CONGRESSIONAL RECORD — SENATE S 11471

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. COCHRAN. Mr. President, I ask for the yeas and nays on the motion to recommit.

The PRESIDING OFFICER. The motion to recommit was reconsidered.

Mr. COCHRAN. Mr. President, I ask for the yeas and nays on the motion to reconsider.

The PRESIDING OFFICER. The motion to reconsider the vote was reconsidered.

Mr. DOLE. I ask unanimous consent that the President be immediately notified that the Senate has given its consent to this nomination. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I move to reconsider the vote.

The PRESIDING OFFICER. The motion to reconsider the vote was reconsidered.

Mr. DOLE. Mr. President, I move to reconsider the vote.

The PRESIDING OFFICER. The motion to reconsider the vote was reconsidered.

Mr. DOLE. I ask unanimous consent that the Senate now resume legislative session.

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

Mr. DOLE. I now ask unanimous consent that the Senate turn to the consideration of the State-Justice-Commerce Appropriations bill. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I will just give my colleagues an update on where we are on the items to be completed before the recess.

The State-Justice-Commerce Appropriations bill. I understand there is some great progress being made on that bill.

The Interior appropriations conference report is coming from the House on Friday. We did have a rollcall vote on the bill. I am not certain we will need a rollcall vote on the conference report. We have had a request for a vote on one or the other. The DOD appropriations conference report is coming from the House Friday. A rollcall vote was taken on that bill, too. If somebody requests a vote, obviously we will have one.

The continuing resolution arrived from the House this afternoon. We hope to pass that by unanimous consent.

Then the adjournment resolution, which I do not think there will be a vote on.

Then the Senate Finance Committee needs to complete action on their portion of the reconciliation package, and I could announce to members of the Finance Committee right now we have staff on each side going through a number of amendments to see if they, staff, can agree, Republican and Democratic staff, and put them in a little “cleared” pile and a “rejected” pile and then “above our pay grade” pile, which will be for Members’ consultation. We hope to save a lot of time that way. The chairman has indicated that he will call us back to the Finance Committee meeting as soon as that has been completed.

So it seems to me there is no reason for us to be anything but optimistic about this point. Much will depend on the leadership of the distinguished Senator from Texas [Mr. GRAMM] and the distinguished Senator from South Carolina [Mr. HOLLINGS].

Mr. DOLE. I will be happy to yield. Mr. DASCHLE. Will the Senator yield?

Mr. DASCHLE. Mr. President, I ask unanimous consent that the entire Senate be recognized.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DASCHLE. It is not my intention to talk about that.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken in boldface brackets and the parts of the bill intended to be inserted are shown in italic.

H. R. 2076

As an amendment to H. R. 2076 [The parts of the bill intended to be stricken are shown in boldface brackets; the parts of the bill intended to be inserted are shown in italic.]

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I want to talk about the Senator about that.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DASCHLE. Mr. President, I think that is going to be stricken.

The PRESIDING OFFICER. The Senator is recognized.
For the expeditious deportation of denied asylum applicants, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 102-198, $2,991,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

For the expediting of denied asylum applicants, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 102-198, $2,991,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

For the expediting of denied asylum applicants, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 102-198, $2,991,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

For the expediting of denied asylum applicants, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 102-198, $2,991,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

For the expediting of denied asylum applicants, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 102-198, $2,991,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

For the expediting of denied asylum applicants, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 102-198, $2,991,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

For the expediting of denied asylum applicants, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 102-198, $2,991,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

For the expediting of denied asylum applicants, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 102-198, $2,991,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.
purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed $4,000,000 may be made available for the purchase, installation and maintenance of a secure integrated information network to store and retrieve the identities and locations of protected witnesses.

**ASSETS FORFEITURE FUND**

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(iii), (B), (C), (F), and (G), as amended, $35,000,000 to be derived from the Department of Justice Assets Forfeiture Fund.

**RADIATION EXPOSURE COMPENSATION ADMINISTRATIVE EXPENSES**

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, $2,655,000.

**PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND**

For payments to the Radiation Exposure Compensation Trust Fund, $16,264,000, to become available on October 1, 1996.

**INTERAGENCY LAW ENFORCEMENT INTERAGENCY CRIME AND DRUG ENFORCEMENT**

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $3,860,000,000.

**FEDERAL BUREAU OF INVESTIGATION**

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including expenditures for land acquisition and lease, maintenance and operation of aircraft; and not to exceed $70,000,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; [2,251,481,000]$2,315,341,000, of which not to exceed $50,000,000 may be obligated until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $5,500,000 shall be for activities authorized by section 190001(c); $27,800,000 for activities authorized by section 190001(d); $4,000,000 for Training and Investigative Assistance authorized by section 210501(c); [8,300,000$8,300,000 for training facility improvements at the Federal Bureau of Investigation Academy at Quantico, Virginia authorized by section 524(c)(1)(A)(ii), (B), (C), (F), and (G), as amended, $50,000,000 for automated data processing and telecommunications equipment; and not to exceed 10 positions shall be available for police-type use of not to exceed 813 of the positions (which 177 are for replacement only) without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and not to exceed 10,000,000 to be available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $5,000,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $42,820,000 shall be for activities authorized in section 521(a)(2) of said Act; of which $13,900,000 shall be for activities authorized under section 521(a)(15) of said Act; and of which $148,280,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $5,300,000 shall be for activities authorized by section 210306 of Public Law 103-322.

**CONSTRUCTION**

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including expenditures for land acquisition and lease, maintenance and operation of aircraft; and not to exceed $70,000,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; $359,843,000, of which $50,000,000 may be obligated until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $4,000,000 shall be for activities authorized in section 521(a)(2) of said Act; [27,800,000$27,800,000 for activities authorized in section 521(a)(15) of said Act; and of which $5,500,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $35,000,000 shall be for activities authorized by section 210306 of Public Law 103-322.

**DRUG ENFORCEMENT ADMINISTRATION**

**SALES AND EXPENSES**

For necessary expenses of the Drug Enforcement Administration, including not to exceed $370,000,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; [1,500,000$1,500,000 to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $35,000,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $42,820,000 shall be for activities authorized in section 521(a)(2) of said Act; of which $13,900,000 shall be for activities authorized under section 521(a)(15) of said Act; and of which $148,280,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $5,300,000 shall be for activities authorized by section 210306 of Public Law 103-322.

**VIOLENT CRIME REDUCTION PROGRAMS**

**For activities authorized by Public Law 103-322, $80,600,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $5,500,000 shall be for activities authorized by section 190001(c); $27,800,000 for activities authorized by section 190001(d); $4,000,000 for Training and Investigative Assistance authorized by section 210501(c); $8,300,000 for training facility improvements at the Federal Bureau of Investigation Academy at Quantico, Virginia authorized by section 524(c)(1)(A)(ii), (B), (C), (F), and (G), as amended, $50,000,000 for automated data processing and telecommunications equipment; and not to exceed 10 positions shall be available for police-type use of not to exceed 813 of the positions (which 177 are for replacement only) without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and not to exceed 10,000,000 to be available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $5,000,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $5,300,000 shall be for activities authorized by section 210306 of Public Law 103-322.

**CONSTRUCTION**

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including expenditures for land acquisition and lease, maintenance and operation of aircraft; and not to exceed $70,000,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; $359,843,000, of which $50,000,000 may be obligated until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $4,000,000 shall be for activities authorized in section 521(a)(2) of said Act; [27,800,000$27,800,000 for activities authorized in section 521(a)(15) of said Act; and of which $148,280,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $5,300,000 shall be for activities authorized by section 210306 of Public Law 103-322.

**DRUG ENFORCEMENT ADMINISTRATION**

**SALES AND EXPENSES**

For necessary expenses of the Drug Enforcement Administration, including not to exceed $370,000,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; [1,500,000$1,500,000 to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $35,000,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $42,820,000 shall be for activities authorized in section 521(a)(2) of said Act; of which $13,900,000 shall be for activities authorized under section 521(a)(15) of said Act; and of which $148,280,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $5,300,000 shall be for activities authorized by section 210306 of Public Law 103-322.

**CONSTRUCTION**

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including expenditures for land acquisition and lease, maintenance and operation of aircraft; and not to exceed $70,000,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; [2,251,481,000]$2,315,341,000, of which not to exceed $50,000,000 may be obligated until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $5,500,000 shall be for activities authorized by section 190001(c); $27,800,000 for activities authorized by section 190001(d); $4,000,000 for Training and Investigative Assistance authorized by section 210501(c); [8,300,000$8,300,000 for training facility improvements at the Federal Bureau of Investigation Academy at Quantico, Virginia authorized by section 524(c)(1)(A)(ii), (B), (C), (F), and (G), as amended, $50,000,000 for automated data processing and telecommunications equipment; and not to exceed 10 positions shall be available for police-type use of not to exceed 813 of the positions (which 177 are for replacement only) without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and not to exceed 10,000,000 to be available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $5,000,000 shall be for activities authorized in section 521(a)(7) of said Act; and of which $5,300,000 shall be for activities authorized by section 210306 of Public Law 103-322.
VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by section 130005, 130006, and 130007 of Public Law 103–322, $165,362,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Programs Account, of which $50,360,000 shall be for expeditious deportation of denied asylum applicants, $114,463,000 for improving border controls, and $40,539,000 for expanded special deportational procedures.

BORDER PATROL

For expenses necessary for Border Patrol Operations, $489,200,000, to remain available until expended.

FEDERAL PRISON INDUSTRIES, INCORPORATED

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the "Justice Assistance" account) authorized by the Violent Crime Control and Law Enforcement Act of 1984, as amended (the "1984 Act"), the Omnibus Crime Control and Safe Streets Act of 1968, as amended (the "1968 Act"), and the Victims of Child Abuse Act of 1990, as amended (the "1990 Act"), $100,900,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $6,000,000 $4,250,000 shall be for the Court Authorized Special Advocate Program, as authorized by section 218 of the 1990 Act; $750,000 for Child Abuse Training Programs; $27,000,000 for grants to support the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 24003(b) of the 1994 Act; $225,000,000 for grants to Combat Violence Against Women, units of local governments and Indian tribal governments, as authorized by section 1001(a)(18) of the 1986 Act; $28,000,000 for Grants to Encourage Arrest Policies to States, units of local government, and States, as authorized by section 1001(a)(19) of the 1986 Act; $4,250,000,000 for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants to State and Local Law Enforcement Agencies, as authorized by section 1001(a)(18)(B) of the 1994 Act; $27,000,000 for grants for Residential Substance Abuse Treatment and State Prisoners, as authorized by section 1001(a)(18)(B) of the 1994 Act; and $152,400,000 for Grants to Combat Violence Against Women, as authorized by section 24003(g) of the 1994 Act.

CIVIL LEGAL ASSISTANCE

For grants to States for civil legal assistance as provided in section 120 of this Act, $210,000,000.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; for State and Local Narcotics Control and Justice Assistance Improvements, notwithstanding the provisions of section 511 of the 1990 Act; and for the Virginia State Police, as authorized by section 40295 of the 1994 Act.

VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the "Justice Assistance" account) authorized by the Violent Crime Control and Law Enforcement Act of 1994, the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"), and the Victims of Child Abuse Act of 1990, as amended ("the 1990 Act"), $225,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $6,359,000 are for replacement only and hire of passenger motor vehicles. The Federal Prison Industries, Incorporated, is hereby authorized to purchase (not to exceed $3,559,000 of which $599,000 are for replacement only) and hire of law enforcement and passenger motor vehicles; and for the provision of technical assistance and advice on corrections related issues, $8,000,000, to remain available until expended.
$3,092,100,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $1,950,000,000 shall be for Local Law Enforcement Assistance; and of which $1,100,000 shall be for State and Local Law Enforcement Assistance, all as authorized by section 214B, of the Act: Provided, That any 1995 balances of amounts appropriated prior to fiscal year 1996 under subpart I of title I of the Omnibus Crime Control and Safe Streets Act of 1968 as added by section 210201 of the 1994 Act; $500,000,000 for Motor Vehicle Theft Prevention Grants, as authorized by section 220502(h) of the 1994 Act; $1,000,000 for Gang Investigation Coordination and Information Collection, as authorized by section 150006 of the 1994 Act: Provided, That funds made available in fiscal year 1996 under subpart I of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended for grants to assist States in the litigation processing of death penalty Federal habeas corpus petitions: Provided further, That any 1995 balances of funds made available under this title shall be carried forward to and merged with this appropriation: Provided further, That if a unit of local government uses any of the funds made available under this title for the purpose of implementing the "Weed and Seed" program activities, $12,350,000 of which $13,500,000 shall be derived from discretionary grants provided under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs and $12,000,000 shall be derived from discretionary grants provided under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including $4,000,000 for expenses authorized by parts A, B, and C of title II of the Act: (2) $10,000,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (9) $4,000,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (9) $4,000,000 shall be available for expenses authorized by part G of title II of the Act for incentive grants for local delinquency prevention programs. In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended by Public Law 102-586, no more, up to a maximum of $2,000,000, may be paid to any law enforcement officer, the unit of local government, or any person to perform, or facilitate in any way the performance of, any abortion. Provided, That no transfer which in any way diminishes the effect of section 104 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons. Provided. That this section shall not apply to any appropriation made available in title I of this Act under the heading, "Office of J ustice Programs, J ustice Assistance": Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section. Provided, That for fiscal year 1996 and fiscal year thereafter, amounts in the Federal Prison System's Commissary Fund, Federal Prisons, which are not currently needed for operations, shall be kept on deposit or invested in obligations of, or guaranteed by, the United States and all earnings on such investments shall be deposited in the Commissary Fund.
available to the Attorney General, without fiscal year limitation, for any Federal law enforcement, investigative, prosecutive, and correctional activities, or any other authorized purpose of the Office of Justice. Any amounts provided pursuant to this subparagraph may be used under authorities available to the organization receiving the funds.

SEC. 110. (Notwithstanding) Hereafter, notwithstanding any other provision of law—

(1) no transfers may be made from Department of Justice accounts other than those authorized in this Act, or in previous or subsequent appropriations Acts for the Department of Justice, or in part II of title 28 of the United States Code, or title 42 of the United States Code; and

(2) no appropriation account within the Department of Justice shall have its allocation of funds controlled by other than an appropriation issued by the Office of Management and Budget or an allotment advice issued by the Department of Justice.

SEC. 111. (a) Section 1930(a)(6) of title 28, United States Code, is amended by striking "a plan is confirmed or completed," and inserting, "until a reorganization plan is confirmed;"

(b) Section 588a(5) of such title is amended by striking "it," and inserting, "it and a plan is confirmed or completed,"

(c) Section 588a(f) of such title is amended—

(1) in paragraph (2) by striking "it," and inserting, "it and a plan is confirmed or completed;" and

(2) by inserting after paragraph (2) the following new paragraph:

"(3) 100 percent of the fees collected under section 1938(a)(6) of this title after a reorganization plan is confirmed."
taking into account the burden placed on the units of local government when they are required to confine sentenced prisoners because of overcrowding in State prison facilities.

(5) The funds available to carry out this section shall be allocated as follows:

(a) $2,000,000,000 for fiscal year 1996; $2,100,000,000 for fiscal year 1997; $2,150,000,000 for fiscal year 1998; and $2,200,000,000 for fiscal year 1999.

(b) $2,000,000,000 for fiscal year 2000 shall be made available for truth in sentencing incentive grants. To be eligible to receive funds under this subsection for any fiscal year shall be allocated to each eligible State as follows:

(1) The amount remaining after application of paragraph (1) shall be allocated to each eligible State that has increased the percentage of convicted violent offenders sentenced to prison;

(2) The amount remaining after application of paragraph (1) shall be allocated to each eligible State that has increased the percentage of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for the previous year;

(3) The amount remaining after application of paragraph (1) shall be allocated to each eligible State that has in effect at the time of application a State compact agreement that specifies the conditions under which American Samoa, Guam, and the Northern Mariana Islands shall each be allocated the amount granted to the State under paragraph (1) for any fiscal year shall be allocated as follows:

(i) $1,000,000,000 for fiscal year 1996;

(ii) $1,150,000,000 for fiscal year 1997;

(iii) $1,200,000,000 for fiscal year 1998;

(iv) $1,250,000,000 for fiscal year 1999; and

(v) $1,300,000,000 for fiscal year 2000.

(c) Each State may in any fiscal year retain for administrative costs not more than 5 percent of the amount granted to the State under paragraph (1) for such fiscal year. The remainder of such grant shall be paid under contracts to qualified legal service providers for the provision of the State in qualified legal services. If a State has received a grant under paragraph (1) at the end of any fiscal year for which it has not obligated such funds, the State governing the use of such funds shall return such funds to the Attorney General.

(6) No State may receive a grant under paragraph (1) unless the State has certified to the Attorney General that the percent of the amount such State would otherwise receive under this paragraph.

(7) None of the funds provided under paragraph (1) shall be used by a qualified legal service provider to:

(A) To make available any funds, personnel, or equipment for use in advocating or opposing any law or proposal or representing any party or participate in any other way in litigation, that is intended to or has the effect of altering, revising, replacing, overturning, or repealing any law, or executive order, or electoral district at any level of government, including influencing the outcome or the manner or the taking of a census;

(B) To attempt to influence the issuance, amendment, or revocation of any executive order, regulation, policy, or similar promulgation by any Federal, State, or local agency;

(C) To attempt to influence the passage or defeat of any legislation, constitutional amendment, referendum, initiative, confirmation proceeding, or any similar procedure of the Congress of the United States or by any State or local legislative body;

(D) To support or conduct training programs for the purpose of advocating particular public policy objectives or political activities, labor or anti-labor activities, boycotts, picketing, strikes, and demonstrations, including the dissemination of information about such policies or activities;

(E) To participate in any litigation, lobbying, rulemaking or any other matter with respect to altering, revising, replacing, overturning, or repealing any law, or executive order, or electoral district at any level of government;

(F) To provide legal assistance to an eligible client with respect to a proceeding or litigation in which the client seeks to obtain a dissolution of marriage or a legal separation from a spouse;

(G) To participate in any litigation or provide any representation on behalf of a local, State, or Federal defendant;

(H) To solicit in-person any client for the purpose of providing any legal service;
(1) to pay for any personal service, advertisement, telegram, telephone communication, letter, or printed or written matter or to pay administrative expenses or related expenses, associated with an activity prohibited in this paragraph.

(2) to pay any voluntary membership dues to any private or non-profit organization; or

(X) the entire payment for the services provided for a contract entered into for the provision of qualified legal services.

(6) A State which receives a grant under paragraph (5) of this subsection shall distribute the funds provided by such State to a qualified client in one tenth of an hour provided to such client.

(5) Each qualified client shall be provided a self-mailing customer satisfaction questionnaire in a form approved by the authority granting the contract under subsection (b) which identifies the qualifications of such client and is preaddressed to such authority.

(6) Any qualified client who receives legal services other than advice or legal services provided by an attorney, or legal advice or legal services provided by any other qualified legal service provider who has engaged in criminal conduct; or

(vii) spousal or child abuse on behalf of the provider from the provider, together with reasonable attorney’s fees and other expenses incurred by the provider in connection with such claim.

(7) A qualified legal service provider of any qualified legal service provider who has engaged in criminal conduct; or

(viii) an insurance claim;

(8) A State shall have 60 days to make full payment of such bills.

(9) Each qualified legal service provider shall require the authority to terminate the use of such funds the limitations prescribed by paragraph (5).

(10) The authority which awarded a contract which requirement is not met.

(11) For purposes of this section:

(i) a class action under Federal, State, or local law; or

(ii) a person who employs an individual described in clause (i) to provide qualified legal services.

Nothing in this subparagraph shall be interpreted to prohibit a qualified legal service provider from employing any individual who is not described in clause (i) to assist in providing qualified legal services.

(8) No individual shall be considered a qualified legal service provider if such individual during the 10 years preceding the submission of the bid for a contract under subsection (b) has been convicted of a felony; or

(ii) has been suspended or disbarred from the practice of law for misconduct, incompetence, or neglect of a client in any State;

(iii) has been found in contempt of a court of competent jurisdiction in any State or Federal court;

(iv) has been sanctioned under Federal Rule of Civil Procedure 11 or an equivalent State rule of procedure applicable in civil actions;

(v) has been sanctioned by the Legal Services Corporation; or

(vi) is a subordinate of a qualified legal services provider.

(6) Any qualified client who receives legal services other than advice or legal services provided by an attorney, or legal advice or legal services provided by any other qualified legal service provider who has engaged in criminal conduct; or

(vii) spousal or child abuse on behalf of the provider from the provider, together with reasonable attorney’s fees and other expenses incurred by the provider in connection with such claim.

(8) A State shall have 60 days to make full payment of such bills.

(9) Each qualified legal service provider shall require the authority to terminate the use of such funds the limitations prescribed by paragraph (5).

(10) The authority which awarded a contract which requirement is not met.

(11) For purposes of this section:

(i) a class action under Federal, State, or local law; or

(ii) a person who employs an individual described in clause (i) to provide qualified legal services.

Nothing in this subparagraph shall be interpreted to prohibit a qualified legal service provider from employing any individual who is not described in clause (i) to assist in providing qualified legal services.

(8) No individual shall be considered a qualified legal service provider if such individual during the 10 years preceding the submission of the bid for a contract under subsection (b) has been convicted of a felony; or

(ii) has been suspended or disbarred from the practice of law for misconduct, incompetence, or neglect of a client in any State;

(iii) has been found in contempt of a court of competent jurisdiction in any State or Federal court;

(iv) has been sanctioned under Federal Rule of Civil Procedure 11 or an equivalent State rule of procedure applicable in civil actions;

(v) has been sanctioned by the Legal Services Corporation; or

(vi) is a subordinate of a qualified legal services provider.

(6) Any qualified client who receives legal services other than advice or legal services provided by an attorney, or legal advice or legal services provided by any other qualified legal service provider who has engaged in criminal conduct; or

(vii) spousal or child abuse on behalf of the provider from the provider, together with reasonable attorney’s fees and other expenses incurred by the provider in connection with such claim.

(8) A State shall have 60 days to make full payment of such bills.

(9) Each qualified legal service provider shall require the authority to terminate the use of such funds the limitations prescribed by paragraph (5).

(10) The authority which awarded a contract which requirement is not met.

(11) For purposes of this section:

(i) a class action under Federal, State, or local law; or

(ii) a person who employs an individual described in clause (i) to provide qualified legal services.

Nothing in this subparagraph shall be interpreted to prohibit a qualified legal service provider from employing any individual who is not described in clause (i) to assist in providing qualified legal services.

(8) No individual shall be considered a qualified legal service provider if such individual during the 10 years preceding the submission of the bid for a contract under subsection (b) has been convicted of a felony; or

(ii) has been suspended or disbarred from the practice of law for misconduct, incompetence, or neglect of a client in any State;

(iii) has been found in contempt of a court of competent jurisdiction in any State or Federal court;

(iv) has been sanctioned under Federal Rule of Civil Procedure 11 or an equivalent State rule of procedure applicable in civil actions;

(v) has been sanctioned by the Legal Services Corporation; or

(vi) is a subordinate of a qualified legal services provider.

(6) Any qualified client who receives legal services other than advice or legal services provided by an attorney, or legal advice or legal services provided by any other qualified legal service provider who has engaged in criminal conduct; or

(vii) spousal or child abuse on behalf of the provider from the provider, together with reasonable attorney’s fees and other expenses incurred by the provider in connection with such claim.

(8) A State shall have 60 days to make full payment of such bills.

(9) Each qualified legal service provider shall require the authority to terminate the use of such funds the limitations prescribed by paragraph (5).

(10) The authority which awarded a contract which requirement is not met.

(11) For purposes of this section:

(i) a class action under Federal, State, or local law; or

(ii) a person who employs an individual described in clause (i) to provide qualified legal services.

Nothing in this subparagraph shall be interpreted to prohibit a qualified legal service provider from employing any individual who is not described in clause (i) to assist in providing qualified legal services.

(8) No individual shall be considered a qualified legal service provider if such individual during the 10 years preceding the submission of the bid for a contract under subsection (b) has been convicted of a felony; or

(ii) has been suspended or disbarred from the practice of law for misconduct, incompetence, or neglect of a client in any State;

(iii) has been found in contempt of a court of competent jurisdiction in any State or Federal court;

(iv) has been sanctioned under Federal Rule of Civil Procedure 11 or an equivalent State rule of procedure applicable in civil actions;

(v) has been sanctioned by the Legal Services Corporation; or

(vi) is a subordinate of a qualified legal services provider.

(6) Any qualified client who receives legal services other than advice or legal services provided by an attorney, or legal advice or legal services provided by any other qualified legal service provider who has engaged in criminal conduct; or

(vii) spousal or child abuse on behalf of the provider from the provider, together with reasonable attorney’s fees and other expenses incurred by the provider in connection with such claim.
with the Legal Services Corporation shall be transferred to Office of the Attorney General. This title may be cited as the "Department of Justice Appropriations Act, 1996."


title II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 22 U.S.C. 401(b), and not to exceed $2,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without limitation otherwise established by law, [§38,644,000] $30,504,000, to remain available until expended: Provided, That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys’ or consultants’ fees in connection with securing grants and contracts made by the Economic Development Administration: Provided further, That notwithstanding any other provision of law, the Secretary of Commerce may provide financial assistance for projects to be located on military installations closed or scheduled for closure or realignment to grantees eligible for assistance under the Public Works and Economic Development Act of 1965, as amended, and the Community Reorganization Transition Fund: Provided further, That the Secretary of Commerce may, as the Secretary considers appropriate, contract with the lessee of real estate regarding the title to land on military installations closed or scheduled for closure or realignment.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance programs as provided for by law, [§20,889,000] $219,579,000, to remain available until expended as authorized by section 391 of the Act, as amended.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECOnOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses as authorized by law, of economic and statistical analysis programs of the Department of Commerce, [§40,000,000] $57,220,000, to remain available until September 30, 1996.

ECONOMICS AND STATISTICS ADMINISTRATION

REPRESENTATION FUND

The Secretary of Commerce is authorized to disseminate economic and statistical data products as authorized by 15 U.S.C. 1525-1527 and, notwithstanding 15 U.S.C. 4912, charge fees necessary to recover the full costs incurred in their production. Notwithstanding 31 U.S.C. 3302, receipts received from these data dissemination activities shall be credited to this account, to be available for carrying out these purposes without further appropriation.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, [§144,353,000] $135,000,000.

PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to collect and publish statistics for periodic censuses and programs provided for by law, [§135,000,000] $193,450,000, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration, [§19,709,000] $5,000,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 152(d), the Secretary of Commerce is authorized to offset setting collections all funds transferred, or previously transferred, from other Government agencies for spectrum management, analysis, and operations and for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of the NTIA in furtherance of its assigned functions under this paragraph and such funds received from other Government agencies shall remain available until expended.

TRANSPORT OF FUNDS

For spectrum management, $9,000,000 shall be made available until expended to be derived by transfer from unobligated balances of the Working Capital Fund in the Department of Justice.

PUBLIC BROADCASTING FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, [§19,900,000] $10,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed [§2,200,000] $2,000,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.
For grants authorized by section 392 of the Communications Act of 1934, as amended, $40,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $4,000,000 shall be available for program administration and other support activities as authorized by section 393 of the Act including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by section 392(a) and 392(c) of the Act, therefor funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety or other social services.

**Patent and Trademark Office**

**Salaries and Expenses**

For necessary expenses of the Patent and Trademark Office for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks; $390,000,000 $56,324,000, to remain available until expended: Provided, That none of the funds made available under this heading are to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: Provided further, That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1312 and 35 U.S.C. 41 and 376, shall remain available until expended.

**Science and Technology**

**National Institute of Standards and Technology**

**Scientific and Technical Research and Services**

For necessary expenses of the National Institute of Standards and Technology, $263,000,000 $222,737,000, to remain available until expended, of which not to exceed $8,500,000 may be transferred to the "Working Capital Fund".

**Industrial Technology Services**

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology and the Advanced Technology Program, $301,100,000 $76,600,000, to remain available until expended, of which not to exceed $500,000 may be transferred to the "Working Capital Fund": Provided, That none of the funds made available under this heading in this Act or any other Act may be used for the purposes of carrying out additional program competitions under the Advanced Technology Program: Provided further, That any unobligated balances available from carryover of prior year appropriations under the Advanced Technology Program may be used only for the purposes of providing continuing grants.

**Constitution of Research Facilities**

For construction of new research facilities, including construction and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by section 392(a) and 392(c) of the Act, therefor funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety or other social services.

**Patent and Trademark Office**

**Salaries and Expenses**

For necessary expenses of the Patent and Trademark Office for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks; $390,000,000 $56,324,000, to remain available until expended: Provided, That none of the funds made available under this heading are to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: Provided further, That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1312 and 35 U.S.C. 41 and 376, shall remain available until expended.

**Science and Technology**

**National Institute of Standards and Technology**

**Scientific and Technical Research and Services**

For necessary expenses of the National Institute of Standards and Technology, $263,000,000 $222,737,000, to remain available until expended, of which not to exceed $8,500,000 may be transferred to the "Working Capital Fund".

**Industrial Technology Services**

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology and the Advanced Technology Program, $301,100,000 $76,600,000, to remain available until expended, of which not to exceed $500,000 may be transferred to the "Working Capital Fund": Provided, That none of the funds made available under this heading in this Act or any other Act may be used for the purposes of carrying out additional program competitions under the Advanced Technology Program: Provided further, That any unobligated balances available from carryover of prior year appropriations under the Advanced Technology Program may be used only for the purposes of providing continuing grants.

**Constitution of Research Facilities**

For construction of new research facilities, including construction and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by section 392(a) and 392(c) of the Act, therefor funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety or other social services.
available to the Department of Commerce shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses authorized by this Act before October 1, 1992, as authorized by section 8501 of title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions at the request of the Census for purposes relating to the 1990 decennial census of population.

SEC. 14. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations or such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. CONSOLIDATION OF FUNCTIONS OF COMMERCE DEPARTMENT.

(a) CONSOLIDATION.

(1) IN GENERAL.—Notwithstanding any other provision of law, the Director of the Office of Management and Budget shall, in consultation with the Secretary of Commerce—

(A) abolish, reorganize, consolidate, or transfer such functions that either receive funding or are eligible to receive funding under this title as the Director considers appropriate in order to meet the requirements and limitations set forth in this section and

(B) terminate or transfer such personnel associated with such functions as the Director considers appropriate in order to meet such requirements and limitations.

(2) UNIFIED RULES.—The Director of the Office of Management and Budget shall establish such rules and procedures relating to the abolishment, reorganization, consolidation, or transfer of functions under this subsection as the Director considers appropriate, including rules and procedures relating to the rights and responsibilities of personnel of the Government terminated, transferred, or otherwise affected by such the abolishment, reorganization, consolidation, or transfer.

(b) BUY OUT AUTHORITY.

(1) IN GENERAL.—The Secretary of Commerce may, for such officers and employees as the Secretary considers appropriate as part of the activities authorized by this Act, provide for payment of compensation equal to the value of the services of such officers and employees who voluntarily separate on or before December 31, 1996, whether by retirement or resignation.

(2) PAYMENT.—Payment under paragraph (1) shall be paid in accordance with the provisions of sections 3 and 4 of the Federal Workforce Restructuring Act of 1994 (Public Law 103–226; 108 Stat. 111), except that an employee of the agency shall be deemed to be eligible for payment of a voluntary separation incentive payment under this subsection if the Secretary of Commerce is authorized to make such payment.

(c) COMMERCE REORGANIZATION TRANSITION FUND.

(1) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the “Commerce Reorganization Transition Fund”.

(2) PURPOSE.—The purpose of the account is to provide funds for the following:

(A) To cover the costs of actions relating to the abolishment, reorganization, consolidation, or transfer of functions under subsection (a), including personnel separation incentive payments under this subsection.

(B) To cover the costs of the payment of interest on such amounts and the cost of such payments and the costs of any other payments (including payments or deposits to retirement systems) required in relation to such payments.

(c) COMMERCE REORGANIZATION TRANSITION FUND.
elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

Administrative Office of the United States Courts

Salaries and Expenses

For necessary expenses of the Administrative Office of the United States Courts as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1345(b), advertising and rent in the District of Columbia, $47,000,000, of which not to exceed $7,500 is authorized for official reception and representation expenses.

Judicial Center

Salaries and Expenses

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $18,208,000, $17,000,000, of which $1,800,000 shall remain available through September 30, 1977, to provide education and training to Federal court personnel; and of which not to exceed $1,000 is authorized for official reception and representation expenses.

Judicial Retirement Funds

Payment to Judicial Trust Funds

For payment to the Judicial Officers’ Retirement Fund, as authorized by 28 U.S.C. 370a, $24,000,000, to the Judicial Survivors’ Annuities Fund, as authorized by 28 U.S.C. 370c, $7,000,000, and to the United States Court of Federal Claims Judges’ Retirement Fund, as authorized by 28 U.S.C. 1781, $1,000,000.

United States Sentencing Commission

Salaries and Expenses

For the salaries and expenses necessary to carry out the provisions of chapter 56 of title 28, United States Code, $85,500,000, $7,040,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

General Provisions—The Judiciary

SEC. 301. Appropriations and authorizations for judicial services which are available for salaries and expenses shall be available for services as authorized by S.U.C. 3109.

SEC. 302. Appropriations made in this title shall be available for salaries and expenses of the Special Court established under the Regional Reorganization Act of 1973, Public Law 93–236.

SEC. 303. Not to exceed 5 percent of any appropriation made available for the fiscal year for the judiciary in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this subsection shall be treated as reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 304. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds of $10,000,000 shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

This title may be cited as “The Judiciary Appropriations Act, 1996.”

Title IV—Department of State and Related Agencies

Department of State

Administration of Foreign Affairs

Diplomatic and Consular Programs

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for in this title, including expenditures authorized by the State Department Basic Authorities Act of 1996, as amended; representation to international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; acquisition by exchange or purchase of foreign real property up to $500,000 as authorized by 31 U.S.C. 1343, 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses of general administration, $1,716,678,000: Provided, That starting in fiscal year 1997, a system shall be in place that allocates to each department and agency the full cost of its presence outside of the United States.

Of the funds provided under this heading, $24,856,000 shall be available only for the Diplomatic Telecommunications Service for operation of existing facilities and not to exceed $17,144,000 shall be available only for the enhancement of the Diplomatic Telecommunications Service (DTS), except that such last amount may be available for obligation until the expiration of the 15-day period beginning on the date on which the Secretary of State and the Director of the Diplomatic Telecommunications Service Program Office submit the DTS pilot program report required by section 507 of Public Law 103–317.

In addition, not to exceed $700,000 in registration fees collected pursuant to section 38 of the Arms Export Control Act, as amended, may be used in accordance with 22 U.S.C. 2674(a), $4,500,000.

For expenses necessary to enable the Secretary to meet unforeseen emergencies in the Diplomatic and Consular Service, $1,576,278,000.

For an additional amount for security enhancements to counter the threat of terrorism, $3,870,000, to remain available until expended.

Foreign Affairs Reorganization Transition Fund

For deposit in the Foreign Affairs Reorganization Transition Fund established under section 404(c)(1) of this Act for use in accordance with section 404(c)(4) of this Act, $26,000,000, to remain available until expended: Provided, That of these funds, $3,000,000 shall be remitted to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund: Provided further, That of these funds, $1,000,000 shall be remitted to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Foreign Service Retirement and Disability Fund.

Capital Investment Fund

For necessary expenses of the Capital Investment Fund, $16,400,000, $8,200,000, to remain available until expended, as authorized in Public Law 103–296: Provided, That section 213(e) of Public Law 103–296 shall not apply to funds appropriated under this heading.

Office of Inspector General


Representation Allowances

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4065), $4,780,000.

Protection of Foreign Missions and Officials

For expenses, not otherwise provided for, to enable the Secretary to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1996 (22 U.S.C. 4314) and 3 U.S.C. 288, $8,579,000.

Acquisition and Maintenance of Buildings Abroad

For necessary expenses for carrying out the Foreign Service Buildings Act of 1956, as amended (22 U.S.C. 292–300), and the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic and Consular Security Act of 1986 (22 U.S.C. 4851), $391,760,000, to remain available until expended as authorized by 22 U.S.C. 2696(c): Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

Emergencies in the Diplomatic and Consular Service

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirements of 22 U.S.C. 2696(f), $5,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed...
PAYMENT TO THE FOREIGN SERVICE RetireMent AND DISABILITY FUND

For payment for the Foreign Service Retirement and Disability Fund, as authorized by law, $125,402,000.

INTERNATIONAL ORGANIZATIONS AND Conferences

Contributions to international organizations

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified by law, $125,402,000: Provided, That any payment of arrearages shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, that none of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations shall be withheld from obligations and expenditure until a certification is made under section 401(b) of Public Law 103-236 for fiscal year 1996: Provided further, that certification under section 401(b) of Public Law 103-236 at least 30 days prior to the previous certification: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

Contributions for international peacekeeping activities

For necessary expenses to pay assessed and other charges of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $1,000,000: Provided, That none of the funds made available in this Act may be used, and shall not be available, for obligation or expenditure for any new or expanded United Nations peacekeeping mission unless fifteen days in advance of voting for the new or expanded mission in the United Nations Security Council or in an emergency, as far in advance as is practicable, the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a certification by the Comptroller General pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services and material for United Nations peacekeeping missions, and that no United States share of such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Information Agency in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for any obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Funds appropriated or otherwise available under this Act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, to be used for actual hours worked by such Commissioner.

SEC. 404. CONSOLIDATION OF REDUNDANT FOREIGN RELATIONS FUNCTIONS.

(a) CONSOLIDATION OF FUNCTIONS OF STATE DEPARTMENT, USIA, AND ACDA.Notwithstanding any other provision of law, the Secretary of State, the Director of the Office of Management and Budget may also carry out such other functions as the Director and the heads of such entities determine to be appropriate to eliminate the redundancy in such functions.

(b) SCOPE OF CONSOLIDATION.In carrying out the requirements of paragraph (a), the Director of the Office of Management and Budget may provide for the discharge of functions of the entities referred to in such paragraph by a single office within one of the entities.

(c) ADDITIONAL CONSOLIDATION AUTHORITY.In addition to the actions under paragraphs (1) and (2), the Director of the Office of Management and Budget may also carry out any other actions to consolidate and reorganize the functions of the Department of State, the United States Information Agency, and the Arms Control and Disarmament Agency that are redundant by reason of being carried out, in whole or in part, by two or more of these entities; and Appropriations Committees of Congress may appropriate sums to carry out any such actions to eliminate the redundancy in such functions.

(d) ACTIONS AUTHORIZED.The actions that the Director of the Office of Management and Budget may take under this subsection include the following:

A. The abolishment, reorganization, consolidation, or transfer of functions in whole or in part.

B. The termination or transfer of the personnel associated with functions so abolished, reorganized, consolidated, or transferred.

C. TRANSITION RULES.The Director of the Office of Management and Budget shall establish such rules and procedures relating to the
consolidation of foreign relations functions under this subsection as the Director considers appropriate, including rules and procedures relating to the rights and responsibilities of personnel affected by the transfer, or otherwise affected by actions to carry out the consolidation.

(b) Voluntary Separation Incentives.—(1) Payroll Separation Program.—The head of an agency referred to in paragraph (2) may pay voluntary separation incentives to employees of the agency to avoid or minimize the need for involuntary separations from the agency as a result of the consolidation of foreign relations functions under subsection (a).

(2) Eligibility.—(A) the Department of State.

(B) the United States Agency for International Development.

(C) the United States Agency for International Development.

(D) Payment Requirements.—(A) the provisions of subsection (d) of such provision shall be applied to the payment of voluntary separation incentives under this subsection as the Director considers necessary.

(E) Subsequent Employment with Government.—The provisions of subsection (d) of such provision shall also apply to any agency that is paid a voluntary separation incentive payment under this subsection.

(f) Funding.—(1) In General.—The payment of voluntary separation incentive payments under this subsection shall be made from funds in the Foreign Affairs Reorganization Transition Fund established under subsection (c).

(2) Exercise of Authority Dependent on Funding.—The head of an agency may not pay voluntary separation incentive payments under this subsection unless sufficient funds are available in the Foreign Affairs Reorganization Fund to cover the cost of such payments and the costs of the government to the Government of the payment of voluntary separation incentive payments under subsection (b), including payments or deposits to retirement systems required in relation to such payments.

