The Virtual Tour provides people from all over the country, and indeed from around the world, an opportunity to visit the U.S. Senate via the World Wide Web. Information provided can be used to learn more about the U.S. Capitol, as well as to plan for tours of the Senate.

From panoramic views of the Senate Chamber to a zoomed-in focus on the President's chair in the Old Senate Chamber, visitors to the Virtual Tour will experience the history of the Capitol Building and its famous rooms, as well as the richness of our country's heritage through artwork, statues, and sculptures that reflect the diversity of our Nation. The Virtual Tour currently has four rooms of the Senate available: the Senate Chamber, the Old Senate Chamber, the Old Supreme Court, and the President's room. Descriptions of important events associated with each room are provided with the graphics. Additional rooms are planned to be added on a monthly basis.

I encourage my fellow Senators to let their constituents know about the Virtual Tour. This is a resource meant to be shared with the public and enjoyed by all.

Finally, I would like to thank the following staff from the offices of the Senate Committee on Rules and Administration, the Senate Sergeant at Arms, the Secretary of the Senate, the Clerk of the House, and the Architect of the Capitol for their hard work and effort in planning, developing, and making the Virtual Tour of the Senate a reality: Cheri Allen, Chuck Badal, Richard Baker, Trent Coleman, Michael Dunn, Lisa Farmer, Wayne Firth, Charlie Kaiman, Betty Koed, Christopher Lee, Megan Lucas, Thomas Meenan, Heather Moore, Steve Payne, Brian Raines, Diane Skvarla, Ray Strong, Scott Strong, David Wall, and Wendy Wolff.

HUNGER IN AMERICA

Mr. GRAMS. Mr. President, I rise today to discuss the important issue of hunger in America. We often hear about hunger as a global problem affecting many people every day. Many in our own country warn us of a growing hunger problem in America.

One of my Minnesota constituents, Dr. Joseph Ioffe, is a former Russian professor of economics and challenges this thinking from his first hand knowledge of hunger in Russia. He has written an editorial that suggests our real problem is one that involves the quality of diet for low-income families rather than starvation.

Mr. President, I ask unanimous consent that Dr. Ioffe's article be printed in the RECORD.

IS THERE REALLY HUNGER IN AMERICA

(By Joseph Ioffe)

Another day, another letter in my mailbox from public organizations fighting hunger in America. And every letter is overloaded with general statements and emotional appeals but lacks facts and specifics.

Here is one from Larry Jones, president of Feed The Children, an Oklahoma City-based organization: ''I am writing on behalf of a very special group that faces death every hour of every day of the year. It is the 15 million hungry children in the United States. Every 53 minutes a hungry child dies.'' A horrible picture—it looks like Rwanda or North Korea. Hard to believe that the U.S. government is providing food aid to many other countries while letting millions of its own people starve to death.

So I wrote a letter to Jones, asking him for specifics and, in particular, to furnish the names and addresses, at random, of children who died from starvation, say, last year. As it appeared from Jones' response, he personally had never witnessed such cases, never kept any records of the victims of hunger, but relied on statistics from other organizations.

After all, he said, his mission was not in studying facts about hunger but raising money for children who, he believed, were starving in the U.S.—which he has been doing for years by hitting mailboxes all around the country.

So I decided to go to the source Jones referred to. In a publication by the Children's Defense Fund, a Washington, DC-based public organization, I found the numbers but defined differently: 15 million children living in poverty . . . every 53 minutes a child dies from poverty. . . . It appeared that Jones did not just borrow the statistics from CDF but adjusted it to the purpose of his own understanding.

Poverty does not necessarily mean hunger. In the U.S. the poverty lines is set up fairly high. Suffice it to say that a family living at the poverty level in America has a higher income than the median income of the same size family in 150 other countries throughout the world including Eastern Europe and the former Soviet Union.

But let us put aside the difference between hunger and poverty. The point is that the CDF ''death from poverty'' statistics were unfounded as well. The official mortality statistics are based on the records of hospitals, and do no operate with such cause of death as ''poverty.''

So any responsible statement about children dying from poverty is supposed to be supported and substantiated by special studies establishing the link between medical and social causes. Nothing like that could be found in the CDF publications. Small wonder that my requests for information of this kind was just ignored by CDF.

