

Mr. HUTCHINSON. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Arkansas.

Mr. HUTCHINSON. Mr. Speaker, S. 2413, the Bulletproof Vest Partnership Grant Act of 2000, is identical to its House counterpart H.R. 4033, which passed the House on January 26, 2000, by a margin of 413-3.

This legislation will reauthorize the Bulletproof Vest Partnership Grant Program through fiscal year 2004. It will increase the authorized funding to \$50 million per year and guarantee that smaller jurisdictions receive full funding available under the program.

Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for making that inquiry.

Mr. SCOTT. Mr. Speaker, with that explanation, I support the bill.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2413

*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 "Bulletproof Vest Partnership Grant Act of 2000".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) the number of law enforcement officers who are killed in the line of duty would significantly decrease if every law enforcement officer in the United States had the protection of an armor vest;

(2) according to studies, between 1985 and 1994, 709 law enforcement officers in the United States were killed in the line of duty;

(3) the Federal Bureau of Investigation estimates that the risk of fatality to law enforcement officers while not wearing an armor vest is 14 times higher than for officers wearing an armor vest;

(4) according to studies, between 1985 and 1994, bullet-resistant materials helped save the lives of more than 2,000 law enforcement officers in the United States; and

(5) the Executive Committee for Indian Country Law Enforcement Improvements reports that violent crime in Indian country has risen sharply, despite a decrease in the national crime rate, and has concluded that there is a "public safety crisis in Indian country".

#### SEC. 3. MATCHING GRANT PROGRAM FOR LAW ENFORCEMENT ARMOR VESTS.

(a) MATCHING FUNDS.—Section 2501(f) of part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 379611(f)) is amended—

(1) by striking "The portion" and inserting the following:

"(1) IN GENERAL.—The portion";

(2) by striking "subsection (a)" and all that follows through the period at the end of the first sentence and inserting "subsection (a)—

"(A) may not exceed 50 percent; and

"(B) shall equal 50 percent, if—

"(i) such grant is to a unit of local government with fewer than 100,000 residents;

"(ii) the Director of the Bureau of Justice Assistance determines that the quantity of vests to be purchased with such grant is reasonable; and

"(iii) such portion does not cause such grant to violate the requirements of subsection (e)."; and

(3) by striking "Any funds" and inserting the following:

"(2) INDIAN ASSISTANCE.—Any funds".

(b) ALLOCATION OF FUNDS.—Section 2501(g) of part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 379611(g)) is amended to read as follows:

"(g) ALLOCATION OF FUNDS.—Funds available under this part shall be awarded, without regard to subsection (c), to each qualifying unit of local government with fewer than 100,000 residents. Any remaining funds available under this part shall be awarded to other qualifying applicants."

(c) APPLICATIONS.—Section 2502 of part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 379611-1) is amended by adding at the end the following:

"(d) APPLICATIONS IN CONJUNCTION WITH PURCHASES.—If an application under this section is submitted in conjunction with a transaction for the purchase of armor vests, grant amounts under this section may not be used to fund any portion of that purchase unless, before the application is submitted, the applicant—

"(1) receives clear and conspicuous notice that receipt of the grant amounts requested in the application is uncertain; and

"(2) expressly assumes the obligation to carry out the transaction, regardless of whether such amounts are received."

(d) DEFINITION OF ARMOR VEST.—Section 2503(1) of part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 379611-2(1)) is amended—

(1) by striking "means body armor" and inserting the following: "means—

"(A) body armor";

(2) by adding "or" at the end; and

(3) by adding at the end the following:

"(B) body armor that has been tested through the voluntary compliance testing program, and found to meet or exceed the requirements of NIJ Standard 0115.00, or any revision of such standard;";

(e) INTERIM DEFINITION OF ARMOR VEST.—For purposes of part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this Act, the meaning of the term "armor vest" (as defined in section 2503 of such Act (42 U.S.C. 379611-2)) shall, until the date on which a final NIJ Standard 0115.00 is first fully approved and implemented, also include body armor which has been found to meet or exceed the requirements for protection against stabbing established by the State in which the grantee is located.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by inserting before the period at the end the following: "; and \$50,000,000 for each of fiscal years 2002 through 2004".