(g) Termination of Authority.—The authority of the heads of agencies referred to in subsection (a) to make payments of voluntary separation incentive payments under subsection (b), including payments to retirement systems, is terminated on December 15, 1995.

(h) Foreign Affairs Reorganization Transition Fund.—(1) Establishment.—There is hereby established in the books of the Treasury an account to be known as the 'Foreign Affairs Reorganization Transition Fund', which shall consist of:

(2) Purpose.—The purpose of the account is to provide funds for the following:

(A) To cover the costs of actions relating to the consolidation of redundant foreign relations functions that are taken under subsection (a).

(B) To cover the costs to the Government of the payment of voluntary separation incentive payments under subsection (b), including payments or deposits to retirement systems required in relation to such payment.

(C) Deposits.—There shall be deposited into the account such sums as may be appropriated to the account by Congress.

(3) Use of Funds.—Sums in the account shall remain available until expended for the purposes set forth in paragraph (2).

(4) Authorization.—Not later than November 15, 1996, the Secretary of State shall transmit to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Relations of the House of Representatives a report containing an accounting of:

(a) The expenditures from the account established under this subsection;

(b) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(c) The United States Information Agency, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 1431 et seq.), shall provide for the purpose of paying voluntary separation incentive payments under this subsection as the Director considers necessary.

(d) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(e) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(f) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(g) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(h) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(i) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(j) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(k) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(l) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(m) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(n) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(o) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(p) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(q) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(r) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(s) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(t) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(u) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(v) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(w) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(x) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(y) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(z) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(aa) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(bb) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(cc) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(dd) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ee) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ff) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(gg) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(hh) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ii) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(jj) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(kk) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ll) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(mm) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(nn) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(oo) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(pp) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(qq) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(rr) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ss) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(tt) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(uu) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(vv) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ww) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(xx) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(yy) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(zz) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(aa) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(bb) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(cc) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(dd) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ee) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ff) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(gg) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(hh) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ii) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(jj) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(kk) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ll) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(mm) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(nn) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(oo) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(pp) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(qq) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(rr) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ss) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(tt) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(uu) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(vv) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(ww) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.

(xx) The payment of voluntary separation incentive payments under this subsection as the Director considers necessary.
RADIO CONSTRUCTION
For an additional amount for the purchase, rent, construction, and improvement of fa-
cilities for radio transmission and reception and purchase and installation of necessary equipment and television transmission and reception as authorized by 22 U.S.C. 1471; $50,164,000 $40,000,000, to remain available until expended as authorized by 22 U.S.C. 1477(a).

EAST-WEST CENTER
To enable the Director of the United States Information Agency to provide for carrying out the purposes of the East-West Center Act of 1960 (22 U.S.C. 2054-2057), by grant to the Center for Cultural and Technical Interchange Between East and West $10,000,000. Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate au-
thorized by 5 U.S.C. 5376.

NORTH/SOUTH CENTER
To enable the Director of the United States Information Agency to provide for carrying out the provisions of the North/South Center Act of 1991 (22 U.S.C. 2075), by grant to an educational institution in Florida known as the North/South Center $1,000,000, to remain available until expended. This title may be cited as the "Department of State and Related Agencies Appropriations Act, 1996".

TITLe V—RELATED AGENCIES
DEPARTMENT OF TRANSPORTATION
Maritime Administration
OPERATING-DIFFERENTIAL SUBSIDIES (LIQUIDATION OF CONTRACT AUTHORITY)
For the payment of obligations incurred for operating-differential subsidies as au-
thorized by the Merchant Marine Act, 1936, as amended, $30,000,000, to remain available until expended. This title may be cited as the "Department of State and Related Agencies Appropriations Act, 1996".

NATIONAL ENDOWMENT FOR DEMOCRACY
For grants made by the United States In-
formation Agency to the National En-
dowment for Democracy as authorized by the National Endowment for Democracy Act of 1983 (31 U.S.C. 1343(b)); nonmonetary awards to private citizens; to not exceed $2,500,000, for payment of local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; $233,000,000. Provided, That the Commission is authorized to make political and representa-
tion expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION
SALARIES AND EXPENSES
For necessary expenses of the Federal Communica-
tions Commission, as authorized by law, includ-
ing services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as author-
ized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; to not exceed $2,500,000, for payment of local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; $233,000,000. Provided, That the Commission is authorized to make political and representa-
tion expenses not to exceed $2,500 from available funds.

SALARIES AND EXPENSES
For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5903-02; not to exceed $600,000 for land and structures; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000,000 for official reception and representa-
tion expenses; not to exceed $16,000,000, for official reception and representation expenses not to exceed sixteen) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, §185, 232,000. Provided further, That the sum herein appro-
priated shall be reduced as such offsetting sales are received during fiscal year 1996; as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; to not exceed $2,500,000, for payment of local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; $233,000,000. Provided, That the Commission is authorized to make political and representa-
tion expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION
SALARIES AND EXPENSES
For necessary expenses of the Federal Communica-
tions Commission, as authorized by law, includ-
ing services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as author-
ized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; to not exceed $2,500,000, for payment of local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; $233,000,000. Provided, That the Commission is authorized to make political and representa-
tion expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION
SALARIES AND EXPENSES
For necessary expenses of the Federal Communica-
tions Commission, as authorized by law, includ-
ing services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as author-
ized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; to not exceed $2,500,000, for payment of local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; $233,000,000. Provided, That the Commission is authorized to make political and representa-
tion expenses not to exceed $2,500 from available funds.
shall remain available until expended: Provided, further, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received. Provided further, That not later than October 1, 1996, a purpose of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 1306 of the Consumer Credit Protection Act or the Corporation Improvement Act of 1991 (Public Law 102-242, 105 Stat. 2282-2285).

Legislative Services Corporation

Sec. 501. Funds appropriated under this Act to the Legislative Services Corporation shall be distributed as follows:

(1) The Corporation shall define geographic areas and funds available for each geographic area shall be on a per capita basis, with the number of people determined by the percentage of the population residing in each area to be within that geographic area: Provided, That funds for a geographic area may be distributed by the Corporation to one or more persons or entities eligible for funding under section 1004(a)(1)(A) of the Legislative Services Corporation Act, subject to sections 502 and 504 of this Act.

(2) The amount of the grants from the Corporation and of the contracts entered into by the Corporation in accordance with paragraph (1) shall be an equal figure per poor person in each geographic area on the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code.

Sec. 502. None of the funds appropriated in this Act to the Legislative Services Corporation shall be used by the Corporation in making grants or entering into contracts for the provision of legal services unless the Corporation ensures that the person or entity receiving funding to provide such legal services shall:

(1) be a private attorney or attorneys admitted to practice in one of the States or the District of Columbia;

(2) be a qualified nonprofit organization chartered under the laws of one of the States or the District of Columbia, a purpose of which is furnishing legal assistance to eligible clients, the majority of the board of directors or other governing body of which is comprised of attorneys who are admitted to practice in one of the States or the District of Columbia; and to which is payable an amount not less than $5,000,000 of which $265,000,000 is for the delivery of legal assistance to the eligible clients to be served and a demonstration of the capability of serving those needs.

(3) be comprised of attorneys who are admitted to practice in one of the States or the District of Columbia; and to which is payable an amount of Japanese currency not to exceed $1,000,000 which directly involves the client's legal interest earned on the Japan-United States friendship fund.

(4) have received at least $1,000,000 for the provision of legal assistance to eligible clients from the Federal Trade Commission shall be available for obligation for the delivery of legal assistance to eligible clients to be served.

(5) be a State or local government (without distinction as to whether financed by the Federal Government or any State or local agency) and shall remain available until expended:

(a) for the payment to the Legal Services Corporation for grants or contracts to basic field programs may be obligated unless such grants or contracts are awarded on a competitive basis: Provided, That not later than sixty days after enactment of this Act, the Legal Services Corporation shall promulgate regulations to implement a competitive selection process: Provided further, That such regulations shall be limited to the following selection criteria:

(1) The demonstration of a full understanding of the basic legal needs of the eligible clients to be served and a demonstration of the capability of serving those needs.

(2) The quality, feasibility, and cost effectiveness of plans submitted by the applicant for the delivery of legal assistance to the eligible clients to be served.

(3) The experiences of the Corporation with the applicant, if the applicant has previously received financial assistance, including the Corporation's record of past compliance with Corporation policies, practices, and restrictions.

Provided further, That if the applications are approved, the regulations shall ensure that timely notice for the submission of applications for awards is published in periodicals of local and State bar associations and in at least one daily newspaper of general circulation in the area to be served by the person or entity receiving the award: Provided further, No person or entity that was previously awarded a grant or contract by the Legal Services Corporation for the provision of legal assistance may be given any preference in the competitive selection process for purposes of the funding provided in this Act, rights under sections 1007(a)(9) and 1011 of the Legislative Services Corporation Act (42 U.S.C. 2996f(a)(9) and 42 U.S.C. 2996j) shall not apply.

Sec. 503. None of the funds appropriated in this Act to the Legal Services Corporation may be used to provide financial assistance to any person or entity—

(1) that makes available any funds, personnel, or equipment for use in advocating or otherwise representing any party or participate in any other way in litigation, that is intended to or has the effect of altering, revising, or reappportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census; or

(2) that attempts to influence the issuance, amendment, or revocation of any executive order, regulation, or similar promulgation by any Federal, State, or local agency; with any party or participates in any other way in litigation, that is intended to or has the effect of altering, revising, or reappportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census.

Sec. 504. None of the funds appropriated in this Act to the Legal Services Corporation may be used to provide financial assistance to any person or entity—

(1) that makes available any funds, personnel, or equipment for use in advocating or otherwise representing any party or participate in any other way in litigation, that is intended to or has the effect of altering, revising, or reappportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census; or

(2) that attempts to influence the issuance, amendment, or revocation of any executive order, regulation, or similar promulgation by any Federal, State, or local agency; with any party or participates in any other way in litigation, that is intended to or has the effect of altering, revising, or reappportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census.
days after enactment of this Act, the Corporation shall promulgate a suggested list of priorities which boards of directors may use in setting priorities under this paragraph;

(10) receiving financial assistance provided by the Legal Services Corporation, such person or entity agrees to maintain records of time spent on each case or matter with respect to which that person or entity is engaged in activities: Provided, That any non-Federal funds received by any person or entity provided financial assistance under subparagraph (A) shall be accounted for and reported as receipts and disbursements separate and distinct from Corporation funds: Provided further, That such person or entity shall not be entitled to financial assistance provided by the Corporation agrees (notwithstanding section 100(x)(d) of the Legal Services Corporation Act) to make such records described in this paragraph available to any Federal department, or agency or independent auditor receiving Federal funds to conduct an audit of the activities of the Corporation or recipient receiving funding under this Act;

(11) that provides legal assistance for or on behalf of any alien, unless the alien is present in the United States as a result of the Attorney General’s withholding of deportation pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1252(h)); or

(12) an alien who is lawfully present in the United States pursuant to an admission on or after September 28, 1995, because of persecution or fear of persecution on account of race, religion, or political opinion: Provided, That such alien shall not have applied for asylum by the Attorney General under such Act; or

(13) that provides legal assistance for or on behalf of any alien, unless the alien is lawfully present in the United States as a result of the Attorney General’s withholding of deportation pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1252(h)); or

(14) that claims, or whose employees or clients claim, or collect attorneys’ fees from nongovernmental parties to litigation initiated by such recipient or its employees;

(15) that participates in any litigation with respect to abortion;

(16) an alien who is lawfully present in the United States as a result of the Attorney General’s withholding of deportation pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1252(h));

(17) that provides legal representation for any person or entity in any way that is contrary to any of the provisions of authorizing legislation and any provisions in this Act that are inconsistent with that legislation;

(18) that participates in any litigation with respect to abortion;

(19) that conducts an audit of the activities of the Corporation or any entity or its employees receiving financial assistance from the Corporation; or

(20) that participates in any litigation on behalf of a local, State, or Federal prisoner;

(21) that provides legal representation for any person or entity in any way that is contrary to any of the provisions of authorizing legislation and any provisions in this Act that are inconsistent with that legislation;

(22) that participates in any litigation with respect to abortion;

(23) that provides legal assistance with respect to any fee-generating case: Provided, That taking of a fee for any person or entity receiving financial assistance from the Corporation to file or pursue a lawsuit against the Corporation; or

(24) that participates in any litigation with respect to abortion;

(25) that provides legal assistance with respect to any fee-generating case: Provided, That taking of a fee for any person or entity receiving financial assistance from the Corporation to file or pursue a lawsuit against the Corporation; or

(26) that provides legal representation for any person or entity in any way that is contrary to any of the provisions of authorizing legislation and any provisions in this Act that are inconsistent with that legislation;

(27) that participates in any litigation with respect to abortion;

(28) that receives financial assistance from the Legal Services Corporation reauthorization legislation, funding provided in this Act shall from that date be subject to the provisions of that legislation and any provisions in this Act that are inconsistent with that legislation;
revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations.

OFFICE OF INSPECTOR GENERAL


In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $174,726,000, which may be transferred to and merged with the appropriated funds for Salaries and Expenses.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $5,000,000, and for the cost of guaranteed loans, $146,710,000, as authorized by 15 U.S.C. 631 note, of which $31,700,000 to be available until expended, shall be for the Microloan Guarantee Program, and of which $40,531,000 shall remain available until September 30, 1997. Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 302 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan program, $78,000,000 of which may be transferred to and merged with the appropriated funds for Salaries and Expenses.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the "Surety Bond Guarantees Revolving Fund", authorized by the Small Business Investment Act, as amended, $2,530,000, to remain available without fiscal year limitation as authorized by 15 U.S.C. 631 note.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

SEC. 508. Not to exceed 5 percent of any appropriation made available for the current fiscal year for Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent of the amount made available.

That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 509. (1) Notwithstanding any other provision of law, no funds appropriated under this Act may be used in violation of this subsection.

(2) Notwithstanding section 8 of the Small Business Act or any other provision of law, in carrying out (a) and (d) of section 8 of the Small Business Act, the Administrator shall provide assistance only to qualified small business concerns.

(3) As used in this subsection—

(A) The term "Administrator" means the Administrator of the Small Business Administration.

(B) The term "area of pervasive poverty, unemployment, and general economic distress" means an area that, based on the most recent decennial census data available from the Bureau of the Census, meets the following criteria—

(i) The unemployment rate for the area (determined by the most recent available data) is not less than 1.5 times the national unemployment rate, and

(ii) The poverty rate for the area (determined by the most recent census data available) for not less than 90 percent of the population census tract (or where not tracted, the equivalent county) is located by the Bureau of the Census for the purposes of defining poverty areas) located entirely within the area is not less than 20 percent.

(C) The term "small business concern" has the same meaning as in section 3 of the Small Business Act.

(D) Except as otherwise provided in this subparagraph, the term "qualified business" means any trade or business that is a qualified business under the Small Business Act on the date such fund is used for activities under such such business or business that fails to meet the applicable location and employment requirements under such Act shall not be a qualified business.

(E) In this subsection, "qualified small business concern" means, with respect to any fiscal year of the small business concern, any small business concern, if for such year—

(i) every trade or business of such small business concern is the active conduct of a qualified business within an area of pervasive poverty, unemployment, and general economic distress; and

(ii) not less than 35 percent of the total payroll of such trade or business is paid to employees who are residents of an area of pervasive poverty, unemployment, and general economic distress.

STATE JUSTICE INSTITUTE SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102-572), $8,500,000, to remain available until expended: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The designation of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those procurements authorized under such section and made available by the head of the Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances not affected by the invalid provision shall remain in full force and effect.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1996, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that (1) augments existing programs, activities, or projects as approved by Congress; or (2) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used to pay for conversion, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act shall be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the President concerning the reduction of discrimination covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available after the date of enactment of this Act, in any manner that is inconsistent with the guidelines published by the Commission on October 1, 1993 (38 Fed. Reg. 51286).

SEC. 609. LIMITATION ON THE USE OF FUNDS FOR DIPLOMATIC FACILITIES IN VIETNAM.—None of the funds appropriated or otherwise made available by this Act shall be obligated or expended to pay for any cost incurred for (1) opening or operating any United States diplomatic or consular post in the Socialist Republic of Vietnam that was operating on July 11, 1995; or (2) expanding any United States diplomatic or consular post in the Socialist Republic of Vietnam that was operating on July 11, 1995; or (3) increasing the total number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam above the level existing on July 11, 1995.

SEC. 610. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the official responsible for obligating or expending such funds that (1) the United Nations undertaking is a peacekeeping mission, (2) that such undertaking will involve United States Armed Forces in conduct of command or operational control of a foreign national, and (3) that the President's military
of the March 1995 Office of Cuba Broadcast....

SEC. 611. None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system:

(1) in-cell television viewing except for prisoners who are segregated from the general prison population to the extent necessary to protect their own safety;

(2) the viewing of R, X, and NC-17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates, or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. None of the funds made available in title II for the National Oceanic and Atmospheric Administration under the heading of "Fleet Modernization, Shipbuilding and Conversion," may be used to implement sections 603, 604, and 655 of Public Law 102-567.

SEC. 613. No other funds made available in this Act may be used for "USIA Television Marti Program" under the Television Broadcast to Cuba Act or any other program of United States Information Agency television broadcasts to Cuba, when it is made known to the Federal official having authority to obligate or expend such funds that such use would be inconsistent with the applicable provisions or expend such funds that such use would be inconsistent with the applicable provisions or expend such funds that such use would be inconsistent with the applicable provisions or expend such funds that such use would be inconsistent with the applicable provisions.
Mr. GRAMM. Well, if I might say to the distinguished Senator from West Virginia, this is not my amendment. I have not been directly involved in it even though I have concluded that this is a prudent thing for us to do.

Mr. BYRD. Well, I certainly thank the distinguished Senator. I know that it is an oversight, an inadvertent one. I want to make clear that such authorizations of reallocations have to be made by both the chairman and the ranking member of the full committee. And we make those after contacting various and sundry subcommittee chairmen. And I do not anticipate any problem along that line. But I thought I had better make mention of this before it becomes a problem.

Mr. GRAMM. Well, Mr. President, let me just then ask unanimous consent that we have opening statements by Senator Hollings and myself and any other Member who would wish to make an opening statement, that it also be in order for us to offer managers' amendments where we have agreement on both sides of the aisle, and that when an agreement is reached between the distinguished chairman of the full committee and the ranking member, Senator Byrd, that at that point it be in order for Senator Hatfield to offer his amendment which deals with some 20 different subjects. I think by doing it that way, we can expedite consideration.

So I ask unanimous consent that it be in order to have opening statements, that it be in order for me to offer, on behalf of myself and Senator Hollings, managers' amendments where there is agreement on both sides of the aisle, and that it then be in order, when the Senator Byrd has agreed, for the distinguished chairman of the full committee, Senator Hatfield, to offer an amendment on behalf of himself and Senator Hollings.

Mr. DASCHLE. Mr. President, reserving the right to object, I am not sure I heard the entire request. I apologize to the Senator from Texas. We would certainly have no objection to opening statements at this point. Because no one has had the opportunity to see these amendments, we have had requests on our side that prior to the time we agree to any kind of unanimous-consent agreement which would expedite our consideration here, we have put together an amendment that will be offered by Senator Hatfield, the distinguished chairman of the full committee, an amendment that is co-sponsored by Senator Hollings.

It has to do with our $602(b) allocation; that is, allocating additional money to the subcommittee and then disbursing that money in such a way as to deal with some of the concerns that have been raised against the bill. And so that we could deal with this in this fashion, I would like to propound a unanimous-consent request that we have opening statements by the distinguished ranking member of the subcommittee, by myself, by any other Senator who would like to make an opening statement; that then it be in order for us to submit for consideration managers' amendments that have been agreed to on both sides and any debate there might be on them; and then I would like it to be in order for the distinguished Senator from Oregon, Senator Hatfield, to offer his amendment with Senator Hollings because it addresses numerous issues.

If we do not do it in that way, we are probably going to simply use up time as we try to deal with those issues by one. We can certainly proceed without this unanimous-consent request, but I hope our colleagues will indulge us since our objective is simply to try to expedite consideration of the bill.

Mr. HOLLINGS. Mr. President, this procedure has been agreed to, so I hope we can proceed along that line.

Mr. BYRD. Mr. President, would the distinguished Senator from Texas yield?

Mr. GRAMM. I would be very happy to yield.

Mr. BYRD. The distinguished chairman spoke of a reallocation of resources.

Mr. GRAMM. Yes, I did.

Mr. BYRD. The chairman of the committee and the ranking member of the full committee are authorized to approve such reallocation. Nobody has proposed this to the ranking member as yet about such a reallocation of resources.

Would the Senator inform me as to whether or not I am going to be contacted on that matter?

Mr. GRAMM. Well, if I might say to the distinguished Senator from West Virginia, this is not my amendment. There has been a series of discussions among Members. Basically what the Senator from Oregon has been doing is trying to find a way through our impasse.

As I am sure our colleagues are aware, our appropriations bill has $4.26 billion less than requested by the President for our subcommittee. It has $1.9 billion less than a freeze. And it has $870 million less than the House.

The Senator from Texas has been working with Senator Hollings and others to try to allocate funds to this subcommittee. I was unaware, I must say, that that had not been discussed with the distinguished Senator from West Virginia.

I have an outline of the amendment. But probably what I should do under this circumstance is simply ask unanimous consent that we be able to open statements, that we be able to see the technical managers' amendments we have agreed to, give the distinguished Senator from West Virginia an opportunity to discuss this with Senator Hatfield, who is in a meeting with the Secretary of Energy on something very important in his State right now.

When the agreement has been reached and the ranking member, Senator Byrd, is satisfied, then we can proceed with it. And, again, this is not my amendment; I have not been directly involved in it even though I have concluded that this is a prudent thing for us to do.
involve these amendments that Senators have the opportunity to look at them.

So, we would have to object to anything beyond the opportunity to make opening statements at this point.

Mr. GRAMM. Mr. President, we are certainly narrowing it down to opening statements.

So with that, I ask unanimous consent that we begin opening statements and that in order to offer an amendment until those opening statements are completed; at that point that—let me state it this way: I ask unanimous consent that it be in order now to have opening statements; that at the conclusion of the opening statements, subject to the agreement of the minority leader, at that point that it be in order for the distinguished Senator from Oregon, Senator HATFIELD, to offer an amendment on behalf of himself and Senator HOLLINGS.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRAMM. Mr. President, let me try to explain an opening statement on a very complicated bill without getting into too many of the details but in such a way as to basically cover the issues that are involved in this bill.

I think there are many reasons why this is a very complicated and a very controversial bill. One reason is money. This bill, probably more than any other appropriation that we will consider this year, has a very tight budget. It eliminates $4.3 billion less for Commerce-State-Justice appropriations than was requested by the President.

It provides almost $2 billion less than a nominal freeze in the current level of appropriations for Commerce-State-Justice. And I remind my colleagues that, compared to some of the larger appropriation accounts, this is a fairly small appropriations bill in terms of actual dollar outlays. So when we are talking a little less for Commerce-State-Justice year 1996 than we are spending this year, we are talking about a substantial reduction in the ability to expend money for the carrying out of functions in the Department of Commerce, the Department of State, and the Department of Justice.

The bill also has almost $900 million less than our counterparts in the House had. And this is the first point I want my colleagues to understand. When the President requested this bill for not providing funding for purposes for which he requested funding, it is important for our colleagues—and, quite frankly, it is important for those who are following this debate—to understand that we are not changing under a totally different budget than the President proposed.

Our budget comes into balance in 7 years. Our budget substantially reduces discretionary spending. Our budget imposes very real constraints on spending money.

The President, in proposing $4.3 billion more for these three Departments of Government than we proposed, does so in a budget that will not be in balance by the second coming. It does so in a budget that will not bring the deficit below $200 billion in a decade.

So the fact that the President, in his budget, requests funding for many functions that we do not fund is simply a testament to the fact that our budget is a binding budget that is balanced over 7 years and the President's budget is not.

There are several ways to approach the writing of an appropriations bill where you have to cut $4.3 billion. One way—and, quite frankly, in no way being critical, but I want people to understand why this is such a controversial bill—one way is to take the approach which has been taken in most other appropriations bills, and that is to simply take the level of savings that is dictated, nick a whole bunch of programs a little bit and, basically, take the approach that you are going to sort of hunker down and not fundamentally change anything.

It seems to me, Mr. President, that this is roughly equivalent to an action that a family which is running out of money might take at the end of the month. We're not running out of money and what we're going to do is spend a little bit less going to the movie and spend a little bit less on milk for the children.

As we know, families do not operate that way. Families set priorities. Families decide toward the end of the month when they are running out of money that they are not going to go to the movie, but that they are going to continue to buy their children milk.

As chairman of this subcommittee, I decided that if we were shooting with real bullets, if we were going to write an appropriations bill now that set out a path to balance the budget over 7 years, that we ought to recognize, to begin with, that we are going to have less money next year than we had this year, less in the next, and less in each successive year for the next 6 years.

So I made the decision to terminate programs, to set priorities. My original recommendation terminated some 12 programs outright. It also set very strong priorities. It was my decision as chairman of the subcommittee that not all programs in the Commerce, State, Justice appropriations bills were created equally. I believe that the American people have very strong preferences, and what I have tried to do within the monetary constraints that I have had as chairman, and this has been supported by the majority in both the subcommittee and the full committee, is to try to fund the President's effort in fighting crime. I am very proud of the fact that this bill fully funds the FBI and the DEA. It fully funds our efforts to incarcerate violent criminals. It provides for new funding in order for the courts to hire more prosecutors to provide the system of criminal and civil justice that we need to deal with the problems that we face.

This bill provides a substantial increase in funding for the Justice Department, funding for our effort to fight violent crime, funding for our effort to fight drugs.

I will come back in a moment and talk about how the Justice Department would function, but let me make this point. While we provide, basically, the same level of funding requested by the President, we in subcommittee and full committee on this bill changed the allocation of funding in the crime bill. We spend more money on social programs, we spend more money building prisons. It is a belief of the subcommittee and the full committee that we need to get tough on violent crime, and we try to do that in this crime bill.

The second area that we fund in this bill has to do with the Department of State. I have to say, Mr. President, that I have been somewhat disappointed. I visited with the Secretary of State. I explained to the Secretary of State the simple arithmetic of this bill, and the simple arithmetic of this bill is as follows:

If we provide roughly the level of funding requested by the President for the State Department, we provide funding for half of the increase requested by the Federal judiciary, what that means is, given the amount of money we have left, that we have to cut every other program by an average of 24 percent. This is the cold reality that we are looking at.

I tried to explain to the Secretary of State that that was basically where we were and that that meant that we were going to have to reduce the level of funding for the State Department by roughly 20 percent. That is actually better treatment than we provided for the Commerce Department in this bill.

We have not adopted the authorization bill for the State Department, but a majority of the Members of the Senate have voted for that authorization. It has been filibustered. We have been unable to get 60 votes and, as a result, what I did in writing the appropriations bill is I took the authorization bill which has received a majority vote in the Senate on a cloture motion and I used it as the blueprint to write funding for the State Department.

The basic reductions that occur in the State Department budget have to do with the payment for membership in world organizations. The distinguished Senator from North Carolina, Senator HELMS, in his authorization bill, dramatically reduces the amount of taxpayer funding that goes to world organizations to promote objectives that, at least in the minds of the majority of the Members of the Senate, did not reflect the will of the American people.

I think it is important to note, and I would be sure that the Members of the CONGRESSIONAL RECORD, that despite all of the moaning from the State Department that somehow not a sufficient account is taken in this bill that representing...
America abroad today is a dangerous business, something that I understand. I appreciate the sacrifice that is made by people who work in the State Department.

As a result, I have fully funded every penny requested by the President in his budget for such expenditures. Even though he spends $4.3 billion more in his budget than we are allowed to spend in ours, I fund every penny the President requests for security abroad for both our Embassies and our personnel.

So the criticism of the State Department that somehow we are underfunding the State Department and the needs of its people is simply verifiably false.

This is a tough budget. It does reflect the fact that the American people do not believe that we are getting our money's worth with all of these world organizations where we pay the bulk of the dues and have a relatively small say in how they do and on how our money is spent.

I think the plain truth is the American people understand that in the postwar period, America has been like a little rich kid in the middle of a slum with a machine that has never been turned on. We have looked at this cake and wanted a piece of it. We literally have run all over the world handing out pieces of this cake. Nobody has loved us for it. In fact, in many cases, they have not loved us, thinking they should have gotten more.

The fundamental philosophy behind this appropriations bill is we need to stop sharing the cake, and we need to start sharing the recipe we used to bake the cake, which is free enterprise, individual liberty, and private property.

So in the State Department appropriations bill, we provide $4.4 billion. The President requested $5.6 billion. Much of this reduction is taken in membership in world organizations. And, quite frankly, while this can be debated forever, I would be perfectly content to take my appropriations bill, take the President's budget, to tear the title page off, to put each of them on the table in every kitchen of every working American and let them decide whether they want money spent funding the war on violent crime in America, the war on drugs, gaining control of our borders, whether they want the money we are paying dues to organizations around the world where the United States is now a member of these organizations and, in many cases, is paying the bulk of the dues.

I do not think there is any doubt that the American people would choose the position that I have chosen. It seems to me that is why the State Department has not wanted to debate the real issue here.

In terms of the Commerce Department, let me remind my colleagues that the budget that we adopted in the Senate was a budget that called for the elimination of the Commerce Department. I have listened to my colleagues talk about eliminating departments, and I then look at their willingness to vote to actually cut the programs, and I often see a gulf between the rhetoric and the reality. It is almost as if when people are talking about eliminating departments, they go down and take down the flag and take down the plaque off the wall, but they want the Government to keep doing the things the Department has been doing.

When I would suggest that called for the elimination of the Commerce Department, when the Government Operations Committee reported a bill to eliminate the Commerce Department, I, as chairman of this subcommittee, believed that they were Serious. And, as a result, we dramatically reduce spending in the Commerce Department. We set up a procedure to provide funds for current employees, and we provide the mechanism that would allow us, if in fact we pass the President's bill, to terminate the Department, and to do it in an orderly fashion.

Now, many of the people who voted for the budget to eliminate the Department want to preserve some of its programs, they believe we are going to vote to take the votes on those. There are many programs within the Commerce Department that this bill eliminates outright. But, basically, it is a bill that begins the process of dramatically reducing the level of activity where the Government is attempting to pick winners and losers in the American economy. There is a fundamental philosophical difference between the two parties on this issue. The party which I represent—the philosophy I believe in—that Government does not have the wisdom to make that decision, and, quite frankly, even if it had the wisdom to make that decision, since it is inherently a political decision, it would not make that decision very well.

That is an outline of the expenditure of the bill. As I said, the bill eliminates some dozen programs from the Minority Business Development Agency to the U.S. Travel and Tourism Administration, to the Technology Administration, to the information infrastructure grants, to the Death Penalty Abolition Policy Council, the Ounce of Preventive Policy Council, the bill eliminates legal services as a Federal program.

Now, let me talk about the language changes to the bill, because almost every one of these provisions is controversial. So let me try to tick through basically what the bill does.

The House appropriations bill appropriated to their crime bill, which was the bill that the Senate passed. The Senate has not passed a crime bill. The crime bill passed in the House contemplated and, in fact, provided a dramatic change in the President's program to provide funds to State and local governments. We had no corresponding bill pass in the Senate, but we do have a bill that has been introduced by Senator Hatch in conjunction with Senator Dole. To make the House and State crime bill, it was decided by the subcommittee and the full committee to write in the allocation formula from the Dole-Hatfield proposal, so that both appropriations bills are moving in the same direction toward block grants. Needless to say, with Senator Biden, this has been a very controversial subject, and we have worked out an agreement where Senator Biden will offer a substitute for this provision.

Senator Hatch and Senator Dole would like to change their proposal, which was written into the bill, and so they will basically put the ball in the air. Each will submit alternatives, and we will determine, based on a vote on the floor of the U.S. Senate, what directions we move in.

But let me be sure that everybody understands what the bill before us does in this area. The bill before us would allow communities to carry out the community policing programs exactly as the President has proposed, if they choose to. In the bill before us, we would allocate funds to local police departments, and they would have the ability to do community policing exactly as the President has proposed, if they choose to. If they decide to use the money in a different way, the objection that has been leveled against this block grant is not that they cannot do what the President has proposed we do, but that they have the option of doing it in a different way. The objection to our language is not a dispute about the President's program so much as it is a dispute in the ability of local government and local chiefs of police to decide to use the money in a different way if they think that will work better for them.

We have set out a guideline on how the money could be used. If people chose to do community policing, to put more policemen on the beat, as our crime bill last year proposed, and as the President supports, they could do that. If they decide that they want to have more policemen on the beat, but they want to use the funds for training, they could do that. If they decide that they want to work overtime to get better trained police officers now while they bring new trainees into the police academy, they could do that. If they decide they need to use the funds to buy equipment to make their system more efficient, they could do that. But they have the capacity to carry out the program as the President has proposed, if they choose to.

The second change in language has to do with the Legal Services Corporation. It is not news to any of my colleagues that the Senate appropriated to their dollar to the Legal Services Corporation. I believe that is has some legitimate functions. But I think that, in many cases, they have not carried those functions out.
Mr. HELMS. I think it is needed. I think when you have 1 million people incarcerated, it is inhumane not to have an orderly system where they can work. I will not drag this dead cat across the table any more times than I have to. I want to remind my colleagues that when Alexis de Tocqueville came to America in the 1830's and went back home and wrote "Democracy in America," one part of American life that he commented on was our prison system and how enlightened it was because we worked prisoners hard. Prisoners at that time were working 12, 14 hours a day, 6 days a week, and de Tocqueville noted how enlightened it was because by making prisoners work it made life in prison bearable.

If we made prisoners work today, not only would we save money, but people when they got out of prison would have a skill that they learned working in prison. If we made them go to school at night, they would know how to read and write, and having worked 10 hours a day 6 days a week, go to school at night, serve their full term, when they got out of prison would have the ability of organizations that take Federal taxpayers' money to engage, basically, in the promotion of class action suits, opposing welfare, and a series of other restrictions based on past concerns—have block grants to spend on legal services. It provides roughly half the funds that the existing programs now receives.

Another controversial area of language in the bill has to do with prisoners' work. This is an issue which I feel very strongly about. I do not have much doubt in my mind that when the votes are counted on the floor of the Senate, I am going to lose on this issue. But I want the American people to know about it. Part of my reward for being chairman is that now people have to take this provision out.

Let the problem. To keep someone in the Federal penitentiary this year is going to cost the Federal taxpayers $22,000. We could send somebody to Harvard for what we are going to pay to keep them in the Federal penitentiary. Then State governments, within a set of guidelines which limit the ability of organizations that take Federal taxpayers' money to engage, basically, in the promotion of class action suits, opposing welfare, and a series of other restrictions based on past concerns—have block grants to spend on legal services. It provides roughly half the funds that the existing programs now receives.

Another controversial area of language in the bill has to do with prisoners' work. This is an issue which I feel very strongly about. I do not have much doubt in my mind that when the votes are counted on the floor of the Senate, I am going to lose on this issue. But I want the American people to know about it. Part of my reward for being chairman is that now people have to take this provision out.

Let the problem. To keep someone in the Federal penitentiary this year is going to cost the Federal taxpayers $22,000. We could send somebody to Harvard for what we are going to pay to keep them in the Federal penitentiary. Then State governments, within a set of guidelines which limit the ability of organizations that take Federal taxpayers' money to engage, basically, in the promotion of class action suits, opposing welfare, and a series of other restrictions based on past concerns—have block grants to spend on legal services. It provides roughly half the funds that the existing programs now receives.

Another controversial area of language in the bill has to do with prisoners' work. This is an issue which I feel very strongly about. I do not have much doubt in my mind that when the votes are counted on the floor of the Senate, I am going to lose on this issue. But I want the American people to know about it. Part of my reward for being chairman is that now people have to take this provision out.

Let the problem. To keep someone in the Federal penitentiary this year is going to cost the Federal taxpayers $22,000. We could send somebody to Harvard for what we are going to pay to keep them in the Federal penitentiary. Then State governments, within a set of guidelines which limit the ability of organizations that take Federal taxpayers' money to engage, basically, in the promotion of class action suits, opposing welfare, and a series of other restrictions based on past concerns—have block grants to spend on legal services. It provides roughly half the funds that the existing programs now receives.

Another controversial area of language in the bill has to do with prisoners' work. This is an issue which I feel very strongly about. I do not have much doubt in my mind that when the votes are counted on the floor of the Senate, I am going to lose on this issue. But I want the American people to know about it. Part of my reward for being chairman is that now people have to take this provision out.

Let the problem. To keep someone in the Federal penitentiary this year is going to cost the Federal taxpayers $22,000. We could send somebody to Harvard for what we are going to pay to keep them in the Federal penitentiary. Then State governments, within a set of guidelines which limit the ability of organizations that take Federal taxpayers' money to engage, basically, in the promotion of class action suits, opposing welfare, and a series of other restrictions based on past concerns—have block grants to spend on legal services. It provides roughly half the funds that the existing programs now receives.

Another controversial area of language in the bill has to do with prisoners' work. This is an issue which I feel very strongly about. I do not have much doubt in my mind that when the votes are counted on the floor of the Senate, I am going to lose on this issue. But I want the American people to know about it. Part of my reward for being chairman is that now people have to take this provision out.
struggling to make ends meet, and we are paying $22,000 a year to keep somebody in prison, and then we cannot force them to work to produce something of value to pay for their own incarceration? It is called greedy, petty, special interests. The world ought to know about it. I hope to awaken them by putting this provision in this bill that somebody has to take out.

Now let me talk very briefly about two other language provisions in the bill. One has to do with the 8(a) program. The 8(a) program is designed to help disadvantaged businesses. The basic idea of the 8(a) program was that there are some businesses that are disadvantaged and that we want to try to help them get on the playing field and be more competitive.

The problem is that over the years, disadvantaged has come to mean minority or female. You cannot be disadvantaged, under the 8(a) contract, if you are not a minority and if you are male. So what I try to do is open up the 8(a) contract and say, no matter what your gender is, no matter what your race is, if you are operating in a depressed area, if you are a small, struggling business that is doing business with people who live in a distressed area, you ought to be treated in exactly the same way as someone doing exactly the same things you are who is from a different ethnic group or from a different gender.

We do not eliminate the 8(a) program, we simply open it up to people who are disadvantaged because they are small business people in depressed areas with high unemployment and they are hiring people from those areas.

This is a controversial subject. I understand that. But I believe, again, if we could put this proposal on the kitchen table in every kitchen in America and ask if somebody is a small business person, if they are operating in an area of high unemployment, if they are hiring people who are from a high unemployment area, why should they be discriminated against based on race or gender? I think America has asked that question and I think America has answered it. They are waiting for the U.S. Senate to answer. And now that we are on the floor, will anybody supporting discrimination and proved it on that night in that amendment.

This is my bill, as chairman of this subcommittee, and I am very proud of the fact that we have, in this bill, in the jurisdiction of Commerce, State, Justice under this bill, we say that it is illegal to discriminate in hiring, promotion, and contracting, and it is illegal to discriminate in favor of anybody. It is simple language. In fact, it is the language which the distinguished majority leader, Senator Dole, has worked hard to strip out similar language but, frankly, I thought his language was better so I included it.

It is basically a commitment to merit. I have to believe, based on our past vote, that this provision will be stripped out. But, again, America ought to know who is and who is not for quotas; who is and who is not for set-asides. Let me make it clear that the language in this bill preserves our total effort of outreach. It preserves our ability to go out and recruit people to apply for us to give the full ability to work, to see that everybody gets on the playing field. But it requires that, once people are on the playing field, when it comes to being hired, being promoted, or getting a contract, that must be done by merit.

So this is a very controversial bill. It is no accident that we have kept it to the end. I am quite proud of the bill. Obviously, others oppose it. And the way democracy works is that we propose and we debate, and I accept the outcome of it. But I think this bill represents a dramatic change and, quite frankly, I have been disappointed in the other appropriations bills in that we have committed to a budget that calls for a dramatic change but everybody seems to want to hold onto something until next year or the next year or the next year to make these changes. I wanted to make them now. I may not be here 2 years from now. I do not know. I may not be on this committee next Monday—I do not know that either. But I do know that I believe this represents a dramatic break with the past.