And here is another letter, this one from Christine Vladimiroff, president of Second Harvest, a food bank network based in Chicago; ''Tonight millions of Americans won't get enough to eat . . .'' Again, no specifics about numbers, not the slightest attempt to prove that is real. Instead, attached to the letter was a picture of the Statute of Liberty holding the ''Will work for food'' poster, it was ridiculous.

Those men and women with such posters on the busy city streets, idlers and drifters, don't care about work and food at all. They are just playing a trick on compassionate motorists. At the red light, the motorists reach out for their pocket-books and hand out a dollar or two to the ''hungry'' guys. None of them has ever accepted any offer to work. But their day's ''work'' with the poster usually brings in $100 or more and the money is being spent, right away, for drugs and alcohol.

As for food, they get it at the soup kitchens. In the 30's soup kitchens served real hungry people, victims of the bad economic situation. Nowadays in America they are mostly a feeding place for people of anti-social behavior like idlers, drifters, drug abusers and alcoholics. Now the old saying, ''he who does not work, does not eat.'' is out of date.

So is there hunger in America. It is common knowledge that the U.S. is the world leader in food production, that the food prices, in relation to the wages, are the lowest, that the food stamps program combined with free distribution of basic nutritional products from the state reserves for the low-income families provides a safeguard against any threat of hunger in America. Nobody is starving in this country, and, moreover, nobody is dying from starvation.

The real problem is not feeding the hungry but improving the quality of the daily diet of the low-income families, extending their diet beyond a certain number of plain products and bringing it, gradually, to the modern nutritional standards. That is where the efforts of the charitable organizations should be directed.

Those ambitious activities who are trying to impress the public with sensations and high drama, talking about millions of starving Americans facing death, don't do any good to the country.

BAILEY ''USE OR CARRY'' FIREARMS BILL, S. 191

Mr. DEWINE. Mr. President, I rise to hail the passage last night of the Bailey Fix Act, also known as the use or carry bill, after two Congresses. This legislation will provide enhanced mandatory minimum penalties for those criminals who use guns while trafficking in drugs or in the commission of violent crimes. When the Supreme Court handed down its decision in Bailey versus United States in 1995, the Court dealt a serious blow to law enforcement. Prior to that decision, drug traffickers who ''used or carried'' firearms during or in relation to their drug trafficking crimes were subject to mandatory minimums of five years under Section 924(c) of Title 18. With this decision, the Court significantly limited prosecutors' ability to put gun-using, drug trafficking criminals away.

In Bailey, the Supreme Court, in a unanimous decision, announced that in order to receive the sentence enhancement for using or carrying a firearm during a violent or drug trafficking crime under Title 18 U.S.C. 924(c), the criminal must ''actively employ'' a firearm. This decision severely restricted an important tool used by federal prosecutors to put gun-using drug criminals behind bars. According to the U.S. Sentencing Commission, there were 9,182 defendants sentenced nationwide from 1991 to 1995 under 924(c). The Commission notes that the vast majority, about 75% of these cases are drug trafficking and bank robbery cases. Since the Bailey decision, the number of federal cases involving a 924(c) enhancement has declined by about 17%.

The question before this Congress for almost four years, two Senate hearings, and seven bills was how to restore this crime fighting tool. Across the political spectrum there is a consensus about the problem. There is also a consensus, I believe, that the purpose of this ''use or carry'' provision is twofold; to punish criminals who use guns,

and to be a deterrent to would-be criminals not to use a gun. So, 924(c) comes with a message: ''If you mix guns and drugs, or guns and violence, we're going to come after you—and the price will be high.''

The final bill attempts to address the issue: ''Where do we draw the line in constructive possession cases?'' How do we address those situations when the gun is not in the direct possession of the criminal when either the crime is committed or he is caught for the crime.

This legislation, however, is meant to embrace not only instances of brandishing, firing or displaying a firearm during a crime of violence or drug trafficking offense, but also to those situations where a defendant kept a firearm available to provide security for the transaction, its fruit or proceeds, or was otherwise emboldened by its presence in the commission of the offense. Many of these instances, frankly, are simply an issue of proof. To that extent we must acknowledge our limitations in addressing a solution.

