

DEPARTMENTS OF COMMERCE,
JUSTICE, AND STATE, THE JUDI-
CIARY, AND RELATED AGENCIES
APPROPRIATIONS ACT—CON-
FERENCE REPORT

The PRESIDING OFFICER. Under the previous order the clerk will report the conference report on H.R. 2519, the Commerce, State, Justice Appropriations Act for 1994.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of October 14, 1993.)

Mr. HOLLINGS. Mr. President, I am pleased to present the conference report and statement of managers on H.R. 2519, the fiscal year 1994 Commerce, Justice, and State appropriations bill. This conference agreement provides \$22.838 billion in budget authority and \$23.223 billion in outlays for discretionary programs under the Commerce, Justice, and State, the Judiciary and related agencies bill. This represents a decrease of \$1.343 billion in budget authority and \$1.209 billion in outlays below the President's budget request. In fact, for both discretionary and mandatory appropriations, this agreement is \$219.5 million below last year's level for this bill.

It has been extremely difficult to develop a bill within these constrained budget allocations. This year started off when we received an overall budget from the administration that has over the budget caps. OMB categorized over \$6.6 billion in outlays as investment expenditures and requested these programs be funded specifically in excess of the budget agreement. Within this Commerce, Justice, and State appropriations bill, \$987 million in budget authority and \$536 million in outlays was so categorized. And, in this conference we received no real help from the administration on where we could cut to accommodate these investment programs or on which of the President's budget reductions should be maintained in conference. OMB Director Leon Panetta, who knows better, sent us a letter instead that essentially said: "The administration wants the conferees to fund the higher of the House or Senate levels for every item, and then add some new items top."

Well that just wasn't an option. We had to bring in an agreement within our section 602(b) allocation and make reductions to do so. No doubt there will be Members who are not happy that we were not able to accommodate some of

their issues in conference. To them, I would note that we did our best. But a conference is a compromise, and in this case we have had to meld together two very different bills. On some issues, the House simply would not agree. And at this late date, 3 weeks after the fiscal year has begun, it is time to move on and get a bill to the President for signature.

Highlights by agency are as follows:
FOR THE JUSTICE DEPARTMENT

In total, the conference agreement provides \$9.342 billion for the Department of Justice discretionary programs. That's \$295 million above last year's level and nearly \$150 million more than the House-passed bill.

We have provided \$171 million in additional resources to implement the President's immigration initiative. The INS will receive the bulk of these resources—over \$129 million above the 1993 levels for, among other things, 200 additional land border inspectors; 600 additional Border Patrol agents; enhanced detention and deportation activities; and expanded airport inspection services.

The conference agreement also provides a total of \$42.5 million in other Justice Department accounts to implement additional aspects of the President's immigration initiative including the construction of four INS detention facilities.

The agreement includes \$680 million for Justice assistance grants, including \$408 million for State and local drug grants; \$25 million for community policing; \$12 million correctional options grants; \$10 million for criminal records upgrades; and \$115 million for juvenile justice programs.

We have provided \$270 million for prison construction, and \$1.95 billion for the salaries and expenses of the prison system. When combined with carryover funds of \$30 million, the operating budget for the bureau of prisons will have increased some \$300 million over last year.

The sum of \$814 million is provided for U.S. attorneys; \$722 million for the DEA; and, \$2.039 billion for the FBI, including a \$5 million counterterrorism initiative.

FOR THE COMMERCE DEPARTMENT

The sum of \$226 million is provided for National Institute of Standards and Technology (NIST) external research programs—advanced technology program grants and manufacturing technology centers. That's an increase of \$146.5 million above the current appropriated level. President Clinton wrote to the conferees urging that the full Senate level and President's budget be provided for these programs which are integral to his technology initiative. I'm very pleased that we were able to prevail on this issue.

The sum of \$1.928 billion is provided for NOAA programs. This represents an increase of \$298 million above current levels. Included is \$43 million for a new, high altitude hurricane research aircraft and \$54 million for a new oceanographic research ship. This represents the first new ship appropriated for NOAA since the late 1970's, and a commitment to rebuilding NOAA's research, mapping, and fisheries fleet.

