innocent individuals to carry out other crimes. Indeed, U.S. News & World Report has called identity theft ''a crime of the 90's''.

The consequences for the victims of identity theft can be severe. They can have their credit ratings ruined and be unable to get credit cards, student loans, or mortgages. They can be hounded by creditors or collection agencies to repay debts they never incurred, but were obtained in their name, at their address, with their social security number or driver's license number. It can take months or even years, and agonizing effort, to clear their good names and correct their credit histories. I understand that, in some instances, victims of identity theft have even been arrested for crimes they never committed when the actual perpetrators provided law enforcement officials with assumed names.

The new legislation provides important remedies for victims of identity theft. Specifically, it makes clear that these victims are entitled to restitution, including payment for any costs and attorney's fees in clearing up their credit histories and having to engage in any civil or administrative proceedings to satisfy debts, liens or other obligations resulting from a defendant's theft of their identity. In addition, the bill directs the Federal Trade Commission to keep track of consumer complaints of identity theft and provide information to victims of this crime on how to deal with its aftermath.

This is an important bill on an issue that has caused harm to many Americans. It has come a long way from its original Senate formulation, which would have made it an offense, subject to 15 years' imprisonment, to possess ''with intent to deceive'' identity information issued to another person. I was concerned that the scope of the proposed offense in the original Senate version of the bill would have resulted in the federalization of innumerable state and local offenses, such as the status offenses of underage teenagers using fake ID cards to gain entrance to bars or to buy cigarettes, or even the use of a borrowed ID card without any illegal purpose. This problem, and others, were addressed in the Kyl-Leahy substitute that was passed by the Senate.

This bill appropriately limits the scope of the new offense governing the illegal transfer or use of another person's ''means of identification'' to exclude ''possession.'' This change ensures that the bill does not inadvertently subject innocuous conduct to the risk of serious federal criminal liability. For example, with this change, the bill would no longer raise the possibility of criminalizing the mere possession of another person's name in an address book or Rolodex, when coupled with some sort of bad intent.

At the same time, the Kyl-Leahy substitute as reflected in H.R. 4151, restores the nuanced penalty structure of section 1028 of the Federal criminal code. Specifically, the bill provides that the use or transfer of 1 or more means of identification that results in the perpetrator receiving anything of value aggregating $1,000 or more over a 1-year period, would carry a penalty of a fine or up to 15 years' imprisonment, or both. The use or transfer of another person's means of identification that does not satisfy those monetary and time period requirements, would carry a penalty of a fine and up to three years' imprisonment, or both.

Finally, again with the support of the Department of Justice, we created a limited and appropriate forfeiture penalty for these offenses and specified the forfeiture procedure to be used in connection with them.

I am glad that Senator KYL and I were able to join forces to craft legislation that both punishes the perpetrators of identity theft and helps the victims of this crime.

Finally, an amendment added in the House, at the joint request of Senator HATCH and myself, gives the United States Judicial Conference limited authority to withhold personal and sensitive information about judicial officers and employees whose lives have been threatened. Apparently, sophisticated criminals are able to use information set forth in publicly available financial disclosure forms to collect more detailed personal information then used in carrying out threats against our judicial officers. This amendment is an important step to protect the lives of judges, and I am glad that we were able to accomplish this.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed at the appropriate place in the RECORD.

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

The bill (H.R. 4151) was considered read the third time and passed.

ORDERS FOR THURSDAY, OCTOBER 15, 1998

Mr. JEFFORDS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 noon on Thursday, October 15. I further ask that the time for the two leaders be reserved.

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

Mr. JEFFORDS. I further ask unanimous consent that there then be a period for the transaction of morning business until 1 p.m., with Senators permitted to speak for up to 5 minutes each.

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

PROGRAM

Mr. JEFFORDS. Mr. President, for the information of all Senators, on Thursday, there will be a period for morning business until 1 p.m. Following morning business, the Senate may consider any legislation that can be cleared by unanimous consent. Negotiations are still ongoing with respect to the omnibus appropriations bill, and it is still the leader's hope that the bill can be passed without a rollcall vote. Once again, Members will be notified if a rollcall vote is necessary on passage of the funding bill.

RECESS

Mr. JEFFORDS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 4:43 p.m., recessed until Thursday, October 15, 1998, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate October 14, 1998:

NATIONAL LABOR RELATIONS BOARD

JOHN C. TRUESDALE, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2003, VICE WILLIAM B. GOULD IV, RESIGNED.