This bill would change the wording of Section 924(c) to add to ''uses, carries'' ''*in furtherance of the crime,* possesses a firearm.'' The original S. 191 did not contain this ''in furtherance language'' that modifies ''possesses.

[In pertinent part, Section 924(c) would read:

''. . . any person who, during and in relation to any crime of violence or drug trafficking crime (including a crime of violence or drug trafficking crime that provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device) for which a person may be prosecuted in a court of the United States, uses or carries a firearm, or who, *in furtherance of any such crime,* possesses a firearm, shall . . .'']

The purpose of adding the ''in furtherance'' language is to assure that someone who possesses a gun that has nothing to do with the crime does not fall under 924(c). I believe that the ''in furtherance'' language is a slightly higher standard that encompasses ''during and in relation to'' language, by requiring an indication of helping forward, promote, or advance a crime. This provision applies equally to the individual simply exercising his or her right to own a firearm, as well as the prosecutor who would bring a 924(c) action where there is, arguably, an insufficient nexus between the crime and the gun.

This bill will:

Provide for a mandatory minimum sentence of five years for anyone who uses, carries or possesses a firearm during a crime of violence or drug trafficking offense;

Provide a seven year sentence for ''brandishing'' by making known the presence of a firearm during the commission of a crime.

Raise the penalty to ten years if the gun is discharged.

Mr. President, I have always believed that that this is an eminently fixable problem. Our prosecutors need full use of this provision now, and it is my hope and my belief that this legislation will accomplish that purpose.

I ask unanimous consent that a section-by-section analysis be printed in the RECORD.

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

NATIONAL CRIME PREVENTION AND PRIVACY COMPACT OF THE NATIONAL CRIMINAL HISTORY ACCESS AND CHILD PROTECTION ACT SECTION-BY-SECTION ANALYSIS

Section 211.—This section provides the short title of the Act.

Section 212.—This section sets forth the congressional findings upon which the Act is predicated. The section reflects congressional determinations that both the FBI and the states maintain fingerprint-based criminal history records and exchange them for criminal justice purposes and also, to the extent authorized by federal law and the laws of the various states, use the information contained in these records for certain noncriminal justice purposes. Although this system has operated for years on a reciprocal, voluntary basis, the exchange of records for noncriminal justice purposes has been hampered by the fact that the laws and policies of the states governing the noncriminal justice use of criminal history records and the procedures by which they are exchanged vary widely. A compact will establish a uniform standard for the interstate and federal-state exchange of criminal history records for noncriminal justice purposes, while permitting each state to continue to enforce its own record dissemination laws within its own borders. A compact will also facilitate the interstate and federal-state exchange of information by clarifying the obligations and responsibilities of the respective parties, streamlining the processing of background search applications and eliminating record maintenance duplication at the federal and state levels. Finally, the compact will provide a mechanism for establishing and enforcing uniform standards governing record accuracy and protecting the confidentiality and privacy interests of record subjects.

Section 213.—This section sets out definitions of key terms used in this subtitle. Definitions of key terms used in the compact are set out in Article I of the compact.

Section 214.—This section formally enacts the compact into federal law, makes the United States a party, and consents to entry into the Compact by the States.

Section 215.—This section outlines the effect of the Compact's enactment on certain other laws. First, subsection (a) provides that the Compact is deemed to have no effect on the FBI's obligations and responsibilities under the Privacy Act. The Privacy Act became effective in 1975, and can generally be characterized as a federal code of fair information practices regarding individuals. The Privacy Act regulates the collection, maintenance, use, and dissemination of personal information by the federal government. This Section makes clear that the Compact will neither expand nor diminish the obligations imposed on the FBI by the Privacy Act. All requirements relating to collection, disclosure and administrative matters remain in effect, including standards relating to notice, accuracy and security measures.

Second, enactment of the Compact will neither expand nor diminish the responsibility of the FBI and the state criminal history record repositories to permit access, direct or otherwise, to criminal history records under the authority of certain other federal laws (enumerated in subsection (b)(1)). These laws include the following:

The Security Clearance Information Act (Section 9101 of Title 5, United States Code) requires state and local criminal justice agencies to release criminal history record information to certain federal agencies for national security background checks.

