

TECHNICAL AMENDMENTS TO SECTION 10, TITLE 9, OF THE UNITED STATES CODE

Mr. LOTT. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 2440, and the Senate proceed to its immediate consideration.

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

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2440) to make technical amendments to Section 10, Title 9, of the United States Code.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

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

AMENDMENT NO. 3838

(Purpose: To authorize the National Center for Missing and Exploited children, and for other purposes)

Mr. LOTT. Mr. President, Senators HATCH and LEAHY have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT), for Mr. HATCH and Mr. LEAHY, proposes an amendment numbered 3838.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. ____ NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) in paragraph (7), by striking "and" at the end;

(2) in paragraph (8), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(9) for 14 years, the National Center for Missing and Exploited Children has—

"(A) served as the national resource center and clearinghouse congressionally mandated under the provisions of the Missing Children's Assistance Act of 1984; and

"(B) worked in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of the Treasury, the Department of State, and many other agencies in the effort to find missing children and prevent child victimization;

"(10) Congress has given the Center, which is a private non-profit corporation, access to the National Crime Information Center of the Federal Bureau of Investigation, and the National Law Enforcement Telecommunications System;

"(11) since 1987, the Center has operated the National Child Pornography Tipline, in conjunction with the United States Customs Service and the United States Postal Inspection Service and, beginning this year, the Center established a new CyberTipline on child exploitation, thus becoming 'the 911 for the Internet';

"(12) in light of statistics that time is of the essence in cases of child abduction, the Director of the Federal Bureau of Investigation in February of 1997 created a new NCIC child abduction ('CA') flag to provide the Center immediate notification in the most serious cases, resulting in 642 'CA' notifications to the Center and helping the Center to have its highest recovery rate in history;

"(13) the Center has established a national and increasingly worldwide network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which has enabled the Center to transmit images and information regarding missing children to law enforcement across the United States and around the world instantly;

"(14) from its inception in 1984 through March 31, 1998, the Center has—

"(A) handled 1,203,974 calls through its 24-hour toll-free hotline (1-800-THE-LOST) and currently averages 700 calls per day;

"(B) trained 146,284 law enforcement, criminal and juvenile justice, and healthcare professionals in child sexual exploitation and missing child case detection, identification, investigation, and prevention;

"(C) disseminated 15,491,344 free publications to citizens and professionals; and

"(D) worked with law enforcement on the cases of 59,481 missing children, resulting in the recovery of 40,180 children;

"(15) the demand for the services of the Center is growing dramatically, as evidenced by the fact that in 1997, the Center handled 129,100 calls, an all-time record, and by the fact that its new Internet website (www.missingkids.com) receives 1,500,000 'hits' every day, and is linked with hundreds of other websites to provide real-time images of breaking cases of missing children;

"(16) in 1997, the Center provided policy training to 256 police chiefs and sheriffs from 50 States and Guam at its new Jimmy Ryce Law Enforcement Training Center;

"(17) the programs of the Center have had a remarkable impact, such as in the fight against infant abductions in partnership with the healthcare industry, during which the Center has performed 668 onsite hospital walk-throughs and inspections, and trained 45,065 hospital administrators, nurses, and security personnel, and thereby helped to reduce infant abductions in the United States by 82 percent;

"(18) the Center is now playing a significant role in international child abduction cases, serving as a representative of the Department of State at cases under The Hague Convention, and successfully resolving the cases of 343 international child abductions, and providing greater support to parents in the United States;

"(19) the Center is a model of public/private partnership, raising private sector funds to match congressional appropriations and receiving extensive private in-kind support, including advanced technology provided by the computer industry such as imaging technology used to age the photographs of long-term missing children and to reconstruct facial images of unidentified deceased children;

"(20) the Center was 1 of only 10 of 300 major national charities given an A+ grade in 1997 by the American Institute of Philanthropy; and

"(21) the Center has been redesignated as the Nation's missing children clearinghouse and resource center once every 3 years through a competitive selection process conducted by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and has received grants from that Office to conduct the crucial purposes of the Center."

(b) DEFINITIONS.—Section 403 of the Missing Children's Assistance Act (42 U.S.C. 5772) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(3) the term 'Center' means the National Center for Missing and Exploited Children."

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by striking subsection (b) and inserting the following:

"(b) ANNUAL GRANT TO NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—

"(1) IN GENERAL.—The Administrator shall annually make a grant to the National Center for Missing and Exploited Children, which shall be used to—

"(A)(i) operate a national 24-hour toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's legal custodian; and

"(ii) coordinate the operation of such telephone line with the operation of the national communications system referred to in part C of the Runaway and Homeless Youth Act (42 U.S.C. 5714-11);

"(B) operate the official national resource center and information clearinghouse for missing and exploited children;

"(C) provide to State and local governments, public and private nonprofit agencies, and individuals, information regarding—

"(i) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

"(ii) the existence and nature of programs being carried out by Federal agencies to assist missing and exploited children and their families;

"(D) coordinate public and private programs that locate, recover, or reunite missing children with their families;

"(E) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

"(F) provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children; and

"(G) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and internationally.

"(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection, \$8,000,000 for each of fiscal years 1999, 2000, 2001, 2002, and 2003.

"(c) NATIONAL INCIDENCE STUDIES.—The Administrator, either by making grants to or entering into contracts with public agencies or nonprofit private agencies, shall—

"(1) periodically conduct national incidence studies to determine for a given year the actual number of children reported missing each year, the number of children who are victims of abduction by strangers, the number of children who are the victims of parental kidnappings, and the number of children who are recovered each year; and

"(2) provide to State and local governments, public and private nonprofit agencies, and individuals information to facilitate the

lawful use of school records and birth certificates to identify and locate missing children."