The sum of \$249.6 million is included for the International Trade Administration. Included is \$136.6 million for the United States and Foreign Commercial Service, an increase of \$23.2 million over last year for the people who are out in the field fighting for American business overseas. And \$32.3 million is for the import administration, an increase of \$3 million to hire accountants and financial analysts to conduct antidumping and countervailing duty investigations.

The sum of \$322.6 million is included for the Economic Development Administration, including \$80 million specifically to help communities impacted by defense base closures and cutbacks. And, I'm pleased to note that bill language is included which Senator PRYOR and I sponsored, which enables EDA to make grants to defense impacted communities to reuse military bases before the communities gain title to Federal real property.

Finally, the conference agreement includes \$17.1 million for the U.S. Travel and Tourism Administration (USTTA). This is not as high as I would have liked, but I think everyone should remember that the House voted overwhelmingly to eliminate the agency. And this agreement saves it.

FOR THE JUDICIARY

The conference agreement provides \$2.743 billion for the Federal judiciary. That's \$209 million or 8.2 percent more than last year and more than twice the percentage increase we gave the Department of Justice.

Fees of jurors and defender services are funded at a level that will avoid a repeat of last year's experience when the payments ran out.

While the conference agreement does not earmark funding for the new bankruptcy judgeships, there is sufficient funding within the big courts account to permit the judicial conference to fill the vacancies if that is their desire.

FOR THE STATE DEPARTMENT AND USA

The State Department is going to have to tighten its belt and will have to look at additional post closures overseas, and other economies. The Department's operating, construction and repair appropriations total \$2.7 billion. That is \$278 million below fiscal year 1993, and \$88.7 million below the budget request.

For the United Nations, international organizations, and peacekeeping, we have provided \$1.268 billion. That is \$317 million below the budget request. We are not going to keep funding unlimited peacekeeping operations around the world. This is not an entitlement program, and many Senators—including this one—believe our resources would be better put to use in disarming warlords and promoting peacekeeping here at home. In an effort to bring financial accountability,

we also have included a provision that withholds 10 percent of the payment to the United Nations until it has established an inspector general.

The conference agreement provides \$21 million for USIA's anti-Castro broadcasting programs—Radio and TV Martí. This is not as high as the \$28.4 million provided in the President's request and the Senate-passed bill. It is however \$21 million above the House allowance that proposed terminating these programs. The compromise in the conference agreement requires the Director of the U.S. Information Agency to appoint a three-member panel to review and report on both Radio and TV Martí.

FOR THE LEGAL SERVICES CORPORATION

The conference agreement includes \$400 million for the Legal Services Corporation. This will permit a 2.5-percent increase for all local programs and apply the remainder of the increase in a manner addressing equalization utilizing the 1990 census count.

FOR THE SMALL BUSINESS ADMINISTRATION

The conference agreement includes \$657.2 million. Included is \$150 million for SBA section 7(a) loan guarantees. That is \$63 million more than the President's request within the budget caps. In total, with carryover, this will provide for an \$8.8 billion loan guarantee program. And we have provided \$429.7 million for SBA salaries and expenses, including grant programs like small business development centers and micro-loan technical assistance. We have provided an additional \$8 million above the House and Senate for pay and personnel, so Erskine Bowles, the new SBA administrator, can continue his fine record. He is one of the truly outstanding members of the President's team, and our conference report endorses his efforts to streamline the agency and make SBA more effective.

CONCLUDING REMARKS

Mr. President, in conclusion, I would like to thank my ranking minority member, Senator DOMENICI, and his staff director JOHN SHANK for their cooperation and hard work on this bill.

I also would like to thank all the staff who have worked so hard to put together this bill and conference agreement. And in that regard, I would like to note how released the members and professional staff of our subcommittee are that Chairman BYRD's right hand man, our full committee staff director—Jim English—is back on the job and is here helping get, not only this appropriations bill, but all of these appropriations through and to the President for his signature.

Mr. President, this conference agreement provides a good bill and I recommend that the Senate endorse it.

Mr. DOMENICI. Mr. President, this is my first year as the ranking Republican on the Commerce—Justice—State Subcommittee. I want to express my profound appreciation to my chairman, Senator HOLLINGS, and the majority

staff, Scott Gudes, Dorothy Seder, Liz Blevins, and Bruce Ciske, for their assistance and courtesy throughout this process. I'd also like to pay tribute to the House subcommittee chairman, NEAL SMITH, and the ranking Republican, HAL ROGERS, for their hard work in achieving this conference agreement.

The conference report represents a total of \$22.838 billion in new discretionary budget authority, resulting in new and prior year outlays of \$23.223 billion. To put these numbers in context, they are \$1.2 billion in outlays below the level of the budget requests pending before the subcommittee. Indeed, the subcommittee allocation is over \$500 million in outlays below a current services level.

Overall, I can strongly support this conference report. While I disagree with a few provisions, it represents an honest attempt to reflect the priorities of both the administration and the Congress. As I indicated above, it has been very difficult to respond to the administration's budget, since overall it exceeds the caps established in law by \$7.9 billion in budget authority and \$6.6 billion in outlays.

I would like to highlight a few aspects of this agreement.

BORDER CONTROL INITIATIVE

The Senate was able to retain most of my initiative to add 600 additional Border Patrol agents for the Immigration and Naturalization Service and to expand detention space for illegal aliens. The prison construction account of the Justice Department includes \$40.3 million for the expansion or construction of four INS detention facilities, including \$7.5 million of the expansion of the El Paso facility serving New Mexico and west Texas. While the passage of the North American Free-Trade Agreement and the development of a strong economy in Mexico are the most important components of the effort to curb illegal immigration in the Southwest, this increase in INS resources should be of tremendous assistance in stabilizing our borders.

The conference agreement also includes a proposal submitted by the administration to increase the INS airline inspection fee from \$5 to \$6, and to allocate these resources to increased services, including the expansion of contract detention space at international airports in the New York City area. While I support the program expansion that will be funded through the use of this fee increase, I am troubled that we are raising fees for this purpose rather than using directly appropriated funds. I would prefer we provide additional resources for the INS without adding to the fee burden of consumers.

COUNTERTERRORISM INITIATIVE

We also preserved the Senate initiative to expand counterterrorism activities at the Federal Bureau of Investigation. The agreement includes \$5 million, which together with \$5 million provided in 1993 supplemental funds

will be used to purchase equipment for a second hostage rescue team, to expand and upgrade special weapons and tactics teams, and for other terrorist related programs.

DWI GRANTS TO STATES

The conference report includes my proposal to allow States and local governments to use Byrne anti-drug abuse formula grant funds for programs for the prosecution of driving while intoxicated charges and the enforcement of other laws relating to alcohol use and the operation of motor vehicles. One of the biggest substance abuse problems in our society is improper alcohol use, especially in connection with automobiles. It is a serious concern in New Mexico, and my provision will provide State and local authorities with one more tool to combat this problem.

JUDICIARY FUNDING

In regard to funding for the Federal Judiciary, the Office of Management and Budget included a plug cut of \$573 million in budget authority and \$506 million in outlays from the request which was submitted directly by the Judiciary to the Congress. This reduction was, in effect, crosswalked to the Commerce—Justice—State Subcommittee. However, given the importance of the judicial process as a core function of government, we worked very hard to provide a significant increase of \$208.5 million, or 8.2 percent, above the 1993 enacted level. Working with new projections provided by the Judiciary, sufficient funds have been provided to ensure that we should not run out of funds for fees of jurors or defender services during the coming year.

WEATHER SERVICE AND DEFENSE CONVERSION

Funding for the Commerce Department includes the full level of \$75 million requested for staffing associated with the modernization of the National Weather Service. This will allow for the deployment and staffing of all new Doppler weather radars that are due to be delivered in 1994. In particular, the Albuquerque, NM, weather service office will be receiving a new Doppler radar this spring. It will be the first radar in the State totally dedicated to civilian weather monitoring and prediction. These funds will provide the staff necessary to begin regular operations of this radar late in fiscal year 1994.