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PRESIDENTIAL THREAT PROTECTION ACT OF 2000

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3048) to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their fami-

lies, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments numbered 2 and 4, concur in Senate amendments numbered 1 and 3, and concur in Senate amendment numbered 5, with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, and the House amendment to the Senate amendment, as follows:

Page 3, strike out lines 19 through 24 and insert:

"(e)(1) *When directed by the President, the United States Secret Service is authorized to participate, under the direction of the Secretary of the Treasury, in the planning, coordination, and implementation of security operations at special events of national significance, as determined by the President.*

"(2) *At the end of each fiscal year, the President through such agency or office as the President may designate, shall report to the Congress—*

"(A) *what events, if any, were designated special events of national significance for security purposes under paragraph (1); and*

"(B) *the criteria and information used in making each designation.*"

Page 7, line 6, after "offense" insert: *or apprehension of a fugitive*

Page 8, strike out lines 17 through 19

Page 9, strike out line 14 and insert: *issuance.*

"(11) *With respect to subpoenas issued under paragraph (1)(A)(i)(III), the Attorney General shall issue guidelines governing the issuance of administrative subpoenas pursuant to that paragraph. The guidelines required by this paragraph 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 and of the United States Attorney for the judicial district in which the administrative subpoena shall be served.*"

Page 10, after line 8, insert:

#### SEC. 6. ADMINISTRATIVE SUBPOENAS TO APPREHEND FUGITIVES.

(a) AUTHORITY OF ATTORNEY GENERAL.—Section 3486(a)(1) of title 18, United States Code, as amended by section 5 of this Act is further amended in subparagraph (A)(i)—

(1) by striking "offense or" and inserting "offense,"; and

(2) by inserting "or (III) with respect to the apprehension of a fugitive," after "children,".

(b) ADDITIONAL BASIS FOR NONDISCLOSURE ORDER.—Section 3486(a)(6) of title 18, United States Code, as amended by section 5 of this Act, is further amended in subparagraph (B)—

(1) by striking "or" and the end of clause (iii);

(2) by striking the period at the end of clause (iv) and inserting "; or"; and

(3) by adding at the end the following:

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

(c) DEFINITIONS.—Section 3486 of title 18, as amended by section 5 of this Act, is further amended by adding at the end the following:

"(g) DEFINITIONS.—In this section—

"(1) *the term 'fugitive' means a person who—*

"(A) *having been accused by complaint, information, or indictment under Federal law of a serious violent felony or serious drug offense, or having been convicted under Federal law of committing a serious violent felony or serious drug offense, 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 of a serious violent felony or serious drug offense, or having been convicted under State law of committing a serious violent felony or serious drug offense, 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 of a serious violent felony or serious drug offense or having been convicted of committing a serious violent felony or serious drug offense; or

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

“(2) the terms ‘serious violent felony’ and ‘serious drug offense’ shall have the meanings given those terms in section 3559(c)(2) of this title; and

“(3) 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.”

#### SEC. 7. 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 Attorney General for 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. 8. STUDY AND REPORTS ON ADMINISTRATIVE SUBPOENAS.

(a) STUDY ON 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.

(b) REPORT ON FREQUENCY OF USE OF ADMINISTRATIVE SUBPOENAS.—

(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury shall report in January of each year to the Committees on the Judiciary of the Senate and the House of Rep-

resentatives on the number of administrative subpoenas issued by them under this section, whether each matter involved a fugitive from Federal or State charges, and the identity of the agency or component of the Department of Justice or the Department of the Treasury 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.

In lieu of the matter inserted by the Senate amendment numbered 5, insert the following:

#### SEC. 6. 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 Attorney General for 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. 7. STUDY AND REPORTS ON ADMINISTRATIVE SUBPOENAS.

(a) STUDY ON 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.

(b) REPORT ON FREQUENCY OF USE OF ADMINISTRATIVE SUBPOENAS.—

(1) IN GENERAL.—The Attorney General and the Secretary of the Treasury 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 by them under this section and the identity of the agency or component of the Department of Justice or the Department of the Treasury 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.

Mr. HUTCHINSON (during the reading). Mr. Speaker, I ask unanimous

consent that the Senate amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Arkansas?