(d) NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—Section 405(a) of the Missing Children's Assistance Act (42 U.S.C. 5775(a)) is amended by inserting "the National Center for Missing and Exploited Children and with" before "public agencies".

(e) Authorization of Appropriations.—Section 408 of the Missing Children's Assistance Act (42 U.S.C. 5777) is amended by striking "1997 through 2001" and inserting "1999 through 2003".

(f) REPEAL OF OBSOLETE REPORTING REQUIREMENTS.—Section 409 of the Missing Children's Assistance Act (42 U.S.C. 5778) is repealed.

Mr. LOTT. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements related to this bill be printed in the RECORD.

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

The amendment (No. 3838) was agreed to.

The bill (H.R. 2440), as amended, was considered read the third time, and passed.

FARMERS' COOPERATIVE ACT OF 1997

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 291, H.R. 2513.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2513) to amend the Internal Revenue Code of 1986 to restore and modify the provision of the Taxpayer Relief Act of 1997 relating to exempting active financing income from foreign personal holding company income and to provide for the non-recognition of gain on the sale of stock in agricultural processors to certain farmers' cooperatives.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

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

AMENDMENT NO. 3839

Mr. LOTT. Mr. President, I understand Senator MOYNIHAN has a substitute amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT), for Mr. MOYNIHAN, proposes an amendment numbered 3839.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. EXEMPTION FROM FEDERAL TAXATION OF REWARD PAID IN UNABOMBER CASE IF USED TO COMPENSATE VICTIMS AND THEIR FAMILIES OR TO PAY CERTAIN ATTORNEYS' FEES.

(a) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, if the requirements of subsection (b) are met with respect to the amounts received by David R. Kaczynski of Schenectady, New York, and his wife, Linda

E. Patrik, from the United States as a reward for information leading to the arrest of Theodore J. Kaczynski in the "Unabomber" case, then—

(1) their gross income shall not include (and no deduction shall be allowed to them with respect to) such amounts; and

(2) any payment by them to victims and their families in such case shall not be treated as a gift for purposes of subtitle B of such Code and shall not be included in gross income of the recipients.

(b) REQUIREMENTS.—For purposes of subsection (a), the requirements of this subsection are met if all of the amounts described in subsection (a) are used only for the following purposes:

(1) Payment by Mr. David R. Kaczynski and Ms. Linda E. Patrik before September 15, 1998, to their attorneys for attorneys' fees incurred by them in connection with the "Unabomber" case.

(2) Payment by Mr. David R. Kaczynski and Ms. Linda E. Patrik of State and local taxes on such amounts.

(3) Payment of all remaining amounts by Mr. David R. Kaczynski and Ms. Linda E. Patrik no later than 1 year after the date of the enactment of this Act to the victims and their families in the "Unabomber" case or to an irrevocable trust established exclusively for the benefit of such victims and their families.

(c) VICTIMS AND THEIR FAMILIES.—For purposes of this section, the Attorney General of the United States or her delegate shall identify the individuals who are to be treated as victims and their families in the "Unabomber" case.

Mr. LOTT. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill, as amended, be read three times, and passed, and the motion to reconsider be laid upon the table, that the title be appropriately amended, without any intervening action.

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

The amendment (No. 3839) was agreed to.

The bill (H.R. 2513), as amended, was considered read the third time and passed.

The title was amended so as to read:

Amend the title so as to read: "A bill to provide tax-free treatment of reward monies devoted to the victims of "Unabomber" Theodore Kaczynski."

Mr. MOYNIHAN. Mr. President, the Senate has done the right thing by agreeing to support David R. Kaczynski in his effort to donate more money to the victims of his brother, "Unabomber" Theodore J. Kaczynski. I hope the House of Representatives will now follow suit. This is a rare opportunity for Congress to write a happy ending to a sad story, and we should seize it. The U.S. Congress should not be in the business of discouraging acts of altruism.

In August, Mr. Kaczynski and his wife, Linda E. Patrik, constituents of mine from Schenectady, New York, received a \$1 million reward from the FBI for information leading to the 1996 arrest of Theodore Kaczynski. Immediately upon receiving the reward, David Kaczynski pledged that after payment of taxes and attorney's fees, all reward monies would go to the

Unabomber's victims and their families. Mr. Kaczynski then contacted my office to ask whether Congress could provide, through legislation, that no tax be imposed so that a greater amount would be passed on to the victims. The uniquely compelling case for this measure was clear from the moment David Kaczynski first contacted me. I agreed and immediately introduced legislation, which was cosponsored by Senators D'AMATO, BAUCUS and BURNS.

Since then, our legislation has received the support of others. Senators ROTH, HATCH, DODD, LAUTENBERG, and MOSELEY-BRAUN have all stated their strong support for the measure, and in the House, Congressman MIKE NCNULTY and AMO HOUGHTON of New York, both Ways and Means Committee members, have introduced companion legislation.

The Kaczynski family's decision was a wonderful, selfless act of humanity. Congress ought to applaud and support this fine example. It is good public policy to encourage reward recipients to donate those proceeds to the victims of violent crime. Without this legislation, federal taxes on the reward would total approximately \$355,000. In other words, the Federal Treasury would get that money instead of the victims. It would be unjust for the Federal government to take that money when we have the power to pass it on to the victims.

I thank Senators for supporting this important measure, and I urge its early enactment.

TECHNICAL CORRECTION IN THE ENROLLMENT OF H.R. 3910

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 351, which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 351) directing the Clerk of the House of Representatives to make a technical correction in the enrollment of the bill H.R. 3910, a bill to authorize the Automobile National Heritage Area.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

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

Mr. LOTT. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 351) was agreed to.

INTERNATIONAL FISHERY TREATY AGREEMENT BETWEEN THE UNITED STATES AND POLAND

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed