materials under statutory guidelines regarding the activities of the Japanese Imperial Government during the Second World War.

Mrs. FEINSTEIN. I thank the distinguished chairman for his clarification of the language contained in the conference report.

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

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

The bill (H.R. 5630), as amended, was read the third time and passed.

PRESIDENTIAL THREAT PROTECTION ACT OF 2000

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House to accompany 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 families, and for other purposes.

There being no objection, the Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendments of the Senate numbered 1 and 3 to the bill (H.R. 3048) entitled ''An Act to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, and for other purposes.''

Resolved, That the House disagree to the amendments of the Senate numbered 2 and 4 to the aforesaid bill.

Resolved, That the House agree to the amendment of the Senate numbered 5 to the aforesaid bill, with the following:

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. THURMOND. Mr. President, I am pleased that today the Senate is considering H.R. 3048, the Presidential Threat Protection Act. This is important legislation that will benefit both the Secret Service and the Marshals Service, and I hope it becomes law without further delay.

I have fought this entire year to pass legislation that will help the Marshals Service place an increased focus on fighting dangerous fugitives. It has been estimated that 50 percent of the crime in America is caused by 5 percent of the offenders. It is these hardcore, repeat criminals, many of whom are fugitives, that law enforcement must address today. As we discussed at a hearing that I chaired earlier this year before the Judiciary Criminal Justice Oversight Subcommittee on this matter, the number of dangerous fugitives is rising, even as crime rates continue to decline. There are over 525,000 felony or other serious Federal and State fugitives listed in the database of the National Crime Information Center. This number has doubled just since 1987.

The act we are considering today helps make these criminals a top priority by requiring the Attorney General to establish permanent fugitive apprehension task forces to be run by the Marshals Service. The task forces will be a combined effort of Federal and State law enforcement agencies, each bringing their own expertise to this critical task.

These task forces will operate across district lines in the areas of the country where the problem is most acute. They will be operated by the Marshals Service as a national effort, rather than through particular districts, so that other activities cannot interfere in these efforts to apprehend fugitives. Also, the task forces should not duplicate existing fugitive work of the Marshals Service or other Federal and State law enforcement agencies. Moreover, as was discussed during our hearing on this matter, they should work closely with other government agencies. Everyone who is involved in or can contribute to fugitive apprehension must work together to make these specialized fugitive initiatives efficient and effective.

H.R. 3048 provides important, limited administrative subpoena authority for the Secret Service to track down those who threaten the President. I worked hard this year to try to create similar administrative subpoena authority for the Department of Justice to better enable the Marshals Service and others to locate fugitives.

In the Senate, we passed S. 2516, the Fugitive Apprehension Act, which I sponsored, as a free-standing bill to accomplish this task. Later, in the Senate, we also passed a more limited version of S. 2516 as part of H.R. 3048. I thought it was most appropriate that we expand administrative subpoena authority as part of one combined bill.

Unfortunately, the House did not include the administrative subpoena authority for fugitives when passing H.R. 3048 again last week. Some claims were made about the fugitive subpoena authority late in the session that were misinformed or incorrect. We worked closely with our counterparts in the House and tried very hard to alleviate any legitimate concerns by narrowing the scope of the bill and creating even more checks on its use. However, we were not fully able to reach a consensus on this provision this year. We must continue our efforts in the next Congress.

Subpoena authority has existed for years to help authorities investigate drug offenses, child abuse, and even health care fraud. After H.R. 3048 passes, the authority will also exist regarding certain threats against the President. As law enforcement continues to use the subpoena authority in these areas in a responsible, targeted manner, I hope those who have concerns about subpoena authority will come to realize that it is a critical law enforcement tool in certain circumstances. This should be especially clear when law enforcement must track down dangerous fugitives who have warrants out for their arrest and are evading justice.

In closing, I am pleased that this year we have made progress in helping law enforcement address dangerous fugitives. The task forces are one part of this vital larger bill that will benefit Federal law enforcement in their tireless efforts to fight crime.

Mr. LEAHY. Mr. President, The Presidential Threat Protection Act, H.R. 3048, is a high priority for the Secret Service and the Service's respected Director, Brian Stafford, and I am pleased that this legislation is passing the Senate today, along with legislation that Senators THURMOND, HATCH

and I have crafted to establish task forces, under the direction of the U.S. Marshals Service, to apprehend fugitives.

H.R. 3048 would expand or clarify the Secret Service's authority in four ways. First, the bill would amend current law to make clear it is a federal crime, which the Secret Service is authorized to investigate, to threaten any current or former President or their immediate family, even if the person is not currently receiving Secret Service protection and including those people who have declined continued protection, such as former Presidents, or have not yet received protection, such as major Presidential and Vice-Presidential candidates and their families.

Second, the bill would incorporate in statute certain authority, which is currently embodied in a classified Executive Order, PDD 62, clarifying that the Secret Service is authorized to coordinate, design, and implement security operations for events deemed of national importance by the President ''or the President's designee.''

Third, the bill would establish a ''National Threat Assessment Center'' within the Secret Service to provide training to State, local and other Federal law enforcement agencies on threat assessments and public safety responsibilities.

Finally, the bill authorizes the Secretary of the Treasury to issue administrative subpoenas for investigations of ''imminent'' threats made against an individual whom the Service is authorized to protect. The Secret Service has requested that the Congress grant this administrative subpoena authority to expedite investigation procedures particularly in situations where an individual has made threats against the President and is en route to exercise those threats.

''Administrative subpoena'' is the term generally used to refer to a demand for documents or testimony by an investigative entity or regulatory agency that is empowered to issue the subpoena independently and without the approval of any grand jury, court or other judicial entity. I am generally skeptical of administrative subpoena power. Administrative subpoenas avoid the strict grand jury secrecy rules and the documents provided in response to such subpoenas are, therefore, subject to broader dissemination. Moreover, since investigative agents usually issue such subpoenas directly, without review by a judicial officer or even a prosecutor, fewer ''checks'' are in place to ensure the subpoena is issued with good cause and not merely as a fishing expedition.

Current law already provides for administrative subpoena authority in certain types of cases. Specifically, the FBI has been granted authority granted to issue administrative subpoenas to obtain information that may be relevant in investigations of child abuse, child sexual exploitation, or Federal health care offenses. See 18 U.S.C. §§ 3486 and 3486A. In child abuse and child exploitation cases, the FBI is authorized to use an administrative subpoena to require an Internet Service Provider to disclose the name, address, local and long distance telephone toll billing records, telephone number or other subscriber number or identity, length of service of a subscriber to or customer of the service and the types of services used by the subscriber or customer. 18 U.S.C. § 3486A(a)(1)(A). Pursuant to those provisions in current law, the Attorney General is authorized to compel compliance with the administrative subpoena in federal court and any failure to obey is punishable as contempt of the court. Current law also provides blanket immunity from civil liability to any person who complies with the administrative subpoena and produces documents, without disclosing that production to the customer to whom the documents pertain.

I have over the years resisted persistent law enforcement requests for additional administrative subpoena authority. The House bill grants the request of the Secret Service for new, limited administrative subpoena authority and simultaneously imposes the following new procedural safeguards on both the FBI's current administrative subpoena authority and the Secret Service's new authority:

The new administrative subpoena authority in threat cases may only be exercised by the Secretary of the Treasury upon determination of the Director of the Secret Service that the threat is ''imminent,'' and the Secret Service must notify the Attorney General of the issuance of each subpoena. I should note that these requirements will help ensure that administrative subpoenas will be used in only the most significant Secret Service investigations. In most cases, for which the threshold showing of ''imminent'' threat cannot be established, the Secret Service will not be authorized to use administrative subpoenas and will instead simply go to the local U.S. Attorney's office to get a grand jury subpoena, as is current practice and law.

The bill would allow a person who receives an administrative subpoena to contest the subpoena in court by petitioning a federal judge to modify or set aside the subpoena and any order of nondisclosure of the production.

The bill would authorize a court to order nondisclosure of the administrative subpoena to for up to 90 days (and up to a 90 day extension) upon a showing that disclosure would adversely affect the investigation in enumerated ways.

Upon written demand, the agency must return the subpoenaed records or things if no case or proceedings arise from the production of records ''within a reasonable time.''

The administrative subpoena may not require production in less than 24 hours after service so agencies may have to wait for at least a day before demanding production.

As originally passed by the House of Representatives, H.R. 3048 provided that violation of the administrative subpoena is punishable by fine or up to five years' imprisonment. The Senate eliminated this provision in an amendment that passed the Senate on October 13, 2000 and I am glad to see that the House has approved that Senate amendment in the version of this bill returned by the House and considered by the Senate today. This penalty provision in the House version of the bill was both unnecessary and excessive since current law already provides that failure to comply with the subpoena may be punished as a contempt of court—which is either civil or criminal. See 18 U.S.C. § 3486(c). Under current law, the general term of imprisonment for some forms of criminal contempt is up to six months. See, e.g., 18 U.S.C. § 402.

The House has approved the part of the Hatch-Leahy-Thurmond amendment to H.R. 3048 requiring the Attorney General to report for the next three years to the Judiciary Committees of both the House and Senate on the following information about the use of administrative subpoenas, including information on the number of such subpoenas issued and by which agency. In this way, the Congress will be able to monitor the use by federal law enforcement officials within the Justice and Treasury Departments of administrative subpoenas.

Finally, the House has approved the part of the Hatch-Leahy-Thurmond amendment to H.R. 3048 requiring the Attorney General to provide a report on the use of administrative subpoenas by executive branch agencies. I am not aware of any recent effort to compile an overview or inventory of the current administrative subpoena powers in the Federal government, but understand that the United States Code contains more then 700 references to subpoena powers, many subject to various forms of administrative delegation. In addition, there are various commissions and other independent and quasi-judicial components of the federal government, which are also vested with subpoena powers not requiring grand jury or federal court involvement. In short, a variety of administrative subpoena authorities exist in multiple forms in multiple agencies, without uniform rules on scope, enforcement, or other due process safeguards. It is time for the Congress to review this situation, and this report by the Attorney General will be a good start.

On the fugitive apprehension task forces, the House has approved in the version of H.R. 3048, which the Senate considers today, parts of the Thurmond-Biden-Leahy amendment that passed the Senate on October 13, 2000.

As a former prosecutor, I am well aware that fugitives from justice are an important problem and that their capture is an essential function of law enforcement. According to the FBI, nearly 550,000 people are currently fugitives from justice on federal, state, and

local felony charges combined. This means that there are almost as many fugitive felons as there are citizens residing in my home state of Vermont.

The fact that we have more than one half million fugitives from justice, a significant portion of whom are convicted felons in violation of probation or parole, who have been able to flaunt court order and avoid arrest, breeds disrespect for our laws and poses undeniable risks to the safety of our citizens.

Our Federal law enforcement agencies should be commended for the job they have been doing to date on capturing Federal fugitives and helping the States and local communities bring their fugitives to justice. The U.S. Marshals Service, our oldest law enforcement agency, has arrested over 120,000 Federal, State and local fugitives in the past four years, including more Federal fugitives than all the other Federal agencies combined. In prior years, the Marshals Service spearheaded special fugitive apprehension task forces, called FIST Operations, that targeted fugitives in particular areas and was singularly successful in arresting over 34,000 fugitive felons.

Similarly, the FBI has established twenty-four Safe Streets Task Forces exclusively focused on apprehending fugitives in cities around the country. Over the period of 1995 to 1999, the FBI's efforts have resulted in the arrest of a total of 65,359 state fugitives. Nevertheless, the number of outstanding fugitives is too large.