Also within the Commerce Department, the House accepted the Senate initiative to provide \$80 million for Defense conversion activities. I know this is important to the subcommittee chairman, whose state faces perhaps the most dramatic impact of our precipitous decline in Defense spending. The language of the conference agreement makes it clear that these funds should also be available for communities adversely impacted by Department of Defense and Department of Energy contract reductions and installation realignments and closures. Thus the communities of Los Alamos and Al-

buquerque would be eligible for such grants.

SUPPORT FOR SMALL BUSINESS

Funding for the Small Business Administration includes greatly increased levels for guaranteed loan programs. For the general business section 7(a) loan program, a total of almost \$7 billion will be available for the financing of small business operating and other expenses. In addition, \$1.8 billion in program authority will carry over from fiscal year 1993. This will allow for a robust program during fiscal year 1994, without any possibility of a program shutdown as occurred last spring.

We have also included the increase of \$500,000 I recommended for grants through the Office of Women's Business Ownership of the Small Business Administration. This will allow the Office to provide \$2,000,000 in demonstration grants under the terms of Public Law 100-533 to support organizations that provide business consultation, training, and financial assistance to women interested in starting or expanding a small business. In New Mexico, the WESST Corp., or Women's Economic Self-Sufficiency Team, has proposed a unique program that would assist low-income and minority women. The Senate report urged the SBA to give every consideration to an application from this organization, and I reiterate that endorsement.

The conference agreement also includes a contingent appropriation for small business disaster loans. While I fully support this program, and I realize that contingent appropriations have been provided for the disaster loan program for the past 3 years, I do not believe this should continue as a regular practice. We should allocate a portion of discretionary funds each year for disasters and other emergencies rather than count on contingent appropriations for the provision of what I consider a regular program expense. While these funds will probably not be used in 1994 given the large balances in the disaster loan program, I do not believe we should continue this practice in the future and I am not supportive of this portion of the conference agreement.

Finally, Mr. President, I'm very happy to state that this agreement includes \$5,000,000 to establish a National Center for Genome Resources in New Mexico. It will be available to aid our nation's small businesses in utilizing the resources of the human genome project and to help maintain U.S. leadership in the biotechnology industry.

INTERNATIONAL ORGANIZATIONS

Funding of assessed contributions for the United Nations includes a modification of my amendment that withholds a portion of the funds until the Secretary of State certifies that the United Nations has established an independent office of audits and inspections substantially similar to our offices of inspectors general. Failure to establish such an office will result in the withholding of 10 percent of \$29 million,

from regular U.N. operations. I should state that the recent announcement by the Secretary General that he will appoint an individual to review procurement and personnel matters at the United Nations is an important first step, but I do not believe it meets the certification criteria of this amendment. I also expect that the Secretary of State will not issue a pro forma certification without an adequate documentation of the steps taken by the United Nations to comply with this provision. The failure of the United Nations and the State Department to adequately respond to calls for reform could only result in the further erosion of support in this country for the allocation of limited budget responses to international organizations.

With regard to peacekeeping expenses, both Senator HOLLINGS and I agree that this subcommittee cannot absorb larger levels for peacekeeping expenses without a significant increase in our available budget resources. The failure to provide such an increase would seriously impact other subcommittee programs, such as the Justice Department, NOAA, and the operations of the State Department itself.

LACK OF STATE DEPARTMENT CONSULTATION WITH CONGRESS

I am extremely concerned that the State Department has not chosen to inform the subcommittee of any of the steps recently taken in the area of peacekeeping commitments. For instance, no prior consultation or notification was provided of United States agreement to participate in the Rwanda, Haiti, Georgia, and Liberia peacekeeping operations. Even after the House and Senate subcommittees expressed concerns about the costs and rationale for such operations, little information has been provided. This cavalier attitude toward the concerns of the subcommittee and the Congress will have implications for the consideration of future budget requests for peacekeeping expenses.