The Brady Handgun Violence Prevention Act prescribes a waiting period before the purchase of a handgun may be consummated in order for a criminal history records check on the purchaser to be completed, and also establishes a national instant background check system to facilitate criminal history checks of firearms purchasers. Under this system, licensed firearms dealers are authorized access to the national instant background check system for purposes of complying with the background check requirement.

The National Child Protection Act of 1993 (42 U.S.C. § 5119a) authorizes states with appropriate state statutes to access and review state and federal criminal history records through the national criminal history background check system for the purpose of determining whether care providers for children, the elderly and the disabled have criminal histories bearing upon their fitness to assume such responsibilities.

The Violent Crime Control and Law Enforcement Act of 1994 authorizes federal and state civil courts to have access to FBI databases containing criminal history records, missing person records and court protection orders for use in connection with stalking and domestic violence cases.

The United States Housing Act of 1937, as amended by the Housing Opportunity Program Extension Act of 1996, authorizes public housing authorities to obtain federal and state criminal conviction records relating to public hosing applicants or tenants for purposes of applicant screening, lease enforcement and eviction.

The Native American Housing Assistance and Self-Determination Act authorizes Indian tribes or tribally designated housing entities to obtain federal and state conviction records relating to applicants for or tenants of federally assisted housing for purposes of applicant screening, lease enforcement and eviction. Nothing in the Compact would alter any rights of access provided under these laws.

Subsection (b)(2) provides that the compact shall not affect any direct access to federal criminal history records authorized by law. Under existing legal authority, the FBI has provided direct terminal access to certain federal agencies, including the Office of Management and Budget and the Immigration and Naturalization Service, to facilitate the processing of large numbers of background search requests by these agencies for such purposes as federal employment, immigration and naturalization matters, and the issuance of security clearances. This access will not be affected by the compact.

Subsection (c) provides that the Compact's enactment will not affect the FBI's authority to use its criminal history records for noncriminal justice purposes under Public Law 92–544—the State, Justice, Commerce Appropriations Act of 1973. This law restored the Bureau's authority to exchange its identification records with the states and certain other organizations or entities, such as federally chartered or insured banking institutions, for employment and licensing purposes, after a federal district court had declared the FBI's practice of doing so to be without foundation. (See *Menard* v. *Mitchell,* 328 F. Supp. 718 (D.D.C. 1971).

Subsection (d) provides that the Council created by the Compact to facilitate its administration is deemed not to be a federal advisory committee as defined under the Federal Advisory Committee Act. This provision is necessary since nonfederal employees will sit on the Compact Council together

with federal personnel and the Council may from time to time be called upon to provide the Director of the FBI or the Attorney General with collective advice on the administration of the Compact. Without this stipulation, such features might cause the Council to be considered an advisory committee within the meaning of the Federal Advisory Committee Act. Even though the Council will not be considered an advisory committee for purposes of the Act, it will hold public meetings.

Similarly, to avoid any question on the subject, Subsection (e) provides that members of the Compact Council will not be deemed to be federal employees or officers by virtue of their Council membership for any purpose other than to effect the Compact. Thus, state officials and other nonfederal personnel who are appointed to the Council will be considered federal officials only to the extent of their roles as Council members. They will not be entitled to compensation or benefits accruing to federal employees or officers, but they could receive reimbursement from federal funds for travel and subsistence expenses incurred in attending council meetings.

Section 216.—This Section admonishes all federal personnel to enforce the Compact and to cooperate in its implementation. It also directs the U.S. Attorney General to take such action as may be necessary to implement the Compact within the federal government, including the promulgation of regulations.

Section 217.—This is the core of the subtitle and sets forth the text of the Compact:

OVERVIEW

This briefly describes what the Compact is and how it is meant to work. Under the Compact, the FBI and the states agree to maintain their respective databases of criminal history records and to make them available to Compact parties for authorized purposes by means of an electronic information sharing system established cooperatively by the federal government and the states.