The House has approved in the version of H.R. 3048, which the Senate considers today the Hatch-Leahy-Thurmond amendment authorizing the Attorney General to establish fugitive task forces. This amendment would authorize $40,000,000 over 3 years for the Attorney General to establish multi-agency task forces, which will be coordinated by the Director of the Marshals Service, in consultation with the Secretary of the Treasury and the States, so that the Secret Service, BATF, the FBI and the States are able to participate in the Task Forces to find their fugitives.

The Hatch-Leahy-Thurmond amendment to H.R. 3048 will help law enforcement with increased resources for regional fugitive apprehension task forces to bring to justice both federal and state fugitives who, by their conduct, have demonstrated a lack of respect for our nation's criminal justice system.

Regarding the Secret Service protective function privilege, while passage of this legislation will assist the Secret Service in fulfilling its critical mission, this Congress is unfortunately coming to a close without addressing another significant challenge to the Secret Service's ability to fulfill its vital mission of protecting the life and safety of the President and other important persons. I refer to the misguided and unfortunately successful litigation of Special Counsel Kenneth Starr to compel Secret Service agents to answer questions about what they may have observed or overheard while protecting the life of the President.

As a result of Mr. Starr's zealous efforts, the courts refused to recognize a protective function privilege and required that at least seven Secret Service officers appear before a federal grand jury to respond to questions regarding President Clinton, and others. In re Grand Jury Proceedings, 1998 W.L. 272884 (May 22, 1998 D.C.), affirmed 1998 WL 370584 (July 7, 1998 D.C. Cir)(per curiam). These recent court decisions, which refused to recognize a protective function privilege, could have a devastating impact upon the Secret Service's ability to provide effective protection. The Special Counsel and the courts ignored the voices of experience—former Presidents, Secret Service Directors, and others—who warned of the potentially deadly consequences. The courts disregarded the lessons of history. We cannot afford to be so cavalier; the stakes are just too high.

In order to address this problem, I introduced the Secret Service Protective Privilege Act, S. 1360, on July 13, 1999, to establish a Secret Service protective function privilege so Secret Service agents will not be put in the position of revealing private information about protected officials as Special Prosecutor Kenneth Starr compelled the Secret Service to do with respect to President Clinton. Unfortunately, the Senate Judiciary Committee took no action on this legislation in this Congress.

Few national interests are more compelling than protecting the life of the President of the United States. The Supreme Court has said that the Nation has ''an overwhelming interest in protecting the safety of its Chief Executive and in allowing him to perform his duties without interference from threats of physical violence.'' *Watts* v. *United States*, 394 U.S. 705, 707 (1969). What is at stake is not merely the safety of one person: it is the ability of the Executive Branch to function in an effective and orderly fashion, and the capacity of the United States to respond to threats and crises. Think of the shock waves that rocked the world in November 1963 when President Kennedy was assassinated. The assassination of a President has international repercussions and threatens the security and future of the entire Nation.

The threat to our national security and to our democracy extends beyond the life of the President to those in direct line of the Office of the President—the Vice President, the President-elect, and the Vice President elect. By Act of Congress, these officials are required to accept the protection of the Secret Service—they may not turn it down. This statutory mandate reflects the critical importance that Congress has attached to the physical safety of these officials.

Congress has also charged the Secret Service with responsibility for protecting visiting heads of foreign states and foreign governments. The assassination of a foreign head of state on American soil could be catastrophic from a foreign relations standpoint and could seriously threaten national security.

The bill I introduced, S. 1360, would enhance the Secret Service's ability to protect these officials, and the nation, from the risk of assassination. It would do this by facilitating the relationship of trust between these officials and their Secret Service protectors that is essential to the Secret Service's protective strategy. Agents and officers surround the protectee with an all-encompassing zone of protection on a 24-hour-a-day basis. In the face of danger, they will shield the protectee's body with their own bodies and move him to a secure location.

That is how the Secret Service averted a national tragedy on March 30, 1981, when John Hinckley attempted to assassinate President Reagan. Within seconds of the first shot being fired, Secret Service personnel had shielded the President's body and maneuvered him into the waiting limousine. One agent in particular, Agent Tim McCarthy, positioned his body to intercept a bullet intended for the President. If Agent McCarthy had been even a few feet farther from the President, history might have gone very differently.

For the Secret Service to maintain this sort of close, unremitting proximity to the President and other protectees, it must have their complete, unhesitating trust and confidence. Secret Service personnel must be able to remain at the President's side even during confidential and sensitive conversations, when they may overhear military secrets, diplomatic exchanges, and family and private matters. If our Presidents do not have complete trust in the Secret Service personnel who protect them, they could try to push away the Secret Service's ''protective envelope'' or undermine it to the point where it could no longer be fully effective.

This is more than a theoretical possibility. Consider what former President Bush wrote in April, 1998, after hearing of the independent counsel's efforts to compel Secret Service testimony:

> The bottom line is I hope that [Secret Service] agents will be exempted from testifying before the Grand Jury. What's at stake here it the protection of the life of the President and his family and the confidence and trust that a President must have in the [Secret Service]. If a President feels that Secret Service agents can be called to testify about what they might have seen or heard then it is likely that the President will be uncomfortable having the agents near by. I allowed the agents to have proximity first because they had my full confidence and secondly because I knew them to be totally discreet and honorable. . . . I can assure you that had I felt they would be compelled to testify as to what they had seen or heard, no matter what the subject, I would not have felt comfortable having them close in. . . . I feel very

strongly that the [Secret Service] agents should not be made to appear in court to discuss that which they might or might not have seen or heard. What's at stake here is the confidence of the President in the discretion of the [Secret Service]. If that confidence evaporates the agents, denied proximity, cannot properly protect the President.

As President Bush's letter makes plain, requiring Secret Service agents to betray the confidence of the people whose lives they protect could seriously jeopardize the ability of the Service to perform its crucial national security function.

The possibility that Secret Service personnel might be compelled to testify about their protectees could have a particularly devastating affect on the Service's ability to protect foreign dignitaries. The mere fact that this issue has surfaced is likely to make foreign governments less willing to accommodate Secret Service both with respect to the protection of the President and Vice President on foreign trips, and the protection of foreign heads of state traveling in the United States.

The security of our chief executive officers and visiting foreign heads of state should be a matter that transcends all partisan politics and I regret that this legislation does not do more to help the Secret Service by providing a protective function privilege.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate recede from its amendments numbered 2 and 4 and agree to the House amendment to the Senate amendment numbered 5.

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

CHIMPANZEE HEALTH IMPROVEMENT, MAINTENANCE, AND PROTECTION ACT

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 3514 which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3514) to amend the Public Health Service Act to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes.

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

Mr. DURBIN. Mr. President, I take this opportunity to clarify some issues related to the Chimpanzee Health Improvement, Maintenance and Protection Act by entering into a colloquy with my colleague from New Hampshire, Senator BOB SMITH. Senator SMITH, as my fellow prime sponsor of the Senate version of this legislation, S. 2725, I would first like to address the House amendment to the bill, which would allow for the possibility of temporarily removing certain chimpanzees from a sanctuary for medical research? Is it your understanding that the purpose of the CHIMP Act is still to provide a permanent lifetime sanctuary for chimpanzees who have been designated as no longer useful or needed in scientific research?

Mr. SMITH of New Hampshire. My colleague from Illinois is correct. The bill calls on the scientists themselves to make the determination that a chimpanzee is no longer useful for research and to formally release the chimpanzee to the sanctuary system for permanent cessation of scientific experimentation.