This bill terminates programs. This bill dramatically changes the way we operate the Federal Government. And I think it gives people a very clear choice. It defines a movement in the direction that I would like to see us go. I am proud that the subcommittee and full committee supported the effort to bring the bill to this point. I know there are some people on the subcommittee and full committee who, at this time, are on the fence, will abandon us on some of these issues. But I think we have before us a good bill and, Mr. President, I appreciate the indulgence of the Chair as I outlined the bill.

Let me yield the floor for the distinguished ranking member, a man who has served on this subcommittee as both chairman and ranking member, a man for whom I have very great respect, the distinguished Senator from South Carolina, the PRESIDING OFFICER (Mr. Gorton). The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I rise today to speak against H.R. 2076. The fiscal year 1996 Commerce, Justice, and State appropriations bill. For me, this is unprecedented. Never in my 25 years on the Appropriations Committee—or my 22 years as serving as either the chairmen or ranking minority member of this subcommittee—have I opposed this bill. And never in my career here have I seen an appropriations bill prepared in such a partisan manner and voted out of committee on straight party lines.

I am against this bill because I simply cannot go along with its recommendations and because of its extreme nature. This bill represents a 180-degree departure from the way we approach our job when Senators Rudman, Weicker, Pastore, Laxalt, and Domenici and I were chairman or ranking member. In the past, we focused on the business of governing. We worked together to ensure that the agencies under our jurisdiction were adequately funded. Our job was always to see to it that the taxpayers’ dollars were well spent. If a program was worth it, we sought to fund it adequately. At the same time, we conducted budget scrubs to be sure that we were getting the maximum benefits from delayed contracts, program changes, and other technical matters.

But Mr. President, that is not what today’s bill is about. It is not about governing. It is about politics and making philosophical policy statements. It is about picking winners and losers. It is about throwing money at one part of this bill, the Department of Justice, and about wreaking havoc on the rest of the bill. In many ways, this bill seems more like a budget resolution than an appropriations bill.

Mr. President, government is not a dirty word. I know that there are some who have come to Washington intending to have a fire sale. Well, those people will probably like this bill because it is a bonfire. Agency after agency is eliminated or subjected to unprecedented reductions of 20 percent or more. This bill slashes programs with little description or detail of what is being cut. For example, the International Trade Administration is cut by $47 million below a freeze. But the report does not direct how the reduction should be made. Should it be from the Import Administration that protects U.S. industry from foreign dumping? Or should it come from the foreign commercial service that promotes U.S. industry overseas or from trade and industry sector analysis? This bill just does not say.

Finally, there is the wholesale elimination of agencies. And we will have wholesale reductions in force and office closures. They are not being highlighted in this report, but mark my words on that.
Take the Small Business Administration. My friend SBA Administrator Phil Lader tells me that his appropriation for salaries and expenses means that the SBA will have to lay off 1,200 of their 3,100 employees.

Mr. President, maybe I am old fashioned, but I will not join in this fad that denigrates public service. In the 25 years I have worked on this bill, I have learned that much of it supports what we in the budget game call salaries and expenses. That means is that most of this bill funds people. And I have come to have great respect for the dedicated public servants who work hard to serve the people of this country.

I think of Emilio Iodice, of the International Trade Administration, our senior commercial officer in Madrid, Spain, who is hustling day in and day out to get contracts for American business. I think of Dr. Neal Frank and Bob Sheets, of NOAA, who have had to run the hurricane center in Miami, FL, and who worked around the clock to warn us of killer storms. I think of Ambassador Princeton Lyman in South Africa who is helping that nation build a lasting peace and of the many foreign service officers I have met. In my view, these State Department and USIA foreign service officers truly are the best and the brightest. I sometimes wonder how many of us could pass their entry-level proficiency requirements. And of course, I think of the many professional comptrollers who with us on a day-to-day basis—people like Mike Roper at Justice, Mark Brown at Commerce, and Stan Silverman at USIA.

With this bill, I worry about the message that we are sending to these dedicated public servants and young people who might want to enter government service. I think we should be praising these people for their service, not denigrating them.

JUSTICE INCREASES

In the Commerce, Justice and State hearing room in the Capitol, there is a painting of Edmund Randolph, our first Attorney General. I think about him when I look at what is happening to this Justice budget in this bill. We are throwing money at a problem without being responsible. Do my colleagues know when funding for the Justice department hit the $3 billion level? It was 1983. In other words, it took 19 years for the department's budget to reach $3 billion. And that is how much the increase is for Justice in this bill for just 1 year. That is nothing short of amazing.

I think most of us who were around in the early 1980's realize that we tried to throw too much money at Defense too quickly. And as some will remember, I was one of those who pushed hard to increase Defense in 1980. But, I fear that this is exactly what we are doing with Justice. The truth is, this year, the Federal Bureau of Investigation is unable to spend almost $50 million that we gave it last year to hire more agents. Of course, the bureau will find other uses for the money. But this bill before us plans to give the FBI an increase of almost half a billion dollars above this year—an increase of 20 percent in one year. I am all for my good friend Judge Freeth and the dedicated agents, and a 20 percent increase in 1 year? And when I look at the Immigration Service, we are adding 1,300 border patrol agents per year, which again, is more than a 20-percent annual increase.

Now I would second to none in my support for the Justice Department. During the span that I last served as subcommittee chairman of this appropriations subcommittee, the Justice Department grew from $3.9 billion in 1986 to $13.7 billion in 1994. In the Senate, Attorney General Janet Reno probably does not have a bigger fan than me. But we have got to slow down and take a look at where all this money is going. We have got to stop the bidding war to see who can throw more money at law enforcement to rack up political points.

Mr. President, this bill is largely the story of two bills. For Justice and judiciary, it represents my recommendations for the remainder of the bill it will cause destruction. It did not have to be done this way. I would urge my colleagues to look at how much more reasonable and moderate the bill is that the House sent to us. The Contract With America crowd developed a much more responsible bill.

I would like to describe some of the recommendations for my colleagues. For Justice and judiciary, the bill: Eliminates entirely several Commerce technology programs: the Technology Administration, new Advanced Technology Program and manufacturing extension program grants. It eliminates previous funding to modernize the National Institute of Standards and Technology laboratories.

The bill eliminates the Minority Business Development Agency, a program created during the Nixon administration to encourage minority entrepreneurs, and to expand minority-owned businesses.

The bill eliminates the U.S. Travel and Tourism Administration.

The bill cuts the International Trade Administration by $45 million or 17 percent below last year's level, but above the current year and $53 million below the House level. This will likely result in the cancellation of our new embassy in Ottawa, Canada, and the elimination of repairs, maintenance and security improvements around the world and the layoff of 1,100 foreign service and civil service employees.

The bill rescinds $14 million in prior year appropriations for embassy construction, repairs and maintenance. This will likely result in the cancellation of our new embassy in Ottawa, Canada, and the elimination of repairs, maintenance and security improvements around the world and the layoff of 1,100 foreign service and civil service employees.

The bill authorizes and funds a new Foreign Affairs reorganization transition fund and provides $26 million for this account. Bill language directs the OMB to review the administration by $45 million or 17 percent below last year's level, but above the current year and $53 million below the House level. This will likely result in the cancellation of our new embassy in Ottawa, Canada, and the elimination of repairs, maintenance and security improvements around the world and the layoff of 1,100 foreign service and civil service employees.

Mr. President, the bill authorizes and appropriates funds for a new Commerce Reorganization transition fund which finances personnel separation costs and termination costs for the various agencies proposed for elimination.

It provides $396 million for economic statistics and the Census Bureau, an increase of $84.5 million above the House bill and $70.4 million above this year.

It provides $1,967 billion for the National Oceanic and Atmospheric Administration [NOAA], a decrease of $45 million below the current year, but $92 million above the House bill. Like the House, the NOAA fleet modernization program is terminated.

For the State Department and international affairs agencies, the bill severely cuts State Department operations funding $340 million below this year's level. This will result in the director of many rather than the Secretary of State to consolidate programs under State, USIA and AID.

Funding for international organizations is cut by 37 percent below current levels. This year the United States paid $873 million to the United Nations, the Organization of American States and 49 other international organizations. These assessments are based on treaty obligations. In 1996, the administration requested $923 million for these obligations. The bill provides only $550 million. We would have to pull out of a lot of international organizations or simply refuse to pay our bills.

The U.S. Information Agency [USIA] is devastated under the recommended bill. USIA is cut $354 million below the current year and $53 million below the House bill.

This bill cuts international educational exchanges, like the Fulbright program, by $43 million below the current year.

The bill provides $355 million for international broadcasting—the Voice of America, Radio Free Europe Liberty, and Radio and TV Marti. It is far below last year's level, but above the House.

For independent and regulatory agencies, the bill terminates the Legal
Services Corporation, current funding of $400 million, and replaces it with a civil legal assistance block grant under the Justice Department. The bill carries 13 pages of legislation including a long list of restrictions on the use of these funds. For example, the block grant could not be used for helping a poor person seek a legal separation from an abusive spouse.

The Corporation was created during the Nixon Administration. I worked closely with Lewis Powell in the endeavor, and I stood with my friend, Warren Rudman, his yeoman work to save the LSC. Like the Senator from Texas, I have had concerns about the LSC being involved in class-action suits. But the House bill had already dealt with that, and it retained funding for the LSC.

The bill cuts all regulatory agencies at least 20 percent below a freeze. In each case, the bill uses fee collections to cut appropriations even though these fees often were created to enhance operations. The recommended bill will result in significant reductions in personnel and operations.

The Federal Trade Commission [FTC] is proposed to receive $79 million instead of $98 million as proposed by the House and provided currently. The FTC is charged with consumer protection and anti-trust duties. Again, we are looking at a third reduction in staff and cancellation of many important programs such as the FTC’s efforts to combat telemarketing fraud.

The Federal Communications Commission [FCC] is proposed to receive $166 million instead of the current level of $238 million. The bill gives new responsibilities to the FCC under the communications bills, but here we are cutting them below current levels.

The Securities and Exchange Commission [SEC] is funded at $238 million instead of the current level of $257 million. Unfortunately, the bill reduces charges to individuals registering securities and shifts $60 million in costs to the federal taxpayers. So I guess that says we want to combat violent crime in justice, but white-collar crime by Ivan Boesky is fine.

The Competitiveness Policy Council is eliminated.

The Maritime Administration is funded at $70.6 million instead of the current level of $94.7 million. Unfortunately, the bill reduces charges to individuals registering securities and shifts $60 million in costs to the federal taxpayers. So I guess that says we want to combat violent crime in justice, but white-collar crime by Ivan Boesky is fine.

The Small Business Administration [SBA] is funded at $558 million, $359 million below this year, and $73 million below the request. SBA says that they will have to reduce over a third of their workforce based on the committee’s report language direction to fund grants and loans instead of personnel. This ignores many of the streamlining efforts that the Corporation had already accomplished, resulting in reduction of 500 positions during the past 2 years.

Finally, I oppose this bill because it proposes to terminate the successful Cops on the Beat program and other authorized Violent Crime Reduction Trust Fund programs. In their place, the Administration authorizes a new Crime bill. Talk about breaking new ground for legislation on an appropriations measure.

The Cops on the Beat or Community Oriented policing program is one of the most efficient and effective programs that has ever been created. Within a year of passage, 25,000 additional police are on the street in America. We will be debating this program soon, in more detail. But I must say that I simply do not understand why any member would want to terminate this program.

Drug courts is another authorized program. It was an idea created by the late Senator René’s creation, based on her experience in Miami. This is not a soft prevention program. Drug courts work and are getting non-violent drug offenders off of illicit substances and back into society.

This bill is block grant crazy. Legal services—They say, “Let us make it into a block grant.” Community policing and drug courts they say, “Let us make it into a block grant.” I guess I do not understand. I remember the Republican filibuster against the President Clinton’s stimulus package in the spring of 1993. As I recall, the principal argument against that bill was that it was unfunded and was funded. And recipients had a wide discretion of how they could use block grants. In law enforcement in the past, we had a block grant program—LEAA—and it was a disaster.

Mr. President, this bill contains many other pieces of legislation. It takes the limits off of sales from prison labor, and it changes affirmative action and procurement regulations.

I hope that my colleagues will carefully examine this bill. Many have said, “Yes, it is a travesty, but the President will veto it.” That may be true. All indications are that it could not be signed in its current form.

I, for one, hope that the Senate will not go on record by supporting such an extreme, irresponsible measure. I hope we can make some changes to this bill and improve it.

Mr. President, obviously I am not disposed to speak at length, but I have to comment about my distinguished colleague from the Senate—with respect to the LSC. Like the Senator from Texas, I have had concerns about the LSC being involved in class-action suits. But the House bill had already dealt with that, and it retained funding for the LSC.

This bill is an atrocity. In my experience in particular measures, it is voted that way because, very conscientiously, we did not have a chance to debate and rectify certain things. But I do not want to dwell on that too much at length because the distinguished Chairman of the Senate is henceforth coming to the floor to try to give us an additional allocation and correct some things, like the elimination of the Minority Business Enterprise Administration—an entity that started way back 25 years ago in 1970—and various other things like that which were eliminated.

The bill is called an atrocity because the distinguished chairman of the subcommittee, for whom I have great respect, says we overturned laws. He is dead right in this particular measure. It is not the function of an Appropriations Committee to overturn laws. On the contrary, we are supposed to conform to the authorized law, or the law authorizing the appropriated amounts, and allow the agencies to spend up to the appropriated amounts. In this case, I think the agencies are working and working extremely well.

Without any authorization, that law, as provided by way of money in this measure, is overturned. It is just repealed. The formal law is totally disregarded, and in its place, we have a so-called block grant approach.

Similarly, with respect to the Legal Services Corporation, that was more or less created by the distinguished former Associate Justice of the Supreme Court, Justice Powell, when he was President of the American Bar Association. Here is a corporate entity, the Legal Services Corporation, worked in by the private sector, by the professional attorney sector and by the Federal Government in a most successful fashion, but it is not within this bill. That endeavor that has been going on successfully for years is totally overturned and repealed. A new program is put in. It is not authorized.

Of course, the parliamentary tactic is to raise a point of order. But in the spirit of trying to move along, we can have some votes around here on points of order and everything else. But I am not trying to turn back anything parliamentary. I am trying to turn it back on the basis of merit.

But if you go through this particular measure, they come down real hard on the future of this country with respect to, for example, the programs within the Department of Justice and the Department of State. The Department of State is not really left with an operating budget. We have been closing consulates and closing down various
endeavors on behalf of the Department of State over the last 15 years. Somewhat, somewhere, people have forgotten that, after all, we had President Reagan come to town with spending cuts, and then President Bush. After 8 years of Reagan, and then President Bush for 4 years, we had 12 years of spending cuts. Then we had, of course, President Clinton come to town and cut out another $500 billion in spending cuts.

So what we are on is the tail end, so to speak of 15 years of various spending cuts whereby programs like WIC, Head Start, title I for the disadvantaged, and many others, are only half funded, as are many programs in health research. That is the reason we just rejected, by way of extended debate, the Labor, Health, and Human Resources appropriations bill. For every dollar we spend over at NIH, we save the taxpayers $13.50.

So these money-saving programs have had an continual assault of a so-called political contract that is devastating to the functioning of our society.

I almost wish when it comes to the Department of Commerce that President Clinton had said we ought to get rid of the Department of Commerce. If President Clinton said we have to get rid of the Department of Commerce, the whole business community—all of that runs under the white tent for NAFTA and for GATT, and all the Republican crowd, all of those executives, that Business Round Table—would come running up here: “What do you mean this Democratic President is trying to do away with the voice of business at the Cabinet table?” You cannot find them today. Why? Because the Republicans thought of that idea.

Yes, labor is to have a voice at the Cabinet table, but not commerce, the business leadership. Agriculture is to have a voice at the Cabinet table, but they want to do away with the Department. You will not find agriculture in the Constitution. You will not find the Labor Department there. But you will find, under article I, section 8 of the Constitution, that the Congress is hereby authorized to regulate foreign commerce. We are doing away with constitutional responsibilities in a willy-nilly contract fashion. Now with the fall of the wall, we really look upon the State Department to promulgate democracy in Haiti, and now is trying to help, of course, in Bosnia and in the Mideast where they are meeting right now. With respect to our values, it is very strong, and with respect to our military, it is very strong. But now with respect to the economic leg, over the past 45, almost 50 years, it is fractured and willingly so.

We set up the Marshall plan. We sent our money and our technology and our expertise to countries abroad in the conflict between capitalism and communism, and capitalism has won out. And we are all very grateful for that. But during that 50-year period, what we had to do was sort of sacrifice our domestic economy with the assault on market share. We had to give up markets to our friends in the Pacific rim, in Europe, and otherwise around, with a sort of nudist trade policy—running around here like ninny's walking around the board and saying, “free trade,” when there was not any such thing, and it is not now. We all understand that.

But now with the fall of the wall comes the opportunity to rebuild the strength of the economy. Yes, in many states, a majority of the government. I want a Senator to say that on the floor of this U.S. Senate. What we need is more in education, more in the inner-city restructuring, more in transportation, more in science and technology, and more in medical research. That is exactly what we are not doing in this particular measure here.

Let me go right to the point about the President’s budget for which we get a gratuitous statement from our distinguished chairman of the subcommittee in the Commerce Committee where I got eight votes, and I speak about this one sentence: The administration’s request in a budget that made no attempt to balance the budget, not in 7 years, not in 10 years, not ever.

Here comes a committee report from a crowd that we could not get a single vote from to cut $500 million in spending and raise revenues to pay for some of these programs. Yes, we raised taxes on Social Security, and $25 billion of the increased revenue on Social Security we gave to what? To Medicare. They are running all over the Hill. “It is going broke. It is going broke.” Last year they said, “What is the matter? Nothing is wrong with America’s health programs. It is the best health system in the world. What is the matter?”

I can show you the same crowd that they quote now as saying it is going broke in the year 2002. Last year, that same entity reported it was going broke in the year 2001. At least we got one year’s grace out of the discipline that we set for spending cuts and revenue increases and foregoing programs.

We now have a budget which at the time was called by the then majority leader a “river boat gamble,” the then Vice President as “voodoo,” and now we have “voodoo” all over again—going on all over this Hill. We do not have a sense of history whatever. I opposed that voodoo and proposed instead a budget freeze like the mayor of a city or the Governor of a State. What they do is just take this year’s budget for next year. We would save billions. We could not do it.

I then joined with the distinguished chairman of our subcommittee in Gramm-Rudman-Hollings, and we said let’s have not only freezes, but we are going to have automatic spending cuts across the board. And that worked. Mr. President, it worked, until 1990, when they repeal it. And at 12:41 a.m., October 19, 1990, I raised a point of order against the repeal. And let the Record show who voted to repeal it. And the Republicans are all around and saying it did not work. They repealed it because it was working. It was going to cause cuts across the board. I went along in 1988 with tax reform in order to close loopholes.

So we had budget freezes, we had budget cuts, and we had loophole closings. And then, if you please, Mr. President, I came with increased taxes, a value-added tax proposed in the Budget Committee where I got eight votes, and I speak about this one sentence: The administration request in a budget that made no attempt to balance the budget, not in 7 years, not in 10 years, not ever.

Here comes a committee report from a crowd that we could not get a single vote from to cut $500 million in spending and raise revenues to pay for some of these programs. Yes, we raised taxes on Social Security, and $25 billion of the increased revenue on Social Security we gave to what? To Medicare. They are running all over the Hill. “It is going broke. It is going broke.” Last year they said, “What is the matter? Nothing is wrong with America’s health programs. It is the best health system in the world. What is the matter?”

I can show you the same crowd that they quote now as saying it is going broke in the year 2002. Last year, that same entity reported it was going broke in the year 2001. At least we got one year’s grace out of the discipline that we set for spending cuts and revenue increases and foregoing programs.

We now have a budget which at the time was called by the then majority leader a “river boat gamble,” the then Vice President as “voodoo,” and now we have “voodoo” all over again—going on all over this Hill. We do not have a sense of history whatever. I opposed that voodoo and proposed instead a budget freeze like the mayor of a city or the Governor of a State. What they do is just take this year’s budget for next year. We would save billions. We could not do it.

I then joined with the distinguished chairman of our subcommittee in Gramm-Rudman-Hollings, and we said let’s have not only freezes, but we are going to have automatic spending cuts across the board. And that worked. Mr. President, it worked, until 1990, when they repeal it. And at 12:41 a.m., October 19, 1990, I raised a point of order against the repeal. And let the Record show who voted to repeal it. And the Republicans are all around and saying it did not work. They repealed it because it was working. It was going to cause cuts across the board. I went along in 1988 with tax reform in order to close loopholes.

So we had budget freezes, we had budget cuts, and we had loophole closings. And then, if you please, Mr. President, I came with increased taxes, a value-added tax proposed in the Budget Committee where I got eight votes, and I speak about this one sentence: The administration request in a budget that made no attempt to balance the budget, not in 7 years, not in 10 years, not ever.
wrote the Congressional Budget Office. I said that my friends on the other side of the aisle continued to talk in terms of a balanced budget by the year 2002. I ask unanimous consent that I may include the letter in the RECORD dated September 25 from the Congressional Budget Office to Senator Errol E. O'Neill.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,

Hon. ERNEST F. HOLLINGS,
U.S. Senate, Washington, D.C.

DEAR SENATOR: This is in response to your letter of September 20 concerning CBO’s scoring of the budget resolution for fiscal year 1996 adopted by the Congress. Because a budget resolution represents a general plan for future Congressional action rather than specific legislative proposals, CBO cannot provide estimates for a budget resolution in the same sense that it estimates appropriation bills or bills that provide changes in direct spending or revenues. CBO has compared the spending, revenues, and deficits proposed by the budget resolution with those projected by the President in his August 1995 report, The Economic and Budget Outlook: An Update. A copy of that report has been enclosed.

If you wish further details about this comparison, we shall be pleased to provide them. The staff contact is Jim Horney.

Sincerely,

JAMES L. BLUM
(For June E. O’Neill).

Mr. HOLLINGS. The Republican budget, the Kasich budget, the Gingrich budget, or whatever budget you want to call it that they are talking about balancing, has never been scored.

The distinguished chairman of the Budget Committee is here and we worked together when he was ranking member and I was chairman. I can tell you here and now, after we passed that budget in May, we sent over the assumptions so that the Congressional Budget Office could score it. Those scores have never been sent over. From time to time they have asked questions: if we do this, we save that; if we do this, we save that.

But we do not have a CBO-scored figure for President Clinton’s budget and we do not have a CBO figure for the Republican budget.

Watching all of this as it occurs, at this particular time, I can guarantee you that it will not be balanced in the year 2002 by anyone who wants to bet me, pick out the odds and the amount. I will jump off the Capitol dome if this budget is balanced by the year 2002. I can tell you that here and now.

What happens is exactly what happened, as the distinguished Presiding Officer and I viewed it this morning in the Committee of Commerce. We were allocated $15 billion. What did we do? We took $8.3 billion that we have already allocated to the telecom bill. So we double-counted that already. I talk about smoke and mirrors. We are not going to have smoke and mirrors. I understand, of course, that in the Finance Committee they were $80 billion shy last week.

Someone said, no, they got up, meeting last night, to about $15 billion, and they are still trying to find it. But if they go through with the contract and they dispose of all the backlog of the cyclical tax increase, they will have to find another $25 billion. They are shy there.

I can go to welfare reform. We passed welfare reform. It was a $63 billion savings. The budget office said it is supposed to be balanced called for $121 billion savings. That is $50 billion shy there. The agricultural and everything crowd said, no, we had not met our figure. It is smoke and mirrors.

So what you see now is the moment of truth. And I only mention this to get that moment of truth out. We ought to level with each other. You cannot get on top of this cancer of interest costs on the national debt unless you do all of this. There was the overhead included spending cuts, spending freezes, loophole closings, tax increases, and denying new programs.

We just voted earlier this week—haters of the distinguished Senator from Maryland, Senator Mikulski, and her AmeriCorps Program—but I can tell you now that that program was going to cost billions and billions. I did not think we ought to have new programs that we could not afford and specifically not start an AmeriCorps Program for education whereby in order to get 25,000 scholarships we had to do away with 346,000 student loans.

That is what we did. We took the money from the student loans and put it into a new program and talked about voluntarism. I happen to have been down there the Sunday after Hugo hit us in our own backyard in South Carolina. I believe, the mayor and me and we had 1,500 to 2,000 volunteers that were working in the rain. We asked for a show of hands and we had them from 38 States. People volunteer.

When little Mr. Segal called me about this particular program and said we already have 2,000 out there working in the flood year before last, I said, “Young man, you have 2 million out there working without this program. You do not need a program at the Federal Government level to start voluntarism.”

So the pressures brought on this particular budget are really politically manufactured where we are not going to balance that budget. We are just going to get rid of the Government. That has been the cry of the contract—that the Government is not the solution, the Government is the problem, the Government is the enemy. So what you have is a $283 billion estimated deficit for 1995. That is the accurate figure as between what we will take in and what we will spend. We cannot get high and mighty and start criticizing about the Social Security trust fund. 7 years from now when people will be lucky to be around 7 years from now and they will know good and well they will come again.

I remember when we used to balance the budget year to year. In fact, President Reagan said, “I’m going to balance that budget in a year.” He got into Washington and said, “Whoops, this is going to take me 3 years. I did not realize it was so bad.”

And they had the gentleman who was going to do it in a year. Then we got to 3 years. Then under Gramm-Rudman-Hollings we got to 5 years. Now, this crowd comes with 7 years and I can tell you within the next election we will come and have the President Clinton has already gotten to 10 years. Now he has come back to 9.

We are going up, up, and away; 15 years. Say anything except to do the job and tell the American people that we have to deny programs and we have to raise taxes. We have to cut spending. We have to freeze spending. We have to close loopholes. We have to do all of the above to save $1 billion a day. This particular budget that we have that we are working on at this time does not come near to saving $1 billion a day to get us really rid of any kind of deficit at any time during that 7-year period.

Now, Mr. President the distinguished chairmamn of the subcommittee talks about philosophy—and I must touch on that and then we can go to these amendments—the philosophy here that they are trying to justify these programs to get things back to where they can do it as they please. They said, if they really want to buy equipment, then they can do that. If they want to put policemen on the beat, then they can do that. It is the old adage that the best government is that closest to the American people, the Jeffersonian philosophy. And I generally adhere to that except through hard experience.

Within the field of law and law enforcement, we have had our experience. We have seen what you can do with an assistance enforcement program, LEAA, and that particular program gave block grants back to the States and communities. And when we looked around, we had—please, my gracious—down in Hampton, VA, they bought a tank and put it on the courthouse lawn and thought the courthouse was going to be attacked. The sheriff down in Alabama, he bought a tank because he was going to have control. The Governor in Indiana, he bought an airplane so they could fly to New York and get a copy of the Constitution. And they had all kinds of embarrassments where the money never got through to the policemen on the beat.

Now, there is no education in the second kick of a mule. We learned from hard experience. So we came around with community policing and policemen on the beat and said, in order to qualify, you have to come with a match of 25 percent. And it is working extremely well.

So the come with the philosophy of getting the grants back, which reminds me—and I have, of course, a memory that is resented many, many
times. But I am referring to the stimulus bill where when President Clinton came to town, we were going to stimulate the economy. And the distinguished chairman of my subcommittee, now who believes in block grants, said, heaved a sigh going westward. We need cemeteries, for whitewater canoeing, for fisheries, atlases, for studies of the sickle fin chub,” and all these different other programs back at the local level. And the Senator slaughtered President Clinton’s stimulus program—just how it was its track here on the floor of the U.S. Senate.

Now we come with the philosophy: Whoopie, let us get the money back to the Government; we are not smart enough to do anything here in Washington; only the people back home are smart enough. So here we go again. Here we go again, changing the formative law and making it into block grants. Taking working programs like policemen on the beat and the Legal Services. Abolishing these laws in that sense and providing money for a program that has already been derided in the most expert fashion by my distinguished chairman.

can tell you now that we could not possibly live with the block grants. I think the President said he is going to veto that particular approach. Maybe we can reconcile it. I hope some of the defects of this particular bill can be cared for in Senator HATFIELD’s and my amendment. We worked until 1 in the morning on this particular amendment. I think it will meet generally with the approval of the colleagues.

And a reallocation here, I am grateful for that help. Of course, there are fundamentals still involved. And I will say it right to the point. We will be debating these things, as the distinguished chairman says. What we have done is really salvaged Commerce and its programs, the State Department, and, force-fed a goose in Justice. When I say “force-fed a goose in Justice,” I look at the particular figures.

I can see that it took us from 1789 to 1983 or 1984 to get to a $3 billion Justice Department budget. But it has only taken us the last 15 years to quadruple, quintuple—excuse me—and go up, up and away to $16.95 billion in this particular 1996 appropriation. I know we have had various crime bills. I know we have had the phẩm and everything else of that kind. But I can tell you now that we have, with all the budgetary constrictions, to get a little bit better balance in this particular measure.

And in some of these, I am definitely of a mind where the Senator from Texas and I agree that you should not abuse the use of legal services money to sue the State and Governor and Legislature of New Jersey over welfare reform. We agree that we could work the prisoners. I have worked prisoners as a Governor. I put in a laundry program. I put in a furniture repair program. I even had a Jacnay chapter as well as our educational programs behind the wall.

We agree on many, many things. But generally speaking, we did not have a chance to debate these things. Unfortunately, we had not conformed the appropriations to the basic statutes, whatever. We have just run willy-nilly through the programs trying to abolish departments and the working programs that have done so much for our society. I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. I thank the Chair.

Mr. President is considering the appropriations bill for the Commerce, Justice and State Departments. It would be tempting to address this bill in the same fashion as I have other measures during this session which have abstained from the spending—spending cuts. The natural inclination is to talk about how the cuts will affect specific programs or policies, many of which are vital to the security of our Nation or the well-being of our people.

In this context, I would be led to talk about how the CJS appropriations bill, as reported by the committee, laps off more than $1 billion—I repeat, more than $1 billion—from the President’s request for the foreign affairs agencies. There will be dramatic reductions in spending for the administration of foreign affairs, for the acquisition and maintenance of buildings, for the U.S. assessment of the United Nations, for U.S. contributions to U.N. peacekeeping, and for international exchange programs.

I understand that the chairman of the Appropriations Committee may offer an amendment which may add additional funds to the foreign affairs account—which I applaud and will support. I must speak now, however, to the bill as reported by the committee.

Many of my colleagues know that these are programs and functions that are extremely important to me. When I recently announced my intention not to seek reelection to the Senate, some of my fellow Senators gravely came to the floor to say some very kind things about me. For that I am deeply grateful, and indeed humbled. One thing that struck me that day was how many of my colleagues mentioned my support for the United Nations, and the fact that I have carried a copy of the charter with me for years.

I have not carried it with me all of this time just for show and tell. I carry it because I believe in it, and I think that it has represented—and continues to represent—one of our best hopes for international peace and security. If we proceed with the reductions in funding for the U.S. contributions to the regular and peacekeeping budgets, however, the charter will become nothing more than pretty words. There will be no point, and no joy, in carrying it in my pocket.

I have also been a consistent advocate of the U.S. Arms Control and Disarmament Agency [ACDA]. More than three decades ago, President Kennedy and the Congress decided to create by statute the Arms Control and Disarmament Agency—which was then and remains now the only separate agency in the Government—when the Congress eviscerates ACDA and perversely rewards its employees by discharging them, we will do grievous damage to our ability to lead the world in effective arms control, to verify compliance of often hostile nations with their arms control obligations, to do so, and to deal effectively with new arms control and proliferation threats.

As I said moments ago, it would be tempting to continue at length about the impact of this and other bills on programs such as arms control, the United Nations and U.N. peacekeeping. Today, however, I want to discuss this bill in broader and more far-reaching terms. Whether or not the Senate cares to admit it, our decisions and actions this year are going to have a direct and negative impact on our presence in the world, and on our fundamental relationships with other world powers.

I am very proud of the U.S. record of leadership, achievement, and engagement in international relations. Twice in the 20th century, our Nation stood with its allies to fight on a global scale against aggression. During the cold war, the United States took the lead to contain the hegemonistic designs of the former Soviet Union. In the early 1990s, the United States led an international coalition of forces in turning back Iraq’s illegal grab of Kuwait.

Equally as important, however, are the battles we did not fight—the conflicts that we avoided, the crises that we averted through diplomatic discussion and pressure. Even if we made mistakes from time to time, we were successful in all of these endeavors because of our belief in principles, our commitment to do what we thought right and our willingness to be actively engaged. Our decisions, policies, and programs were often driven by human and material terms, but they made our world a safer place, and our Nation a better and more profitable place to live.

Our motivation sadly seems to have changed. Decisions are being made out of political expediency rather than sound judgment. Our impulse as politicians—particularly this year—is to rush willy-nilly to make budget cuts for their own sake, without regard to the consequences. Instead of using reason and analysis to construct foreign policy, we are using calculators.

We must stop, think, and take a good hard look at how the United States can expect to project its power and influence under the circumstances now proposed. The State Department and the foreign affairs agencies, the Nation’s voice to the world—cannot carry out its mission if they haven’t the personnel, resources, and infrastructure required by the times.
It is not just a matter of doing more with less. I know the fiscal imperatives of our time, and appreciate that we are required to spend less and consolidate functions and responsibilities. The spending reductions in this bill are so severe, however, that the Fiscalianism. We will be forced to close dozens of critical posts overseas, to renege on treaty commitments, and simply disengage from diplomatic activity. That is not sound fiscal policy, and it certainly not leadership. If it is Fiscalianism. We are shutting ourselves off from the world, and our Nation’s security and economy will suffer.

I do not use the term isolationism lightly. It is a serious charge, but one that I think is accurate. We must acknowledge the impact of this bill on our ability to work with other nations, and understand that by violating our international commitments, we will undermine our own national security.

And make no mistake, this bill will force us to renege on our international commitments and will have an adverse impact on virtually every aspect of the quality of life of our citizens.

Allow me to give some examples. In 1990, in negotiations for the Non-Proliferation Treaty, the United States would meet its treaty obligation to pay its U.N. dues in full, and that we would pay off our arrears. This bill would violate that pledge, and we will become the world’s biggest deadbeat. At a certain point, which is fast approaching, we will lose our vote in the U.N. General Assembly because of the size of our arrears. This bill will also affect our obligations to NATO, to the International Atomic Energy Agency, to the International Telecommunications Union, and to the World Health Organization. In other words, we will have a diminished role to play in the critical fields of international security, nuclear non-proliferation, global communications, and international health.

We also would hamstring the work of lesser-known but important organizations such as the Hague Conference on Private International Law and the International Institute for the Unification of Private Law. Both of these are making vital contributions to simplifying and unifying the international legal system. How many times have we interceded on behalf of constituents in international adoptions, or in cases of war or family separation?

This bill will affect our ability to participate without our diplomatic presence, or to make any statements on behalf of the country.

Mr. President, we are forsaking the lessons of history for political opportunism. We are forsaking the idealism of this bill to insist that they are not isolationists, but they must realize that their proposals will lead us into isolationism. We cannot influence the decisions of international bodies if we are not there to participate. And if we try to participate without paying our bills, no one will listen to us. That is isolation in the truest sense of the word. Mark my words: if we continue down the path we are now heading, our children will be left with one of two choices. The first is to accept that their forebears let the country become xenophobic, second-rate power with a shrunken and insulated economy. The second is to remember the battles for which our generation already has paid so dearly. Neither, in my view, is an acceptable choice.

I yield the floor.

Mr. DOMENICI addressed the Chair. The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I rise for a couple of minutes. First, I ask unanimous consent, if Senator Gramm and Senator Hollings will consider this, that the Domenici-Hollings amendment on legal judgments be followed by the amendment to be offered by Senator Hatfield.

Mr. HOLLINGS. We have no objection.

Mr. GRAMM. Reserving the right to object, I have been talking to several other Members. We are trying to work out an agreement where we might actually reduce it down to four amendments that we would have on the bill. The Senator's would be one of those amendments. But some version will be— as you know, there is competition for these offsets. Before I can accept that unanimous-consent request, I have to go back and talk to the people that I am talking to on the other side of the aisle.

So if the Senator will withhold, I will go back and talk to them and maybe look at these offsets and see if we can work it out. I want to be sure that the same sources are not being promised to two or three different people.

The PRESIDING OFFICER. Does the Senator withdraw his unanimous-consent request?

Mr. DOMENICI. No, I reserve it for a couple of minutes. I will just stay here in any event, I say to the Senator. If we do not agree to it, I will be here until Senator Hatfield’s amendment is disposed of and then seek the floor. I withdraw my request.

Mr. President, might I just comment to my good friend Senator Hollings, I want to share a thought with him. He was talking about jumping off the Capitol at the end of this year if we do not have a balanced budget.

Mr. HOLLINGS. No, when you say it is not balanced, it is the unpaid bills.

Mr. DOMENICI. What I suggest to my good friend, maybe in the meantime, there are those hang gliders. Our Governor does that.

Mr. HOLLINGS. Yes.

Mr. DOMENICI. You go off and learn how to jump off mountains and you do not crash.

Mr. HOLLINGS. Right.

Mr. DOMENICI. Since I am so sure we are going to get one, I would not want the Senator to fall off the Capitol. I would like him to get trained a little so when he jumps off, he will be all right. It is just a constructive idea because I have so much respect and admiration for the Senator.

Mr. HOLLINGS. I will put you in there with me.

Mr. DOMENICI. If you are good, I will join you.

Mr. HOLLINGS. Yes.

Mr. DOMENICI. Mr. President, I just want to comment on Senator Hollings’s rather lengthy and, clearly, from his standpoint, a very important speech about a balanced budget.

I first want to say, if we accomplish in the next 45 days what was in the budget reconciliation instruction, and if we stick to the caps on appropriations, which we have done, I understand even points of order have been sustained on the floor without even the thought of exceeding the caps, my guess is the unexpected result will be the Congressional Budget Office will tell us that we are on a path to a balanced budget, and we will get there.

In fact, I would not be surprised if when we finish that exercise that they do not tell us that there is, indeed, some kind of a small surplus. And I just want the Senators who are voting for all of that to know they did price out that budget resolution. They priced it out so that they could tell us that, in fact, they are going to be in a rather substantial economic dividend that puts us in the black. I know my good friend does not agree with that. He did not vote for it and does not support it.
On page 123, line 1 strike “$3,000,000” and insert “$22,000,000”.

On page 115, line 9 strike “$40,000,000” and insert in lieu thereof “168,280,000”.

On page 115, line 12 strike “$20,000,000” and insert in lieu thereof “$22,000,000”.

On page 31, line 1 strike “$22,000,000” and insert in lieu thereof “$20,000,000”.

On page 31, line 3 strike “$20,000,000” and insert in lieu thereof “$22,000,000”.

Mr. HOLLINGS. Mr. President, I ask unanimous consent to have printed in the Record at this point the following:

> CONGRESSIONAL RECORD — SENATE

> 14501

> September 28, 1995

> page 123

> Mr. HOLLINGS. Mr. President, I ask unanimous consent to have printed in the Record at this point the actual record of the gross Federal debt beginning in 1945 going right on down to the estimated 1996 debt, and the real deficit going from 1945 down to 1996 with the gross interest costs, which has only been computed to be included since 1962.