ARTICLE I—DEFINITIONS

This article sets out definitions for key terms used in the Compact. Most of the definitions are substantially identical to definitions commonly used in federal and state laws and regulations relating to criminal history records and need no explanation. However, the following definitions merit comment:

(20) Positive identification

This term refers, in brief, to association of a person with his or her criminal history record through a comparison of fingerprints or other equally reliable biometric identification techniques. Such techniques eliminate or substantially reduce the risks of associating a person with someone else's record or failing to find a record of a person who uses a false name. At present, the method of establishing positive identification in use in criminal justice agencies throughout the United States is based upon comparison of fingerprint patterns, which are essentially unique and unchanging and thus provide a highly reliable basis for identification. It is anticipated that this method of positive identification will remain in use for many years to come, particularly since federal and state agencies are investing substantial amounts of money to acquire automated fingerprint identification equipment and related devices which facilitate the capturing and transmission of fingerprint images and provide searching and matching methods that are efficient and highly accurate. However, there are other biometric identification techniques, including retinal scanning, voice-print analysis and DNA typing, which might be adapted for criminal record identification purposes. The wording of the definition contemplates that at some future time the Compact Council might authorize the use of one or more of these techniques for establishing positive identification, if it determines that the reliability of such technique(s) is at least equal to the reliability of fingerprint comparison.

(21) Sealed record information

Article IV, paragraph (b), permits the FBI and state criminal history record repositories to delete sealed record information when responding to an interstate record request pursuant to the Compact. Thus, the definition of ''sealed'' becomes important, particularly since state sealing laws vary considerably, ranging from laws that are quite restrictive in their application to others that are very broad. The definition set out here is intended to be a narrow one in keeping with a basic tenet of the Compact—that state repositories shall release as much information as possible for interstate exchange purposes, with issues concerning the use of particular information for particular purposes to be decided under the laws of the receiving states. Consistent with the definition, an adult record, or a portion of it, may be considered sealed only if its release for noncriminal justice purposes has been prohibited by a court order or by action of a designated official or board, such as a State Attorney General or a Criminal Record Privacy Board, acting pursuant to a federal or state law. Further, to qualify under the definition, a court order, whether issued in response to a petition or on the court's own motion, must apply only to a particular record subject or subjects referred to by name in the order. So-called ''blanket'' court orders applicable to multiple unnamed record subjects who fall into particular classifications or circumstances, such as first-time non-serious drug offenders, do not fit the definition. Similarly, sealing orders issued by designated officials or boards acting pursuant to statutory authority meet the definition only if such orders are issued in response to petitions filed by individual record subjects who are referred to by name in the orders. So-called ''automatic'' sealing laws, which restrict the noncriminal justice use of the records of certain defined classes of individuals, such as first-time offenders who successfully complete probation terms, do not satisfy the definition, because they do not require the filing of individual petitions and the issuance of individualized sealing orders.

Concerning juvenile records, each state is free to adopt whatever definition of sealing it prefers.

ARTICLE II—PURPOSES

Five purposes are listed: creation of a legal framework for establishment of the Compact; delineation of the FBI's obligations under the Compact; delineation of the obligations of party states; creation of a Compact Council to monitor system operations and promulgate necessary rules and procedures; and, establishment of an obligation by the parties to adhere to the Compact and its related rules and standards.

ARTICLE III—RESPONSIBILITIES OF COMPACT PARTIES

This article details FBI and state responsibilities under the Compact and provides for the appointment of Compact Officers by the FBI and by party states. Compact officers shall have primary responsibility for ensuring the proper administration of the Compact within their jurisdictions.

The FBI is required to provide criminal history records maintained in its automated database for noncriminal justice purposes described in Article IV of the Compact. These responses will include federal criminal history records and, to the extent that the FBI has such data in its files, information from non-Compact States and information from Compact States relating to records which such states cannot provide through the III System. The FBI is also responsible for providing and maintaining the centralized system and equipment necessary for the Compact's success and ensuring that requests made for criminal justice purposes will have priority over requests made for noncriminal justice purposes.

State responsibilities are similar. Each Party State must grant other states access to its III system-indexed criminal history records for authorized noncriminal justice purposes and must submit to the FBI fingerprint records and subject identification information that are necessary to maintain the national indices. Each state must comply with duly established system rules, procedures, and standards. Finally, each state is responsible for providing and maintaining the telecommunications links and equipment necessary to support system operations within that state.