The amended version of the legislation allows one exception: In that rare, unforeseen circumstance, where a specific sanctuary chimpanzee may be required because a research protocol he endured in the past, combined with a technological advance that was not available or invented at the time he was released, could provide extremely useful information essential to address an important public health need, then that chimpanzee may be used in research if, and only if, the proposed research involves minimal pain and distress to the chimpanzee, as well as to other chimps in the social group, as evaluated by the board of the sanctuary. Of course, if a chimpanzee currently in a lab setting meets the same criteria, then the bill requires that the sanctuary chimpanzee not be used.

Mr. DURBIN. The amended version also requires that the research can only be sought by an applicant who has not previously violated the Animal Welfare Act, does it not? And it requires that if a chimpanzee is ever to be removed from a sanctuary for research, the chimpanzee must be returned to the sanctuary immediately afterward and all expenses associated with the departure, such as travel and ongoing care, must be borne by the research applicant. The chimpanzee should spend as little time away from the sanctuary as possible.

Additionally, before any proposed research use can be approved, the Secretary of Health and Human Services must publish in the Federal Register the Secretary's findings on each of these criteria, including the board's evaluation regarding pain and distress, and seek public comment for at least 60 days.

Mr. SMITH of New Hampshire. The Senator is correct on each of those points, which will serve to further limit the possibility of sanctuary chimpanzees being recalled for research. It is my intention, and the intent of the amended legislation, that any such research would rarely, if ever, take place.

Mr. DURBIN. I agree with my colleague from New Hampshire that the research exception is intended only to be exercised, if at all, under truly extraordinary and rare circumstances. There have also been concerns expressed by some that the CHIMP Act is too expensive. I think it would be helpful for us to address those concerns for the record.

Mr. SMITH of New Hampshire. I agree, it would be good to set the record straight on this issue. The federal government now spends millions of dollars each year for the maintenance and care of chimpanzees who are no longer used in medical research, but are being warehoused in expensive taxpayer-funded laboratory cages. The CHIMP Act will actually save taxpayers money because the sanctuary setting is so much less expensive to build and operate than laboratory facilities.

The Congressional Budget Office prepared a cost estimate for S. 2725, the legislation that you and I introduced in June. H.R. 3514, the House counterpart that is now pending in the Senate, is identical to S. 2725 in terms of the cost issues. The CBO concluded that ''the cost of caring for a chimpanzee in an external sanctuary would be less expensive on a per capita basis than if the government continued to house the animals in federally owned and operated facilities. Therefore, the government would realize a savings in the care and maintenance of the chimpanzees after 2002.'' CBO estimated the annual savings after initial sanctuary construction costs to be an average of $4 million per year after 2002.

It costs $8–$15 per day per animal to care for chimpanzees in a sanctuary, where they live in groups in a naturalized setting. That is compared to the $20–$30 per day per animal that the federal government is now spending to maintain the chimpanzees in laboratory cages.

Even in terms of sanctuary start-up costs, taxpayers will benefit because sanctuaries are two to three times less costly to build than laboratory facilities for chimpanzees. While the federal government is now squandering very high-priced laboratory space warehousing surplus chimpanzees, the CHIMP Act will allow this space to be utilized for animals in research, reducing the need to fund new laboratory construction.

Mr. DURBIN. In addition, the CHIMP Act caps overall multi-year federal expenditures related to building and operating the sanctuary system at $30 million, compared to the $7 million spent now each year by the federal government for the care of chimpanzees in laboratories, as estimated by the CBO.

And this legislation creates a public-private partnership, to generate non-federal dollars that will help pay for the care of these chimpanzees. Right now, their care is financed strictly through taxpayer dollars. Under the bill, the private sector will cover 10 percent of the start-up costs and 25 percent of the operating costs of the sanctuary system.

Mr. SMITH of New Hampshire. I thank my colleague from Illinois for raising those points. I'd also like to address one other issue that may be on the minds of some of our colleagues. That is the question of euthanasia. Fiscal conservatives may question why we