

for intentionally damaging a computer. Outside hackers who break into a computer could also be punished for any reckless or other damage they cause by their trespass.

The current statute protects against computer abuses that cause computer "damage," a term that is defined to require either significant financial losses or potential impact on medical treatment. Yet, the NII and other computer systems are used for access to critical services such as emergency response systems, air traffic control, and the electrical power systems. These infrastructures are heavily dependent on computers. A computer attack that damages those computers could have significant repercussions for our public safety and our national security. The definition of "damage" in the Computer Fraud and Abuse statute should be sufficiently broad to encompass these types of harm against which people should be protected. The NII Protection Act addresses this concern and broadens the definition of "damage" to include causing physical injury to any person and threatening the public health or safety.

Finally, this legislation address a new and emerging problem of computer-age blackmail. This is a high-technology variation on old fashioned extortion. One case has been brought to my attention in which a person threatened to crash a computer system unless he was given free access to the system and an account. One can imagine situations in which hackers penetrate a system, encrypt a database and then demand money for the decoding key. This new provision would ensure law enforcement's ability to prosecute modern-day blackmailers, who threaten to harm or shut down computer networks unless their extortion demands are met.

Confronting cybercrime with up-to-date criminal laws, coupled with tough law enforcement, are critical for safeguarding the privacy, confidentiality, and reliability of our critical computer systems and networks. I commend the Attorney General and the prosecutors within the Department of Justice who have worked diligently on this legislation and for their continuing efforts to address this critical area of our criminal law.

In sum, the NII Protection Act will provide much needed protection for our Nation's critical information infrastructure by penalizing those who abuse computers to damage computer networks, steal classified and valuable computer information, and commit other crimes on-line.

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate concur in the amendment of the House.

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

ORDERS FOR THURSDAY, OCTOBER 3, 1996

Mr. NICKLES. Mr. President, I ask unanimous consent that when the Senate completes its business today it

stand in adjournment until the hour of 9:00 a.m. on Thursday, October 3rd; further, that immediately following the prayer the Journal of proceedings be deemed approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and that the Senate then resume consideration of the conference report to accompany H.R. 3539, the FAA authorization bill.

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

PROGRAM

Mr. NICKLES. Mr. President, under the previous order, there will be 1 hour of debate time starting at 9 a.m. tomorrow morning with the cloture vote to occur on the FAA conference report at 10 a.m. Obviously, that rollcall vote is very important. And I urge the attendance of all my colleagues tomorrow.

I also hope that, if cloture is invoked, the Senate could then proceed to adoption of the FAA conference report in a timely fashion.

Rollcall votes are, therefore, expected throughout the day on Thursday on the FAA conference report, or any other items cleared for action. If action is completed on the FAA conference report and various other important matters are cleared, I would fully expect the Senate would adjourn sine die tomorrow. I urge the cooperation of all Members in order to achieve that goal tomorrow.

I also urge my colleagues to cooperate, and hopefully we will be successful in passing the parks bill that so many people have spoken on behalf of that I think in large part we have pretty well come to an agreement on. And it is very important, in this Senator's opinion, that we pass that bill tomorrow.

Mr. WARNER. Mr. President, will the Senator yield?

Mr. NICKLES. I am happy to yield.

OMNIBUS PARKS LEGISLATION

Mr. WARNER. May I say that I very much appreciate the leadership by the Senator from Oklahoma and Senator LOTT with respect to the parks bill. It is a matter of tremendous interest to my State. I am heartened by the news that this in all likelihood will become law.

It is interesting to think, when is the last time the Senate passed such a major piece of legislation relating to the parks? It is heartening to this Senator.

I thank our distinguished acting leader, and I thank the Chair.

Mr. NICKLES. Mr. President, I thank my colleague from Virginia. And I appreciate the emphasis. He is one of many Senators that has been urging us to complete action on the parks bill. I know that there are several items that are important to the State of Virginia.

We have had contacts from our colleagues in Colorado, including Senator CAMPBELL, who has a broken arm, but, yet, he feels that this is very, very im-

portant to his State; Senators from California; and others.

I believe that there are 41 States that have projects in this bill. We are very close. I know Senator MURKOWSKI has been working with the administration. They don't have everything resolved. I will admit that up front. But hopefully we will be successful in wrapping that bill up tomorrow. Hopefully the House will concur, and we can be successful in passing a very important parks bill.

Mr. WARNER. Mr. President, I am sure the distinguished leader would acknowledge the work that Chairman MURKOWSKI has performed in reconciling the interests of this bill.

Mr. NICKLES. Mr. President, the Senator from Virginia is exactly correct. I worked for hours today alone with the Senator from Alaska. But, as the Senator from Virginia knows, the Senator from Alaska has been working on this bill for years—for years. And there are countless hours that have gone into putting this package together. It is not something that has been hurried up and put together in the last days. This is a culmination. It has a lot of bills together.

Some may ask, "Why is that?" Senators objected to having any bill go through. So all of the bills ended up combined. That is unfortunate. We should not legislate that way. But the objection, frankly, was on the Democrat side of the aisle. It should not have happened. Hopefully in the future we will be able to pass land bills individually as they are reported out of the authorizing committees. It didn't happen in this case. We will have to work hard to see that it does not happen in the future.

But most all of these projects that are in this bill have been hashed out for months, most of which have unanimous support in the Senate. And my guess is that when we get to a vote on the bill—we may well vote on it tomorrow. We may pass it by voice vote. If we have a recorded vote, I would venture to say that we would have 90-some percent of the Senators voting in favor of that package.

So, hopefully we will get it through both Houses and have it for the President's signature.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. NICKLES. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment as under the previous order.

There being no objection, the Senate, at 6:22 p.m., adjourned until Thursday, October 3, 1996, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate October 2, 1996:

POSTAL RATE COMMISSION

DANIEL R. STANLEY, OF KANSAS, TO BE A COMMISSIONER OF THE POSTAL RATE COMMISSION FOR THE TERM EXPIRING OCTOBER 14, 2000. VICE WAYNE ARTHUR SCHLEY, TERM EXPIRED.