Administration of Compact provisions will not be permitted to reduce the level of service available to authorized criminal justice and noncriminal justice users on the effective date of the Compact.

ARTICLE IV—AUTHORIZED RECORD DISCLOSURES

This article requires the FBI, to the extent authorized by the Privacy Act, and the state criminal history record repositories to provide criminal history records to one another for use by governmental or nongovernmental agencies for noncriminal justice purposes that are authorized by federal statute, by federal executive order, or by a state statute that has been approved by the U.S. Attorney General. Compact parties will be required to provide criminal history records to other compact parties for noncriminal justice uses that are authorized by law in the requesting jurisdiction even though the law of the responding jurisdiction does not authorize such uses within its borders. Further, the responding party must provide all of the criminal history record information it holds on the individual who is the subject of the request (deleting only sealed record information) and the law of the requesting jurisdiction will determine how much of the information will actually be released to the noncriminal justice agency on behalf of which the request was made. This approach provides a uniform dissemination standard for interstate exchanges, while permitting each compact party to enforce its own record dissemination laws within its borders.

To provide uniformity of interpretation, state laws authorizing noncriminal justice uses of criminal history records under this article must be reviewed by the U.S. Attorney General to ensure that the laws explicitly authorize searches of the national indices.

Records provided through the III System pursuant to the Compact may be used only by authorized officials for authorized purposes. Compact officers must establish procedures to ensure compliance with this limitation as well as procedures to ensure that criminal history record information provided for noncriminal justice purposes is current and accurate and is protected from unauthorized release. Further, procedures must be established to ensure that records received from other compact parties are screened to ensure that only legally authorized information is released. For example, if the law of the receiving jurisdiction provides that only conviction records may be released for a particular noncriminal justice purpose,

all other entries, such as acquittal or dismissal notations or arrest notations with no accompanying disposition notation, must be deleted.

ARTICLE V—RECORD REQUEST PROCEDURES

This article provides that direct access to the National Identification Index and the National Fingerprint File for purposes of conducting criminal history record searches for noncriminal justice purposes shall be limited to the FBI and the state criminal history record repositories. A noncriminal justice agency authorized to obtain national searches pursuant to an approved state statute must submit the search application through the state repository in the state in which the agency is located. A state repository receiving a search application directly from a noncriminal justice agency in another state may process the application through its own criminal history record system, if it has legal authority to do so, but it may not conduct a search of the national indices on behalf of such an out-of-state agency nor may it obtain out-of-state or federal records for such an agency through the III System.

Noncriminal justice agencies authorized to obtain national record checks under federal law or federal executive order, including federal agencies, federally chartered or insured financial institutions and certain securities and commodities establishments, must submit search applications through the FBI or, if the repository consents to process the application, through the state repository in the state in which the agency is located.

All noncriminal justice search applications submitted to the FBI or to the state repositories must be accompanied by fingerprints or some other approved form of positive identification. If, a state repository positively identifies the subject of such a search application as having a III System-indexed record maintained by another state repository or the FBI, the state repository shall be entitled to obtain such records from such other state repositories or the FBI. If a state repository cannot positively identify the subject of a noncriminal justice search application, the repository shall forward the application, together with fingerprints or other approved identifying information, to the FBI. If the FBI positively identifies the search application subject as having a III System-indexed record or records, it shall notify the state repository which submitted the application and that repository shall be entitled to obtain any III System-indexed record or records relating to the search subject maintained by any other state repository on the FBI.

The FBI and state repositories may charge fees for processing noncriminal justice search applications, but may not charge fees for providing criminal history records by electronic means in response to authorized III System record requests.

ARTICLE VI—ESTABLISHMENT OF COMPACT COUNCIL

This article establishes a Compact Council to promulgate rules and procedures governing the use of the III System for noncriminal justice purposes. Such rules cannot conflict with the FBI's administration of the III System for criminal justice purposes. Issues concerning whether particular rules or procedures promulgated by the Council conflict with FBI authority under this article shall be adjudicated pursuant to Article XI.