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Gross Debt (billions)</th>
<th>Real deficit</th>
<th>Change (in percent)</th>
<th>Gross interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>1945</td>
<td>190.1</td>
<td>-10.9</td>
<td>(5.1)</td>
<td>15.7</td>
</tr>
<tr>
<td>1946</td>
<td>197.1</td>
<td>-13.9</td>
<td>(5.1)</td>
<td>15.7</td>
</tr>
<tr>
<td>1947</td>
<td>202.6</td>
<td>-5.1</td>
<td>(2.0)</td>
<td>10.7</td>
</tr>
<tr>
<td>1948</td>
<td>256.9</td>
<td>+4.3</td>
<td>(1.7)</td>
<td>10.7</td>
</tr>
<tr>
<td>1949</td>
<td>259.3</td>
<td>+2.5</td>
<td>(1.0)</td>
<td>10.7</td>
</tr>
<tr>
<td>1950</td>
<td>259.1</td>
<td>+0.8</td>
<td>(0.3)</td>
<td>10.7</td>
</tr>
<tr>
<td>1951</td>
<td>257.0</td>
<td>-4.0</td>
<td>(1.5)</td>
<td>10.7</td>
</tr>
<tr>
<td>1952</td>
<td>253.3</td>
<td>+1.5</td>
<td>(0.6)</td>
<td>10.7</td>
</tr>
<tr>
<td>1953</td>
<td>255.1</td>
<td>+2.2</td>
<td>(0.8)</td>
<td>10.7</td>
</tr>
<tr>
<td>1954</td>
<td>257.1</td>
<td>+2.3</td>
<td>(0.9)</td>
<td>10.7</td>
</tr>
<tr>
<td>1955</td>
<td>258.1</td>
<td>+1.2</td>
<td>(0.4)</td>
<td>10.7</td>
</tr>
<tr>
<td>1956</td>
<td>259.1</td>
<td>+2.2</td>
<td>(0.8)</td>
<td>10.7</td>
</tr>
<tr>
<td>1957</td>
<td>255.1</td>
<td>+2.1</td>
<td>(0.8)</td>
<td>10.7</td>
</tr>
<tr>
<td>1958</td>
<td>253.3</td>
<td>+2.2</td>
<td>(0.8)</td>
<td>10.7</td>
</tr>
<tr>
<td>1959</td>
<td>257.4</td>
<td>+2.3</td>
<td>(0.9)</td>
<td>10.7</td>
</tr>
<tr>
<td>1960</td>
<td>259.1</td>
<td>+1.0</td>
<td>(0.4)</td>
<td>10.7</td>
</tr>
<tr>
<td>1961</td>
<td>255.1</td>
<td>+2.2</td>
<td>(0.8)</td>
<td>10.7</td>
</tr>
<tr>
<td>1962</td>
<td>257.1</td>
<td>+2.3</td>
<td>(0.9)</td>
<td>10.7</td>
</tr>
<tr>
<td>1963</td>
<td>259.1</td>
<td>+1.0</td>
<td>(0.4)</td>
<td>10.7</td>
</tr>
<tr>
<td>1964</td>
<td>257.1</td>
<td>+2.3</td>
<td>(0.9)</td>
<td>10.7</td>
</tr>
<tr>
<td>1965</td>
<td>255.1</td>
<td>+2.2</td>
<td>(0.8)</td>
<td>10.7</td>
</tr>
<tr>
<td>1966</td>
<td>253.3</td>
<td>+2.2</td>
<td>(0.8)</td>
<td>10.7</td>
</tr>
</tbody>
</table>

Mr. HOLLINGS. Mr. President, the distinguished chairman of the Budget Committee is talking and the Senator from South Carolina is talking, but they are speaking more loudly than each of us.

For example, the gentleman talking from South Carolina is talking, but the facts speak more loudly than each of us.

Mr. SIMON. Will my colleague yield for a moment?

Mr. HOLLINGS. Yes.

Mr. SIMON. Mr. President, I simply want to acknowledge that the person who educated me on gross interest over against net interest was the Senator from South Carolina.

Administrations like to put net interest into their budgets. We do not do that with any other function of Government. We do not say the Justice Department took in so many dollars in fines and everything, therefore, their budget is that much less. It is the gross expenditure of the Justice Department. But because administrations like to fuzz things up a little bit, they were using net interest. The real figure is gross interest. I want to acknowledge Senator FRITZ HOLLINGS for having educated me on this. And I hope he is educating a lot of other people, too.

Mr. HOLLINGS. I thank my distinguished colleague.

The PRESIDING OFFICER. Who seeks recognition?

MR. GRAMM. Mr. President, in a moment we will have an amendment by the distinguished chairman of the full committee, which is going to shift the allocation among the subcommittees providing additional funding for Commerce, State, Justice and in the process solving many of the problems that hold this bill up.

While we are waiting on that—and I understand the distinguished Senator from West Virginia has now signed off on that amendment just in time—we want to say, as the new chairman of this subcommittee, that I have had an opportunity, for the first time, to work with the distinguished Senator of the full committee, Senator HATFIELD, in that capacity. I think it is fair to say that the success that I have had in bringing the bill to this point is, in no small part, due to the assistance that I have had from the distinguished Senator from Oregon. I simply want to say that the Senator from Oregon has not only been very helpful to me in this bill, but I think he epitomizes what the skilled and dedicated legislator is all about.

I had a great deal of respect for Senator HATFIELD before we started trying to put together this difficult bill. I have even more respect for him now.

In case we have the miracle of miracles and we work out an agreement and this bill quickly becomes law and everybody scatters to the far ends of the earth, I just wanted to say how much I appreciate the distinguished chairman for the personal help and counsel he has given to me. He certainly is deserving of our thanks and our appreciation.

Let me, in waiting for the amendment to be ready, simply suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRAMM. I ask unanimous consent that the pending amendment be temporarily set aside for the purpose of considering a technical amendment which has been cleared on both sides.

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

AMENDMENT NO. 2813

(Purpose: To make certain technical corrections)

Mr. GRAMM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 15, line 23 strike “$148,280,000” and insert in lieu thereof “$168,280,000”.

On page 15, line 24 strike “and” and insert in lieu thereof “$20,000,000”.

On page 16, line 2 after “and” insert “and” and of which $2,000,000 shall be for activities authorized by section 210501 of Public Law 101–625.

On page 20, line 8 strike “$114,463,000” and insert in lieu thereof “$104,463,000”.

On page 115, line 9 strike “$40,000,000” and insert in lieu thereof “$20,000,000”.

On page 123, line 1 strike “$3,000,000” and insert in lieu thereof “$3,000,000”.

On page 151, line 16 strike “(1)” and insert “(2)”.

On page 151, line 18 strike “(2) and (3)” and insert “(3)” and “4).”
ERRATA: S UBCOMMITTEE ON COMMERCE, J US-unanimous consent that the correction amendment to this point. That have been created in getting the straighten out all of the drafting errors the distinguished floor manager on the committee and full committee. Committee, contains several inadvert-

H.R. 2076, fiscal year 1996 Commerce, that is currently before the Senate, ``(9)''.

On page 161, line 25 strike ``$115,000,000'' and insert in lieu thereof ``$30,000,000''. Mr. GRAMM. Mr. President, the bill that is currently before the Senate, H.R. 2076, fiscal year 1996 Commerce, State, J ustice appropriations bill, as reported by the Senate Appropriations Committee, contains several inadvertent errors. This amendment is purely technical in nature and is intended to ensure that the Senate Appropriations Committee recommendations which were adopted in both sub-committee and full committee. This amendment has been cleared by the distinguished floor manager on the other side. It is simply necessary to strike out all of the drafting errors that have been created in getting the bill to this point. Mr. HOLLINGS. It is cleared on this side. The question is on agreeing to the amendment. The amendment (No. 2813) was agreed to.

Mr. GRAMM, Mr. President, I move to reconsider the vote.

Mr. HOLLINGS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRAMM, Mr. President, I ask unanimous consent that the corrections to the committee report that I send to the desk be printed in the RECORD.

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

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

ERRATA: S UBCOMMITTEE ON COMMERCE, J US-

OMB, for the Fiscal Year 1996.''

Committee on Commerce, Justice, State, the Judiciary and Related Agencies Report 104-129

Page 20, paragraph 2, sentence 2 should read:

``All of these funds, $275,000,000, including $107,720,000 in program increases, are derived from current crime reduction trust fund [VCRTF], as authorized in section 521 of Senate bill 735.''

Page 27, under Border Control Systems Modernization, the first sentence should read:

``A total of $383,500,000 is recommended, of which $204,453,000 is provided from the violent crime reduction trust fund, to continue the border system modernization effort started last year.''

Page 30, last paragraph, delete the following last sentence:

``The Committee recommendation assumes that the 300 agents relocated to the front lines of the border will include the agents noted by the Department as well as agents currently assigned to the San Clemente and Temecula checkpoints in California.''

Page 37, the entry for the Committee recommendation for State and local block grant/COOPS should be $1,690,000. A new entry should be added for Police corps. 1996 appropriation is $1,250,000. House is zero. Committee recommendation is $10,000.

Page 69, under National Oceanic and Atmospheric Administration the paragraph should read:

``The Committee recommends a total of $1,866,000 for obligations (national) authority for all National Oceanic and Atmospheric Administration (NOAA) appropriations. This level of funding is $45,135,000 below fiscal year 1995, and is $230,140,000 below the budget request. This recommendation is $92,159,000 above the House allowance, and includes transfers totaling $55,500,000 and fees totaling $3,000,000.''

Page 68, under National Marine Fisheries Service the paragraph should read:

``The Committee recommends a total of $271,500,000 less than the budget request, and is $10,000,000 above fiscal year 1995, and is $230,140,000 below the budget request. This recommendation is $37,240,000 above the House allowance. The Committee has recommended funding as shown in the preceding table, for a variety of important research and information programs which are designed to promote a sustainable use of valuable marine resources.''

Page 77, under Fishing Vessel Obligations Guarantees: Committee recommendation—$25,000,000.

Page 78, under National Technical Information Service, second sentence should read: ``This is a decrease of $7,000,000 below the current available appropriation.''

Page 86, under U.S. Sentencing Commission, first sentence should read: ``The Committee recommends $7,040,000 for the salaries and expenses of the U.S. Sentencing Commission for fiscal year 1996.''

Page 112, under Radio Construction: Committee recommendation—$22,000,000.

The bill includes $22,000,000 in new budget authority for the "Radio Construction" account for fiscal year 1996. This amount is $27,261,000 less than the budget request, and is $10,000,000 above fiscal year 1995, and is $230,140,000 below the budget request. This recommendation is $37,240,000 above the House allowance. The Committee has recommended funding as shown in the preceding table, for a variety of important research and information programs which are designed to promote a sustainable use of valuable marine resources.

Page 113, last paragraph, last line should read: "FTUI, and Center for International Private Enterprise (CIPE)—in equal amounts." Page 133 under Department of State Acquisition and Management of Buildings Abroad, line 1 should read: "The Committee recommends a rescission of $140,000,000 from the projected end-of-year carryover balances in the "Acquisition and Maintenance of Buildings Abroad" account at the State Department." Mr. HATFIELD addressed the Chair.

Mr. HATFIELD. The PRESIDING OFFICER. The Senator from Oregon is recognized.

AMENDMENT NO. 2814. The Committee Amendment on page 2, lines 3, through page 3, line 5.

Mr. HATFIELD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. SANTORUM). The clerk will report.

The assistant legislative clerk read as follows:

The amendment from Oregon [Mr. HATFIELD] for himself and Mr. HOLLINGS, proposes an amendment numbered 2814, to the committee amendment on page 2, line 9, through page 3, line 5.

Mr. HATFIELD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the committee amendment beginning on page 2, line 9, insert the following:

The amount from the Violent Crime Reduction Trust Fund for the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs is reduced by $75,000,000.

The following sums are appropriated in addition to such sums provided elsewhere in this Act.

For the Department of Justice, Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, $75,000,000.

For the Department of Commerce, International Trade Administration, "Operations and Administration, Operations and Administration", $8,100,000; for the Minority Business Development Agency, "Minority Business Development Agency", $26,000,000; for the National Telecommunication and Information Administration, "Salaries and Expenses", $3,000,000; for the Patent and Trademark Office, "Salaries and Expenses", $26,000,000; for the National Institute of Standards and Technology, "Industrial Technology Services", $25,000,000; for the National Science Foundation, "Construction of Research Facilities", $3,000,000; and the amount for the Commerce Reorganization Transition Fund is reduced by $10,000,000.

For the Department of State, Administration for Foreign Affairs "Diplomatic and Consular Programs", $135,635,000; for "Salaries and Expenses", $32,724,000; for the "Capital Investment Fund", $8,200,000.

For the United States Information Agency, "Salaries and Expenses", $8,000,000; for the "Technology Fund", $2,000,000; for the "Educational and Cultural Exchange Programs", $20,000,000 of which $10,000,000 if for the Fulbright program; for the Eisenhower Exchange Program, $857,000; for the "Broadcasting Operations", $10,000,000; and for the East-West Center, $10,000,000.

For the United States Sentencing Commission, "Salaries and Expenses", $26,000,000; for the International Trade Commission, "Salaries and Expenses", $4,250,000; for the Federal Trade Commission "Salaries and Expenses", $9,893,000; for the "Marine Mammal Commission, "Salaries and Expenses", $384,000; for the Securities and Exchange Commission, "Salaries and Expenses", $29,740,000; and for the Small Business Administration, $30,000,000.

Mr. HATFIELD. Mr. President, first I want to express my deep appreciation for the kind words expressed by the chairman of our subcommittee, Senator Gramm of Texas. In response that it has been one of those wonderful occasions and experiences that sometimes happen in the Senate, and that is when we get down together one-on-one to negotiate and to try to find the other person's perspective, to respect the other person's viewpoints, and to come to a new appreciation that this indeed, is one of the strengths of this institution—its
diversity. And at the same time there is diversity in this institution, it does not mean that it means stalemate. It does not equal stalemate diversity.

I could find no person with greater sensitivity and words indeed than that person. I think it means getting out of a different and also at the same time, working for the same goal. I come to appreciate, from time to time, the strength of diversity. I sometimes also think that if I learned more, I would hear what the other person might be saying a little more clearly than depending upon imagery or upon labels such that we oftentimes use in shortcut methods. That also does not build for personal relationships.

Mr. President, I have sent to the desk an amendment on behalf of Senator Hollings, myself, and on behalf of the Appropriations Committee in general.

I filed an amended application for the Commerce, Justice and State bill that allowed us this very high item of interest. For our own colleagues to understand that at the beginning of any appropriations cycle that the chairman of the Appropriations Committee, along with consultation and along with staff and so forth, creates what we call the 602(b) allocations.

Now, we do not follow the House of Representatives. In other words, we have our own methods and our own priorities and so forth. So that reflects basically, once the committee has adopted the chairman’s mark, that represents basically a committee action.

In this particular case, we had $1 billion—I am talking now in round numbers—$1 billion in a 602(b) allocation to this subject, $1 billion. Senator Gramm and with the former chair of the committee and now the ranking member, Senator Hollings of South Carolina, $1 billion under the Appropriations Committee.

Now, there were obvious problems just from that allocation. These people had to work within that framework once adopted by the committee. They did so. That meant that they had to not just reduce and diminish some of the committee and then that have been built up over a period of time, but they also had to select between agencies and between programs within agencies.

Now, when we go to the House of Representatives for a conference ultimately as we do with each bill, the chairman of the House committee, Robert Livingston of Louisiana, and I have the responsibilities under the Budget Act that we have to find a way to bring those two committees together on an agreed target figure.

Now, our goal is to strike the difference. We say, all right, that is $500 million for the Senate in this case and $500 million less for the House. You take that as your target figure to make your adjustments.

In this particular case, probably one of the most severely hit of all subcommittees in the Commerce, Justice, State Subcommittee, and they had an opportunity to adjust the Senate to gun of the committee to get us at the ballpark of meeting with the House floor conference.

Why wait until that moment when Congressman Livingston and I have to have a great deal, why not do it now? That is all this amendment represents. We are saying, in effect, we had the previous bill, HUD, independent agencies. We had to adjust that downward in terms of meeting a figure to the House figure for HUD, independent agency, the Senate HUD, independent agency, to get together for conference.

What I have done at this point is to advance that moment of time and decision that would have to take place after the Senate. I take my self, taking from the HUD bill. We have just completed on the floor and transferring that budget outlay figure that we have just announced here this afternoon at $325 million.

I have reserve fund in the so-called BA that we could draw from in the full committee, and we drew from that, to create now this amendment. In other words, this amendment does not add a single penny to our overall commitment to $325 million that people may have, but I do want to say that it has been through the cooperative spirit of the leadership of this subcommittee and the leadership of the full Senate that we are hoping, today, to bring this amendment, that the President intends to veto this bill.

Maybe we can again, hopefully, make that a lesser possibility than it is under the bill that we have before us.

So, Mr. President, I am not going to go on about these changes. I am very happy to respond to specific questions that people may have, but I do want to say that it has been through the cooperative spirit of the leadership of the full Senate that we are hoping, today, to bring this amendment, that it adopted, and thereby move on to address other issues in this bill.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, let me rise in gratitude to our distinguished full committee chairman and also the subcommittee chairman for allowing us to proceed, and to note a softening and thawing on behalf of the distinguished subcommittee chairman, who was a very, very, very tough nut to crack.

I could find no person with greater sensitivity and words indeed than that person. I think it means getting out of a different and also at the same time, working for the same goal. I come to appreciate, from time to time, the strength of diversity. I sometimes also think that if I learned more, I would hear what the other person might be saying a little more clearly than depending upon imagery or upon labels such that we oftentimes use in shortcut methods. That also does not build for personal relationships.

Mr. President, I have sent to the desk an amendment on behalf of Senator Hollings, myself, and on behalf of the Appropriations Committee in general.

I filed an amended application for the Commerce, Justice and State bill that allowed us this very high item of interest. For our own colleagues to understand that at the beginning of any appropriations cycle that the chairman of the Appropriations Committee, along with consultation and along with staff and so forth, creates what we call the 602(b) allocations.

Now, we do not follow the House of Representatives. In other words, we have our own methods and our own priorities and so forth. So that reflects basically, once the committee has adopted the chairman’s mark, that represents basically a committee action.

In this particular case, we had $1 billion—I am talking now in round numbers—$1 billion in a 602(b) allocation to this subject, $1 billion. Senator Gramm and with the former chair of the committee and now the ranking member, Senator Hollings of South Carolina, $1 billion under the Appropriations Committee.

Now, there were obvious problems just from that allocation. These people had to work within that framework once adopted by the committee. They did so. That meant that they had to not just reduce and diminish some of the committee and then that have been built up over a period of time, but they also had to select between agencies and between programs within agencies.

Now, when we go to the House of Representatives for a conference ultimately as we do with each bill, the chairman of the House committee, Robert Livingston of Louisiana, and I have the responsibilities under the Budget Act that we have to find a way to bring those two committees together on an agreed target figure.

Now, our goal is to strike the difference. We say, all right, that is $500 million for the Senate in this case and $500 million less for the House. You take that as your target figure to make your adjustments.

In this particular case, probably one of the most severely hit of all subcommittees in the Commerce, Justice, State Subcommittee, and they had an opportunity to adjust the Senate to gun of the committee to get us at the ballpark of meeting with the House floor conference.

Why wait until that moment when Congressman Livingston and I have to have a great deal, why not do it now? That is all this amendment represents. We are saying, in effect, we had the previous bill, HUD, independent agencies. We had to adjust that downward in terms of meeting a figure to the House figure for HUD, independent agency, the Senate HUD, independent agency, to get together for conference.

What I have done at this point is to advance that moment of time and decision that would have to take place after the Senate. I take my self, taking from the HUD bill. We have just completed on the floor and transferring that budget outlay figure that we have just announced here this afternoon at $325 million.

I have reserve fund in the so-called BA that we could draw from in the full committee, and we drew from that, to create now this amendment. In other words, this amendment does not add a single penny to our overall commitment to $325 million that people may have, but I do want to say that it has been through the cooperative spirit of the leadership of this subcommittee and the leadership of the full Senate that we are hoping, today, to bring this amendment, that the President intends to veto this bill.

Maybe we can again, hopefully, make that a lesser possibility than it is under the bill that we have before us.

So, Mr. President, I am not going to go on about these changes. I am very happy to respond to specific questions that people may have, but I do want to say that it has been through the cooperative spirit of the leadership of this subcommittee and the leadership of the full Senate that we are hoping, today, to bring this amendment, that it adopted, and thereby move on to address other issues in this bill.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, let me rise in gratitude to our distinguished full committee chairman and also the subcommittee chairman for allowing us to proceed, and to note a softening and thawing on behalf of the distinguished subcommittee chairman, who was a very, very, very tough nut to crack.
President Clinton oxygen. I feel like, in this amendment, which I am proud to cosponsor, we are getting oxygen. It keeps some very important programs alive.

The distinguished full committee chairman, Senator HATFIELD, has been very sensitive and very understanding and very realistic. There is none of this kind of pork or any of these other kind of things. This amendment adds back funds to high priority commerce programs—$45.5 million for the International Trade Administration, which the distinguished ranking member, Senator PELL, has just addressed. $177 million is added to their operating accounts to bring them back to the level proposed in S. 908, Senator HELMS’ Foreign Relations Authorization Act.

For the USIA, we are adding back $20 million for exchange and educational exchanges, including $10 million for the Fulbright program. We also add back funds for the USIA operations, international broadcasting, and technology modernization. And for the independent agencies like the Federal Trade Commission, the Small Business Administration and others, we have added back certain funds that could be available now with this new allocation.

I thank particularly the staffs on both sides, Mark Van Der Water, David Taylor, Scott Corwin, and Steve McMillen, who worked until about 2 o’clock this morning, trying to bring this about.

I am very much appreciative to Senator HATFIELD, and I hope we can adopt this amendment.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I express my gratitude to the chairman of the full committee, to the Senator from South Carolina for addressing a concern I have been discussing with them for many months, the East-West Center. It is a very important national asset, and I thank them very much.

For those not familiar with the East-West Center, it is a world-class American institution dedicated to promoting better understanding and relationships with the countries of Asia and the Pacific.

It is supported by a bipartisan government 35 years ago that foresaw the need for a better understanding between the United States and the Asia-Pacific region. The importance of the East-West Center is important now more than ever.

The Asia-Pacific region is the fastest growing region in the world. Today, over half of the population of the world is in Asia. This region has about 20 percent of the world’s land mass, but over 60 percent of the gross product of the world.

For every jumbo jet that flies over the Atlantic Ocean, four fly over the Pacific Ocean. Our trade with Asia is four times larger than our trade with Europe.

It has become the fastest growing economy. Trade with Asia provides nearly 3 million jobs to Americans and, by the year 2003, our exports to Asia will be more than double those to Europe.

I would like to share two concrete examples of the East-West Center’s success in the Asia-Pacific. There was a time when our relations with Indonesia were next to nil. Our Ambassador was recalled. There were no exchanges or any formal conversation.

Indonesia cut off all ties with the United States. It would not permit any of its citizens to become Fulbright scholars, but it continued to send men and women to the East-West Center.

One thing with Burma. Our relationship with Burma over the years has been hot and cold. At one time, Burma sent our Ambassador home and closed our consulates. But Burma sent students to the East-West Center. It was convinced that this was a unique spot on the globe where men and women could freely discuss issues of the day.

The East-West Center now has 42,000 alumni globally; a network of distinguished colleagues in government, business, the media, academia, and the professions.

The student degree program, with 4,000 graduates, is a major component of cultural and technical interchange at the Center.

As you can see, the East-West Center is a national resource that must be funded at a responsible level. I ask my colleagues to support this national institution.

Mr. AKAKA. Mr. President, I am pleased to join the senior Senator from Hawaii, the senior Senator from Utah, the distinguished ranking member of the subcommittee, and the chairman of the subcommittee, in offering this amendment to restore funding for the East-West Center.

Over the past 35 years, the East-West Center has established its reputation as one of the most respected and authoritative institutions dedicated to the advancement of international cooperation throughout Asia and the Pacific. The Center plays a key role in promoting constructive American involvement in the region through its education, dialogue, research, and outreach programs. The Center addresses critical issues of importance to the Asia-Pacific region and United States interests in the region, including international economics and politics, energy and natural resources, population, the environment, technology, and culture.

The achievements of the East-West Center bear repetition. Since its creation by Congress in 1960, the Center has brought over 800,000 participants from over 60 nations and territories to research, education, and conference programs.

Scholars, statesmen, government officials, journalists, teachers, and business executives from the United States and Asia and the Pacific have benefited from studies at the Center. These government and private sector leaders comprise an influential network of East-West Center alumni throughout the Asia-Pacific region. I continually encounter proud Center alumni in meetings with Asian and Pacific island government officials and business leaders.

The success of the Center as a forum for the promotion of international cooperation and the strength of the position the United States has realized at the Center are reflected in the prestige it enjoys in the region. Japan, Korea, Taiwan, Indonesia, Fiji, Papua New Guinea, Pakistan, and other American allies in the region—over 20 countries in all—support the Center’s programs with contributions. The Center has also received endowments from benefactors in recognition of its contributions and value.

Mr. President, the countries of Asia and the Pacific are critically important to the United States and our political and economic interests into the next century. By the year 2000, the Asia-Pacific region will be the world’s largest producer and consumer of goods and services. The markets for energy resources, telecommunications, and air travel are fast becoming the world’s largest.

Future economic growth and job creation in the United States is closely linked to our ability to identify and secure opportunities in the world’s fastest-growing economies. The East-West Center provides leadership and advice on economic issues, including APEC [Asia Pacific Economic Cooperation] and the U.S.-Pacific Island Joint Commercial Commission.

Mr. President, given the strategic and economic importance of the Asia-Pacific region to U.S. interests, and the credibility and trust enjoyed by the East-West Center in the region, I believe it is wise to slash funding for the Center. We have closed, or are in the process of closing, AID offices in the region. These actions are sending signals to our friends and others in the region that our interest is waning.

For over 3 decades we have invested in the East-West Center, creating an important resource that provides us with greater understanding, cooperation, provides expertise on complex regional issues, and advises U.S. foreign policy decisionmaking. If we fail to provide
Mr. DOMENICI. Mr. President, I say to my friend from New Mexico, I have overwhelming confidence in his parliamentary skills. If he says it, there must be a likelihood he is correct, in which case I make a parliamentary inquiry: When is it appropriate for the Senator from Delaware to introduce an amendment that would, in fact, restore the $75 million to the violence against women account?

The PRESIDING OFFICER. When we dispose of the Hatfield amendment.

Mr. BIDEN. That is a very useful piece of information, Mr. President. I thank him very much, and, if it is appropriate, I ask unanimous consent that, upon disposal of the Hatfield amendment, I be recognized to offer my amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object, I will not object if I can add my unanimous consent to it that immediately thereafter we have a Domenici amendment on legal services.

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

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I will just take a moment, Mr. President.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I say to my colleague from New Mexico, I will just take a minute.

Mr. DOMENICI. No problem.

Mr. WELLSTONE. Mr. President, I want to just emphasize what the Senator from Delaware said, including being an original cosponsor to this amendment. I will wait. I am very pleased an agreement has been worked out. I will wait until the Senator from Delaware introduces this amendment.

My understanding is we have a good agreement here. At that point in time I would like to talk about the importance of what we have done.

So I just ask unanimous consent I be included as an original cosponsor.

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

Is there further debate on the amendment?

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I would like to ask Senator Hatfield, the sponsor of the amendment, a clarification question.

First of all, I strongly compliment my colleagues on the amendment. I certainly intend wholeheartedly to support it. Under Small Business Administration you have an overall $30 million add-on. Am I correct that in the specific, that for women’s outreach programs, you have increased that to $4 million?

Mr. HATFIELD. The Senator is correct.
the hands of a man. It is not breast
lence your suffer will no longer be
children of this country. We said: We will
Violence Against Women Act. We made
than a public injustice.
of violence a private misfortune rather
too long, we have considered this kind
turned our back on the women injured
other way when it comes to this kind
providing the funding is meaningless.
law, without following through and
a paper commitment. But passing the
proudst accomplishment. When it
passed the Senate with overwhelming
bipartisan support, I thought we were
Act—has been my first priority and my
proudest accomplishment. When it
passed the Senate with overwhelming
bipartisan support, I thought we were
well on our way to making a signifi-
antly different commitment to the women
of America. I though we made more than
a paper commitment. But passing the
law, without following through and
providing the funding is meaningless.
For too long, we have looked the
other way when it comes to this kind
of violence. For too long, we have
turned our back on the women injured
by men who say they love them. For
too long, we have considered this kind
of violence a private misfortune rather
than a public injustice.
Last year, we took a historic step
in the right direction when we passed
the Violence Against Women Act. We
made a commitment to the women and
children of this country. We said: We will
no longer look the other way—the vio-
lence you suffer will no longer be
yours alone. Help is on the way.
And just in case my colleagues have
forgotten, let me once again remind them
of the dimensions of this prob-
lem.
The No. 1 threat to the health of
America's women is a violent attack
at the hands of a man. It is not breast
cancer, it's not heart attacks, it's not
strikes. Its violence against women by
men.
These attacks have many names.
They are called rape, assault, felonies.
And the attackers have many faces.
They are friends, relatives, spouses,
and strangers.
The statistics are terrifying:
Every 18 seconds, a woman is beaten
by her spouse, boyfriend, or other inti-
mate partner.
Every 5 minutes, a woman is raped.
Nearly two out of three female vic-
tims of violence are related to, or
know, their attackers.
As many as 35 percent of all women
who visit emergency rooms are there
because of family violence.
This violence also takes a tragic toll
on our children:
Three million children each year wit-
ness violence in their homes. Studies
show that these kids are more likely
to drop out of school; abuse alcohol and
other drugs; and grow up to be abusers
themselves.
The violence women suffer reflects
as much a failure of our Nation's collec-
tive moral conscience as it does the
failure of our Nation's laws and regula-
tions.
How else can we explain the results
of a study of junior high school stu-
dents conducted in Rhode Island a few
years ago?
In the study, the students were
asked: When does a man have the right
to have sexual intercourse with a
woman without her consent?
It seems like an outrageous question
doesn't it? but 80 percent of the stu-
dents said that a man had the right to
use force on his wife, 70 percent said he
had the right to use force if the couple
was engaged, and 61 percent said force
was OK if the couple had already had
sexual relations, and 30 percent said
force was justified if the man knew
the woman had had sex with other
men.
And the appalling answers do not
stop.
About 25 percent of the boys said it
was OK to force sex on a girl if the boy
had spent $10 on her—and, aston-
dingly, 20 percent of the girls who were
interviewed agreed.
If these are the attitudes we have
communicated to our youth, it is hard-
ly surprising that we tolerate a level of
violence against women unprecedented
in our history.
 Somehow, we seem to forget that a
society suffers what it tolerates.
That's why we cannot retreat from
the commitment we made last year
with passage of the Violence Against
Women Act. The act, let me remind my
colleagues, has four basic goals: To
make our streets and homes safer for
women; to make the criminal justice
system more responsive to women; to
start changing attitudes—beginning
with our kids—about violence against
women; and to extend to women the
equal protection of our Nation's laws.
The Senate, the House, and the Presi-
dent—we all agreed last year that Fed-
eral dollars should be committed to
these goals. Specifically, we authorized
funding to:
Hire more police and prosecutors spe-
cially trained and devoted to combat-
ing family violence.
Train police, prosecutors, judges, and
teachers in the ways of family violence—so
they can better understand and respond to
the problem;
Implement tougher arrest policies,
including mandatory arrest for anyone
who witness a wife or girlfriend
being battered;
Expand and improve victim-service
programs and provide specially trained
family violence court advocates;
Fund rape crisis centers and open
more battered women shelters; and
Fund family violence education
programs in our schools.
In the past 12 months, the Violence
Against Women Act has already been
put into action. In States and commu-
nities all across the country, Federal
dollars are helping coalitions of police,
prosecutors, judges, and victim service
organizations work—among many
other convictions, severe tough
on crimes, and offer women the infor-
mation and practical resources they
need.
As many of you may already know,
the first conviction and sentencing
under the act took place recently in
West Virginia.
It is a case about Christopher Bailey
and his wife, Sonja, and it is enough
to take your breath away. Christopher
Bailey severely beat Sonja, forced her
into the trunk of his car, and drove
aimlessly across West Virginia and
Kentucky for 6 days.
Sonja suffered massive head injuries
and severe kidney and liver dysfunc-
tions. Her face was black and blue, and
her eyes were swollen shut. She had
bruises on her neck, wrists, and
ankles.
Today, Sonja remains in a coma.
Christopher Bailey was convicted
under a new provision in the Violence
Against Women Act, and for kidnap-
ping. Early this month he was sen-
tenced to serve the rest of his days in
prison.
Obviously, Bailey's conviction won't
bring Sonja out of her coma. But it
does send a clear message all across
our country that violence against women
will not be tolerated—it will be punished,
and it will be punished severely.
Today, we here in the Senate must
send that same message. We must keep
the promise we made last year, and re-
store the funding for the Justice Depart-
ment programs authorized by the Vio-
ence Against Women Act.
Last year, the Congress authorized
over $176 million for the Violence
Against Women Act Justice Depart-
ment programs. A third, as reported
by the committee cut more than $76 milli-
on these programs.
The most devastating cut was made
to the grant program at the heart of
the Senate. They are working to bring together State and local police, prosecutors, and victims advocates to target family violence and rape. Last year, we authorized $30 million for that program. This bill only allocates $51 million—so $69 million dollars were taken out of the police, police, and victim services grants—that means more than $1 out of every $2 dollars were cut. This is money for more police and prosecutors to crack down on violence against women; to train police, prosecutors, so they can understand better and respond more effectively to violence against women; and to develop, enlarge and strengthen programs for victims of violence—like rape crisis centers, battered women's shelters, and special victim advocates.

This bill also cuts $1 million earmarked especially for rural areas to combat family violence, and the bill completely eliminated the $1.5 million targeted to combat stalking against women. In restoring $75 million in funding for the Violence Against Women Act, this amendment does not take any new money out of the taxpayer's pockets. Instead, the money comes out of other places in the bill—where there's much more money appropriated than was requested by the President.

These cuts would have had a devastating impact on the lives of women and children in America. I am pleased that so many of my colleagues are joining me in restoring virtually all of the funding for the Violence Against Women Act.

Let me also point out: the Appropriations Subcommittee on Labor, Health and Human Services, and Education, chaired by my distinguished friend and colleague from Pennsylvania, Senator SPECTER, has recommended full funding for the Violence Against Women Act programs within the jurisdiction of the Department of Health and Human Services for rape education and prevention, domestic violence community demonstration projects, a domestic violence hotline, and battered women shelters.

In fact, recognizing the urgency of this problem, the subcommittee wrote in an additional $2.4 million for battered women shelters—shelters which serve as a refuge for women and their children when they are hurt and most vulnerable—and in greatest need of our compassion and support.

I applaud the subcommittee's efforts to honor the commitment that we made last year to the women and children of America. And I hope that when the HHS appropriations bill comes to the floor, the full Senate will honor that commitment as well.

But right here, right now, we must not walk away. We cannot—we must not—turn back now. For too long, our society has turned its back on the nightmare that is violence against women.

Obviously, we cannot legislate humanity and kindness. And we cannot outlaw hatred and ignorance. But we can help make America a safer place for women—and I call on everyone here to help do just that. I hope all of my colleagues will join me in restoring full funding to the Violence Against Women Act programs. The women and children of America are counting on us.

Mr. President, I ask unanimous consent that the following language be added as an original co-sponsor, and Senator KERRY of Massachusetts, Senator GRAMM of Texas is already the original co-sponsor, Senator HATCH, Senator BOXER, Senator WELLSTONE, and others who will come to the floor I am sure who wish to be part of this amendment. I ask unanimous consent that they be added.

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

Mr. BIDEN. Mr. President, in the interest of time because there are other amendments and a lot more to do on this bill, let me briefly explain this amendment and then yield to the chairman of the subcommittee for any comments that he would like to make, and he surely knows the mechanics of this better than I.

Mr. President, in order to restore every single piece of the Violence Against Women Act funding, there is a requirement that would be required that we would have to have had $76.7 million.

Just to give my colleagues an idea what I mean about that, the violence against women grants; pro-arrest policy; rural domestic violence, court-appointed special counsel, national stalker reduction, training programs, Federal victims counselors, grants for televised testimony, State databases, national baseline study for campus sexual assault, equal justice for women in the courts, training courts, training for State and Federal judiciary personnel, Federal Judicial Center, and Administrative Office of the Courts, are all recipients of some portion of the violence against women funding.

Unfortunately, all we have available is $75 million, not $76.7 million to make this account totally whole.

So my amendment lays out which portions of all of those functions that I have just read are fully funded and which are not able to be funded with this addition of $75 million.

I want to put this in context. We are going to be funding $175 million out of $76.7 million. This is a $75 million increase. I wish it were a $76.7 million increase, but then again, as my friend, the chairman of the full committee is saying, I am being a little greedy in that regard. I realize every program has to take a little bit of hit.

So what we will do is we will add $75 million in the accounts that we may call the violence against women grants, pro-arrest policy, the rural domestic violence, court-appointed advocates, national stalker legislation, training programs, Federal victims counselors—we are not able to fully fund the grants for televised testimony. That was originally in our legislation—$250 million. It is funded at $76.7 million. We will fund that fully the State database. We are not able to fund the national baseline study on campus sexual assault at this moment. We are not able to fund equal justice for women in State courts, training for Federal judicial personnel, Federal Judicial Center, Federal Judicial, and Administrative Office of the Courts.

So that is what the additional $75 million goes to make whole.

I would be delighted to yield to the chairman of the committee for any comments, and thank him, by the way, for keeping—as he always does with me and with everyone else I know—a commitment. He told me that if he had the money he would make this account at least mostly whole. He got the money, and he did just that. And I thank him for that.

I yield the floor.

Mr. GRAMM addressed the Chair. The PRESIDING OFFICER. The Senator from Texas.

GRAMM. Mr. President, let me thank Senator BIDEN for working with me on this amendment. We had provided in the appropriations bill a tripling of funding for violence against women, which represented our largest increase in expenditure in the bill. Our problem was that, given the overall financial constraint we had, there was no way we could fund the authorized level of the program.

So Senator BIDEN and I were in a position that we both wanted to provide more money. This has been one of the top priorities of the bill. But yet we were still short of the full program that the Senate had authorized.

When the distinguished chairman of the committee allocated additional funds to the subcommittee, as he did in his amendment that was just adopted a moment ago, it allowed us to go ahead and to fully fund this program.

I am, therefore, very happy to join my colleague from Delaware in this amendment. I think given the funds that are now available that this represents a wise expenditure of money. I join my colleague in supporting this amendment, and urge our colleagues to adopt it.

I yield the floor.

Mr. WELLSTONE addressed the Chair. The PRESIDING OFFICER. The Senator from Minnesota.

WELLSTONE. Mr. President, I would like to thank both of my colleagues, the Senator from Delaware, and the Senator from Texas and, of course, the Senator from Oregon, Chairman HATFIELD.

I yield to the Senator from Utah whom I think has been a real leader in this area. I am really pleased that we have come together in a bipartisan way on this issue.
Mr. President, I could take a tremendous amount of time. But I think there are other Senators who want to make some brief comments on this as well. So let me just try to summarize several hours worth of what I would like to say.

I am proud to be a cosponsor. I thank the Senator from Delaware for his very fine remarks. I think the FBI statistics are something like every 15 seconds a woman is battered in our country.

In my State of Minnesota I think a lot of people are lighting a candle in this area. The statistics nationally are really grim. I think the FBI statistics are something like every 15 seconds a woman is battered in our country.

Mr. President, I think that we are taking this problem seriously now in a way that we have not before as a country, both as a crime and also in terms of the kind of things that we need to do to prevent it.

Mr. President, I think what this Violence Against Women Act funding does—I am so pleased that we were able to go up from $100 million to $175 million, is it provides funds to communities who can make good and positive things happen.

Mr. President, I think this is not bragging to say that Minnesota really is one of the leaders in the Nation—I think I would probably argue leader in the Nation. I think the general view that we have in my State is we are never going to be able to reduce the violence in our communities unless we are able to reduce the violence in our homes. It spills out into the streets. It spills out into the neighborhoods. It spills out into the communities.

I think the second view that we have in Minnesota—and I think it is a view around the country—is that, whereas, when I was a kid, if we knew something was wrong in another home, whether it be a woman who was battered or a child—sometimes a man, but unfortunately mainly women and children, not that I think it is good that men are battered—I think it is awful that so many women and children have to pay this price. I think now we have reached the conclusion, as opposed to a point in time when we said it was no one's business, I think we are now seeing it as everybody's business. This is the kind of problem that could be tackled at the community level. It is the kind of problem that could be tackled by the law enforcement community. It is the kind of problem that could be tackled by the clergy. It is the kind of problem that can be tackled by women and others who are down there in the trenches in the battered women's shelters. It is the kind of problem that can be tackled in our schools where children learn alternatives to violence as a way of solving disputes. We really think as a country we can take this problem on.

I think this amendment, which has been accepted by both sides is an extremely powerful, an extremely personal, and an extremely important message by the U.S. Senate that we are not going to back down from this national commitment.

In my State of Minnesota I think a lot of people are lighting a candle in this area. The statistics nationally are really grim. I think the FBI statistics are something like every 15 seconds a woman is battered in our country.

