

SEC. 2. EDUCATIONAL ASSISTANCE TO DEPENDENTS OF SLAIN FEDERAL LAW ENFORCEMENT OFFICERS.

Part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended by—

(1) inserting after the heading the following: “**Subpart 1—Death Benefits**”; and

(2) adding at the end the following:

“Subpart 2—Educational Assistance to Dependents of Civilian Federal Law Enforcement Officers Killed or Disabled in the Line of Duty

“SEC. 1211. PURPOSES.

“The purposes of this subpart are—

“(1) to enhance the appeal of service in civilian Federal law enforcement agencies;

“(2) to extend the benefits of higher education to qualified and deserving persons who, by virtue of the death of or a total disability of an eligible officer, may not be able to afford it otherwise; and

“(3) to allow the family members of eligible officers to attain the vocational and educational status which they would have attained had a parent or spouse not been killed or disabled in the line of duty.

“SEC. 1212. BASIC ELIGIBILITY.

“(a) **BENEFITS.**—(1) Subject to the availability of appropriations, the Attorney General shall provide financial assistance to a dependent who attends a program of education and is—

“(A) the child of any eligible Federal law enforcement officer under subpart 1; or

“(B) the spouse of an officer described in subparagraph (A) at the time of the officer's death or on the date of a totally and permanently disabling injury.

“(2) Financial assistance under this subpart shall consist of direct payments to an eligible dependent and shall be computed on the basis set forth in section 3532 of title 38, United States Code.

“(b) **DURATION OF BENEFITS.**—No dependent shall receive assistance under this subpart for a period in excess of forty-five months of full-time education or training or a proportional period of time for a part-time program.

“(c) **AGE LIMITATION FOR DEPENDENT CHILDREN.**—No dependent child shall be eligible for assistance under this subpart after the child's 27th birthday absent a finding by the Attorney General of extraordinary circumstances precluding the child from pursuing a program of education.

“SEC. 1213. APPLICATIONS; APPROVAL.

“(a) **APPLICATION.**—A person seeking assistance under this subpart shall submit an application to the Attorney General in such form and containing such information as the Attorney General reasonably may require.

“(b) **APPROVAL.**—The Attorney General shall approve an application for assistance under this subpart unless the Attorney General finds that—

“(1) the dependent is not eligible for, is no longer eligible for, or is not entitled to the assistance for which application is made;

“(2) the dependent's selected educational institution fails to meet a requirement under this subpart for eligibility;

“(3) the dependent's enrollment in or pursuit of the educational program selected would fail to meet the criteria established in this subpart for programs; or

“(4) the dependent already is qualified by previous education or training for the educational, professional, or vocational objective for which the educational program is offered.

“(c) **NOTIFICATION.**—The Attorney General shall notify a dependent applying for assistance under this subpart of approval or disapproval of the application in writing.

“SEC. 1214. REGULATIONS.

The Attorney General may promulgate reasonable and necessary regulations to implement this subpart.

“SEC. 1215. DISCONTINUATION FOR UNSATISFACTORY CONDUCT OR PROGRESS.

“The Attorney General may discontinue assistance under this subpart when the Attorney General finds that, according to the regularly prescribed standards and practices of the educational institution, the recipient fails to maintain satisfactory progress as described in section 484(c) of the Higher Education Act of 1965 (20 U.S.C. 1091(c)).

“SEC. 1216. SPECIAL RULE.

“(a) **RETROACTIVE ELIGIBILITY.**—Notwithstanding any other provision of law, each dependent of a Federal law enforcement officer killed in the line of duty on or after May 1, 1992, shall be eligible for assistance under this subpart, subject to the other limitations of this subpart.

“(b) **RETROACTIVE ASSISTANCE.**—The Attorney General may provide retroactive assistance to dependents eligible under this section for each month in which the dependent pursued a program of education at an eligible educational institution. The Attorney General shall apply the limitations contained in this subpart to retroactive assistance.

“(c) **PROSPECTIVE ASSISTANCE.**—The Attorney General may provide prospective assistance to dependents eligible under this section on the same basis as assistance to dependents otherwise eligible. In applying the limitations on assistance under this subpart, the Attorney General shall include assistance provided retroactively. A dependent eligible under this section may waive retroactive assistance and apply only for prospective assistance on the same basis as dependents otherwise eligible.

“SEC. 1217. DEFINITIONS.

“For purposes of this subpart:

“(1) The term ‘Attorney General’ means the Attorney General of the United States.

“(2) The term ‘Federal law enforcement officer’ has the same meaning as under subpart 1.

“(3) The term ‘program of education’ means any curriculum or any combination of unit courses or subjects pursued at an eligible educational institution, which generally is accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective. It includes course work for the attainment of more than one objective if in addition to the previous requirements, all the objectives generally are recognized as reasonably related to a single career field.

“(4) The term ‘eligible educational institution’ means an institution which—

“(A) is described in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088), as in effect on the date of the enactment of this section; and

“(B) is eligible to participate in programs under title IV of such Act.

“SEC. 1218. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this subpart such sums as may be necessary.”

PAROLE COMMISSION PHASEOUT ACT OF 1996

Mr. LOTT. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on (S. 1507) to provide for the extension of the Parole Commission to oversee cases of prisoners sentenced under prior law, to reduce the size of the Parole Commission, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1507) entitled “An Act to provide for the extension of the Parole Commission to oversee cases of prisoners sentenced under prior law, to reduce the size of the Parole Commission, and for other purposes”, do pass with the following amendment:

Strike out all after the enacting clause, and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Parole Commission Phaseout Act of 1996”.