The Council shall consist of 15 members from compact states and federal and local criminal justice and noncriminal justice agencies. All members shall be appointed by the U.S. Attorney General. Council members shall elect a Council Chairman and Vice Chairman, both of whom shall be compact officers unless there are no compact officers on the Council who are willing to serve, in which case at-large members may be elected to these offices.

The 15 Council members include nine members who must be state compact officers or state repository administrators, four at-large members representing federal, state and local criminal justice and noncriminal justice interests, one member from the FBI's advisory policy board on criminal justice information services and one member who is an FBI employee. Although, as noted, all members will be appointed by the U.S. Attorney General, they will be nominated by other persons, as specified in the Compact. If the Attorney General declines to appoint any person so nominated, the Attorney General shall request another nomination from the person or persons who nominated the rejected person. Similarly, if a Council membership vacancy occurs, for any reason, the Attorney General shall request a replacement nomination from the person or persons who made the original nomination.

Persons who are appointed to the Council who are not already federal officials or employees shall, by virtue of their appointment by the Attorney General, become federal officials to the extent of their duties and responsibilities as Council members. They shall, therefore, have authority to participate in the development and issuance of rules and procedures, and to participate in other actions within the scope of their duties as Council members, which may be binding upon federal officers and employees or otherwise affect federal interests.

The Council shall be located for administrative purposes within the FBI and shall have authority to request relevant assistance and information from the FBI. Although the Council will not be considered a Federal Advisory Committee (see Section 215(d)), it will hold public meetings and will publish its rules and procedures in the Federal Register and make them available for public inspection and copying at a Council office within the FBI.

ARTICLE VII—RATIFICATION OF COMPACT

This article states that the Compact will become effective immediately upon its execution by two or more states and the United States Government and will have the full force and effect of law within the ratifying jurisdictions. Each state will follow its own laws in effecting ratification.

ARTICLE VIII—MISCELLANEOUS PROVISIONS

This article makes clear that administration of the Compact shall not interfere with the authority of the FBI Director over the management and control of the FBI's collection and dissemination of criminal history records for any purpose other than noncriminal justice. Similarly, nothing in the Compact diminishes a state's obligations and authority under Public Law 92–544 regarding the dissemination or use of criminal history record information (see analysis of Section 214, above). The Compact does not require the FBI to obligate or expend funds beyond its appropriations.

ARTICLE IX—RENUNCIATION

This article provides that a state wishing to end its obligations by renouncing the Compact shall do so in the same manner by which it ratified the Compact and shall provide six months' advance notice to other compact parties.

ARTICLE X—SEVERABILITY

This article provides that the remaining provisions of the Compact shall not be affected if a particular provision is found to be in violation of the Federal Constitution or the constitution of a party state. Similarly, a finding in one state that a portion of the Compact is legally objectionable will have no effect on the viability of the Compact in other Party States.

ARTICLE XI—ADJUDICATION OF DISPUTES

This article vests initial authority in the Compact Council to interpret its own rules and standards and to resolve disputes among parties to the Compact. Decisions are to be rendered upon a majority vote of Council members after a hearing on the issue. Any Compact party may appeal any such Council decision to the U.S. Attorney General and thereafter may file suit in the appropriate United States district court. Any suit concerning the compact filed in any state court shall be removed to the appropriate federal district court.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WARNER, from the Committee on Rules and Administration, with an amendment in the nature of a substitute:

S. 2288. A bill to provide for the reform and continuing legislative oversight of the production, procurement, dissemination, and permanent public access of the Government's publications, and for other purposes (Rept. No. 105–413).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. D'AMATO:

S. 2640. A bill to extend the authorization for the Upper Delaware Citizens Advisory Council; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HELMS (for himself and Mr. BIDEN):

S. Res. 310. A resolution authorizing the printing of background information on the Committee on Foreign Relations as a Senate document; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2128

At the request of Mr. STEVENS, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 2128, a bill to clarify the authority of the Director of the Federal Bureau of Investigation regarding the collection of fees to process certain identification records and name checks, and for other purposes.

S. 2283

At the request of Mr. DEWINE, the name of the Senator from Arkansas (Mr. BUMPERS) was added as a cosponsor of S. 2283, a bill to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa, and for other purposes.

S. 2566

At the request of Ms. LANDRIEU, the name of the Senator from Missouri