Mr. President, I think this really has a dramatic imprint on America. It is already starting to put people in jail that are violating the rights of women in our society. Frankly, it is a tough law. It is a good law. It is one that needs to be fully funded, and I am happy that we have the cooperation and the support of the distinguished chairman of the subcommittee in this matter as well.

As most of my colleagues are aware, I have long opposed programs I believed were mere pork projects. In fact, I led the battle against last year's crime bill because I felt that it had ballooned in terms of unjustified costs. The Violence Against Women Act, however, is an important program that deserves to be fully funded. The act provides: Rape prevention education; battered women shelters; grants to encourage child abuse education programs.

These programs are important. Prosecutors and police officers must become more sensitized to the problem of violence against women. Women who are abused by their spouses must have a place to stay and must have counseling available to repair their shattered lives. Resources need to be channeled to stem the tide of violence directed against women.

Mr. President, no matter what anybody says, domestic violence against women is a problem in America today. According to the Justice Department data, nearly half a million women were forcibly raped last year—a half million, in the greatest society in the world.

Some studies estimate that the total number of rapes including those not reported to the authorities exceed 2 million women a year. That is outrageous and it has to stop.

Indeed, according to a recent report by the Bureau of Justice Statistics, a woman faces four times the chance of being raped today than in 1960. Similarly, domestic violence strikes at the heart of the most important political unit in America, and that is the family. The family should be a safe harbor for those tossed about by the storms of life, not a place of abuse or of degradation. It is a sad fact of life, however, that the reports of domestic violence have been on the rise.

To this end, Senator BIDEN, Senator SPECTER, and I worked last year to see that the Violence Against Women Act was signed into law. According to both the House and Senate Appropriations Committees, however, the Justice Department has only spent $2 million of the total $25 million provided for fiscal year 1995. We have to restore this funding. The act is a small, albeit vital, step toward addressing the problem of family violence and violence against women generally.

So I certainly urge all colleagues to be supportive of this amendment. I am pleased to stand and support this excellent bill, and I compliment my friend and colleague from Delaware for his leadership in this area as well as those in the Chamber and others who have contributed to the bill and to the funding of it. And I particularly thank my colleagues on the Appropriations Committee for their willingness to fully fund this bill.

I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise in support of this amendment. I thank my colleague, Senator BIDEN, for his leadership in this area.

Mr. President, this really has a dramatic imprint on America. It is already starting to put people in jail that are violating the rights of women in our society. Frankly, it is a tough law. It is a good law. It is one that needs to be fully funded, and I am happy that we have the cooperation and the support of the distinguished chairman of the subcommittee in this matter as well.

As most of my colleagues are aware, I have long opposed programs I believed were mere pork projects. In fact, I led the battle against last year's crime bill because I felt that it had ballooned in terms of unjustified costs. The Violence Against Women Act, however, is an important program that deserves to be fully funded. The act provides: Rape prevention education; battered women shelters; grants to encourage child abuse education programs; the investigation and prosecution of domestic violence and child abuse in rural areas; treatment and counseling for victims; and for developing community domestic violence and child abuse programs.

These programs are important. Prosecutors and police officers must become more sensitized to the problem of violence against women. Women who are abused by their spouses must have a place to stay and must have counseling available to repair their shattered lives. Resources need to be channeled to stem the tide of violence directed against women.

Mr. President, no matter what anybody says, domestic violence against women is a problem in America today. According to the Justice Department data, nearly half a million women were forcibly raped last year—a half million, in the greatest society in the world.

Some studies estimate that the total number of rapes including those not reported to the authorities exceed 2 million women a year. That is outrageous and it has to stop.

Indeed, according to a recent report by the Bureau of Justice Statistics, a woman faces four times the chance of being raped today than in 1960. Similarly, domestic violence strikes at the heart of the most important political unit in America, and that is the family. The family should be a safe harbor for those tossed about by the storms of life, not a place of abuse or of degradation. It is a sad fact of life, however, that the reports of domestic violence have been on the rise.

To this end, Senator BIDEN, Senator SPECTER, and I worked last year to see that the Violence Against Women Act was signed into law. According to both the House and Senate Appropriations Committees, however, the Justice Department has only spent $2 million of the total $25 million provided for fiscal year 1995. We have to restore this funding. The act is a small, albeit vital, step toward addressing the problem of family violence and violence against women generally.

So I certainly urge all colleagues to be supportive of this amendment. I am pleased to stand and support this excellent bill, and I compliment my friend and colleague from Delaware for his leadership in this area as well as those in the Chamber and others who have contributed to the bill and to the funding of it. And I particularly thank my colleagues on the Appropriations Committee for their willingness to fully fund this bill.

I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I join my colleagues in saying a few words in support of this amendment. I particularly thank the Senator from Delaware, Senator BIDEN, for negotiating on our behalf on this side of the aisle, his discussions that he had with colleagues both of us, the dialog that he engaged in an effort to try to achieve a sensible strategy to save some of the programs in a bill that to many of us is still flawed.

The Senator from Utah just talked about rape and the problem of violence with respect to rape in particular, but the truth is that family violence, as we have all learned, is the No.1 cause of all kinds of physical injury to women in this country. And when you translate the effect of family violence into the impact on several million young children, that impact plays out in a way that diminishes the capacity of those children to be able to learn, to be able to go to school, to be able to carry our society forward, to be able to participate as good citizens.

We all deplore the implosion within a large segment of America's population with respect to a fundamental structure—the family. Finally, with the Violence Against Women Act, we gave people hope that a particular kind of behavior was going to be properly singled out and treated. To have even thought of doing away with it was astonishing to me.

We do not need to talk further about that because we are restoring it. I am glad that the Senate has come to its senses with respect to it.

I might mention that the Violence Against Women Act not only speaks to the problem of the physical abuse against a woman. We just had a very long debate about welfare and the family cap. And my good friend from New Mexico, Senator SANTOS, spoke extraordinarily eloquently in the Chamber about the problem of punishing innocent children and creating further
problems in the cycle but also about the problem of increased incentive to have abortions as a consequence of illegitimate pregnancies.

Mr. President, when you consider violence against women, the truth is—and it has been ignored by prosecutors across the nation. Violent crimes committed by spouses and ex-spouses account for 20 to 25 percent of all violent crimes in America—on average, 13,000 Americans are murdered in America, 15,000 are raped and 1 million are injured by their spouses. Over half of all women murdered in America were killed by a spouse or an ex-spouse. A 10-year study found that 83 percent of women who are victims of domestic violence are women who endured torture and abuse for years during their marriages and were violently murdered.

Mr. President, I have introduced a bill to create community response teams around the country. Community response teams work in tandem with police to help victims of domestic violence right when a crisis occurs. By working together, community response teams and police can provide victims with the services so essential to them after they have been battered or beaten in their homes.

Mr. President, an increasing number of jurisdictions in the State of New Jersey are employing community response teams. For example, in Middlesex County, which includes South River, New Jersey, the Middlesex County Prosecutors and police are working together with community response teams. South River, with a population of approximately 15,000, has a community response team employing 7 community volunteers. In Woodbridge, a community response team employing 30 volunteers is serving a population of 100,000. These community response teams, serving both large and small communities, are effectively assisting women who are suffering physical and mental abuse.

Mr. President, Violence Against Women's Act funding is available for these successful programs in New Jersey to continue to aid victims of domestic violence. In addition, Violence Against Women's Act funding will assist in the fight against domestic violence by providing needed resources to prosecutors and police officers.

Mr. President, if domestic violence is to be obliterated in our society, we need to provide communities with the resources they need to prevent instances of violence and protect victims from further abuse. By providing additional funding to the Violence Against Women's Act, Congress will strengthen the lines of defense in the battle against domestic violence.

Ms. MIKULSKI. Mr. President, I rise today in support of the Biden amendment, which restores the $75 million shortfall in funding for programs to prevent violence against women.

After years of hearings, reports and statistics we learned that our society and our criminal justice system has been ignoring violence against women, often with tragic consequences for women, their children, and ultimately, for society as a whole.

We learned that one-fifth of all aggravated assaults in the United States occurred in the home; 3 to 4 million American women a year are victims of family violence; one-third of all American women who are murdered die at the hands of a husband or boyfriend; one-third of all women who go to emergency rooms in this country are there because of family violence; an estimated 5 million women are raped each year; children in violent homes are 1,500 times more likely to be abused or neglected; over the last 10 years, crimes against women have risen nearly three times as fast as the total crime rate; 98 percent of the victims of rape never see their attacker caught, tried or imprisoned; over half of all rape prosecutions are either dismissed before trial or result in an acquittal; and almost half of all convicted rapists can expect to serve an average of a year or less behind bars.

The solution to the problem is not to treat women as victims—it is empowerment. And that is what the act does. It allows women to take control of their lives and to demand such things as rape prevention programs or counseling provided at federally funded battered women’s shelters.

The Violence Against Women Act is the first comprehensive approach to end all forms of violence against women. The law made a substantial commitment of Federal funds over a 6-year period to combat family violence and sexual assault. The commitment we made sends resources and support to those devoted to responding to and preventing violence against women.

I urge every Senator to support this amendment. Let us not go back on our promises made to the women of this country.

Mr. WELLSTONE. Mr. President, I rise in support of Senator Biden’s amendment to restore full funding for the Violence Against Women Act.

This amendment would restore $76 million to programs in the Violence Against Women Act. Full funding of the Violence Against Women Act programs administered by the Department of Justice, and $61.9 million for VAWA programs administered by the Department of Health and Human Services.

Last year, $240 million was promised by Congress for the Violence Against Women Act (VAWA) programs for fiscal year 1996—$176.7 million for VAWA programs administered by the Department of Justice, and $61.9 million for VAWA programs administered by the Department of Health and Human Services.

All of this is funded out of $4.2 billion provided by the crime trust fund in 1996. Funding in the crime trust fund comes from eliminating 123,000 federal jobs and cutting domestic discretionary spending. Full funding of the Violence Against Women Programs has no effect on the budget deficit and requires no new taxes. Now, I want my
colleagues to clearly understand what this all means. Last year, as a country we decided that addressing crime was a top priority. We decided that savings from streamlining the Federal Government and cutting other domestic programs was right. As a country we made a commitment to breaking the cycle of violence and see that a person’s home is the safe place it should be. Last year, as part of the crime bill Congress passed the Violence Against Women Act, we made a bipartisan commitment to address domestic violence. But now, only a year later, we are considering a bill to cut funding for these programs.

I must, at the same time, commend my colleagues on the Appropriations Subcommittee on Labor/HHS for their efforts and wisdom in more than fully funding the Violence Against Women Act Program under their jurisdiction. But we must remember all the programs in the Violence Against Women Act and Senator Biden and others worked for 5 years on this piece of legislation. All the pieces of it fit together. They all must be in place for it to work effectively. For example, we can encourage arrests by police officers but if judges are not trained to understand the dynamics of domestic violence, an arrest could make the situation more explosive. Likewise, if more batterers are being arrested but judges are not trained to understand or take to task. Violence. Seriously batterers are likely to go free or charged with lesser offenses. Violence Against Women Act programs must be fully funded. Anything less would result in a betrayal of the bipartisan promise Congress made. Domestic violence should be a priority for national crime-fighting efforts. But without adequate funding we cannot address this serious problem.

We know all too well that it is the violence that seems the safest on our streets. If we do not stop the violence in the home we will never stop it in the streets. We knew this when we passed the crime bill last year and it is still true today.

Domestic violence is one of the most serious issues we face. It knows no boarders. Neither race, gender, geographic or economic status shields someone from domestic violence. As a matter of fact, next week my wife Sheila and I are sponsoring the display of 50 photographs by Donna Ferrato, an award winning photojournalist. These photographs provide powerful and graphic evidence of this crisis, and I invite my colleagues to view them, I am only disappointed that these photos could not be displayed while we debate this issue.

Mr. President, nationwide, every 15 seconds a woman is beaten by a husband or boyfriend, over 4,000 women are killed every year by their abuser, and every 6 minutes a woman is forcibly raped.

We know that the majority, 70 percent, of men who batter women also batter their children. Or children may be injured during an incident of parental battery. We also know that 25-45 percent of all women who are battered are battered during pregnancy. Battering during pregnancy is the most common cause of birth defects.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.

Batterers often threaten to harm or take the children away to force her to stay. Leaving him never guarantees safety for a woman or her children. In almost three-quarters of reported spouse assaults, the victim was divorced or separated at the time of the attack.

Women are also dependent on the abusers for financial resources. If they decide to leave, often they can not afford housing or food for themselves and children.

Abusers also play on emotions to trap victims into staying. He will threaten to kill himself. This plays on many victims desires not for the marriage to end, just the violence.
It is a picture where in the 1990's, one out of every eight women have been the victim of a forcible rape. It is a picture where every 15 seconds in America, a woman is battered—and where every 6 minutes, a woman is raped.

It is a picture where, between 1989 and 1993, the number of known rape offenses increased by 11 percent—despite more awareness of violence against women.

It is a picture where a woman in our country is more likely to be assaulted, injured, raped, or killed by a male partner than by any other assailant.

It is a picture where at least a third of all female emergency room patients are battered women, while a third of all homeless women and children are without shelter because they are fleeing domestic violence.

And the litany of tragedy and violence goes on to paint an even fuller, starker, and more disheartening picture.

This is an issue about a woman’s safety, a woman’s rights, and our ability as a nation to protect those inalienable rights as guaranteed under the Constitution.

But how can we defend a woman’s right to “life, liberty, and the pursuit of happiness” when we cannot protect her from “rape, battery, and the onslaught of violence.”

Mr. President, the Violence Against Women Act is a critical tool in our fight to combat domestic violence across America. It is an essential bill for our mothers, our daughters, our sisters, our relatives, our friends, and our coworkers.

It contains provisions that enhance penalties for sex offenders; provides grants to States to improve law enforcement, prosecution, and victims services in cases of violent crimes against women; authorizes over $200 million for rape prevention and education programs; provides funds for the creation of a national domestic violence hotline as well as battered women’s shelters; and does much more.

These provisions will help become a shield for women and deliver justice to victims of hateful and brutal assaults. Already, within the past year, two in three of the women who mean the most to us will walk in will be there as a consequence of suicide attempts, and, most startling, and more disheartening picture that family violence is the No. 1 cause of injury to women in America—No. 1, No. 1—not breast cancer, not heart attacks, not strokes. The No. 1 cause of injury to women in America is family violence, in almost every instance the fist of a man, supposed someone who loves them.

The second point that people should keep in mind and why this is so important: Every 18 seconds a woman is beaten by her spouse, boyfriend, or other intimate partner in the United States, making the home the most dangerous place in the world to live for being a women in a democracy. As many as 35 percent of all the women who will visit an emergency room in our cities tonight, one-third of all the women who will walk into an emergency room in Washington, DC; Wilmington, DE; Boston, MA; Butte, MT, one-third of them tonight who walk in will be there as a consequence of the fist of a man. Her child will be there because a man has injured them.

Three million children a year witness family violence in their homes. And as a consequence, the statistics are overwhelming. I will not bore you, but those children significantly have a greater likelihood of dropping out of school, becoming alcohol and drug abusers. They are the highest percentage of suicide attempts, and, most frightening of all, they become abusers—abusers. They become the abusers.

For these and 1,000 other reasons we could all speak to, I think this is a very, very important error we are correcting in this bill.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. President, there is a sufficient second.

The yeas and nays were ordered.

Mr. BIDEN. I yield the floor.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I think we are going to decide to stack votes. So what I would like to do, unless someone else wants to make their point on this amendment, is to suggest the absence of a quorum until we can decide if we are going to do that, in which case we would simply make this the first vote when we do the stacked votes.

Mr. BIDEN. Mr. President, before the Senator suggests the speaking on a quorum, I want to make it clear it is perfectly fine with me whatever way the Senator wishes to proceed.

Mr. HATCH. Will the Senator yield?

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I ask if it would be permissible then to proceed.
simply to speak on some issues with respect to the crime bill instead of putting in a quorum call.

I know, Mr. President, that discussions are going on now. We are negotiating, and Senator Biden is representing his position on the issue of cops. Police. I would like to talk for a few minutes, if I may, Mr. President, about this issue of cops. It is one that I have been deeply involved in and concerned about for all the time I have been in the Senate. And in the last few years we finally have been able to elicit a response to try to meet one of the great needs of the country.

There is not one of us who has not been touched at one time or another in one way or another and sometimes very personally. I remember listening to the Senator from North Dakota in his own personal tale of what happened to his wife right here over on Capitol Hill. There are dozens of other examples. We have had a Senator randomly shot in a Senate hallway and Senator Hutto. We have had countless citizens in this city right around us shot. It is a war zone. It is the murder capital of the country. And it ought to have set a better example for what response should have been from the U.S. Congress.

Such a random act of violence occurred just a couple days ago in Massachusetts to a young prosecutor. Assistant Attorney General Paul McLaughlin, the son of one of my friends, former Lieutenant Governor and U.S. attorney. But this young assistant attorney general himself involved in working to fight the problem of gang warfare and gang criminal activity, was simply gunned down going to his car coming home in the evening after his normal 12-hour day in a prosecutor’s office. A hooded young person walked up and blew him away.

I talked this afternoon with his father. And there is no way to express the sorrow that he and his family feel and no way for us to express our sorrow on their behalf.

But I can say, Mr. President, with clarity that what the State and local entities have been doing over the course of the past years and the Federal response to that is truly unconscionable because we have literally been disarming in the face of an increasing threat on an annual basis, a threat that is measurable. And all of us have come to understand, I hope finally, that nothing is more important in terms of really fighting crime than to put police officers on the streets of the country.

Mr. President, I have quoted the statistics before, but somehow they do not always seem to break through. But 15 years ago in this country we had 35 police officers per violent crime. Today we have, depending on the statistics, a range of 3.5 to 4.6 violent crimes per police officer. You can go into any of the major criminal activity communities in this country and you will find they are operating with less police today with a greater threat than they were 10 or 15 years ago with a lesser threat.

Ask anyone in those communities about the relationship between the community and police. By and large the police come in, they drive through, in a loud car. And people do not know them. It is a sign of transient authority, not the sign of a present authority that makes an impact on people’s lives. The word “cop” came from the British concept of “constable on patrol.”

The police officer was a role model. So, indeed, criminal activity rarely took place right under the nose of a police officer on patrol.

Now, in recent days, we have sent a message to people in this country that it is very difficult to trace, very difficult to make arrests. In fact, one of the most startling statistics that I have come across is the fact that out of the 200,000 murders that occurred in this country in the last decade, fully 95 percent of them were murders that occurred by total strangers.

Americans are being killed, not, as the FBI once told us, in these family disputes or lovers’ quarrels, but they are being murdered randomly by people they have never seen and never met.

And what is more frightening is fully two-fifths of those murders are committed by people who will never walk through the threshold of a police station or a courthouse.

Fully two-fifths of the murderers in America will never even come to justice. And 100,000 of our citizens in the last decade were gunned down by utter strangers. So when people say, well, violent crime is going down in America because the numbers have gone down in your city last year and this year there were only 190, how are you supposed to feel safer? What greater safety is there in knowing that instead of 200 murders, 190 of your citizens were blown away?

Mr. President, 100,000 police officers is an inadequate response. I say to my colleagues today that 100,000 police officers is an inadequate response. And what is really bizarre in this new equation we are debating in Washington, the two greatest public crises in America today—public safety—are already today 100 percent and 95 percent controlled at the local level.

So here we are with an implosion of capacity to resolve these problems at the local level, and we are busy saying we are going to send back to the local level more responsibility with less resources. If that does not underscore the need for more than the 100,000 police officers, I do not know what does. Here we are, for the first time in American history the Federal Government is paying for local police officers.

Now, I hear some people around the country say, “What a fakery. You are only going to provide 20,000 police officers because you are not paying for the whole thing.” Since when was it the responsibility of the Federal Government to pay for the whole thing? Every time we have had a Federal grant program, it would be with a matching grant because the Federal Government needs to provide 20, 90 percent, or some percentage. Sometime we continued the 90 percent-10 percent relationship for 10 years, 15 years.

In this particular case, we have decided that this is a national crisis that we want to ask the local communities and the States to accept what is already their responsibility—to put police officers on the street. We did not say we want to put floodlights on the jail, we want to put computers in the station, we want new cruisers on the road. We want to put police officers on the streets of this country because that is what we need to begin to regain and take back control over our communities and our streets.

And in recent weeks and months, I have toured a lot of communities in Massachusetts and gone into the communities that, because of our effort, have community policing. I can tell you about Northampton, Massachusetts. I can tell you about Gardner in Massachusetts, about a host of areas, such as Boston and Lowell, where they now have community policing, and where they have been able to put it into effect and literally reclaim the community.

I was in a housing project where you now have community police officers on bicycles who ride around through the entire community, who walk around and play with the kids, who started basketball with the kids. The kids run up to them when they come into the area, instead of running away from them, which is what they used to do.

These officers have helped literally to give that community hope.

In Lowell, on Bridge Street in Somerville, recently about a year and a half ago, druggies and prostitutes had taken over the street. Citizens were afraid to come out of their homes in the street because of the vermin that were in the street. I talked to storeowners who said that as a result of those druggies and prostitutes, their earnings have gone down and people would not come into the store anymore. And behold, with a grant from the Federal Government, we opened a small storefront and police officers went in; they are there all the time.

The druggies are gone, the prostitutes are gone, the community has been reclaimed, and it is coming back to life.

Mr. President, in addition to that, the police officers have been able to intervene before crimes are committed. They have been able to get to know people, to know who the troublemaker is, who identify who belongs in the community, to be able to make determinations about who they need to operate more closely, who needs help. By virtue of their intercessions, they have literally directed people into various human service treatment facilities or...
functions where those people left to their own devices might well have pulled out a knife, a gun, or been one of the people in the statistics that the Senator from Delaware talked about earlier.

So, Mr. President, it works. It is working in America. Countless people have said, “You are not going to put more than 5,000 police on the streets within a year. You are not going to put 15,000, you are never going to get to 20,000.” Well, more than 25,000 new police and thousands of additional police officers, are already on the streets. It is because of the effort of this legislation.

So, Mr. President, it is my profound hope that in the next hour, or moments ahead, we will succeed in working out an agreement with the Senator from Texas to be able to put back into this bill the original concept of the community policing.

Block grants work in some cases. I am not against block grants. I have voted for them. But in this particular case, we have tried to target a particular national emergency and need, and we have tried to do it in a way that is administratively inexpensive. In fact, it is less expensive to implement the direct distribution program of the crime bill with a cost of about 0.8 of a percent administratively than to administer the 2.5- to 3-percent administrative costs that will go with a block grant.

Moreover, under the block grant, there is absolutely no guarantee whatsoever that police officers will get to the street rather than the floodlights to the jails or the new cruisers to the station, or the new computer. And that is not to say those things are not important. It is not to say that people do not have a right to ask for those things and that they do not need them. But when 95 percent of the crime is a local jurisdiction, and the Federal Government is singling out a particular need and the particular emergency, we have a right to expect that that emergency is going to be met. And if one community does not need those police, Mr. President, I guarantee you there are 10 other communities in America that will gladly use the money to put police on the streets and make their citizens safer.

So, again, it is my hope that we will succeed in doing what we have already done, what we voted for in an over-whelmed fashion, that will not be undone in this legislation.

Mr. GRAMM. Mr. President, unless someone suggests otherwise or to the contrary, I believe that the debate on the pending amendment No. 2815 is completed. A rollcall vote has been asked for by Senator BIDEN.

So I ask unanimous consent that the vote occur on amendment No. 2815 at 9 p.m. this evening, and that that amendment be temporarily laid aside.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, the Senator from New Mexico is recognized to offer his amendment.

Mr. DOMENICI. I yield to the Senator from Arizona who has an inquiry to make.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be recognized for 10 minutes to propose an amendment, at which time the amendment be set aside for the purposes of the Senator from New Mexico to propose an alternative amendment, and ask that at least 20 minutes be reserved after the disposition of the amendment of the Senator from New Mexico that 20 minutes be allocated to the Senator from North Dakota [Mr. DORGAN].

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2816
(Purpose: To Ensure competitive Bidding for DBS Spectrum)

Mr. MCCAIN. I send an amendment to the desk and ask for its immediate consideration.

I want to thank my friend from New Mexico for allowing me to propose this amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] for himself and Mr. DORGAN, proposes an amendment numbered 2816.

Mr. MCCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed.

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

The amendment is as follows: At the end of the Pending Committee Amendment, insert the following new section:

SEC. 3. COMPETITIVE BIDDING FOR ASSIGNMENT OF DBS LICENSES.

No funds provided in this or any other Act shall be expended to take any action regarding the applications that bear Federal Communications Commission file Numbers DBS-94-10, DBS-94-11, DBS-94-11EX, DBS-94-15ACP, and DBS-94-15MP; Provided further, that funds shall be made available for any action taken by the Federal Communications Commission to use the competitive bidding process prescribed in Section 301(j) of the Communications Act of 1934 (47 U.S.C. §301(j)) regarding the disposition of the 27 channels at 110° W. orbital location.

Mr. MCCAIN. Mr. President, I ask unanimous consent to be recognized for 10 minutes.

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

Mr. MCCAIN. Mr. President, this amendment, sponsored by Senator DORGAN and myself, would mandate that the FCC auction the one remaining block of DBS spectrum which it considers in the public interest to be valuable.

Currently, the FCC is considering how to dispose of the 27 channels at 110° west longitude orbital location. If this spectrum is auctioned, industry experts state that it will sell for between $300 to $700 million. The alternative that is being considered by the FCC would call for the American people to receive much less valuable spectrum and $5 million dollars. Clearly, it is in the best interest of the American people that this spectrum be sold at public auction.

Mr. President, I want to state at the outset I have no interest in any of the companies involved in this issue. None of them to my knowledge is represented in my State. I do know that the company that sat on this spectrum for 5 years sold it for $5 million is the largest cable company in America.

Mr. President, the spectrum is a finite public resource. It is owned by the American people. And it may prove to be the single most valuable resource held by the public. In recognition of that fact, in 1993, the Congress mandates the first auctions of the spectrum. The still-in-process wireless telecommunications auction has generated over $20 billion dollars and the auctions are only half completed.

This amendment recognizes the value of the spectrum and our duty as people’s trustees to handle the spectrum in a manner that most benefits all the American people.

Mr. President, this amendment ensures that the American people benefit from the sale of this spectrum.

The amendment does not choose winners or losers. It does not allow ACC, the corporation that sat on this spectrum for 10 years and did nothing to make a profit.

The amendment does not change the rules in the middle of the game. ACC never owned this spectrum, it received a license under certain terms—terms it never lived up to. The FCC therefore correctly withdrew ACC’s license and permission for it to construct a DBS system.

Most importantly for consumers, this amendment will not prevent new service from being offered to the general public, including service to those who live in Alaska and Hawaii. Those living in rural areas are also not adversely affected in any way by this amendment and the one I want to note that the National Rural Electric Cooperative Association strongly supports this amendment.

Mr. President, let me lay out the facts surrounding this specific block of spectrum.

In 1984, the FCC divided a segment of the spectrum to be used for the broadcast of direct broadcast satellite [DBS] services. Under the terms of the agreement, spectrum would be allocated to the companies at no charge and in return, the companies would proceed diligently toward the construction of a DBS system.

Of all the spectrum allocated, only 3 blocks of spectrum—located at 101°, 119°, and 119°—cover the entire continental United States. These blocks are known as full-conus blocks and are considered by industry experts to have the highest dollar value.
DirecTV and Echostar were given two of the coast-to-coast U.S. blocks of spectrum. Advanced Communications Corporation [ACC] was given the third full conus block, which consisted of 16 channels at 110° west longitude. The FCC began construction of a Direct Broadcast Satellite (DBS) satellite service at 110° west longitude. ACC paid nothing for the sole use of this spectrum.

In November 1991, the FCC altered its spectrum allocation scheme and gave ACC at total of 27 channels at 110° W.L., making the block even more valuable. DirecTV is currently up and running and available to the consumer. Echostar is expected to be operational earlier next year.

During this time, ACC was repeatedly warned by the FCC that it was not acting in compliance with the due diligence standard. In the summer of 1994, due to congressional mandate, the FCC began the process of auctioning spectrum. The PCS spectrum auction, which is now about half complete, has generated approximately $8 billion for the Treasury and the American people.

On September 16, 1995, ACC entered into an agreement with TCI to sell its spectrum to TCI for $45 million. Such a sale would have meant that ACC would lose approximately $8 billion for the Treasury and the American people. In this case, I think there can be no doubt that the public will benefit from ACC being purchased by TCI.

The International Bureau of the FCC determined that ACC had not proceeded with due diligence and issued an order on April 26, 1995 that concludes “Advanced [Communications Corporation] must now return the public resources it holds to the public so that these resources can be put to use by others.” This decision was based on the fact that 16 months before ACC applied for the extension it had done nothing with warehouse the spectrum.

The bureau felt compelled to use a new, tougher definition of due diligence due to the congressional mandate regarding spectrum auctions. The International Bureau of the FCC decided that ACC had not proceeded with due diligence and issued an order on April 26, 1995 that concludes “Advanced [Communications Corporation] must now return the public resources it holds to the public so that these resources can be put to use by others.” This decision was based on the fact that 16 months before ACC applied for the extension it had done nothing with warehouse the spectrum.

The bureau felt compelled to use a new, tougher definition of due diligence due to the congressional mandate regarding spectrum auctions.

After the International Bureau decision, the full Commission began consideration of a plan to allow TCI to give up some of its allocated DBS spectrum and in return receive the ACC spectrum at a cost of $5 million. This $5 million is to pay for costs incurred by ACC. The spectrum being given up by TCI is valued at a substantially lesser value than the ACC spectrum. TCI would give up 11 channels at 119° and spectrum that allows DBS service to be provided to Latin America, the Pacific rim and China. No industry experts believe at this time that those markets will be nearly as lucrative as the U.S. market. It could be decades if not longer before the spectrum TCI offered up would be worth the value of the full conus U.S. spectrum.

Mr. President, the FCC is at a standstill regarding this issue. It is looking to the Congress for guidance. And I believe it is appropriate for us to let the FCC know that the Senate believes that the spectrum should be disposed in a manner that brings about the greatest amount of benefit to the American people. Adoption of this amendment would ensure such an outcome.

Mr. President, let me clarify, this is not about helping one company or hurting another. It is not about determining winners or losers. It is about protecting the American people’s interests. And faced with the staggering debt we have left for our children, we must act in a manner that ensures this spectrum is sold for the highest amount possible.

Further, if this spectrum is auctioned, any company, TCI, Hughes, a telephone company, anyone, can bid for the spectrum. The auction alone will determine who is the winner and loser. Not only is it the right thing to do, but it is the fairest thing.

There will be some issues raised I would like to address quickly. First and foremost, I have nothing against TCI and have every reason to believe that it operates in an exemplary fashion. This amendment is not about TCI or any other company, it is about protecting the people’s interests.

TCI and its subsidiary Primestar have stated that they have spent considerable money on procuring two satellites and for a signal compression facility.

First, TCI chose to purchase these two space system/Loral DBS satellites in 1990 for use by TEMPO, a cable consortium, for use at TCI’s high-power DBS system located at 110° west longitude.

In 1993, TEMPO asked the FCC to modify its DBS system and disclosed that it had granted Primestar an option to use the same satellites to enable Primestar to operate with its own DTH system in the fixed service satellite high-power density arc. This is different from where most DBS satellites are located.

At this point the same two satellites had been proposed to be used in two different locations.

Now Primestar distributors are circulating a memo that states that if the ACC deal does not go through, that TCI has other options for satellite deployment.

Mr. President, we must put aside corporate interests and think about what action will best serve the American people. In this case, I think there can be no doubt that the public will benefit most from auctioning this spectrum.

Mr. President, the Citizens Against Government Waste, Consumer Federation of America, the National Taxpayers Union, and the National Rural Telecommunications Cooperative have all sent letters in support of this amendment.

I ask unanimous consent that the letters be printed in the RECORD.

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

COUNCIL FOR CITIZENS AGAINST GOVERNMENT WASTE, WASHINGTON, DC, September 20, 1995.

DEAR SENATOR, The Citizens Against Government Waste (CCAGW) and our 600,000 members support H.R. 2076, the Commerce, Justice, State, and the Judiciary Appropriations for FY 1996. CCAGW recommends Subcommittee Chairman Phil Gramm and Appropriations Chairman Mark Hatfield for sending to the floor a bill which spends $4.6 billion less than the budget request and $1 billion less than the House version of H.R. 2076.

The $26.5 billion spending bill prioritizes the budgets for each agency under its jurisdiction. For example, the Justice Department receives $15 billion for FY 1996, almost $3 billion more than in FY 1995, to fight our nation’s crime problem. But with a nearly $5 trillion national debt, there is always more to cut from spending bills.

CCAGW supports the following amendments:

The McCain amendment to mandate the Federal Communications Commission to auction the one remaining Direct Broadcast System spectrum. If this spectrum is auctioned, communication industry experts believe it will sell for between $300 to $400 million.

The Inouye amendment to restore funds to the death penalty resources.

The Grams amendment to eliminate the East-West Center and the National Science Foundation.

The $26.5 billion spending bill prioritizes the budgets for each agency under its jurisdiction. For example, the Justice Department receives $15 billion for FY 1996, almost $3 billion more than in FY 1995, to fight our nation’s crime problem. But with a nearly $5 trillion national debt, there is always more to cut from spending bills.

CCAGW supports the following amendments:

The McCain amendment to mandate the Federal Communications Commission to auction the one remaining Direct Broadcast System spectrum. If this spectrum is auctioned, communication industry experts believe it will sell for between $300 to $400 million.

The Inouye amendment to restore funds to the death penalty resources.

The Grams amendment to eliminate the East-West Center and the National Science Foundation.

The $26.5 billion spending bill prioritizes the budgets for each agency under its jurisdiction. For example, the Justice Department receives $15 billion for FY 1996, almost $3 billion more than in FY 1995, to fight our nation’s crime problem. But with a nearly $5 trillion national debt, there is always more to cut from spending bills.

CCAGW supports the following amendments:

The McCain amendment to mandate the Federal Communications Commission to auction the one remaining Direct Broadcast System spectrum. If this spectrum is auctioned, communication industry experts believe it will sell for between $300 to $400 million. The Inouye amendment to restore funds to the death penalty resources. The Grams amendment to eliminate the East-West Center and the National Science Foundation.
Hon. JOHN MCCAIN,

amendment to auction DBS spectrum.

They have the perfect opportunity to dem-

have a greater impact on government policy.

in Washington, and allow market forces to

gress have resolved to end business as usual

resource. Many members of the 104th Con-

this DBS spectrum.

tive bidding process is the best solution

from interested corporations aside, a com-

market price for this property, not an arbi-

By providing a competitive auction for DBS

American. We urge you to defeat the amend-

Sincerely,

BRADLEY STILLMAN,

Consumer Federation of America.

JEFFREY CHESTER,

Center for media Education.

GIGI SOHN,

Executive Vice President.

DEAR SENATOR MCCAIN: The 300,000 mem-

ber National Taxpayers Union (NTU) sup-

ports your amendment to require competi-

tive bidding for awarding the last block of

Communications's DBS license to TCI.


Hon. JOHN MCCAIN,

U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: The 300,000-member

ber National Taxpayers Union (NTU) sup-

ports your amendment to require competi-

tive bidding for awarding the last block of

Direct Broadcast Satellite (DBS) spectrum held by the Federal Communications Com-

mission.
are all in favor of this amendment, because of the enormous benefit, of $700 million.

Mr. BURNS. Will the Senator yield? Mr. McCAIN. My friend from New Mexico was kind enough to yield time to me. I will be reluctant to use over that time because he has an amendment.

The PRESIDING OFFICER (Mr. BENNETT). The time of the Senator from Arizona has expired.

Mr. DOMENICI. Mr. President, I have no objection if they want to use some additional time.

Mr. BURNS. I ask unanimous consent I have 1 minute just to ask a question in response, because I think it is important this body understand this. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Senator, I listen to you frequently and you need 2 minutes. Mr. BURNS. I need 2 minutes? Mr. DOMENICI. Yes. Mr. BURNS. I may need more than that. I think it is important for this body to understand that the spectrum has already been reclaimed and is owned now by the FCC. It is available for sale. Is that not correct, I will ask my friend from Arizona?

Mr. McCAIN. That is correct. But the contract that was entered into 3 months before the license was revoked is still a pending item before the FCC.

Advanced had over 10 years, including one 4-year extension, in which to construct and launch its DBS system. It failed to do so. It failed to meet the Commission’s due diligence rules, imposed a decade ago to ensure the public received prompt service therefrom, if the channels have gone unused. Only by enforcing the progress requirements of the Commission’s rules can we ensure that these resources will be efficiently and expeditiously put into productive use.

Mr. BURNS. I appreciate that. The only reason I ask the question is I think we should be very sure of our grounds here. Who actually owns that spectrum? Is it still in the hands of the FCC? Is it still a pending item before the FCC? Mr. McCAIN. It has been scored as zero because it does not change the baseline. But I can tell my friend, it is patentely obvious that if a spectrum is going to be auctioned off for somewhere between $10 million and $700 million, there is going to be an impact. Mr. BROWN. The Senator has indicated—or the literature here indicated these channels may be available for auction. Let me ask, has the Commission made a final ruling as to whether or not these are to be forfeited?

Mr. McCAIN. The Commission has not and is looking for guidance from the Congress.

Mr. DOMENICI. Mr. President, Senator Brown is here. I do not know that Senator McCAIN, accurately, Senator Brown, described the time you would need. He suggested 10 minutes? Is that 10 for you and 10 for somebody else?

Mr. McCAIN. I suggested, and I would like to modify it concerning the desires of the Senator from Colorado. 20 minutes for the Senator from Colorado and 10 minutes for the Senator from North Dakota.

Mr. GRAMM. My colleague needs to get some time for himself. And 10 minutes for you.

Mr. BROWN. My understanding was the discussion involved some intermittent time so I might become familiar with the needs of the Senator from Arizona. My hope is the distinguished Senator from New Mexico might go ahead. Obviously, I am agreeable to an appropriate amount of time for the Senator from Arizona to respond to whatever is raised on the floor.

The time someone may wish, I would have no problem to work out something.

Mr. DOMENICI. Senator McCain, I assume now from your vantage point from getting this up things are under control and I can proceed? You are all right?

Mr. McCAIN. Mr. President, I ask for the yeas and nays on this amendment. The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The yeas and nays were ordered.

Mr. McCAIN. I thank the Senator from New Mexico for his courtesy and patience.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, I discussed with the distinguished Senator from Texas, the manager of the bill, and the Senator from New Mexico a unanimous-consent request I would like to offer; that I be allowed to set aside the pending business for 2 minutes to present the unconsidered nays, and go back immediately to the business of the distinguished Senator from New Mexico?

Mr. DOMENICI. Mr. President, I have no objection.

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

The Senator from Nebraska.

AMENDMENT NO. 287 (Purpose: To decrease the amount of funding for Federal Bureau of Investigation construction and increase the amount of funding for the National Information Infrastructure)

Mr. KERREY. Mr. President, I have an amendment I send to the desk.

The PRESIDING OFFICER. The clerk will report.

Mr. GRAMM. Mr. President, has a unanimous-consent request been propounded?

Mr. KERREY. Yes. The Senator from Nebraska asked to have 1 minute to propone an amendment.

Mr. KERREY. Mr. President, 2 minutes?

Mr. GRAMM. Has that unanimous-consent request been agreed to?

The PRESIDING OFFICER. Yes. Mr. GRAMM. Parliamentary inquiry. This amendment will be, after he presents it, it will be set aside and be fully debateable at that point, is that right?

The PRESIDING OFFICER. That is correct.

Mr. GRAMM. I thank the Chair. The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Nebraska [Mr. KERREY], for himself, Ms. SNOKE, Mr. LEAHY and Mr. LIEBERMAN, proposes an amendment numbered 287.

Mr. KERREY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill insert the following: “The amounts made available to the Department of Justice in Title I for administration and travel are reduced by $3,500,000.” On page 73, between lines 4 and 5, insert the following:

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1994, as amended, $38,000,000, to remain available until expended as authorized by section 391 of the Act, as amended; Provided; That not to exceed $500,000 shall be available for program administration and other support activities as authorized by section 391 of the Act including support of the Advisory Council on National Information Infrastructure; Provided further, That of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related to the development of a national information infrastructure: Provided further, That notwithstanding
and Lieberman, is a very straight-forward amendment. It restores $18.9 million to telecommunications and information and infrastructure assistance programs.