SEC. 2. EXTENSION OF PAROLE COMMISSION.

(a) *IN GENERAL.*—For purposes of section 235(b) of the Sentencing Reform Act of 1984 (98 Stat. 2032) as it related to chapter 311 of title 18, United States Code, and the Parole Commission, each reference in such section to “ten years” or “ten-year period” shall be deemed to be a reference to “fifteen years” or “fifteen-year period”, respectively.

(b) *POWERS AND DUTIES OF PAROLE COMMISSION.*—Notwithstanding section 4203 of title 18, United States Code, the United States Parole Commission may perform its functions with any quorum of Commissioners, or Commissioner, as the Commission may prescribe by regulation.

(c) *REDUCTION IN SIZE.*—

(1) *Effective December 31, 1999, the total number of Commissioners of the United States Parole Commission shall not be greater than 2. To the extent necessary to achieve this reduction, the Commissioner or Commissioners least senior in service shall cease to hold office.*

(2) *Effective December 31, 2001, the United States Parole Commission shall consist only of that Commissioner who is the Chairman of the Commission.*

(3) *Effective when the Commission consists of only one Commissioner—*

(A) *that Commissioner (or in the Commissioner's absence, the Attorney General) may delegate to one or more hearing examiners the power set forth in paragraphs (1) through (4) of section 4203(b) of title 18, United States Code; and*

(B) *decisions made pursuant to such delegation shall take effect when made, but shall be subject to review and modification by the Commissioner.*

SEC. 3. REPORTS BY THE ATTORNEY GENERAL.

(a) *IN GENERAL.*—Beginning in the year 1998, the Attorney General shall report to the Congress not later than May 1 of each year through the year 2002 on the status of the United States Parole Commission. Unless the Attorney General, in such report, certifies that the continuation of the Commission is the most effective and cost-efficient manner for carrying out the Commission's functions, the Attorney General shall include in such report an alternative plan for a transfer of the Commission's function to another entity.

(b) *TRANSFER WITHIN THE DEPARTMENT OF JUSTICE.*—

(1) *EFFECT OF PLAN.*—If the Attorney General includes such a plan in the report, and that plan provides for the transfer of the Commission's functions and powers to another entity within the Department of Justice, such plan shall take effect according to its terms on November 1 of that year in which the report is made, unless Congress by law provides otherwise. In the event such plan takes effect, all laws pertaining to the authority and jurisdiction of the Commission with respect to individual offenders shall remain in effect notwithstanding the expiration of the period specified in section 2 of this Act.

(2) *CONDITIONAL REPEAL.*—Effective on the date such plan takes effect, paragraphs (3) and (4) of section 235(b) of the Sentencing Reform Act of 1984 (98 Stat. 2032) are repealed.

SEC. 4. REPEAL.

Section 235(b)(2) of the Sentencing Reform Act of 1984 (98 Stat. 2032) is repealed.

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

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

MEASURE PLACED ON THE
CALENDAR—S. 2102

Mr. LOTT. Mr. President, I ask unanimous consent that S. 2102, introduced earlier today by Senator HATFIELD, be placed on the Calendar.

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

UNANIMOUS CONSENT AGREE-
MENT—INTERNATIONAL NATU-
RAL RUBBER AGREEMENT

Mr. LOTT. Mr. President, as in executive session, I ask unanimous consent that the majority leader, after consultation with the Democratic leader, may proceed to executive session to consider Executive Calendar No. 23, the international natural rubber agreement and that the treaty be considered to have proceeded through its parliamentary stages, up to and including the presentation of the resolution of ratification, and that the committee declaration be deemed agreed to; that there be 1 hour for debate, with 30 minutes under the control of Senator BROWN and 30 minutes equally divided between Senators HELMS and PELL; fur-

ther, following the expiration or yielding back of time, the matter be temporarily set aside and a vote occur on the resolution of ratification, with no intervening action or debate, at a time to be determined by the majority leader, after consultation with the Democratic leader.

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

ORDERS FOR TUESDAY,
SEPTEMBER 24, 1996

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:30 a.m. on Tuesday, September 24; further, that immediately following the prayer, the Journal of proceedings be deemed approved to date, the time for the two leaders be reserved, and that there then be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak for not more than 5 minutes each, with the following exception for the time designated: Senator NUNN for 10 minutes.

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

Mr. LOTT. Mr. President, I further ask unanimous consent that the Senate stand in recess on Tuesday, September 24, between the hours of 12:30 p.m. and 2:15 p.m. in order to accommodate the respective party conferences.

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

PROGRAM

Mr. LOTT. Mr. President, for the information of my colleagues, there will be no session of the Senate on Monday in recognition of the religious holiday. On Tuesday, following morning business, it is anticipated that the Senate will begin consideration of the continuing resolution, if available. Rollcall votes can, therefore, be expected throughout the day on Tuesday. As a reminder, there will be several votes at 5 p.m. on Tuesday afternoon on or in relation to amendments and passage of the maritime bill.

RECESS UNTIL 9:30 A.M., TUESDAY,
SEPTEMBER 24, 1996

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate now stand in recess under the previous order.

There being no objection, the Senate, at 4:02 p.m., recessed until Tuesday, September 24, 1996, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 20, 1996:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

RICHARD J. TARPLIN, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE JERRY D. KLEPNER, RESIGNED.