Mr. SCOTT. Mr. Speaker, reserving the right to object, I would ask the gentleman to explain the purpose of his request and the amendments that are being proposed.

Mr. HUTCHINSON. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Arkansas.

Mr. HUTCHINSON. Mr. Speaker, H.R. 3048, the Presidential Threat Protection Act of 2000 passed the House by voice vote on June 26 of this year.

The bill was introduced by the chairman of the Subcommittee on Crime, the gentleman from Florida (Mr. MCCOLLUM), to clarify the authority of the Secret Service to protect the President, former Presidents and their families, and candidates for the Office of President and Vice President and their families.

When this bill was considered in the other body, provisions were added that would have authorized the Attorney General to issue administrative subpoenas, principally through the U.S. Marshal Service in connection with investigations of fugitives from justice.

These provisions have caused considerable concern in the House, and in response to those concerns the unanimous consent request that I am making today will strike all of the provisions dealing with the administrative subpoenas in fugitive cases.

The unanimous request retains a provision from the Senate amendment to the underlying bill that requires the Attorney General to establish and fund fugitive apprehension task forces which are comprised of Federal, State, and local law enforcement agencies who work together to catch Federal and State fugitives.

Mr. Speaker, task forces such as these, led by the FBI with respect to violent crimes generally and led by the Marshals Service in fugitive cases, have proven effective over the years and should be continued.

The Attorney General retains the discretion as to where these task forces should be located; however, we believe that fugitive task forces created under this provision should not be located in places where they might overlap with existing FBI violent crime task forces.

Finally, Mr. Speaker, the unanimous consent requests that I am making today retain two minor amendments to the underlying Secret Service bill requested by the Senate.

Mr. Speaker, as I have said, this bill first passed the House by voice vote. The provisions added by the Senate that have caused concern here in the House will be deleted by my request. It

is vitally important to the protective operation of the Secret Service that the remaining portions of this bill, the provisions that have passed without opposition, be enacted into law.

Mr. SCOTT. Mr. Speaker, based on the explanation, particularly in light of the disagreement to Senate amendments numbered 2 and 4, and the other amendments I do agree with, I support their concurrence.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Arkansas?

There was no objection.

A motion to reconsider was laid on the table.

#### DAIRY MARKET ENHANCEMENT ACT OF 2000

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2773) to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

Mr. KIND. Mr. Speaker, I rise tonight to share my strong support for S. 2773—the Dairy Marketing Enhancement Act of 2000. To our nation's dairy farmers this legislation is commonly referred to as the mandatory price reporting bill. This legislation was passed by the Senate earlier today. Identical legislation, H.R. 5495, was introduced by myself, Congressman SIMPSON and others. This legislation is urgently needed to restore producer confidence in the dairy market following recent cheese and butter price/inventory reporting fiascos that sent markets plunging.

As my colleagues who represent dairy farmers know, recent reporting errors in cheese and butter stocks have highlighted the need to make reporting of storable dairy products mandatory, verifiable and enforceable. A Chicago Mercantile Exchange warehouse reporting error resulted in a sizable inventory adjustment and caused a 10 cent drop in the double a butter price.

This latest inventory reporting error came less than a year after a similar error with the U.S. Department of Agriculture cheese inventory. Following that reporting error cheese prices dropped within a week to their lowest levels in almost a decade. These events have caused a great deal of concern among our nation's dairy producers.

Under current law, manufacturers of dairy products voluntarily provide the USDA with the amount and price of dairy commodities (cheese and butter) that the manufacturer has sold during a given month.

This information is then used by the USDA to establish the minimum monthly prices under the federal milk marketing order system. This legislation will foster a more accurate price and inventory reporting system for dairy products and enable farmers to base business decisions on the most accurate information.

By requiring mandatory reporting, dairy producers will be given more accurate, complete

and timely market information. This information will lead to a better price discovery for all dairy products and allow producers and other market participants to make fully informed business decisions with respect to the marketing of raw milk.

Mr. Speaker, since the beginning of the calendar year, dairy farmers have experienced excruciating low milk prices. These inhospitable market conditions have resulted in the loss of 3-to-4 family dairy farmers in my home state of Wisconsin each day. With the loss of these farmers, the economies of our rural communities are also placed under extreme financial pressure.

While this legislation is no panacea for ailing milk prices, it will go a long way in improving prevailing attitude and restore some much needed optimism.

It is for this reason that I ask all of my colleagues to join me in passing this simple but important piece of legislation.

Mr. STENHOLM. Mr. Speaker, I rise in strong support of S. 2733. The bill represents a consensus among processor and producer groups. It will benefit the entire industry.

Mr. Speaker, under recently reformed Federal milk marketing orders, monthly minimum prices are determined based on market prices for manufactured dairy products, including nonfat dry milk, butter, cheddar cheese, and whey. USDA determines those product prices by surveying manufacturers. The responses are voluntary and USDA has limited authority to verify accuracy.

Mr. Speaker, because the determination of accurate market prices is key to establishing milk orders that are reflective of supply and demand, processors have agreed to subject themselves to the requirements that will result from the passage of this bill. The bill requires that USDA use the current survey format as a starting point for mandating reporting. For many processors, this will mean that little will change with the establishment of the mandatory program.

Mr. Speaker, in order to ensure accuracy, the bill allows the Secretary to require that reporting companies make their records available for Department audit. Any willful and intentional violation of requirements to make accurate and timely reports is punishable by a civil fine of up to \$20,000 under the terms of the bill.

The bill also requires that USDA guard the confidentiality of information from each reporting company.

Mr. Speaker, I urge my colleagues to support S. 2733.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The Clerk read the Senate bill, as follows:

#### S. 2773

*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 "Dairy Market Enhancement Act of 2000".

#### SEC. 2. DAIRY PRODUCT MANDATORY REPORTING.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

#### "Subtitle C—Dairy Product Mandatory Reporting

##### "SEC. 271. PURPOSE.

"The purpose of this subtitle is to establish a program of information regarding the marketing of dairy products that—

"(1) provides information that can be readily understood by producers and other market participants, including information with respect to prices, quantities sold, and inventories of dairy products;

"(2) improves the price and supply reporting services of the Department of Agriculture; and

"(3) encourages competition in the marketplace for dairy products.

##### "SEC. 272. DEFINITIONS.

"In this subtitle:

"(1) DAIRY PRODUCTS.—The term 'dairy products' means manufactured dairy products that are used by the Secretary to establish minimum prices for Class III and Class IV milk under a Federal milk marketing order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

"(2) MANUFACTURER.—The term 'manufacturer' means any person engaged in the business of buying milk in commerce for the purpose of manufacturing dairy products.

"(3) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

##### "SEC. 273. MANDATORY REPORTING FOR DAIRY PRODUCTS.

"(a) ESTABLISHMENT.—The Secretary shall establish a program of mandatory dairy product information reporting that will—

"(1) provide timely, accurate, and reliable market information;

"(2) facilitate more informed marketing decisions; and

"(3) promote competition in the dairy product manufacturing industry.

"(b) REQUIREMENTS.—

"(1) IN GENERAL.—In establishing the program, the Secretary shall only—

"(A)(i) subject to the conditions described in paragraph (2), require each manufacturer to report to the Secretary information concerning the price, quantity, and moisture content of dairy products sold by the manufacturer; and

"(ii) modify the format used to provide the information on the day before the date of enactment of this subtitle to ensure that the information can be readily understood by market participants; and

"(B) require each manufacturer and other person storing dairy products to report to the Secretary, at a periodic interval determined by the Secretary, information on the quantity of dairy products stored.

"(2) CONDITIONS.—The conditions referred to in paragraph (1)(A)(i) are that—

"(A) the information referred to in paragraph (1)(A)(i) is required only with respect to those package sizes actually used to establish minimum prices for Class III or Class IV milk under a Federal milk marketing order;

"(B) the information referred to in paragraph (1)(A)(i) is required only to the extent that the information is actually used to establish minimum prices for Class III or Class IV milk under a Federal milk marketing order;

"(C) the frequency of the required reporting under paragraph (1)(A)(i) does not exceed the frequency used to establish minimum prices for Class III or Class IV milk under a Federal milk marketing order; and

"(D) the Secretary may exempt from all reporting requirements any manufacturer that processes and markets less than 1,000,000 pounds of dairy products per year.

"(c) ADMINISTRATION.—