This program has been highly successful with thousands of applications for this. It is a matching program to get at least 2:1 for every dollar that goes out. It is community-based. Communication organizations across the country have used this program to increase the educational effort in the telecommunications effort. It has created jobs. It has created real advancement of understanding of how this telecommunications revolution can produce benefits at the local level.

Mr. President, I understand that some of the objections have been raised to this program; talked about it being something that has not proven up. I urge my colleagues to look at not only the success we have but the backlog coming up. We have enjoyed a tremendous success with this program. It is not a program that is just throwing money out there. It is a program that requires from the community level. It is a program that empowers citizens at the local level to make decisions about how they want to increase jobs and education in their own communities. It has a fully funded offset.

I hope that my colleagues will consider and support a program that will create jobs, and will create more empowerment for the American people at the local level.

Mr. President, I ask for the yeas and nays of the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRAMM. Mr. President, we continue to have some problems in that people are trying to find offsets for their amendments. It takes time to do that, and I am hoping that others that have used the funds available. It should be hard to spend money. So I am not complaining about it. But to try to sort of bring some order to the process, I would like to ask unanimous consent that the distinguished Senator from Colorado, Senator Brown, be recognized for up to 10 minutes to offer an amendment; after the 10 minutes, that the amendment would be set aside and would be fully subject to debate or any other relevant motions.

Then the Senate would go back to a debate on the McCain amendment until that debate is completed. If a rollcall vote is asked for on the McCain amendment, then it would be stacked after the rollcall vote, currently scheduled for 9 o'clock. And perhaps we might look at the following potential unanimous-consent request—that he would bring up the amendment, offer it, lock in his offsets, if he has them, and I think that is a legitimate concern. What I would like to do, given that we had talked about having the debate on the Biden amendment begin at 7, is, if the Senator offers the amendment now, to come back to it.

This is a very important amendment to me. I am strongly opposed to it. And I think it will be something that will be debated at some length. Clearly, the distinguished Senator from New Mexico has the right to the floor under the unanimous-consent request. So if he wants to exercise that now, he can. And perhaps we might look at the following potential unanimous-consent request—that he would bring up the amendment and debate it for up to 20 minutes. Then it would be set aside. Senator Biden would be recognized to bring up his omnibus amendment, 2 hours equally divided, that at that point we would have reached the hour of 9 o'clock and we will have the first vote. We at that point could either go back to the McCain amendment and dispose of it or we could go back to the Domenici amendment and debate it. Either of those things I would be agreeable to.

Mr. DOMENICI. Mr. President, I say to the Senator from Texas and Senator HOLLINGS, what I would prefer to do—

Mr. HATCH. Will the Senator yield?

Mr. HOLLINGS. Reserving the right to object.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. I hope not to object, but to be able to answer the McCain amendment we need a little time, 10 minutes to explain that amendment—if the Senator will put that in the unanimous consent, that we have 10 minutes to explain it.

Mr. INHOFE. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. If I could inquire of the manager, where does that leave the Domenici amendment?

Mr. GRAMM. The Domenici amendment would then be brought up after the votes had occurred beginning at 9 o'clock.

Mr. HATCH. Reserving the right to object.

Mr. DOMENICI. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. As I understand it, we were supposed to go after the McCain amendment. Ours would not take a very long time, but I would like to go before we had the 2 hours, if we can. Is it possible to do that, I ask the managers of the bill?

Mr. DOMENICI addressed the Chair.

Mr. HATCH. Could I just ask that of the manager of the bill?

Mr. DOMENICI. Reserving the right to object, I say to the Senator, I have a few inquiries. It is my amendment being set aside here.

Mr. President, let me ask Senator GRAMM, there is an accommodation we are going to make. I am not prepared to proceed with my amendment. I told the Senator I had been working on it because it is complicated, and we did get switched signals in terms of the money we had available. But I am prepared now. So I do not want to delay it the longest possible time. I wish to get it up soon. So when would the Senator from Texas be ready to discuss the Domenici amendment? Would the Senator be ready at 8 o'clock?

Mr. GRAMM. I would be perfectly happy to have the Senator bring the amendment up, offer it, lock in his offsets, if he has them, and I think that is a legitimate concern. What I would like to do, given that we had talked about having the debate on the Biden amendment begin at 7, is, if the Senator offers the amendment now, to come back to it.
permitted to offer his amendment; that it be debated in full, whatever time that takes, and that it be voted on immediately—following it be the next vote following the Biden vote. That gives the Senator plenty of time, Mr. President, as he desires.

Mr. GRAMM. If the distinguished Senator will yield, I have no objection to what the Senator is doing, but it may well be that we might have an extended debate.

Mr. DOMENICI. Sure.

Mr. GRAMM. And we might decide for some reason that we might want to go ahead and consider other amendments intervening.

Mr. DOMENICI. We might do that in due course.

Mr. GRAMM. So I am reluctant to lock us into voting on the Domenici amendment next.

Mr. DOMENICI. I did not ask for that. I said the next amendment we vote on will be the Domenici amendment. Then the Senator can hear some other amendments he wants to bring up. Get unanimous consent for that. I think that is fair. I have been accommodating everyone.

Mr. MCCAIN. Will the Senator from New Mexico agree to have a vote on my amendment following the Biden amendment? The yeas and nays have already been ordered.

Mr. DOMENICI. The problem I have is I wish to debate tonight the Domenici amendment. There are a lot of Senators who want to debate it. Senator Gramm has a lot of people. I have been accommodating. The Senator’s amendment will get voted on very soon but mine would precede that. I just ask that as a request.

Mr. GRAMM. Will the distinguished Senator yield?

Mr. DOMENICI. Of course.

Mr. GRAMM. I would like to get an agreement that allows the distinguished Senator from New Mexico to bring up his amendment now, speak on that amendment as long as he chooses to, then Senator Biden will be recognized to offer his omnibus amendment, which is a crucial element to the completion of this bill, that there be 2 hours of debate equally divided, that would get us somewhere close to 9. We would have the pending vote. We would have the vote on the Biden amendment. Then the Senator’s amendment would be the pending business and we would vote on it. And we would not vote on anything else until we voted on it.

Mr. DOMENICI. Reserving the right to object, Mr. President, all I want to do—I do not want to put my amendment down and debate it for 10 or 15 minutes. I just change the request so that I bring mine up immediately following the Biden amendment, and it is debated as long as necessary and then you have 2 hours equally divided on that amendment; that if a vote is ordered on that amendment, it occur immediately after the pending amendment, which will be voted on at 9 o’clock; that the distinguished Senator from New Mexico be recognized at that point to offer his amendment.

Mr. MCCAIN. Reserving the right to object, what does that do to the McCain amendment?

Mr. GRAMM. It will simply be pending and will be the order of business when the Domenici amendment is disposed of.

Mr. DOMENICI. Which is what I thought we had in mind when I permitted the Senator to bring up his amendment. I think that is fair.

Mr. GRAMM. The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. I object.

Mr. GRAMM. The PRESIDING OFFICER. Objection is heard.

Mr. DOMENICI. Mr. President, I permitted the Senator’s amendment to come up.

Mr. GRAMM. That is right.

Mr. MCCAIN. And we debated it and all we need to do is have a vote on it, it seems to me.

Mr. DOMENICI. Mr. President, that is all right with me. Get him in, too. No more debate.

Mr. MCCAIN. I withdraw my objection.

Mr. DOMENICI. I thank the Senator.

Mr. HOLLINGS. Mr. President, I ask Senator Gramm, there will be no amendments to the Biden amendment?

Mr. GRAMM. I am not in a position that I can commit to that, I say to the Senator, because we have not checked on our side. We have not seen the final form of the Biden amendment. What I am trying to do is just have it considered. I assume there will not be—I assume we have the votes, but we want to look at it.

Mr. HOLLINGS. We cannot agree to the time limit.

Mr. GRAMM. There is not a time. We are just saying it will be debated between 7 and 9, and that if it is completed, that it would be the vote after 9. If it is not, it would be pending.

Mr. HOLLINGS. All right. Get it up.

Mr. BRYAN. Mr. President, reserving the right to object, if I might inquire of the floor managers, I just came to the floor a few moments ago, so I have not heard the colloquy. I want the managers of the bill to know that Senator Burns and I have an amendment concerning USPTA, and I just want to make sure that the terms of the unanimous consent would not preclude us from having an opportunity to offer that amendment and perhaps have a vote. We do not need to do it this evening. We can go tomorrow. I want to assure my colleague that I am willing to cooperate and work with him, I do not know the terms of the agreement.

Mr. GRAMM. If the Senator will yield, nothing in this unanimous-consent request would in any way limit the Senator’s ability to offer his amendment or any other amendment.

Mr. BRYAN. I appreciate that.

Mr. DOMENICI. Mr. President, I say to my friend from Texas, I do not remember the word he used—how did he oppose my amendment? Perfectly? What was the word?

Mr. GRAMM. With righteous passion. Mr. DOMENICI. I want to say I oppose what he is for in terms of doing away with legal services with whatever passion he just described. So we know it all even.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. I have a question, Mr. President. And I was not in the Chamber. My question is, Mr. President, has the Senator from Texas propounded a unanimous-consent request and has that request been accepted at this point?

The PRESIDING OFFICER. That is correct.

Mr. PRYOR. Mr. President, if I may pose a question, I have an amendment that I would like to offer at some point. It can be done tonight. It can be done early in the morning. I am joined in that amendment by the distinguished Senator from Maine [Ms. SNOWE]. It would be a sense-of-Congress resolution relative to the Economic Development Administration. I am just wondering at what point or what order we could try to factor this particular amendment into the list?

Mr. DOMENICI. If the distinguished Senator from Arkansas will yield—

Mr. PRYOR. I will be glad to yield.

Mr. GRAMM. It sounds to me as if we have a pretty full schedule for the rest of the evening. My guess is that tomorrow morning would be a good time. But it may well be at some time tonight perhaps we will decide to get finished, at which point obviously the Senator could offer the amendment.

We are basically set now in terms of unanimous consent on two amendments. One is a fairly comprehensive amendment by Senator Biden where we will have 2 hours equally divided. Then we are going to Senator Domenici on trying to bring back the Federal Legal Services Corporation, which will be debated, I would think, pretty extensively. We have an amendment pending by the Senator from Arizona. So I cannot tell the Senator that he would not get to offer it tonight, but if I were the Senator, if we are here tomorrow, I would try to do it in the morning.

Mr. PRYOR. Mr. President, if I could respond to my colleague, my friend from Texas, I have no problem offering the amendment tomorrow if I have just as much certainty as possible in the time sequence, because I have three amendments that I must offer in the Finance Committee markup on Medicare-Medicaid, and I am just trying to sort of find out where I should be and which time I should be there.
Mr. GRAMM. Mr. President, I am sure that the same is true for Senator HOLLINGS. We would try to accommodate the Senator in every way we can. Mr. PRYOR. Mr. President, I thank the distinguished Senator.

Mr. HOLLINGS. Mr. President, as I understand now, in the unanimous-consent agreement, Senator BIDEN will commence at 7 o'clock. To try to save a little time, I was off the floor momentarily at the time of the presentation of the amendment of the Senator from Arizona. The amendment of the Senator from Arizona as he relates it could be very accurate. On the other hand, I have heard different facts.

What occurs here is, as the Senator from Arizona has outlined the amendment, the FCC is asking for guidance. Whenever that occurs, beware, for the simple reason that we have an FCC to have full hearings to hear both sides of a particular case and issue and therefore make up their mind.

I have heard from both sides spasmodically. I have not called the FCC myself. I wanted to stay out of the case. But right to the point, it is my understanding there is sort of a split down there. And there is a definite difference in the way the parties are involved with respect to the diligence being used on the granting of a particular license to an entity out there, I think, in Arizona.

The Arizona folks, it is related, did use the FCC to suggest to the Federal Communications Commission and were granted on both occasions extensions, because what is involved here is a satellite spectrum usage encompassing quite a commitment of financial support.

That commitment of financial support was finally obtained and committed, and there is related $1 billion that has been committed, and there is a launch date for that particular satellite in April of next year.

Now, as this Commission was temporarily making a ruling, the parties involved appealed that particular ruling. And it is now under appeal. So what happens is that the case comes to the Congress, and some of us Senators on the Commerce Committee who are interested, of course, and disposed to Federal Communications matters, but without any hearing, and without knowing what is best to be done, I have always come down, because this occurs every time we get up to a particular bill or something, somebody brings up a fix, if you please, Mr. President, of a case down at the FCC.

I have been very cautious and astute not to join in those particular fixes. Specifically, I was asked if I could go along with an amendment that would do as is indicated by Senator McCaIN. And I said no. I think we ought to leave it with the Commission.

The reason was this: If I would go along with an amendment on the other side, go along with it and allow them to set fees and whatever it was. I said no. We are not giving authority for the FCC to become more or less a Congress setting fees. And I withheld my approval of that.

I said simply think, under the circumstances, that it is best that the Congress not be involved in a half-a-hair-cut, that therefore we have not had a single hearing.

The Chairman of the Commission has not asked my guidance. If somebody says they are asking guidance, I do not have any written letters or anything else, as there is no matter. Therefore, I am opposed to the amendment. I want to talk it out with the distinguished Senator from Arizona. I know his intent is sincere. But I think this is the kind of amendment that ought to be tabled.

I only state this to use up some of the time. I see others want to use some time prior to 7, but I wanted to say that I am sorry I could not respond at the particular time that the Senator from Arizona presented his amendment. I left the floor with the understanding that the Senator from New Mexico was going to present his. I yield the floor.

Mr. SIMON addressed the Chair.

The PRESIDENT OF THE SENATE.

Mr. SIMON. Mr. President, I am pleased with the negotiations that have taken place with Senator HOLLINGS, Senator HATFIELD, Senator BIDEN, Senator GRAMM, and others. They have improved this bill. Let me add one concern I do have. This bill authorizes $250 million for U.N. peacekeeping. The request from the President was $445 million. The House figure—in most areas the House is, frankly, worse than the Senate—the House figure is $425 million. Again, our figure is $250 million. The authorization figure from the Foreign Relations Committee, chaired by Senator HELMS, is $445 million—and we have $250 million here. This is on top of what we have been doing to not pay our dues in the United Nations. We are the No. 1 deadbeat in the world.

Yesterday’s New York Times has a story “To Pay Some Debts, U.N. Will Try Borrowing From World Bank.” We owe $1.2 billion to the United Nations. They would not have to be going to the World Bank if we paid our dues. We ask unanimous consent to have that article printed in the RECORD at this point, Mr. President.

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

[From the New York Times, Sept. 27, 1995]

TO PAY SOME DEBTS, U.N. WILL TRY BORROWING FROM WORLD BANK

(By Barbara Crossette)

UNITED NATIONS, Sept. 26—The United Nations, facing a financial crisis in half a century, will try for the first time to borrow money from the World Bank to pay some of its debts, the organization’s highest-ranking officer said today.

Joseph Connor, a former chief executive of Price Waterhouse who is now United Nations Under Secretary General for Administration and Management, said today that a World Bank loan was only one of many ideas being explored “to lift from our shoulders the burden of debt.”

Secretary General Boutros Boutros-Ghali said in an interview on Saturday that he planned to meet the World Bank president, D. Wolfensohn, this weekend to discuss the proposal.

In the past, the United Nations has borrowed small amounts for specific development projects, Mr. Connor said, but there is no precedent for a loan of this kind, which would go to paying off some of the organization’s growing general indebtedness.

“Under no circumstances will we borrow money,” the Secretary General said.

The United States, which is at least $1.2 billion in arrears in its dues to the United Nations, is expected to challenge the plan, an American diplomat said.

The American opposition to any new idea for raising money surprised diplomats from Europe and elsewhere, whose governments pay their bills regularly. A Western diplomat said today that with the United Nations the largest defaulter among member countries, “it is inexplicable that the Clinton Administration would make things worse behind the scenes.”

An American diplomat said today that the Administration had “two basic problems” with the loan plan.

“The United Nations and the Secretary General have no authority to borrow externally,” the diplomat said. “And borrowing from the World Bank is restricted to sovereign governments.”

The World Bank is technically part of the United Nations system, although the bank and the International Monetary Fund, both based in Washington, operate with considerable independence.

The United Nations, which has no capital base and cannot borrow commercially, is owed $3.4 billion in unpaid assessments, of which the United States owes roughly half.

The organization is $900 million in arrears in payments to countries that have provided peacekeeping troops and $400 million for purchases of various kinds. Half of the tens of millions of dollars awarded in contracts each year go to American companies.

“Our inability to pay is impacting the willingness of countries to participate in peacekeeping,” Mr. Connor said.

The United Nations, which has not capital to lend, as the Secretary General has said, to pay its bill, is at least $650 million in arrears.

Mr. Connor addressed the General Assembly yesterday, proposing that the United Nations system, although the bank and the International Monetary Fund, both based in Washington, operate with considerable independence.

In a speech today to the General Assembly, the British Foreign Minister, Malcolm Rifkind, proposed charging interest on late payments as one way of tightening penalties against member nations in arrears. He said 30 nations failed to pay anything at all last year.

In June at the meeting of the Group of Seven major industrial nations, Mr. Boutros- Ghali proposed that nations would take bonds from nations owing money and use them to settle debts with other member countries. That idea was also opposed by the United States.

Mr. Connor said today that the bulk of the money owed by the United Nations for peacekeeping is in debts to Western European nations, Australia, Canada and other countries close to the United States.

Mr. SIMON. Then I would like to insert two other things into the RECORD. One is a statement by the Council for a Livable World, whose good work I think we have acknowledged. This is a statement of us acknowledging that this is a statement of U.N. peace operations, signed by a great many people. I ask unanimous consent that that be printed in the RECORD.
There being no objection, the material was ordered to be printed in the Record, as follows:

STATEMENT IN SUPPORT OF U.N. PEACE OPERATIONS

The United Nations is playing an increasingly critical role in preventing and resolving conflicts that have broken out across the globe. We welcome this expanded mission envisioned in the original U.N. charter but impeded by the Cold War. While the U.N. has not proved a panacea, it has achieved remarkable successes in countries such as Namibia, in El Salvador and in Cambodia.

International peacekeeping is not an altruistic endeavor; it directly serves U.S. security, political and commercial interests. As U.S. Senator Al Gore has said, the U.N. is a vital part of the America...as President Richard Nixon has stated: "Whether measured in human lives or dollars spent, the record is clear: the United Nations has served the United States and its allies in the prevention and resolution of international conflicts."

The Honorable Albright has stated: "Whether measured in dollars spent, the United Nations's long-term future is...world community will have sacrificed the cares and dangers of a unilateral role as world policeman. A policy that only gives weak financial and political support for peacekeeping jeopardizes the United Nations' effectiveness."

...in the decades ahead. The world community will have sacrificed the cares and dangers of a unilateral role as world policeman. A policy that only provides weak financial and political support for peacekeeping jeopardizes the United Nations' effectiveness."

The United Nations' effectiveness in peace operations, we believe, is significant. It is increased by the fact that the United Nations is a multilateral, democratic institution that is accountable and transparent. Peace operations, we believe, increase our global security and prosperity.

...Peace operations, we believe, increase our global security and prosperity.

Peace operations, we believe, increase our global security and prosperity. Peace operations, we believe, increase our global security and prosperity.

Peace operations, we believe, increase our global security and prosperity.
Dr. Robert von Pagenhardt, Professor, Defense Resources Management Institute, Naval Postgraduate School.
Maurice S. Papin, President, Fund for New American Policy.
Dan Plesh, Director, British American Security Information Council.
George W. Rathjens, Professor of Political Science, Massachusetts Institute of Technology.
Michael Renner, Senior Researcher, WorldWatch Institute.
Stanley R. Resor, Former Secretary of the Army (1965-1971); Chair, Board of Directors, Arms Control Association.
Anna Rhees, Executive Secretary for Public Policy, Women's Division, United Methodist Church.
Chariole Rhoads, President, Pax World Service.
Howard Ris, Executive Director, Union of Concerned Scientists.
Eugene T. Rossides, Chairman, American Hellenic Institute.
Caleb Rossiter, Director, Project on Democratization and Democracy.
Dr. Herbert W. Rubenstein, Director, Program on the Analysis and Resolution of Conflicts, Syracuse University.
Dr. Ben Sanders, Executive Chairman, Program for Promoting Nuclear Non-Proliferation.
James A. Scheer, Senior Associate, Carnegie Endowment for International Peace.
Artis S. T. (Art) Special Assistant to the President (1961-1964); Winner, Pulitzer Prize for History.
G. Fred Schuham, Dean, Humphrey Institute of Public Affairs, University of Minnesota.
Richard Seitz, Colonel, U.S. Army (Ret.).
Susan Slater, Executive Director, Women's Action for New Directions.
Vice Admiral John J. Shanahan (ret.), Director, Center for Defense Information.
J and J Sharp, Director, Defence and Security Programme Institute, Institute for Public Policy Research, King's College.
Jack Shinkman, President, Amalgamated Clothing and Textile Workers Union.
Paul H. Sherry, President, United Church of Christ.
Michael Shuman, Director, Institute for Policy Studies.
Alice Slater, Executive Director, Economists Allied for Arms Reduction.
Judith Shrewsbery, Director, Asia Society.
Gaddis Smith, Director, Yale Center for International & Area Studies.
Theodore R. Stirop, President, Center for Defense Information.
Ronald Spiers, Former Assistant Secretary of State for Political-Military Affairs (1969-1973); President, Franklin and Eleanor Roosevelt Institute.
Jeremy J. Stone, President, Federation of American Scientists.
Rudy D. Sumarwalla, President & CEO, United Way International.
Julia Taft, President, InterAction.
Kathy Thornton, RSM, National Coordinator, NETWORK: A National Catholic Social Justice Lobby.
Raimo Vayryninen, Professor, Regan Director, University of Notre Dame.
George R. Vickers, Executive Director, Washington Office on Latin America.
Edith Villastrigo, National Legislative Director, Friends Committee on Peace.
Joe Volk, Executive Secretary, Friends Committee on National Legislation.

The Rev. Dr. Daniel E. Weiss, General Secretary, American Baptist Churches, USA.
Dr. Michael Weswells, President, Psychologists for Social Responsibility.
John C. Whitehead, Former Deputy Secretary of State (1965-1969); Chair, International Rescue Committee.
Roger P. Wilson, Director, U.S. Committee for Refugees.
Adam Yarmolinsky, Former Special Assistant to the Secretary of Defense (1961-1964); Chair, Lawyers Alliance for World Security.
Andrew Young, Former U.S. Ambassador to the United Nations (1977-1978); Vice Chairman, Law Companies Group, Inc.

FINANCING THE UNITED NATIONS

The greatest threat today to the U.N.'s effectiveness and even survival is the cancer of financial insolvency. Countries slow to pay their share include many that are small. But it is the massive delinquencies of the United States that have plunged the Organization into chronic and severe limits on its ability to respond to emergencies and new needs.

The services provided by international organizations are, objectively, quite cheap—especially in comparison with the sums we spend on other dimensions of national security, such as the military, as backup in the event that diplomacy and the U.N. machinery may fail. The annual U.S. assessments for peacekeeping worldwide are less than the police budget for the nation's largest city. Total U.S. assessments as a percentage of our national income, as a percentage of the U.S. assessment to the United Nations, amount to $7 per capita (compared to some $1,000 per capita for the Defense Department). Some object that U.N. peacekeeping costs have exploded over the past decade, from a U.S. share of $53 million in 1965 to $1.08 billion in 1995. But the end of the Cold War that sparked that increase, by freeing the U.S. to be a more effective agent of conflict management, also allowed for larger peacekeeping contributions.

Over the same decade, Pentagon budgets have fallen $34 billion. Increased reliance on collective security and defense savings, combined with reduced U.S. troop levels, claim offsets from assessed obligations. Furthermore, U.S. costs are spread among all member states, and constitute a truly cost-effective bargain for all.

However, at a time when hard budget choices, many national politicians see U.N. contributions as an easy target. They are misguided. In asserting that national parliaments can unilaterally set their national assessment levels, claim offsets from assessed obligations for voluntary peacekeeping contributions, and impose policy conditions for payment, national politicians take the five permanent members of the Security Council out of the equation. Washington politicians jeopardize the institutional underpinnings of the world community. No multilateral organization—whether the U.N., the World Bank, or NATO—can long survive if member states play by such rules.

In ratifying the U.N. Charter, every member state set their national assessment levels, claim offsets from assessed obligations for voluntary peacekeeping contributions, and impose policy conditions for payments. The five permanent members of the Security Council, whose end has allowed the institutions of global security to spring to life. The five permanent members of the Security Council meet and function as a committee of the whole, and what the Charter has lost in rhetorical drama it has more than gained in forging common policies. Starting with the Reagan Administration's efforts to get the Security Council to help bring an end to the Iran-Iraq war in 1988, every U.S. administration has turned to the U.N. for collective action to help maintain or restore order. Common policy may not always result in success, but neither does unilateral policy—and, unlike unilateral intervention, it spreads costs and risks widely and may help avoid policy disasters.

Paradoxically, the end of the Cold War has also given rise in the U.S. to a resurgent isolationism. The cold war altruism that once fed the impulse is often to respond unilaterally in the conviction that only Washington can do...
the job and do it right. Without a Soviet threat, some Americans imagine we can re-
nounce “foreign entanglements.” Growing hostility to U.N. peacekeeping in some polit-
ical circles reflects, in large measure, the shortsighted idea that America has little at
stake in the maintenance of a peaceful world. In some quarters, resentment smolder-
s over national objectives, but in a country founded on the rule of law, the notion that law should rule among na-
tions ought not to be controversial.

The political impulse to go it alone surges at precisely the moment when nations have
become deeply interconnected. The need for international teamwork has never been
clearer. Goods, capital, news, entertainment, and ideas cross national borders with
astonishing speed. So do refugees, diseases, drugs, environmental degradation, terror-
ists, and currency crashes.

The institutions of the U.N. system are not perfect, but they remain our best tools for
concerted international action. Just as Americans often seek to reform our own gov-
ernments, there is a need for improvement of the U.N. system. Fragmented and of limited
power, prone to political paralysis, bureaucratic torpor, and opaque accountability, the U.
N. system reform—but not reforming. Governments and citizens must press for
changes that improve agencies' efficiency, enhance their responsiveness, and make them
more attuned to the world's public interest. They were created to serve. Our world institutions
are only strengthened with the informed engagement of national leaders, press, and the
talk is large.

The American people have not lost their commitment to the United Nations and to
the rule of law. They reaffirm it consistently, whether in opinion surveys or UNICEF
campaigns. Recognizing the public's concern, the foes of America's U.N. commit-
tment—unilateralists, isolationists, or whatever—do not call openly for rejecting the U.
N. system. Rather they argue that the U.S. should reduce its support for the
League of Nations. But the systematic paring back of our commitment to inter-
national law and participation in institutions would have the same effect.

In this 50th anniversary year, America's leaders should re dedicate the nation to the
promise of a more peaceful and prosperous world expressed in the U.N. Charter. The spirit, the United Nations Association of the
United States calls on the people and government of the United States, and those of all other U.
N. member states, to join in strengthening the United Nations system for
the 21st century.

In particular, we call for action in five areas, which will be the top policy priorities
of UNA-USA as we enter the U.N.'s second half-century: Reliable financing of the United
Nations system; strong and effective U.N. machinery to help keep the peace; promotion of broad-based, sustainable world econ-
omic growth; vigorous defense of human rights and protection of displaced popu-
lations; control, reduction, or elimination of highly destructive weaponry.

Mr. SIMON. And then the next is a letter, a policy statement by the United
Nations Association of the United States of America, sent to me—I am
sure to all Members of the Senate—by the former Deputy Secretary of State
John Whitehead, who many of us had a chance to respect and to respect a great
deal. He was the Deputy Secretary of State under J im Baker. I ask unanimously
that his fine statement be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the
Record, as follows:

UNITED NATIONS ASSOCIATION
OF THE UNITED STATES OF AMERICA,
July 26, 1995.

Hon. Paul Simon,
Washington, DC.

Dear Senator Simon: I am writing to share with you a policy statement of the
United Nations Association of the United States (UNA-USA) on the U.S. stake in the
United Nations and U.N. financing, adopted in late June by UNA-USA's national conven-

It is a serious yet succinct statement on an issue of concern to us all—whether to continue
U.N. as they had earlier rejected outright the League of Nations. But the systematic rejection
of conduct on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

I do not want to go into my long drawn-out speech reciting the very sorry record of this country in being the biggest arms peddler in the world today. Merchants of death is about
what you should more accurately title our role in these matters of providing
arms. Third world nations that cannot even develop a subsistence agri-
culture to feed their own people, and using up to 85 percent of their own na-
tional budgets to fill their lust for arms that we have infected them with.

At least I think we must in turn try to draw some kind of parameters around this come-one-come-all big
arms sale today in the United States. Sending out our Secretary of Com-
merce to hawk arms at the Paris arms show, informing our military posts around the world that certainly they
would help facilitate any arms trans-
sfers they can create in their country.

What we are offering here is this amendment to the Justice-State-Com-
merce appropriations bill on behalf of Senator Pell, Senator Dorgan, SEN-
ator Bumpers, and myself.

I acknowledge that this is not the perfect vehicle for a discussion on the
issue of arms transfers. After all, the perfect vehicle for a discussion on the
issue of arms transfers would be to ban the arms transfers, and there is no
time for that. This amendment, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our alliances.

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

Mr. HATFIELD. Mr. President, I have sent an amendment to the desk. I
withdraw any further request for unan-
imous-consent request on time. I am just going to utilize the void that ex-
ists here on the floor and take up what

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendment, which is identical to a
freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

I do not want to go into my long
drawn-out speech reciting the very
sor

Mr. HATFIELD. Mr. President, I have sent an amendment to the desk. I
withdraw any further request for unan-
imous-consent request on time. I am just going to utilize the void that ex-
ists here on the floor and take up what

time I wish.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

I do not want to go into my long
drawn-out speech reciting the very
sor

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

I do not want to go into my long
drawn-out speech reciting the very
sor

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.

This amendment, Mr. President, if
approved, I think would greatly im-
prove our national security. My amendm-
ent, which is identical to a freestanding bill, the code of conduct
on arms transfers, would place restric-
tions on arms transfers to nations which pose potential threats to the
United States or to our allies.
September 28, 1995

CONGRESSIONAL RECORD — SENATE

S 14523

major victory in nuclear arms control, the permanent ratification of the Nuclear Non-Proliferation Treaty, and come closer to reaching agreement on a permanent ban on underground nuclear testing, we cannot ignore the death toll caused by conventional arms. Over 40 million people killed by conventional weapons since World War II. That is a pretty sizable part of the world's population.

More than anything else, we cannot ignore the last four times the United States approved billions of dollars worth of major weapons sales. The most recent of these, the巨额 sale of conventional arms to Iraq, has already led to the deaths of hundreds of thousands of civilians and scores of thousands of troops. The implications of this are frightening.

In other words, our arms transfer policy has backfired, particularly in those instances. It has created the boomerang effect where U.S.-provided weapons are used against our own military. Clearly, a new policy is needed.

The public has been polled on the question of arms transfers and resoundingly—over 95 percent—said that no U.S. arms should go to dictators. Yet the United States continues to provide arms to nations which are not democracies.

The Clinton administration undertook to review the arms trade policy last year. That process took many months and the announcement was made in February of this year, 1995, that the United States would no longer sell arms to nations which were not democracies.

If we want to go with the President, President Kennedy in 1961 saw that this was the way to develop a comprehensive arms export control policy to be endorsed by the European Union.

Mr. Kinnock points out in his letter, this is Mr. Glenys Kinnock, that the United States and the nations of the European Union together will sell 80 percent of the world's weapons this year—20 percent to the United States.

Clearly, the code of conduct on arms transfers is not a unilateral move which will have only limited effect upon the global flow of arms. This is an international initiative which demands U.S. leadership.

Yet the administration refuses to make this pledge. Under Secretary of State Lynn Davis also testified before the Appropriations Committee on the matter of arms transfers. Secretary Davis told me that she thought that all components of the code of conduct on arms transfers—this bill or this amendment—democracy, human rights, transparency in arms transfers and re-unification of illegal wars—were all acceptable to the administration, and indeed, all shared goals.

Setting goals is not enough. Non-democratic governments received 85 percent of the $55.2 billion of American weapons that were transferred to developing countries through sales or foreign aid during the past 4 years.

With a record like that, I could not disagree more with the administration's assertion that flexibility is the most important factor in arms transfer policy.

But I nonetheless have, in my amendment, provided a waiver authority, so that the President may come to Congress with a request to provide arms transfers to a nation which does not meet the criteria when it is in the interest of our national security.

Should dictators be rewarded with weapons? Of course not. Early this past summer the Catholic Bishops of the United States approved unanimously a major statement calling upon the United States to undertake “more serious efforts to control and radically reduce” its role in the arms trade.

Many of you know that I have been a longtime critic of arms sales to the developing world. I see regions—too often, poorer nations—nations which have inadequate water and food supplies, inadequate education, and inadequate housing—have been caught up on regional arms races or been subjected to the gross military expenditures of despots. For years the United States has led the way in sales to these countries, although I would note that France slipped ahead of us this past year.

Earlier this year I held a hearing on the bill which is the basis for the amendment I offer today. A representa-tive from Human Rights Watch provided testimony to the Appropriations Committee regarding the trade between human rights and conventional weapons transfers. The representative reminded the committee that “the fact of arms does not necessarily create abuse” but went on to discuss how the tragic genocide in Rwanda a year ago was worsened by the enormous flow of weapons the year before the massacres. The influx of grenades and automatic weapons—all available cheaply—not only brought on the creation of militia who left tens of thousands of Rwandans dead. The violence of these weapons also made U.S. efforts to protect refugees extremely difficult.

If we are to prevent future Rwandas and improve international respect for human rights and promote democracy, we must create a code of conduct on arms transfers. The United States can and should exert its leadership by stating explicitly that it does not sell arms to dictators.

Mr. President, one closing remark. We have problems today in Bosnia and the Balkans. I stood on this floor 2½ years ago and warned about the flow of arms coming in both directions on the Danube. The Danube River was literally a river full of arms going into that very part of the world, from allies, from friends as well as from people of different kinds of relationships to the United States. These are now coming home to roost.

I want to say what else can we do but say that? What else can we do but to bomb? If we would choke off the supply of arms into that area of the world, we would be saving lives and we would be going to the source of the conflict and the source of the destruction and the source of the violence. But, unfortunately, arms have become too big an economic enterprise in our Western World, particularly in the United States. So it is much easier to call out the troops and send them into trouble spots of the world than to choke off arms flow. As I said, one of the largest peddlers of such arms in all parts of the world.

Mr. President, I made my pitch. I want to say I appreciate being able to inject this at this moment. If the time is such that Senator Bumpers and other cosponsors of this may have a moment to speak, I will hold it in suspension. I am ready to close off and call for a vote. I recognize the ultimate defeat, but nevertheless I feel constrained to make this pitch at this time.

The PRESIDING OFFICER. The Senator from Oklahoma.
Mr. INHOFE. Mr. President, is the Senator from Oregon waiting now to call for a vote on his amendment or has he yielded the floor?

Mr. HATFIELD. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, tonight we are going to be voting on some amendments that are very significant, and I want to take an opportunity to express some views concerning those amendments. One is going to be offered to refund to its 1995 fiscal year level—I believe it is $415 million—the Legal Services Corporation.

This is a place we should draw the line, go back. In fact, this is one area where the Senate came out with a better proposal than the House came out with. It is my understanding the House suggested reducing the funding to $278 million. The Senate would reduce it down to $210 million and have that block by the States.

I really believe the Legal Services Corporation was conceived as a part of the Great Society program, understandably, perhaps, at the time, to offer legal services to the poor. However, in the second half of the 1960's, it turned into an agency that is trying to reshape the political and legal and social fabric of America. In fiscal year 1995, the taxpayers spent $415 million to operate the Legal Services Corporation. However, the cost, the $415 million, is just a very small part of it when you consider the extensive class action suits and frivolous litigation that has followed.

There are so many examples that have been given here on the floor, and that I have given myself, concerning the activities of the LSC. The negative effects of the LSC's attempts to reorganize society permeate our culture, from the business community to government to homes to churches. Perhaps the most telling is the role of legal aid in challenging parental involvement statutes, so-called children's rights advocates such as Mrs. Clinton, who served as the chairperson for the LSC's board that challenged parental consent laws in several States. The income level of the litigants was often ignored. It really cannot be used as an argument that it was to provide legal services for the poor.

Parents are attacked in their efforts in keeping drugs out of their homes. In Idaho, the LSC protested when parents voluntarily invited police into their homes to check for drugs. Legal aid asserted privacy rights of the violators, who were teenagers who were on drugs at the time.

We have had Legal Services also involved in illegal immigration. The LSC supported organizations that sued California for its efforts to ascertain residents' immigration status for emergency Medical aid services. Legal Services promised to take this one to the Supreme Court.

Legal Services also contributes to our public housing woes. The LSC tried to prevent the local housing authority from evicting a woman who was dealing in drugs out of her apartment. Despite overwhelming evidence of constant drug-related activity, the LSC lawyers vigorously opposed her eviction on the grounds that she was not aware of what was going on.

The examples go on and on and on. I encourage my colleagues to seriously consider defeating the amendment that will be offered tonight.

There is another one coming up I heard articulated on this floor a moment ago by the Senator from Texas, Senator Gramm. Although he was talking about his amendment, the Shelby-Inhofe amendment that will be offered later on is an amendment to put work back into our prison system. We have proposed in this amendment that we require work, 48 hours per week, along with education pursuits so individuals can go out when they are once released and work themselves back into society.

I know a lot of people are saying they should not because our prison system already is punishing criminals. I suggest that, since the 1960’s, we have grown in this body to be more concerned about the violators than we have the victims.

The other day, I ran into a notice that was posted in one of the Massachusetts correctional facilities where it stated:

A third softball field will be made in the west field in order to allow more inmates to play softball. The horseshoe pits will be temporarily relocated near the golf course. The bocce [or whatever that is called] area will be relocated at the site of the new gym. The soccer field will be relocated to the east field behind the softball field.

It goes on to say, “We hope that our clients”—they do not call them inmates, do not call them prisoners—“will not be inconvenienced too much.”

I think it is time. If there is one mandate that came with the elections of 1994, it was to start to change our prison system, to quit spending the exorbitant amounts, and to get involved in punishment as a deterrent to crime. I was very proud when we passed our bill through the Senate, after the disaster occurred in the State of Oklahoma, that calls for real habeas reform and, for the first time, in my opinion, reverses the direction of our attitude in terms of crime and punishment.

I yield the floor.

Mr. BIDEN. Mr. President, I believe that I have 2 hours allotted to my amendment that will be equally divided.

The PRESIDING OFFICER. The Senator is correct.

Mr. BIDEN. In fairness to the Senate, I was supposed to be here at 7 o’clock to start that amendment. So I would suggest—that—I have checked this with at least the staff of the minority—the time of my amendment be cut to an hour and a half equally divided so that we are finished by 9 o’clock with this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. BIDEN. Mr. President, I withhold the request. I will just begin my statement, and then we can work out the time as we go along.

Before Senator INHOFE leaves the floor, I am just curious. That prison notice that he read, I would like to ask my colleague, was that a Federal prison or State prison?

Mr. INHOFE. It is a State prison. However, our amendment addresses not just Federal prisons but prisons that receive Federal funds.

Mr. BIDEN. I thank the Senator. I was just curious. I would point out to him that in the Federal prison system, we stopped fooling around—unlike the State of Oklahoma or the State of Delaware and other States—we stopped fooling around like many who served in the State legislature fool around. We just met in the Senate from Delaware offered in the late 1970’s and early 1980’s. It is called “the same time for the same crime.” You get convicted in the Federal court, you go to 30 years. That is why I just sorry the State legislatures are not as we have been and as the Federal Government has been for a long time.

Mr. INHOFE. If I could respond, we have been fooling around in some States. That is what this is about, to try to get some uniformity. And any time you have a murderer like Roger Dale Stafford, who sat on death row for 15 years after murdering nine Oklahomans in cold blood, it is time that we changed our attitude toward crime and punishment in this country.

