communities, including job creation and tourism through—

- (A) hunting and shooting sports;
- (B) motorized recreation;
- (C) search and rescue operations;
- (D) security;
- (E) highways; and
- (F) aviation.

(2) TECHNICAL ASSISTANCE.—If the Secretary identifies aviation or aircraft as 1 of the sources of job creation and tourism promotion in the study, the Administrator shall provide technical assistance to the Secretary to carry out the study with respect to aviation or aircraft, respectively.

(c) STUDY OF NATIONAL PARK SERVICE METHODS OF PROMOTING JOB CREATION AND TOURISM IN GATEWAY COMMUNITIES.—The Secretary, in coordination with the Administrator, shall conduct a study of National Park Service methods of promoting job creation and tourism in gateway communities, including job creation and tourism through—

- (1) hunting and shooting sports;
- (2) motorized recreation;
- (3) search and rescue operations;
- (4) security;
- (5) highways; and
- (6) aviation.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) describes the results of the studies conducted under subsections (b) and (c); and

(2) includes any recommendations that the Secretary determines to be appropriate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.