I would suggest—and I think perhaps the Senator from Delaware would agree—that when someone is contemplating a crime, and if he thinks the downside is going to be sitting on death row for 15 years after murdering nine Oklahomans in cold blood, it is time that we changed our attitude toward the terrorism bill when we had it. I have not heard any speeches about why the Representatives from Delaware offered in the late 1970’s and early 1980’s, that is not much of a deterrent. And that is what I would like to change.

Mr. BIDEN. Mr. President, I agree with the Senator. Maybe he could make that very compelling speech to Mr. Gingrich so we can actually pass the terrorism bill instead of him holding the terrorism bill up that we—the Senator from Oklahoma and I—I worked so hard on. The House has not passed it yet. It is a great emergency.

I have not heard any speeches on the floor from my friends who were decrying the need to move quickly on the terrorism bill when we had it. I have not heard any speeches about why the Republican House of Representatives is holding it hostage. God only knows. Maybe it has to do with a line-item veto that they used to which well in the House, I am not sure. But I think we would all serve the Nation well if we constantly spoke out and asked Mr. Gingrich to let the terrorism bill go instead of turning that into a habeas corpus reform. I would hate to have that happen there for the remainder of the year.

Mr. INHOFE. I will respond that I have talked to Mr. Gingrich, and he is
very anxious to get to that. However, I think we are all aware that we have some appropriations bills to get out of the way. And, in the order of things, I am sure it will be expedited.

Mr. BIDEN. I am happy to hear that. But it is with the bill for months and months before we started the appropriations process.

I do not stand for that reason. I rise to speak to an amendment that I have. Let me very briefly describe it before I send it up to the desk.

Mr. President, the crime bill—which we passed, and is now the crime law—was in many ways authorized in this appropriations bill. My good friend from Texas, Senator Gramm, for whom I have great respect and I have never underestimated his abilities, was very effectively able to, in the appropriations process, essentially change the authorization process by dealing with a number of the provisions in the crime laws that are in place and functioning.

Where they little attempts to do is go back and undo—whether the Senate will agree is a different story—essentially what was done in the subcommittee on appropriations. I am not speaking to each part of the amendment, but I will give you the major points.

One, it reinstates money for the drug courts. The Appropriations Committee eliminated the funding for drug courts, something that we passed a year ago into law and is after having walked out of jail—prisoners who had served their time in the State penitentiary—as they walked out the gate from a State penitentiary with the clothes they wore in and a bus ticket and they have in their pocket, 200,000 of them in one year walked out of that penitentiary drug addicted, drug addicted, addicted to drugs after having served their time as they walked through the portal.

So what the evidence shows is that drug treatment in prisons is as effective as drug treatment out of prison, and it makes a big difference because you have 154 crimes a year committed by a drug-addicted person. If you have 200,000 of them, and one 154 of them, you have a problem. But unfortunately, the meager amount of money that you have in the crime bill, in the crime trust fund, which should have been spent and would have been spent in this upcoming year, that also was zeroed out.

In addition, there was in the crime law a provision that a vast majority of my colleagues, Democrats and Republicans, supported when we debated the crime bill 2 years ago, and that was rural drug enforcement grants. I have spent a lot of time with the Presiding Officer, my colleague from Utah. And, as a consequence, I do not pretend to know the State of Utah, but I have become much more familiar with it. I need not tell the Presiding Officer that drug trafficking in methamphetamine with the gangs from Los Angeles moving into rural Utah, drive-by shootings occurring in far-flung areas that never occurred before, the influx into the large intermountain States of drug deals, drug cartels, and drug organizations primarily dealing in synthetic drugs and methamphetamine—all of them, of course, are funded on all of those things and have put an incredible burden on the rural law enforcement agencies in the small towns in the State of Utah, in New Hampshire, and in Delaware.

I mentioned those States because the three Senators representing those States are on the floor. We represent States where the vast majority of their cities are very small. The largest city in the State of Delaware is 85,000 people.

Now, I realize Utah is larger than that, and I think Manchester, NH, is larger than that. But the point is, we do not have that many big metropolises. We have tens, scores of small little towns of one sheriff or one police officer or two or three. And what every rural law enforcement agency said to us when we were writing this bill was that we need help, particularly we need help in the area of dealing with the real problems, because the problems that are visited upon those small towns are not just the kids selling marijuana in the schoolyard; the real problems that have occurred in the last 10 years is these drug organizations move into those small towns, or they move into the outskirts of those small towns that in effect are incapable of being dealt with across State borders by small, rural law enforcement agencies.

Unfortunately, the subcommittee on appropriations saw fit to zero out that function as well. I attempt in this amendment to restore that money.

In addition, I also restore another thing that was cut totally, and that is the Law Enforcement Family Support Act.

Now, most people do not know what that is, but a number of us have participated, and I expect my colleagues on the floor tonight will participate in the event tonight at the law enforcement memorial once a year, where almost every year the President speaks, whether it be President Bush or President Clinton, and where we deal with and hail the slain officers and the families of officers slain in that calendar year, when they come to Washington. And they come to Washington to be recognized and to recognize the contributions of their spouses, mothers or fathers, brothers or sisters.

And I find it curious that my colleagues, at least the majority on the appropriations subcommittee, decided to tell the States they do not have the option to build boot camps. I do not quite understand that. Everybody stood on this floor and talked about how valuable and important boot camps are. But the language that I have in this amendment—and I will go back to this in a moment—restores the State option. No requirement, no State has to build a single, solitary boot camp. They can all go build maximum security prisons. They can do whatever they want to do with the money as it is presently available under the bill. But implicit in that is we have also said as a matter of policy that we do not know federally, we have acknowledged we do not know federally as much about the specific needs of the States and the localities as the States and localities know.

So I find it curious that my colleagues, at least the majority on the appropriations subcommittee, decided to tell the States they do not have the option to build boot camps. I do not quite understand that. Everybody stood on this floor and talked about how valuable and important boot camps are. But the language that I have in this amendment—and I will go back to this in a moment—restores the State option. No requirement, no State has to build a single, solitary boot camp. They can all go build maximum security prisons. They can do whatever they want to do with the money as it is presently available under the State option. No requirement, no State has to build a single, solitary boot camp. They can all go build maximum security prisons. They can do whatever they want to do with the money as it is presently available under the bill. But implicit in that is we have also said as a matter of policy that we do not know federally, we have acknowledged we do not know federally as much about the specific needs of the States and the localities as the States and localities know.
purpose of making sure that we in effect put the crime law back together.

This amendment is supported, I might add, by I believe every single major police organization in the country. The legislation relating to law enforcement and family support is specifically supported by the National Association of Police Organizations.

As I said, everyone may remember a year and a half ago there were a rash of police shootings across the country including what personal toll was taken on America’s law enforcement officers and their families as a consequence of them being shot or wounded or killed. This amendment on the Family Support Act helps deal with that.

So let me speak a little more specifically to each of the general areas that I try to restore. Again, $100 million for drug courts, $20 million—and by the way, we authorized $150 million.

I said it was a trust fund thing. We are dealing with moneys from a trust fund. These are not any new taxes. What we all decided to do under the leadership of Senator Gramm of Texas and Senator Byrd of West Virginia, when the crime law was being debated a year and a half ago, was to say, look, why not make sure this is not funny money. Why not make sure we can pay for what we say we want to do, which we do agree to do.

And under the leadership of Senator Byrd, with the strong concurrence of Senator Gramm of Texas—and quite frankly, with the ingenuity of John Hillyer, who was then the administrative assistant for Senator Mitchell—they came up with a unique idea. Never before, to the best of my knowledge, did the Senate ever set up a trust fund for law enforcement. And the way that was funded, the Senator from Texas [Mr. Gramm], insisted that the commitment that we made to reduce the Federal work force by 272,000 people over a 5-year period be written into the law. It had not been legislated before.

And once the crime bill was legislated, the President would have to reduce the present work force by 272,000 people. OMB calculated how much the revenue that was now being paid out of the Treasury to pay those folks’ salaries would be. And we agreed that as that attrition took place—and we have cut now by 170,000 some Federal employees. We have done that. That is real. That has been done. Their paychecks would go into this trust fund and that from the trust fund the funding for the crime bill would come.

Now, someone could have argued legitimately that when I say, “No new taxes,” they say, “Biden, you could have taken those savings from the reduction in Federal work force and you could have lowered the deficit or lowered taxes.” That is true. We could have done that. But the majority of us—and I for one strongly felt it was a higher priority to fight crime in America and give localities the resources to do that.

So I want to make it clear what we are talking about here is trust fund moneys. So what I do in this amendment is I reinstate $100 million of the $150 million for drug courts, $27 million for drug treatment in prison, $10 million for rural drug enforcement, and $1.2 million for the Law Enforcement Family Support Act, and then change the other language—no reallocation of funds for making sure that States have the option dealing with being able to use prison money to build boot camps.

Now, let my speak to what I think the single major piece of this amendment is, first, in more detail, and that is the drug courts. The Federal Government has long focused on the fight against illegal drugs, but few of its efforts have shown the promise already demonstrated by drug courts. The key to the drug court program is to punish and control offenders in the most efficient way possible.

In fact, it is precisely because of the success of the drug courts seen in model States, that I worked with the Attorney General to include the Federal support for drug courts in the 1994 crime bill signed into law a year ago.

Drug courts represent an innovation in our fight against drug crimes and drug abuse. They are a way to deal with low-level, first-time drug offenders. Throughout the Nation nonviolent drug offenders are simply released back into society with no punishment, no treatment, no supervision. Nationwide, the most recent estimates are that 600,000 such offenders are on the streets; 600,000 people convicted of abusing drugs and committing crimes sent back out into the streets with no reason not to return to more drugs and more crime and with no punishment. The nonviolent drug offenders, which account for about 1.4 million of these nonviolent drug offenders are convicted every year, and 600,000 of them get absolutely no treatment, no supervision, no punishment.

Now, let me tell you how the drug courts work. The drug courts work so that what happens is the States, with the money provided by the Federal Government as seed money, this $100 million, set up drug courts where they take these first-time, nonviolent offenders into the court. They adjudicate them being shot or wounded or killed. Thirty-four percent of all the people who were convicted the first time of a nonviolent drug offense ended up rearrested and revicted and back before the courts. When the drug court program was put in place—and it has been there now about 5 years, I believe, most of the little overall rearrest rate dropped to around 3 percent—3 percent.

I can say to the Presiding Officer and others who are listening that in my State, the State of Delaware, a Republican attorney general named Richard Gebelein became a superior court judge and I put up a drug court like this—strict, strict, strict rules for nonviolent offenders once they are convicted, requirements of treatment, requirements of public service, requirements of random drug testing, requirements of mentoring and supervision, requirements of random drug testing, requirements of sticking to keeping a job, very strict requirements. They were literally required to sign a contract. And when they violate any of those provisions, they go to jail. It is amazing what an incentive it is. It is amazing what an incentive it is.

In my State they are going to be going to boot camps because the boot camps cost 40 percent less to run than the prison system does, than building bricks and mortar. So they work. I say to my friend from Utah and others who are here, they work. And, unfortunately, we now are working on finding more money for ensuring that we find money for other purposes in the bill, they were zeroed out. So what I do in this legislation is I restore $100 million of the $140 million that has been authorized.

Again, drug courts combine a carrot of drug treatment and the helping hand of mandatory drug testing and the gavel of a judge that says you go back to prison if, in fact, you violate any of the provisions.

For example, as of about 1 month ago, the Delaware drug court had worked on 481 offenders in my small State in what it calls its track, one program. And that is, 288 people had completed the program and were on their way to being productive citizens; 80 were, to use the Delaware judge’s phrase, “terminated.” In other words, they were sent back to jail. And the remaining 28 are presently working their way through the program.

But an interesting thing, I say to the Presiding Officer. Guess what? Of those 481 people who were in the system, committing an average of 154 crimes a year, the crime rate has gone down precipitously among those people. And those who could not cut it in the system were, to use the phrase of the former attorney general—now judge Gebelein, they were terminated. They were sent to jail.

Absent the drug court system around the country, what happens now is they get any treatment, they never get any punishment, they never get sent to jail; 600,000 of them a year are sent to jail. So I say to my friends, as they look at this, ask their judges in their home
State, ask their probation officers, ask their police officers, ask their prison officials, and I can tell you, they will find almost without exception that the drug court innovation is viewed as one of the best hopes law enforcement has to deal with drug abuse, it is ultimately a problem. And to paraphrase a phrase used in a Presidential campaign last time around, “It’s drugs, stupid. It’s drugs.” Crime is drugs. “It’s drugs, stupid. It’s drugs.”

Now, on the point of drug treatment in prisons, I will again merely make the point that it works. Last week the Department of Health and Human Services released preliminary estimates from the 1994 national household survey on drug abuse. And its report is alarming.

The survey found that among youth age 12 to 17, the rate of illicit drug use increased between 1993 and 1994 from 6.6 percent to 9.5 percent. In the past year, nearly 10 percent of our youth were drug users. Marijuana use among 12- to 17-year-olds has nearly doubled from 1992 to 1994.

Perhaps even more frightening than the upsurge in use trends is the increase in the perceived availability of illicit drugs in all age groups. The percentage of youth reporting that marijuana was easy to obtain increased by over 10 percent. Fifty-nine percent of the young people in America said marijuana is easy to obtain and they know how to get it. There was an increase in the perceived availability of LSD, PCP’s, and heroin for all age groups.

The percentage of people age 35 and older who claim that cocaine was easily obtainable increased from 36 to 41 percent. Clearly, despite the progress we made in drug abuse prevention and treatment and law enforcement, there is still a great deal more to be done.

And things are moving the wrong way.

Given the need for more and greater efforts in the war on drugs and given their call for a strong stand on the drug issue, I cannot understand why my colleagues in this body employ the decision to abandon the key antidrug initiative in the 1994 crime law. Specifically, I would like to mention the three programs they have eliminated. One I have spoken to—the drug courts; second is drug treatment in State prisons; and the third is rural drug enforcement.

There are a number of things to work on, and that is going to take up a great deal of time.

Last year, the 1994 crime law took a strong stand against drug abuse in rural areas. It unjustly, through drug abuse throughout the court system and in the prison system. But this bill zeros out those functions.

So it always surprises me, when we talk about being tough on drugs, why more of our colleagues do not talk and talk to their police, why they do not talk to their prison officials, why they do not talk to the tough guys, the law-and-order types, who will tell them. I am telling you they will tell you that in fact they want these programs.

What my amendment does, it takes funds from an open-ended, unfunded block grant to make sure that these dollars are targeted to the antidrug measures I mentioned. In other words, the amendment allocates funds directly—what we do is we take $117 million in the bill—we do not look for any money anywhere else—and apply it to the three programs I mentioned, and we have the funds that are released to the people through the fee charges to obtain green cards. A few years back, when the non-U.S. citizen was in the United States and applied for and was authorized to obtain a green card, that person would have had to return to their native country and then reenter the United States legally.

In 1994, we passed a law that allowed the person in those circumstances to remain in the United States and obtain the green card if certain requirements were satisfied. That person paid an additional fee of a few hundred dollars. The rationale behind the additional fee is that, in paying the fee, the person did not have to leave the United States to get the card, and could reenter the United States, and they saved a round-trip fare ticket. In addition, there is $21.2 million in offsets from the reduction in the State prison grants.

I note that the House funded the administration’s request of $500 million. The bill before us provides $750 million for prisons. We all know that whatever comes out of conference is not going to be $750 million. So we take $21 million—a mere $21 million—out of the additional $250 million for State prisons that the Senate subcommittee put in. And should it be adopted, the bill would still provide more than $725 million for prison grants. And so when my colleagues legitimately ask, OK, Biden, let’s look at these programs that you and the cops talk about all the time are as good as you say, and that is drug courts, the drug prison money, and drug treatment money in prisons and rural drug enforcement—what I did was I found the $117 million to offset that from the places I just stated.

I see my friend from Missouri. I have more to say. How much time remains for the Senator from Delaware?

The PRESIDING OFFICER. The original informal agreement was an hour and a half, from 7:30 until 9, equally divided. The Senator has since used 35 minutes out of his 45-minute allocation.

Mr. BIDEN. Yes, I believe so. I would like to ask, how much time would I have left under such an agreement?

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BIDEN. That is what I thought. On the floor score. I proceed to yield to the Senator from Missouri at this time. Then I will seek recognition when he finishes.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I am not going to take up a great deal of time. There are a number of things to work out on this amendment. I could not pass up this opportunity to come and tell this body that the concept of a drug court has been in place in Kansas City, MO, for about 2 years, and it is too early to say that this is the real solution. But the results, to date, are very spectacular.

In Kansas City, drug offenses were clogging up the court system. We did not have the court resources available to provide full trials. We were getting citations. We did not have the prison space for the minor offenders. The drug court has been used with, apparently, a great deal of success for the negligent minor drug offenders in Kansas City.

As the Senator from Delaware has already described, this is a program in which they go before a judge—and I...
talked at length with a judge—Judge Mason—who I had the pleasure of appointing when I was Governor of Missouri, and the county prosecuting attorney, Clara McCaskle, who said this was one of the best ideas they had seen for trying to get people off drugs in their area. After that, they started taking drugs, off of drugs and off of a life of crime.

There have been about 200 people in the program in 2 years, only 10 have been rearrested. Some of them failed. The one thing about a drug court is that if you fail the program, that is it, you go into jail. There is no question about it. But 60 people have completed the program. Only one has been rearrested. That is a significantly higher success rate than most of the other programs I have seen for dealing with the minor drug-related offenders.

This, obviously, applies only to non-violent offenders, who have not used a weapon in their crime. We think this kind of tough supervision by a concerned judge—and it requires a judge who is willing to devote his or her time to these cases, to give the drug offender the attention and discipline needed to get them off of the drug habit and get them out of a life of crime, offers a great degree of promise.

I have asked that the drug court at least be made a permissible use under the block grant program. Frankly, I think making it a permissible use is not on the same level as what we have seen, I would like to see the drug court procedure in the law in some form.

I look forward to working with my colleague from Delaware and my colleague from New Hampshire to see if we cannot include provisions for drug courts. I can tell you, from the heartland where we have a drug problem, the drug courts seem to be one of the most promising ways of dealing with the problem. Anything in this area that holds out a chance of working I think should be given a chance.

At the very least, the drug court program should be made an option used under the block grant program. I would like to see us go further. I would like to see us say that drug grant programs should be entitled to a certain percentage of the block grants.

I look forward to working with the managers on both sides.

Mr. President, I reserve the balance of my time.

Mr. BIDEN. Mr. President, in keeping with our informality here, let me finish up. I thank my friend from Missouri for coming to them and saying, "We need your expert help and advice." We even went so far as to allow for the providing of training for local law enforcement officers from rural and small police departments down at the FBI training facility. They need the expertise.

These are brave women and men who are outmanned, outgunned and outsmarted because they are dealing with something that goes beyond the town limits or the county limits that they have the jurisdiction over.

Ten rural States are eligible for these grants statewide. These States include Alaska, Arizona, Arkansas, Colorado, Idaho, Iowa, Kansas, Maine, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Vermont, and Wyoming.

I will note that Delaware is not on that list. These States that I mentioned, these 19 rural States are eligible for statewide grants, although all the remaining States, the remaining 31 States could benefit in their rural areas. Rural areas of all other States that are rural in nature, they need the help.

Let me ask all who are not in the 19 States, what do you think of the possibility your rural law enforcement officer is going to get this money? What do you think the possibility is that the Governor will send it your way? Do you think maybe it will go where the population centers are?

I bet it surprises even some of my colleagues here on the floor to hear me say that violent crime in rural America is increasing at a greater rate than any other crime, and violence are national problems facing both urban and rural America. Unfortunately, the crime problems faced in rural America have been overlooked by Federal agencies in Washington. They have focused on the crime in urban areas. Yet the problems of rural States are no less serious.

In the block grant, I very much doubt and I believe you would be hard pressed to convince me or yourself that this money, which was specifically earmarked for rural areas and States that are rural in nature, they need the help.

So I would like to point out that rural areas often come up last when it comes to the newly-called crime fight in each State. This fact has not escaped my colleagues in previous years.

The need for special targets of anticrime funds to rural areas was also expressed by my colleague, Senator Hatch, on February 10, 1994, while he was speaking in support of the Biden-Hatch rural crime amendment, when he said:

We need to get more officers to rural areas where the violent crime problem is increasing at a greater rate...aggravated assault, and violence are national problems facing both urban and rural America. Unfortunately, the crime problems faced in rural America have been overlooked by Federal agencies in Washington. They have focused on the crime in urban areas. Yet the problems of rural States are no less serious. ... if there is a place where additional Federal expenditures are warranted, it is to fight crime and violence in rural states.

That was what my colleague said February 10, 1994. In the 103d Congress, Senators Adams, Baucus, Bryan, Bumpers, Conrad, Daschle, Fowler, Harkin, Hefflin, Leahy, Pryor all co-sponsored the Rural Crime and Drug
This means, of course, we have to identify violent offenders and make sure they go to prison. But it also means we must separate out the nonviolent offenders who can be diverted, potentially, from a career of crime through an intensive cost-effective program such as military-style boot camps.

That is exactly what we did in 1994 with the Biden crime law. We encouraged the States to identify nonviolent up and sentence them to alternative more cost-effective programs while we, in fact, kept them incarcerated. We provide $9.7 billion to States to build and operate prisons and we gave them the option to use a portion of that money for boot camps.

This appropriation bill would completely eliminate State flexibility to use boot camps for nonviolent offenders in order to free up conventional prison cells for violent offenders. My amendment would restore the State option on the use of boot camps for nonviolent offenders, to use their Federal prison money for boot camps.

Let me first tell my colleagues a little bit about boot camps so they can be clear with what I am talking about. Boot camps provide a regimented program of work and exercise for young, nonviolent offenders. And they have shown marked success with young offenders who learn discipline and respect for law and authority.

They are put behind barbed wire. They are locked in. They are essentially put in Quonset huts. Some argue it is inhumane. I argue if it is good enough for a marine to sleep in a Quonset hut, it did not hurt him very much, it sure in heck should not be too tough to put a convicted person, a nonviolent person in such a circumstance. At the time we did this in the Biden crime bill just about everybody stood up and supported boot camps. It was one of the few things everybody agreed on. Now I am a little concerned. I do not know what has happened that we would go contrary to the trend of the last year, which is to give States more flexibility. I have heard no one argue these boot camps are not worthwhile. I have heard no one argue that States should not be allowed to have them. And I have heard no one argue that States should not have flexibility. So, maybe it is that States were explicitly prevented from using their prison money to build boot camps. I do not know. But the bottom line is quite simple. Boot camps work to do one very important thing—I suspect many others, but one. That is, I will end where I started.

Two years ago the States convicted—not in Federal court, in State court—several hundred thousand violent offenders were convicted in the State court system. It is President Clinton's ambition for stump speeches, violent offenders never spend a day in jail—30,000, in the States; 30,000 convicted State felons, violent felons, never served a day in jail. The reason they did not is because the State legislatures did not want to go back to their folks in the State and say to get tough on crime we have to build more prisons. To get tough on crime we have to raise your taxes. To get tough on crime we are going to increase our spending. Most States did not do that.

What this does, it gives the States the option to be cost effective. For 40 percent of cost, they can take the nonviolent offenders, who are serving time in a penitentiary, behind bars, in a se- lection maximum security facility, put them behind barbed wire with folks with guns watching them, in Quonset huts, and free up hard-core prison space for the violent offenders.

At a minimum that is what boot camps do. At a minimum, they do much more. But in the interests of time I will not belabor the Senate with that argument.

So, to sum up, what I do here is I come up with a total of $117 million in increased fees on people obtaining green cards, increased fees on people obtaining prison grants. And I take money by increased fees on people obtaining green cards, because they now would have to go home and spend the cost of going home and back to be able to get the green card and now they do not have to do that. It is not onerous. It is a reasonable charge for that privilege. And that is how I get the $117 million in offsets.

I take that money and I put it in the drug courts, drug treatment and prisons and rural drugs as well as law enforcement, family support.

I thank my friend from New Hampshire for his indulgence in listening to me again. I understand the Appropriations Committee allocates the money. I take $117 million and I get it two ways. One, I take a total of $21.2 million from State prisons, which were increased by a quarter-billion dollars by this bill. The appropriations committee the amount, and over what the House has, still leaving a total of $225 million for prison grants. And I take money by increased fees on people obtaining green cards, because they now would have to go home and spend the cost of going home and back to be able to get the green card and now they do not have to do that. It is not onerous. It is a reasonable charge for that privilege. And that is how I get the $117 million in offsets.

I take that money and I put it in the drug courts, drug treatment and prisons and rural drugs as well as law enforcement, family support.

I thank my friend from New Hampshire for his indulgence in listening to me again. I understand the Appropriations Committee allocates the money. I take $117 million and I get it two ways. One, I take a total of $21.2 million from State prisons, which were increased by a quarter-billion dollars by this bill. The Appropriations Committee allocates the money. I take $117 million and I get it two ways. One, I take a total of $21.2 million from State prisons, which were increased by a quarter-billion dollars by this bill.
The PRESIDING OFFICER. The clerk will report.

The legislative clerk reads as follows:

The Senator from Delaware [Mr. BIDEN], for himself and Mr. BRYAN, proposes an amendment numbered 2818.

Mr. BIDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 30, line 10, after "Act:" insert the following:

"$27,000,000 for grants for residential substance abuse treatment for State prisoners pursuant to section 1001(a)(17) of the 1968 Act;".

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

Mr. WELSTONE. Mr. President, I rise in support of the Biden amendment. I ask unanimous consent that be addressed as non original co-sponsor. Included in this amendment is a provision to restore the Community Oriented Police Service Program and the local community crime prevention block grant and that is the part to which I would like to address my remarks.

The bill the Senate is currently considering: (1) would dismantle the COPS program, (2) would combine the COPS program and the crime prevention block grant into one big block grant, and (3) would cut the funding for both. I believe this would, first of all, open the door to funding anything under the sun that a Governor determines is law enforcement or crime prevention. And, it effectively would rewrite all crime prevention from this crime bill that is now law. For when law enforcement is pitted against crime prevention efforts, law enforcement always wins.

This, I say to my colleagues, turns the entire committee on which we made last year to help communities fighting as well as prevent crime.

Last year Congress passed and the President signed the Violent Crime Control and Law Enforcement Act of 1994. A central part of the crime bill included money for the hiring, over 5 years, of 100,000 more police officers under the Community Oriented Policing Services (COPS) Program. To date, under this program, more than 25,000 police officers have been hired in Minnesota and other states for prevention programs—the money for the hiring, over 5 years, of 100,000 more police officers under the Community Oriented Policing Services (COPS) Program. To date, under this program, more than 25,000 police officers have been hired in Minnesota and other states for prevention programs—the money for the hiring, over 5 years, of 100,000 more police officers under the Community Oriented Policing Services (COPS) Program. To date, under this program, more than 25,000 police officers have been hired in Minnesota and other states for prevention programs—the money for the hiring, over 5 years, of 100,000 more police officers under the Community Oriented Policing Services (COPS) Program. To date, under this program, more than 25,000 police officers have been hired in Minnesota and other states for prevention programs—the money for the hiring, over 5 years, of 100,000 more police officers under the Community Oriented Policing Services (COPS) Program. To date, under this program, more than 25,000 police officers have been hired in Minnesota and other states for prevention programs.

It is peculiar that the party that claims to be tough on law and order is proposing as one of its first steps to change a successful, cost-effective "law and order" program—one that ought to have broad, bipartisan support.

Crime prevention was also an essential element of the crime bill. Despite the fact that at each step of the way in passing the crime bill, prevention programs got watered down, in the end we did agree that crime prevention had to be part of this bill.

Two years ago, when Congress began consideration of the crime bill we started with a substantial portion of the crime bill addressing prevention; after all, prevention is crime control, stopping crime before it ever happens. It, by the way, included something that I think is extremely important—supervised visitation centers. A model that I brought from Minnesota to help families with a history of violence.

But now this very successful, popular crime-fighting program is under attack by Republicans who want to convert its funding into a block grant. Unfortunately, the Republican block grant plan does not stipulate that the money be spent on crime prevention; instead, the money can be redirected to fund restaurant inspectors, parking meters, radar guns—and any other of a host of things.

The money ought to be spent the way it was intended and the way law enforcement officials want it spent: to hire police officers. The Nation's major police enforcement organizations all agree on this point.

We all know that crime is one of the great plagues of our communities. People in the suburbs and people living downtown are afraid—they are afraid to go out at night, they are afraid to venture into the skyways, they are afraid to leave their cars parked on the street. We also all know that having a larger police presence helps deter the very crimes that people fear the most. Buying more parking meters, radar guns, or hiring more restaurant inspectors does not address this plague nor address peoples' legal needs.

It is peculiar that the party that claims to be tough on law and order is proposing as one of its first steps to change a successful, cost-effective "law and order" program—one that ought to have broad, bipartisan support.

Crime prevention was also an essential element of the crime bill. Despite the fact that at each step of the way in passing the crime bill, prevention programs got watered down, in the end we did agree that crime prevention had to be part of this bill.

Two years ago, when Congress began consideration of the crime bill we started with a substantial portion of the crime bill addressing prevention; after all, prevention is crime control, stopping crime before it ever happens. It, by the way, included something that I think is extremely important—supervised visitation centers. A model that I brought from Minnesota to help families with a history of violence.
block grant. And, funding was not even authorized until FY 96. We haven’t even given it a chance to work and get into communities—one of the few provisions in the crime bill that was intended to prevent crime, one of the few provisions that was authorized until next year, and those in Congress are trying to cut it off at the knees.

The Biden amendment would restore the crime bill structure and ensure that some of the funds that were set aside as part of the Crime Control Trust Fund are spent on real prevention programs.

The local crime prevention block grant, like the COPS Program, provides a lot of flexibility to the States and communities. Under this block grant, communities can determine what types, within a general list of about 14 different ideas, of prevention programs to fund, what prevention plans fit their community the best. But this block grant is for prevention, nothing else. It is one of the few aspects of the crime bill that focuses on prevention, an essential element of any crime fighting effort. And, as I stated earlier, it has not even had a chance to be implemented. This coming year would be the first year funding will actually go to help communities.

I cannot emphasize enough how important crime prevention is—especially now. And, under this appropriation bill very little, if any, funding would go to prevent crime.

If we were to listen to people in the communities that are most affected by the violence, they would say to us you have to have the money in prevention. But how interesting it is that those who would essentially eliminate these prevention programs do not come from those communities, do not know the people in those communities, and I do not think they asked the people in those communities at all what they think should be done.

Mr. President, I can just tell you that in meeting with students, students that come from some pretty tough background—students at the Work Opportunity Center in Minneapolis, which is an alternative school, young students who are mothers and others who come from real difficult circumstances, all of them said to me: You can build more prisons and you can build more jails, but the issue for us is jobs, opportunity. You will never stop this cycle of violence unless you do something that prevents it in the first place.

Then I turn to the judges, the sheriffs, and the police chiefs, and I call them on the phone in Minnesota, and I ask them what they think. And they say yes we need community police and yes we need the other parts of the crime law, but they all say, if you do not do something about preventing crime if the young people do not have these opportunities, if we do not get serious about reducing violence in the home, do not believe for a moment that we are going to stop the cycle of violence.

Mr. President, I believe that a highly trained police, highly motivated, community-based, sensitive to the people in the communities, can make a difference. And everyone in this country, everyone who is concerned, should be asking themselves where the money is, what this block grant is for prevention, an essential element of any crime fighting effort.

Every 5 seconds a child drops out of school in America. This is from the Children’s Defense Fund study. Every 5 seconds a child drops out of a public school in the United States of America. Every 30 seconds a baby is born into poverty. Every 2 minutes a baby is born with a low birthweight. Every 2 minutes a baby is born to a mother who had no prenatal care.

Every 4 minutes a child is arrested for an alcohol-related crime. Every 7 minutes a child is arrested for selling drugs. Every 2 hours a child is murdered. Every 4 hours a child commits suicide, takes his or her life in the United States of America. And every 5 minutes a child is arrested for a violent crime.

Mr. President, if we do not continue to be serious about the prevention part, we are not going to stop the cycle of violence.

All too many young people are growing up in neighborhoods and communities in our country where if they bump into someone or look at someone the wrong way they are in trouble, where there is too much violence in their homes, where violence pervades every aspect of their life. And people who grow up in such brutal circumstances can become brutal. And that should not surprise any of us.

Prevention and law enforcement—both essential elements of any crime fighting program—should not have to compete with each other for funding, nor should funding be cut for either.

I urge my colleagues to support the Biden amendment.

IN DEFENSE OF THE COPS PROGRAM

Mr. PRYOR. Mr. President, I rise today in support of a program that is vital to each and every one of us. It is vital to the safety of our States, of our towns, of our communities. In 1994, Congress passed the crime bill. Among other things, this important legislation will put 100,000 more police officers on the street through the Community Oriented Policing Services Program—or COPS Program.

Today, as I stand in this Chamber, there are over 25,000 officers that would not be out there—protecting citizens in communities across this country—if it were not for the COPS Program.

If we eliminate this program and turn the funds over to the States in block grant, as the Appropriations Committee has proposed, there is no guarantee that a single additional police officer will be hired. Not one. We made a commitment to the American people when we passed the crime bill. All of us, Republicans and Democrats alike, made a commitment to the citizens of this country that we would work with them to reduce crime. The crime bill that goes into effect today, I believe, we will work with them and they will reduce crime.

And indeed, without more cops on the beat it may not do much to fight the criminals of today.

Every 5 seconds a child drops out of school in America. This is from the Children’s Defense Fund study. Every 5 seconds a child drops out of a public school in the United States of America. Every 30 seconds a baby is born into poverty. Every 2 minutes a baby is born with a low birthweight. Every 2 minutes a baby is born to a mother who had no prenatal care.

Every 4 minutes a child is arrested for an alcohol-related crime. Every 7 minutes a child is arrested for selling drugs. Every 2 hours a child is murdered. Every 4 hours a child commits suicide, takes his or her life in the United States of America. And every 5 minutes a child is arrested for a violent crime.

Mr. President, of the 100,000 new police officers promised, almost 26,000 have already been hired, just in Arkansas alone. Our police departments are made up of men and women who put their lives on the line every day to make our streets safer—not just in big urban areas, but in small towns and rural areas. With a block grant, funds may not filter down to small towns that desperately need the extra help. They are being asked to do more with less as crime rates continue to rise rapidly. Gangs and drug dealers are migrating out of the larger, more sizable cities into the smaller towns at an alarming rate.

It is our duty, Mr. President, to assist the prevention of crime in our country. The major law enforcement organizations in my State of Arkansas, and across the country, have united in support the COPS Program. They tell us that this program is working, that it is getting more officers on the streets. So why are we eliminating a program that is working?

For example, the Danville Police Department in Danville, Arkansas, has, through the COPS Program, been able to hire an additional officer to patrol the streets at night. In the month since Mike Pyburn has been hired, he has already made a drug arrest. As he was patrolling the streets one night, Officer Pyburn spotted an individual with a warrant out on a misdemeanor.

In this person’s possession at the time of the arrest was 14 individually wrapped bags of marijuana. The COPS Program enabled this officer to be on the job and get these illegal drugs off the streets of Danville. This is one of many arrests this officer has made. Having additional night patrols has not only improved public safety, it has relieved the people’s fears. The citizens of Danville can now sleep at night feeling a little safer because Officer Pyburn is on duty.

Colonel John Bailey, the Director of the Arkansas State Police, put the importance of the COPS Program into simple terms. He said that “This program is effective, and it is easy for law enforcement agencies to
Steve Russell, administrative commander of the Rogers Police Department, said Tuesday, "It's given us ... the opportunity to have additional personnel we wouldn't otherwise have had.

The COPS FAST program operates under the office of Community Oriented Policing Services of the U.S. Department of Justice. The grant program is designed to help law-enforcement agencies immediately increase their available manpower. The three-year program will allow the Rogers Police Department to add to new officers with the federal grant of $132,337 added to $44,113 in local funds to cover the cost in salaries and benefits of $176,450 over the three years of the grant. After the three years, all of the costs will be borne by the local agency.

Russell said the COPS FAST grant program is an example of how the federal government can make it easier for local agencies to reap the benefits of federal programs. "This was one of the fastest programs we've seen, in terms of the time from the application to us getting the money," Russell said. "That just allows us to put more police on the streets faster, which we certainly needed. The application process was very simple, unlike most federal grants."

Russell said the Rogers department currently has 59 certified law-enforcement officers, with one newly hired slot remaining open. The department has four officers who are just completing their 10-week training at the Arkansas Law Enforcement Training Academy in Camden. Another five are scheduled to start the course Monday. Officers who successfully complete the academy training course will have to complete another 12 weeks of field training with the department, he said, giving new officers about six months of initial training.

According to Russell, the Rogers Police Department's staffing levels are below national average for law-enforcement agencies. Rogers has 1.82 officers for every 1,000 people. The national average is 2.65 officers per 1,000 people. To reach the national average, he said, Rogers would need 87 officers.

POLICE DEPARTMENT, CITY OF BULL SHOALS, Bull Shoals, AR, August 1, 1995.

SHERIFF BUSBY: As Multi-disciplinary Team Project Coordinator for the Arkansas Commission on Child Abuse, Rape and Domestic Violence, I wanted to commend your department for your involvement on the Crittenden County Multi-disciplinary Team. The dedication of local community professionals has had a positive impact upon the child abuse victims in your county. The Commission is particularly pleased with the number of joint investigations being conducted. Crittenden County is still one of the few counties involved in joint investigations. Children are indeed much less traumatized and the quality of investigations is improved. For these reasons, I want to express gratitude and appreciation to you, the Sheriff, for your continued efforts.

Sincerely,

SHANA H. CHAPLIN,
MDT Project Coordinator.

Larry Emison, Sheriff
Jonesboro, AR.

Mr. Pryor. Mr. President, putting an additional 100,000 officers on the streets is a promise that this body made last year when it passed the crime bill. It is our duty to continue this vital program that represents an approximate 20 percent increase in the American police force. What the American people want is to feel safe in their homes, and on the streets of their neighborhoods. They deserve this safety and the COPS Program is delivering it to them. I urge my colleagues to
Mr. INOUYE. Mr. President, I wish to express my deep appreciation to my colleague from Alaska for his efforts in this area, and for recognizing that the significant needs for legal assistance in Native American communities span a broad range of issues, from housing and sanitation to health care and education. In my own State of Hawaii, Native Hawaiians comprise less than 13 percent of the population, but represent more than 30 percent of the State's homeless population. Native Hawaiians have twice the unemployment rate of the State's general population and represent 30 percent of the State's recipients of aid to families with dependent children. Over 1,000 Native Hawaiians are homeless, representing 30 percent of the State's homeless population. Native Hawaiians have the lowest life expectancy, the highest death rate, and the highest infant mortality rate of any race or ethnic group in the United States. Moreover, they have the lowest education levels and the highest suicide rate in Hawaii.

Mr. President, in my State, we have the Native Hawaiian Legal Corp. [NHLC], a nonprofit organization established to provide legal services to Native Hawaiian community. NHLC has a 20 year history of providing excellent legal services to Native Hawaiians, and it has long been affiliated with the Native American Rights Fund. Fifteen percent of NHLC's annual funding comes from the Native American portion of the Legal Services Corporation budget. It is my understanding that the language proposed by my esteemed colleague from Alaska is to ensure the continued provision of legal services to Native Americans that are currently being provided through a separate Native American allocation of the funding provided to the Legal Services Corporation. My question of my colleague from Alaska is whether it is his intent that Native Hawaiians would continue to be eligible to receive funds appropriated for the provision of legal services under the wording of the amendment, consistent with the current situation under the Legal Services Corporation?

Mr. STEVENS. I thank the Senator for his earlier comments. My colleague from Hawaii, in his capacity as the former chairman of the Indian Affairs Committee, has traveled many, many times to my State of Alaska, and I know that he has come to appreciate the very difficult circumstances under which the vast majority of our native villages are challenged. When the Senator from Hawaii faces in trying to meet the needs of native communities in the State of Hawaii, and I therefore understand full well his desire to clarify the meaning of "Native American households". When I proposed this language, it was my intention to ensure that those Native American communities, including native Hawaiian households, currently being served by the Legal Services Corporation would continue to have access to legal services under the block grant approach proposed by Senator HATFIELD. Have I sufficiently addressed my colleague's concerns?

Mr. INOUYE. Mr. President, I wish to thank my colleagues from Alaska for their clarification. I am certain that the native Hawaiian community will be most appreciative of the Senator's clarification.

Mr. BREAUX. I would like to raise an issue that is of concern to several members of this committee on both sides of the aisle.

Previous, as chairman of this committee and of the Appropriations Subcommittee, the Senator from South Carolina was instrumental in establishing spectrum auctions for new PCS services, and was a guiding force on developing the rules that were adopted by the FCC governing relocation of microwave licenses out of this spectrum. He is also well aware, as was I, that previous spectrum auctions did not permit the FCC to consider the provision of legal services to microwaves to remain in their current location as originally licensed.

He is also well aware that entry into a bidding process by the microwave incumbents is dependent upon the incumbent having an incentive to participate in the auction.

I believe the issue of women in business needs to be placed in the clearer context.

Mr. President, I would like to address an important portion of the Hatfield amendment, preservation of Small Business Administration funding for women's business programs and women's minority small business programs.

I am advised that if this practice continues unchecked, more and more microwave incumbents to this spectrum will be employing these unintended tactics. More importantly, the FCC will be devaluing spectrum in future auctions to the tune of up to $2 billion as future bidders factor this successful game-playing into their bidding strategy. Previously scored revenue for deficit reduction was unfairly diverted instead into private pockets.

Would the Senator agree with me that the first thing that this type of relocation negotiations was intended, is unreasonable, and should not be permitted to continue unchecked?

Second, that the affected parties should attempt to agree on a mutually acceptable solution to this problem; Third, that if an acceptable compromise cannot be brought forth by the affected parties within a reasonable time period, then either Congress or the FCC should address and clarify as quickly as possible with appropriate remedies?

Mr. HOLLINGS. I thank my colleagues for this issue. As he noted, I offered an amendment on the Senate floor, Commerce Appropriations bill in 1992 on this issue. The electric utilities, oil pipelines, and railroad must have reliable communications systems. The FCC initially proposed to move these utilities' communications systems from the 2 gigahertz band to the 6 gigahertz band without ensuring that the 6 gigahertz band would provide reliable communications.

My amendment, which the FCC subsequently adopted in its rules, guaranteed that the utilities could only be moved out of the 2 gigahertz band if they are given 3 years to negotiate an agreement, if their costs of moving to the new frequency are paid for, and if the reliability of their communications at the new frequency is guaranteed.

Now I understand that some of the incumbent users may be taking advantage of the negotiation period to delay the introduction of new technologies. It was certainly not my intention to give the incumbent users an incentive to delay moving to the 6 gigahertz band purely to obtain more money. I agree with my friend that the parties involved in this issue should try to work out an acceptable solution to this issue. If the parties cannot agree to work out a compromise, I believe that Congress or the FCC may need to revisit this issue.

Mr. INOUYE. Mr. President, I would like to address an important portion of the Hatfield amendment, preservation of Small Business Administration funding for women's business programs and women's minority small business programs.
The new dynamics of the American economy have brought about a sea-change in society. Thirty years ago, when most women entered the work force, they did so to supplement their families’ incomes. Most often, women worked part-time because they needed to be home to help with the young children of the family. Constraints on their growth—they remained in the workforce, they did so to supplement their families’ incomes. Most often, women worked part-time because they needed to be home to help with the young children of the family. Constraints on their growth—they remained in the workforce to help support their families and to contribute to their savings. Today, women are a force to be reckoned with. They are a force that must be respected and supported.

Thirty years ago, a young couple could live on the income of one professional. On that income, a schoolteacher could buy a nice house in a good neighborhood, send their children to college, and take vacations. Today, many women are doing so in the workplace and in business. We see the challenges these changes have generated all around us.

Nothing has been more exciting and challenging than the emergence of women as business builders and entrepreneurs. Without exception, every aspect of business offers extraordinary opportunities for women.

Women are an increasingly dynamic sector of our economy.

According to the most recent census data available—1982-87—the number of women-owned firms increased by 57 percent—more than twice the rate of all U.S. businesses.

These businesses employed 35 percent more people in the United States than the Fortune 500 companies employed worldwide, and had a payroll of nearly $42 billion.

More women-owned businesses have staying power—over 40 percent have been in business for 12 or more years.

Businesses owned by women tend to hire more women. It is not unusual to find that two-thirds of their employees are women.

In 1993, the Small Business Administration’s flagship lending program, the 7(a) program, guaranteed 25,000 loans totaling $6.4 billion to women-owned businesses. Women-owned businesses accounted for nearly one-third of all small businesses, they only made up about 10 percent of loan recipients that year. In 1994, that total rose to 24 percent.

In spite of their successes in getting started in providing employment, one of the biggest impediments that women-owned businesses face today is constraints on their growth—they remain small. Women-owned businesses average one-fifth the sales of $67,000, compared to $140,000 in sales for all small businesses.

That is why, Mr. President, the National Women’s Business Council and the Women’s Business Ownership Development Program are so important.

The National Women’s Business Council monitors plans and programs developed in the private and public sectors which affect the ability of women-owned businesses to obtain capital and credit. The council also develops and promotes new initiatives, policies, and plans designed to foster women’s business enterprises.

It has conducted: symposiums on getting access to capital, in conjunction with the Federal Reserve; and informational meetings on Federal Government procurement contract opportunities for women-owned businesses.

In November, the council plans to initiate a project with Northwestern University’s Kellogg School of Management to develop an agenda for national research on women’s entrepreneurship.

The council has budgeted $50,000 of this council’s salaries and expenses at a level of $200,000 represents a modest—but prudent—investment in our Nation’s business sector.

There is an urgent argument to be made for well-thought-out initiatives aimed at encouraging more women to create their own businesses:

Here are some disturbing facts: half of all working women are sole support for themselves and their families; and women and the children they support comprise more than 75 percent of people who live in poverty in the United States.

Mr. President, if we as a Nation want to reduce the reliance of women and children on welfare and social service programs, these women must become economically self-sufficient—and the opportunity for self-sufficiency will most likely come from women-owned enterprises.

The Women’s Business Ownership Development Program addresses these problems in constructive ways. It is a public-private partnership whose goal is the creation of new jobs, increasing the earning potential of women, and forging a larger pool of skilled women entrepreneurs.

There are 38 demonstration sites in 20 States, with plans for more. More than 25,000 clients have been served in urban and rural locations. Each center tailors its program to the particular needs of the community. Training activities include: assistance in accessing capital; management assistance; marketing assistance; and specialized programs that address home-based businesses and international trade.

The North Texas Women’s Business Development Center, which is being dedicated tomorrow, is a shining example of the promise this program holds. It is a collective effort of the National Association of Women Business Owners, the North Texas Women’s Business Council, the Greater Dallas Chamber of Commerce, the Minority Business Development Corp., and the Dallas County Community College.

Under the auspices of the Women’s Business Consortium, this broad-based, private-sector supported initiative will work to strengthen women-owned businesses. One of the areas on which they will concentrate is Government contracting opportunities for women.

Four million dollars will help establish demonstration sites like the one in Dallas in cities across this country.

Programs like the National Women’s Business Council and the Women’s Business Ownership Development Program—modest in scope but breathtaking in the possibilities they hold out to those willing to work hard—have the potential to turn America around. I am pleased my colleagues yesterday valued and agreed to continued funding.

Mr. LIEBERMAN. Mr. President, I would like to express my concern about the programs that are suffering as a result of the appropriations in this bill. The programs that are suffering the most are those that are critical to the future of our economy. Economic security, competitiveness, jobs. That is what is at risk.

Technology development is slated to be the victim of our budget axe. Investments in technology are investments in our future and should not be terminated. In our enthusiasm to make cuts to balance the budget we are losing sight of the reason we want to balance the budget in the first place—to make our economy stronger. The irony is that by cutting technology programs we are cutting programs that are already making our economy stronger. We will be defeating our own purpose.

I am particularly concerned about the integration of technology and trade functions in the Department of Commerce. Within the Department of Commerce there are programs that work with the private sector to foster new ideas that may underpin the next generation of products. It is one of the few places where information channels are developed that make sure that the ideas generated in our world class research institutions find their way into the marketplace. Previous Administrations had the foresight to realize that we are entering a new era, an era where economic battles are as fiercely fought as any previous military actions. New kinds of technology programs were begun with bipartisan support to make sure that the United States was well armed in economic battles. I do not want to see us lose our technology edge in the marketplace, because this edge translates directly into jobs for our work force, new markets for American business, improvements in our balance of trade, and from this economic success, desperately needed revenues for our treasury. The home of technology programs is with our trade programs where they will have the most impact and do the most good for our economy.

The Technology Administration is a critical component of the Department of Commerce and we need to make sure that its key functions are maintained.

Making changes in technology and trade functions at this juncture in time must be done extremely carefully. New markets are emerging in developing countries. Conservative estimates suggest that 60 percent of the growth in world trade will be with these developing countries in the coming decades. The United States has a large share of imports in big emerging markets currently, in significant part because of the efforts of the Department...
Our goal should be, not to try and categorize research, but to make investments that are appropriate, and that strengthen our economy. I believe that there is an important and legitimate role for government to play in technology research. The National Advisory Committee on Science and Technology has spoken out strongly in favor of the kind of technology programs that are run by the Department of Commerce. I would like to read some quotes from their statement about Federal technology programs.

The National Advisory Committee on Science and Technology says: "A successful national R&D policy requires a diverse portfolio of programs that includes long- and short-term science and technology programs, as well as the necessary infrastructure to support them. The character of research activities has changed substantially in the past decade, making hard and fast distinctions between basic and applied research or between research and development increasingly artificial. R&D agendas today are driven by many factors and by the problems of revitalization efforts that yield greater payoff to a wider public than programs aimed at technology creation." Newer programs address current R&D challenges far more effectively than older programs and should not fall victim to the "last hired, first fired" prioritization.

In particular, partnership and bridge programs should not only not be singled out for elimination, but should receive greater relative support. The White Paper on R&D spending examined programs that account for approximately five percent of federal R&D spending. The National Academy of Sciences suggests that 15 percent may be a more appropriate level. Given the importance of R&D, far too much is being cut on the basis of far too little understanding of the implications. The world has changed considerably in the past several years, and R&D is no different. Crafting a federal R&D policy must take stock of these changes; to date this has not happened.

As the major funder and performer of the R&D in the US, the Department of Commerce believes its voice should be heard in setting the national R&D agenda. The Congress and the Administration should draw on industry's experience and expertise in determining policy choices. For example, as a guide to prioritizing federal R&D programs, the National Academy of Sciences' "National Technology Agenda" recommends the following attributes: industry-led; cost-shared; relevant to today's R&D challenges; partnership; deployment-oriented; and dual use.

We believe these criteria provide the basis for creating a template for prioritizing federal R&D spending. In sum, the National Academy of Sciences suggests that we should focus on the "National Technology Agenda" criteria: industry-led; cost-shared; relevant to today's R&D challenges; partnership; deployment-oriented; and dual use.

I would like to describe two programs in which I have taken a particular interest, the Advanced Technology Program (ATP) and the Manufacturing Extension Program (MEP).

Dr. Alan Bromley, President Bush's Science Advisor in 1991, determined a list of 20 technologies that are critical to develop for the United States to remain a world economic power. There has been very little disagreement among analysts and industry about the list. No one company benefits from these technologies, rather a variety of industries would benefit with advances in any one of these areas. These are the kinds of areas that form the focus areas of the ATP. The focus areas are determined by industry, not by bureaucrats, to be key areas where research breakthroughs will advance the economy as a whole not single companies.

There is no doubt that industry benefits far more than the government. The nature of the marketplace has changed, and technological advances are a crucial component in maintaining our stature in the new world marketplace. Product life cycles are getting more and more compressed, so that the development of new products must occur at a more and more rapid pace. The market demands products faster, at higher quality and in wider varieties—and the product must be delivered just in time. Innovative technological advances enhance speed, quality, and distribution, to deliver to customers the product they want, when they want it. Ironically, the competitive market demands that companies stay lean and mean, diminishing the opportunities that are provided by programs that foster the kind of innovation necessary to stay competitive. Because of all of these pressures, industrial R&D is now focused on short-term product development at the expense of long-term research to generate future generations of products.

The conclusion is clear. This short-term focus will lead to technological inferiority in the future. Our economy will suffer. Some of my colleagues in Congress believe that basic research is not competitive. To the contrary, we have seen historically that basic research performed in a vacuum, that is without communication to the industry, is unlikely to lead to products.

In this country, we have the best basic research anywhere in the world. There is no contest. Yet, we continue to watch our creative basic research capitalized by other nations. We must improve our ability to turn our brilliant ideas to market. Basic research focuses on a time horizon of 10 to 20 years. Product development focuses on a time horizon of 2 to 3 years.
horizon of less than 5 years, and sometimes much shorter than that. It is the intermediate timescale, the 5 to 15-year time-frame that is critical to develop a research idea into a product concept.

We have a responsibility to make sure that our private sector does not fall behind in the global economy. Diminishing our technological preparedness is tantamount to unilateral disarmament, in an increasingly competitive global marketplace. Government/industry partnerships stimulate just the kind of innovative research that can keep our technological industry at the leading edge. These partnerships help fill the gap between short-term product development, and basic research.

American companies no longer survive by thinking only about the national marketplace. They must think globally. Familiar competitors like Japan and Germany, continue to compete aggressively in global markets.

New challenges are coming from India, China, Malaysia, Thailand, some of the leading Latin American nations and more. We cannot afford to let jobs and profits move overseas. If we do, we leave these challenges, by resting on our laurels, complacent in our successes. Other countries, seeing the success of the ATP, are starting to imitate it, just as we are considering doing away with it. Our competitors are just chuckling at their good fortune, and our shortsightedness. We simply cannot afford to cut the ATP.

MEP

The state of manufacturing in this country is mixed. On the one hand our manufacturing productivity is increasing, but on the other hand we are losing manufacturing jobs by the millions. Manufacturing which once was the lifeblood of our economy is bleeding jobs overseas. We need to provide the technology that insures our manufacturing industry flourishes.

As I look at our manufacturing competitors, I am struck by how little we do to support this critical component of our economy. In the United States we are used to being the leaders in technologies of all kinds. Historically, English words have crept into foreign languages, because we were the inventors of new scientific concepts, technology, and products. Now when you describe the latest manufacturing practices you use words like “kanban” and “poka–oke.” These are Japanese words that are known to production workers all over the United States. Kanban is a word which describes an efficient method of inventory, and poka–oke is a method of making part of a production process immune from error or mistake proof thereby increasing the quality of the end product. We have learned these techniques from the Japanese, in order to compete.

In a global economy, there is no choice, a company must become state-of-the-art or it will go under. We must recognize that our policies must change with the marketplace and adapt our manufacturing strategy to compete in this new global marketplace. The Manufacturing Extension Program (MEP) is a big step forward in reforming the American manufacturing system. This forward looking program was begun under President Reagan, and has received growing support from Congress since 1989.

The focus of the MEP Program is one that historically has been accepted as a proper role of government: education. The MEP strives to educate small- and mid-sized manufacturers in the best practices that are available for their manufacturing processes. With the MEP we have the opportunity to play a constructive role in keeping our companies competitive in a fiercely competitive, rapidly changing field. When manufacturing practices change so rapidly, it is the small- and mid-sized companies that suffer. They cannot afford to invest the necessary time and capital to explore all new trends to determin which practices to adopt and then to train their workers, invest in new equipment, and restructure their manufacturing processes. The MEP’s act as a library of manufacturing practices, staying current on the latest innovations, and educating companies on how to get the best results. At the heart of the MEP is a network of experts, and experts with strong private sector experience ready to reach small firms and their workers about the latest manufacturing advances.

Another benefit of the MEP is that it brings its clients into contact with other manufacturers, universities, national labs and any other institutions where they might find solutions to their problems. Facilitating these contacts incorporates small manufacturers into a manufacturing network, and by this networking among manufacturers is a powerful competitive advantage. With close connections, suppliers begin working with customers at early stages of design and engineering. When suppliers and customers work together on product design, suppliers can provide the input that makes manufacturing more efficient, customers can communicate their specifications and time-tables more effectively, and long-term productive relationships are forged. These productive relationships are common practice in other countries, and lead to more efficient and therefore more competitive, design, and production practices.

The MEP is our important tool in keeping our small manufacturers competitive. We are staying competitive in markets that have become hotbeds of global competition, and we are beginning to capture some new markets. More importantly, MEP is helping small manufacturers get new jobs rather than laying off workers or moving jobs overseas. These companies are growing and contributing to real growth in the U.S. economy. For each Federal dollar invested in a small- or mid-sized manufacturer through the MEP, there has been $8 of economic growth. This is a program that is paying for itself by growing our economy.

Each MEP is funded after a competitive selection process, and currently there are 44 manufacturing technology centers in 32 States. One requirement for the centers is that the States supply matching funds, ensuring that centers are going where there is a locally supported need. In summary, the MEP provides equipment, training, and expertise that our small- and mid-sized manufacturers need to keep them in the new global economic battlefield.

The ATP and the MEP are critical technology investments. They are both run under the auspices of the National Institutes of Standards and Technology, (NIST). In addition to these NIST programs, NIST itself is at risk. I would like to bring to my colleagues’ attention, a recent letter sent by 25 American Nobel prize winners in physics, who strongly urged the president and Congress to: "Budget cutters see fat where scientists see a national treasure." These scientists are shocked and appalled that we could think of making cuts in NIST and its programs. According to the scientists “It is unthinkable that a modern nation could expect to remain competitive without these services” and they continue “We recognize that your effort to balance the budget is forcing tough choices regarding the National Institute of Standards and Technology investments. They are both critical to keeping our country competitive on the economic battlefield.” These scientists are the leaders of the scientific community and we should not disregard their advice.

This amendment restores funding for NIST and its programs at a time when we cannot afford to lose their contributions to national competitiveness. Investments in the trade and technology functions in Department of Commerce are investments in our future economic health, in high wage jobs for our workers, in the American dream.

Mr. GREGG. Mr. President, I would ask unanimous consent that the vote scheduled for 9 p.m. this evening be postponed to occur at 10 a.m. tomorrow, Friday, and that immediately follow the grant of the previous request. Senator DOMENICI be recognized to offer his amendment.

THE PRESIDING OFFICER. Is there objection?

Mr. HOLLINGS. Reserving the right to object, Mr. President, it is also under- understood that we were the inventors of new scientific concepts, technologies, and products. As the New York Times put it “Budget cutters see fat where scientists see a national treasure.” These scientists are shocked and appalled that we could think of making cuts in NIST and its programs. According to the scientists “It is unthinkable that a modern nation could expect to remain competitive without these services” and they continue “We recognize that your effort to balance the budget is forcing tough choices regarding the Department of Commerce, however the laboratories operated by NIST and funded by the Department of Commerce are a vital scientific resource for the Nation and should be preserved in the process of downsizing the Federal Government.” These scientists are the leaders of the scientific community and we should not disregard their advice.

This amendment restores funding for NIST and its programs at a time when we cannot afford to lose their contributions to national competitiveness. Investments in the trade and technology functions in Department of Commerce are investments in our future economic health, in high wage jobs for our workers, in the American dream.
Mr. GREGG. That, to my knowledge, has not yet been agreed to with Senator DOMENICI. He will be here at 9 to begin debate on his amendment. And at that time I would hope that such an agreement could be reached with Senator DOMENICI. Mr. HOLLINGS. I would hope so. Pending that, Mr. President, I would have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. GREGG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURNS). Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. GRAMM. Mr. President, I ask unanimous consent that the vote scheduled for 9 p.m. this evening be postponed to occur at 10 a.m. Friday, and immediately following the granting of this consent that Senator DOMENICI be recognized to offer his amendment.

I further ask unanimous consent that at 9 a.m. the Senate resume consideration of the McCain amendment No. 2816 with 60 minutes equally divided, that a vote occur following the Biden vote with 4 minutes equally divided between the two votes, and that following these votes, the Senate resume consideration of the Domenici amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object, did the Senator say I would offer my amendment tonight or tomorrow?

I have no objection.

Mr. GRAMM. Immediately following this, the Senator would do it tonight.

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

The Senator from New Mexico is recognized.

Mr. BIDEN. Mr. President, will the Senate be kind enough to yield for 30 seconds?

Mr. DOMENICI. Certainly.

AMENDMENT NO. 2816, AS MODIFIED

Mr. GREGG. Mr. President, I have a printed amendment which I sent to the desk numbered 2816, my omnibus amendment, I made a mistake in two places in it in terms of numbers. They were as described but different than written, and it has been cleared with the majority and minority. I ask unanimous consent that I may modify my amendment, and I send the modification to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 2816), as modified, is as follows: On page 26, line 10, after “Act;” insert for following: “$27,000,000 for grants for residential substance abuse treatment for State prisoners pursuant to section 1001(a)(17) of the 1968 Act; $10,000,000 for grants for rural drug enforcement assistance pursuant to section 1001(a)(9)”.

On page 28, line 11, before “$25,000,000” insert “$100,000,000 shall be for drug courts pursuant to title V of the 1994 Act;”.

On page 29, line 15, after “Act;” insert the following: “$1,200,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act;”.

On page 44, line 8 and 9, strike “conventional correctional facilities, including prisons and jails,” and insert “correctional facilities, including prisons and jails, or boot camp facilities and other low cost correctional facilities for nonviolent offenders that can free conventional prison space”.

On page 20, line 16, strike all that follows to page 20, line 19, and insert Section 245(i) of the Immigration and Nationality Act (8 U.S.C. 1255(i)) is amended—

(1) in the second sentence of paragraph (1), by striking “five” and inserting “ten”; and

(2) in paragraph (3), by inserting before the period at the end the following: “or, notwithstanding any other provision of law, may be deposited as offsetting collections in the Immigration and Naturalization Service “Salaries and Expenses” appropriations account to be available to support border enforcement and control programs.”

The amendment made by subsection (a) shall apply to funds remitted with applications for adjustment of status which were filed on or after the date of enactment of this Act.

For activities authorized by section 13003 of Public Law 103-322, $10,300,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 2819 TO THE COMMITTEE AMENDMENT ON PAGE 26, LINES 18 THROUGH 20

(Purpose: To improve provisions relating to appropriations for legal assistance)

Mr. DOMENICI. Mr. President, I am going to send an unprinted amendment to the desk in a minute. This unprinted amendment is an amendment to the committee amendment beginning on page 26, line 18 wherein we add the following, I want to state before I send it there that my cosponsors as of now—and I welcome any others that would like to join—are Senators Kassebaum, Hollings, D’Amato, Inouye, Hatfield, Kennedy, and Specter.

Mr. President, the only thing I want to put in the RECORD tonight after I have introduced the amendment, I will put in—I did not. I do not have to send it up until I am ready to send it up. Right? I think that is the rule. I will send it up shortly.

I am putting a list in of the prohibitions that are found in this amendment with reference to what the Legal Services Corporation will be prohibited from doing. So overnight, if anybody has any concern about my not getting rid of class action lawsuits and the like, I would like them to peruse this list and give me their advice.

Therefore, Mr. President, with that explanation, I send the amendment to the desk and ask for its consideration.
Mr. SARBANES. Mr. President, I rise today to speak to another disturbing development in the committee bill, legal assistance with respect to the provision of legal services. Under the new block grant program. This would drastically limit qualified services to 10 specific causes. As a result, many low-income individuals would be denied representation with respect to these critical—and basic—legal matters.

Under the measure, qualified services appear to exclude representation in essential legal matters such as, among other things, Social Security benefits, veterans benefits, unemployment compensation, food stamps or medical assistance; obtaining or refinancing home ownership; housing discrimination; claims based on consumer fraud; and competing in hiring; wages claims; problems with public utilities; immigration; unfair sales practices; preparation of wills; and patient rights.

Most of these excluded causes of action are currently legal matters that routinely arise out of everyday problems faced by many Americans. Under the committee bill, legal assistance with respect to these routine types of cases would be denied arbitrarily to low-income individuals and families.

Additional restrictions would prohibit legal service providers from using funds under the program for representation in cases related to matters such as redistricting, legislative, and administrative advocacy, and prison litigation. Class action lawsuits against the Government or private parties—which, contrary to the myth currently being perpetuated, actually encompass less than one-tenth of 1 percent of all legal services cases—would be prohibited as would lawsuits challenging the constitutionality of any statute.

Another particularly disturbing provision in the bill would require that any qualified client, as a condition for receiving services under the program, waive the attorney-client privilege and the attorney work product privilege. This clearly interferes with the ethical obligations that all lawyers have to their clients.

Mr. President, the drastic cutbacks and restrictions in this bill would strike a devastating blow to many of our citizens who would find access to the courts blocked and would be unable to assert the rights to which they are entitled by our Constitution and our laws.

I strongly urge my colleagues to oppose these attempts to dismantle this vital program and to support the continuation of the Legal Services Corporation and the current legal services delivery system, as well as increased funding for legal assistance for the poor over the level proposed in this appropriation measure.
Earlier this year the members of the Foreign Relations Committee adopted a provision that would have extended the life of this program for another 4 years, just as the pending amendment does. The committee-adopted provi- sion is still pending in the committee's authorization bill which the Senate has yet to consider fully. Since the authority to continue this program expires on September 30 of this year, the Senate must take immediate action.

One may ask why I offer a 4-year extension of this program. The answer is twofold: First, the authorizing commit- tee made the decision to extend it for 4 years and, second, so that we can put this issue to rest for at least one addi- tional authorization cycle.

Our committee has spent countless hours overseeing this program during the last few years. The U.S. Informa- tion Agency, which administers this program, has spent many hours on it as well. ASIA this year applied new regu- lations to the administration of the au pair program and I want to see these regulations implemented for awhile before a determination is made as to whether the program should be perma- nently authorized.

Mr. President, the distinguished chairman of the subcommittee has in- dicated his support for this measure. I thank him and ask that we move on this simple issue expeditiously.

AMENDMENT NO. 2822

(Purpose: To express the sense of the Senate on United States-Canada Cooperation concerning an outlet to relieve flooding at Devils Lake in north Dakota)

On page 124, after line 20, insert the following:

SEC. 6. SENSE OF THE SENATE ON UNITED STATES-CANADIAN COOPERATION CONCERNING AN OUTLET TO RELIEVE FLOODING AT DEVILS LAKE IN NORTH DAKOTA.

(a) FINDINGS.—The Senate finds that—
(1) flooding in Devils Lake Basin, North Dakota, has resulted in water levels in the lake reaching their highest point in 120 years and, second, so that we can put this issue to rest for at least one addi- tional authorization cycle.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States Govern- ment should seek to establish a joint United States-Canada Commission for the Devils Lake Basin outlet project to review the Devils Lake Basin outlet project to consider options for an outlet that would

CONGRESSIONAL RECORD — SENATE S 14539

September 28, 1995

An editorial appearing in the Sep- tember 15 New York Times eloquently addressed the current Republican at- tack on funding legal services for the poor and the importance of maintain- ing the Legal Services Corporation. I ask that this editorial be printed in the RECORD.

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

[From the New York Times, Sept. 15, 1995]

SHOWDOWN FOR LEGAL SERVICES

Equal justice for all may be an American ideal but not to the Republican-controlled Congress, where measures advanced omin- eously this week to abolish the Legal Ser- vices Corporation, the federally financed pro- gram to help poor people with legal prob- lems.

The corporation, which was created in 1974, managed to survive previous attacks on its mandate and financing during the Reagan and Bush Administrations, aided by powerful Democratic friends in Congress and some Repub- licans. Senator Warren Rud- man of New Hampshire. But its continued existence is now in jeopardy. Not satisfied with the disabling funding cut already ap- proved by the full House, or pending proposals in both chambers that would greatly restrict the types of cases that may be han- dled, the Republicans who control the House and Senate are moving to dismantle the pro- gram entirely.

The House voted in July to slash the cor- poration’s budget from $400 million a year to $278 million. By an 18 to 13 straight party- line vote on Wednesday, the House Judiciary Committee approved a measure pushed by Representatives Charles Gekas of Pennsyl- vania that would carry the demolition further.

It would break up the corporation and its ex- pert network of poverty-law specialists and replace them with a more bureaucratic, frag- mented and inefficient system of small block grants to fiscally hard-pressed states. Some states have shown little interest historically in providing civil legal services that em- power the poor, and may not bother to apply for the dwindling amounts of money allotted. In the Senate, meanwhile, a similarly unwarranted, bad-billing scheme proposed by Senator Phil Gramm of Texas has passed the Appropriations Committee and is due to hit the Senate floor perhaps as early as today. It would authorize its budget from $400 million a year to $278 million. By an 18 to 13 straight party- line vote on Wednesday, the House Judiciary Committee approved a measure pushed by Representatives Charles Gekas of Pennsyl- vania that would carry the demolition further.

AMENDMENT NO. 2820

Purpose: To terminate the Regulatory Co- ordination Advisory Committee, the Bio- technology Technical Advisory Commit- tee, and the Advisory Corrections Council!

At the appropriate place in the bill insert the following new section:

SEC. 1(a) The Regulatory Coordination Advisory Committee, the Commodity Fu- tures Trading Commission is terminated.

(b) Section 5(h) of the Export Administra- tion Act of 1979 is repealed.

(c) Section 5002 of title 18, United States Code, is repealed.

The table of sections for chapter 401 of title 18, United States Code, is amended by striking out the item relating to the Advi- sory Corrections Council.

This section shall take effect 30 days after the date of the enactment of this Act.

AMENDMENT NO. 2821

(Purpose: To extend the authority to admin- ister au pair programs through fiscal year 1999)

At the appropriate place in the bill insert the following new section:

SEC. 2. EXTENSION OF AU PAIR PROGRAMS.

Section 8 of the Eisenhower Exchange Fel- lowship Act of 1990 is amended in the last sentence by striking fiscal year 1995 and inserting fiscal year 1999.

Mr. HELMS. Mr. President, at the amendment the desk extends the life of a program that is essential to thou- sands of American working parents. It extends the operations of the United States Information Agency’s Au Pair pr- gram for another 4 years, through the end of fiscal year 1999.

Mr. President, the Au Pair program provides families with two working parents a perfect alternative to day care. It allows the families to invite young people from other countries into their homes, for a year at a time, to live and work. The families and the au pairs, thus, live together while each teaches the other about their respec- tive cultures; in return, the family’s children are exposed to the young au pairs experience a year in the United States while living with an American family.
meet Canadian concerns with regard to the Boundary Water Treaty of 1909.

AMENDMENT NO. 2823

On page 79, line 7, after "grants" insert the following: "Provided further, That of the amounts provided in this paragraph $76,300,000 is for the Manufacturing Extension Partnership program.

MANUFACTURING EXTENSION PROGRAM

Mr. HOLLINGS. Mr. President, I want to commend the chairman of the Appropriations Committee for including in his amendment an additional $25 million for the Industrial Technology Services account at the National Institute of Standards and Technology [NIST]. That funding is for the Manufacturing Extension Partnership [MEP] program, which supports locally run manufacturing extension centers around the country.

I would like to enter into a brief conversation with the chairman to clarify that this funding is provided for three purposes. First, $22 million is provided to support new centers that are now close to be chosen, under an ongoing centers competition. The amendment restores funding that had been provided in the fiscal year 1995 Appropriations Act for new centers but which the present bill would shift to other purposes. This amendment therefore overrides the committee report language which says that no funds can be used to open a new center during the coming year.

Second, $3 million is provided for fiscal year 1996 support services for the existing 42 manufacturing extension centers. These are services such as materials for training extension agents, provided to centers through MEP's National Programs account. This $3 million is in addition to funds which the bill already provides for fiscal year 1996 support of the existing 42 centers, including the eligible centers originally supported by the Defense Department's Technology Reinvestment Project.

Third, with this amendment the amount of new appropriations for the MEP program now totals $76.3 million, and the amount of prior year appropriations and new appropriations for meeting prior Advanced Technology Program [ATP] commitments totals $109,130,000. The ATP is intended to receive $10,383,000 in prior year appropriations and $25.3 million in new appropriations. I would like to ask the chairman if this three-part interpretation of the MEP portion of his amendment is correct.

Mr. HATFIELD. The Senator is correct.

Mr. HOLLINGS. I thank the Chairman.

AMENDMENT NO. 2824

Table the Committee amendment on page 79, lines 1 through 29. On page 79, line 22, delete "'42,000,000'" and insert "'37,000,000'".

AMENDMENT NO. 2825

On page 115, line 2 after "equipment" insert the following: "Provided further, That not later than April 1, 1996, the headquarters of the Office of Cuba Broadcasting shall be relocated from Washington, D.C. to South Florida, and that any funds available to the United States Information Agency may be available to carry out this relocation."

AMENDMENT NO. 2826

At the appropriate place, insert the following new section:

SEC. 405. (a) Subject to subsection (b), section 15(a) of the State Department Basic Authorities Act of 1996 (22 U.S.C. 288a(a)) and section 701 of the United States Information and Educational Exchange Act of 1948 and section 313 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995 and section 53 of the Arms Control and Disarmament Act, apropiations made available for the Department of State in this Act.

(b) The waiver of subsection (a) shall cease to apply December 1, 1996.

WAIVER OF AUTHORIZATION

Mr. HELMS. Mr. President, the pending amendment authorizes the Senate and House committees on appropriations to waive the requirement in section 15 of the State Department Basic Authorities Act, that appropriations must first be authorized. This waiver applies through December 1, 1996.

As chairman of the Senate Foreign Relations Committee which has the responsibility of authorizing the activities of the Department of State and its related agencies, I am reluctant to agree to this waiver. However, because the administration and certain Members of this Senate have refused to allow a vote on the committee's authorization bill—S. 908, the Foreign Relations Authorization Act of 1995—where my committee has made available for the Department of State to continue to charge and collect these fees up to a total of $107 million. The Department almost met that ceiling this past year and expects to exceed that amount this fiscal year in as much as this new program is now being implemented in more countries and, is thereby, made available to more people. Therefore, the Department is authorized to collect approximately $18 million more in fees this year.

Mr. President, this amendment does not cost the American taxpayer a penny. It is, in fact, a tool for sound fiscal management. The Department will be able to utilize this year, especially in light of budget cuts affecting the Department of State.

I understand the able chairman of the subcommittee agrees with this measure and I thank him for his support.

Mr. GRAMM. Mr. President, these amendments have all been cleared on both sides.

I ask unanimous consent that they be printed in the RECORD as if read.

AMENDMENT NO. 2828

(Purpose: To make available for diplomatic and consular programs funds collected from new fees charged for the expedited processing of certain visas and border crossing cards)

On page 93, line 7, after "Provided," insert the following: "That, notwithstanding the second sentence of section 140(a)(1) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), not to exceed $125,000,000 of fees collected during fiscal year 1996 under the authority of section 140(a)(1) of that Act: Provided further, That all fees collected under the preceding proviso shall be deposited in fiscal year 1996 as an offsetting collection to appropriations made under this heading to recover the costs of providing consular services and shall remain available until expended: Provided further,--"

MACHINE READABLE VISA FEES

Mr. HELMS. Mr. President, this amendment will permit the Department of State to continue to charge and collect a fee for the issuance of machine readable visas in specific countries around the world through fiscal year 1996. The Department may collect up to $125 million worth of fees this year alone.

It also authorizes the Department of State to use the money collected to offset the costs of diplomatic and consular activities overseas.

In the fiscal year 1994-95 State Department authorization bill—Public Law 103-236—the Committee on Foreign Relations authorized the Department to charge and collect these fees up to a total of $107 million. The Department almost met that ceiling this past year and expects to exceed that amount this fiscal year in as much as this relatively new program is now being implemented in more countries and, is thereby, made available to more people. Therefore, the Department is authorized to collect approximately $18 million more in fees this year.

Mr. President, this amendment does not cost the American taxpayer a penny. It is, in fact, a tool for sound fiscal management. The Department will be able to utilize this year, especially in light of budget cuts affecting the Department of State.

I understand the able chairman of the subcommittee agrees with this measure and I thank him for his support.

Mr. GRAMM. Mr. President, these amendments have all been cleared on both sides.

I ask unanimous consent that they be printed in the RECORD as if read.

The amendments (Nos. 2820 through 2828) were agreed to.
Mr. GRAMM. Mr. President, while we await our instructions on closing out business of the day, I would like to just very briefly, though we are going to speak tomorrow at some length about the amendment, say this. I think it is important tonight to at least to begin to call our colleagues' attention to the fact that the Domenici amendment is not merely an amendment to reestablish the Federal Legal Services Corporation. We can debate the merits of that, and I believe the merits outweigh the demerits. But the Domenici amendment has a profound impact on the rest of this bill because it cuts other programs. I simply want to leave with my colleagues tonight a very brief outline of what the Domenici amendment does in order to fund this expansion in legal services.

It cuts $25 million from our efforts in theJustice Department related to the Criminal Division, to the Civil Rights Division, to the Environmental Division. It cuts funding for the U.S. attorneys' offices by $11 million. That is money that would have gone to fund U.S. attorneys to prosecute drug felons and drug traffickers. It cuts $40 million from the FBI budget, funds that would be used to build the new FBI academy, to build infrastructure, which the FBI greatly needs.

It cuts the Bureau of the Census both economic and statistical analysis and the census itself in a period when we are getting ready to have the 2000 census, the millennium census. It cuts funding for the court of appeals, for district courts, and for other courts by $25 million. Every day we have people waiting to be tried in civil cases and criminal cases, and we are cutting funding for our courts to fund legal services.

Funding is cut by $21 million for the reorganization/transition fund in the State Department. That is a major Public authority initiative in an authorization bill for which the majority of Senators have voted in the affirmative. The bill cuts funding for the commerce transition fund. The budget adopted by the Senate called for the elimination of the Commerce Department. This eliminates transition funds that would be required.

Finally and stunningly, the distinguished Senator from New Mexico has a budget gimmick in the funding mechanism which has a delayed obligation of $115 million which becomes effective only on September 1, 1996, so that we are in fact committing ourselves to a level of funding which is substantially higher than the funding level which is claimed in this amendment.

No one needs to give me a lecture on the power of the special interest groups that support the Legal Services Corporation. I understand that the majority of the Members of the Senate support funding for the Legal Services Corporation. But I want my colleagues to know that in supporting that funding, they are supporting cuts in our criminal activities, our civil rights activities in the Justice Department, our Environmental Division within the Justice Department. They are denying funding for the FBI Academy in the process cutting funds for courts.

So what we are talking about is basically cutting funding for prosecutors, for the Justice Department to work in areas that are critically important. We are cutting funding for courts when we desperately need more prosecutors and more courts. I hope my colleagues will look at these offsets.

Governing is about choices, and the choices we look at on this bill are basically, do we want to fund courts and U.S. attorneys to prosecute violent criminals and drug felons or do we want to fund the Legal Services Corporation? To me that is a very easy choice. I wish to be sure that my colleagues understand it, and I thank the Senate for in the closing moments of this legislative day giving me the opportunity to make it clear to people what we are talking about.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

OKLAHOMA'S MISS AMERICA

Mr. NICKLES. Mr. President, it is with great pleasure and pride that I congratulate Miss Shawntel Smith, who was crowned Miss America 1996 recently in Atlantic City on her 24th birthday.

Shawntel is the fourth Oklahoman to be named Miss America in the pageant's 75 years. She joins three other Oklahomans who have been named Miss America: Norma Smallwood in 1926, Jane Jayroe in 1967 and Susan Powell in 1981.

Shawntel is a native of Muldrow, Oklahoma, a town of about 3,200 resi-
dents who are by all accounts very proud and supportive of this young lady. When she was crowned Miss Oklaho-
ma earlier this year, the town erected road signs along the Eastern Oklaho-
ma roads leading into Muldrow.

It seems, now, however, those signs are a little outdated.

During the next year, Shawntel will represent Oklahoma and all of America as she travels to special events and speaking engagements as Miss America.

Her platform is to raise awareness for the need to prepare students for the job market. Shawntel believes that "by exposing students to potential careers and making them aware of the edu-
cation needed, students can make their dreams become realities." And Shawntel obviously knows a little something about making dreams become realities.

Education has been an important part of Shawntel's own life. Through competition in pageants she has been able to earn enough in scholarship money to put herself through North-
eastern Oklahoma State University, where she is now working as a market-
ing director. Shawntel's winnings from the Miss Oklahoma and Miss America pageants will allow her to continue her education. Her goal is to obtain a mas-
ter's degree in business administration from Oklahoma City University, and I have no doubt she will.