The State Department also decided, under the terms of the continuing resolution, to obligate large sums of money from the accounts for international organizations and peacekeeping without any notification or explanation to the subcommittee. Again, it is apparent the Department does not take seriously the concerns expressed in the Senate report about the use of such funds. In particular, the Department seems to have ignored the Senate amendment, incorporated into this conference agreement, which requires the Secretary of State to certify that American firms are being given an equal chance to compete with foreign firms for contracts let by the United Nations for peacekeeping operations. In the face of evidence that procurement scandals have occurred in connection with the United Nations peacekeeping operation in Cambodia, the attitude of this administration appears to be indifference to both the scandals and the concerns of the Congress.

The Department has not had the courtesy to explain to the subcommittee or its staff the rationale for these actions. This is particularly disturbing since I have attempted in the past to be responsive to the request of the administration for additional peacekeeping funds.

As a result of these and other concerns, the statement of the managers includes report language directing the Secretary of State to notify the Appropriations Committees 15 days in advance, where practicable, of a vote by the U.N. Security Council to establish any new or expanded peacekeeping operation. This notification is also expected to include the total estimated cost, the United States share of such cost, the mission and objectives, the duration and estimated termination date, and the source of the funding for the United States' share of peacekeeping costs.

U.S. INFORMATION AGENCY

Funding for the U.S. Information Agency includes \$993,000 for the establishment of a United States-Mexico Conflict Resolution Center at New Mexico State University. Such a center will provide an expedient and relatively inexpensive alternative to court-mandated settlements in disputes involving the environment, business relations, and commercial activities.

Once again, Mr. President, I want to thank Senator HOLLINGS and the other members of the subcommittee for their cooperation and assistance. I support this conference report and urge that it be adopted.

CLARIFYING THE STATEMENT OF MANAGERS ON H.R. 2519

Mr. HOLLINGS. Mr. President, a number of questions have been raised on the intent of the conferees regarding the appropriation for the U.S. Information Agency Educational and Cultural Exchange Programs account.

The House proposed an appropriation of \$217,650,000 for this USIA appropriation account and provided 95 percent of adjusted current services for programs. The House allowance also assumed that Freedom Support Act exchange programs that had been previously funded by the Foreign Operations, Export Financing, and Related Programs Appropriations Act should continue to be funded by that act. The House report did not provide a table detailing recommended funding levels for each program.

The Senate version of H.R. 2519 provided \$250,702,000 for the Educational and Cultural Exchange Programs account and Senate Report 103-105 on pages 115 and 116 provided a table that provides recommended funding levels by exchange program. The Senate also concurred with the House and deleted funding requested by the administration for Freedom Support Act exchanges. Finally, and most importantly, the Senate recommended that \$19,255,000 in exchange support costs be supported from within funds provided

for the Educational and Cultural Exchange Program account.

The conferees agreed to provide \$242,000,000 for the Educational and Cultural Exchange Programs account, but did not provide a table detailing recommendations by exchange program. The conferees did, however, note that increases should be provided for the following programs: the International Visitor Program, the Fulbright, and other academic programs—to include Vietnamese student exchanges and CAMPUS—the Claude and Mildred Pepper Scholarship Program, various new exchange programs, to include the Mike Mansfield Fellowship Program and exchanges for Pacific Island nations in the Western and South Pacific, if authorized, the American Studies Program, if authorized, and the Humphrey Fellowship. This approach was taken because the House felt that we should provide flexibility to the Director of USIA in the funding levels for various exchanges, and that the USIA should submit a reprogramming proposal to the House and Senate Appropriations committees.

Mr. President, unfortunately the statement of managers inadvertently omitted to mention that the conferees had also agreed to include exchange support costs within the Educational and Cultural Exchange Programs appropriation account. It is my belief that the reprogramming that USIA sends to us should include at least \$13,000,000 for exchange support costs.

I hope that this statement clears up any confusion regarding the conferee's intent.

FUNDING FOR AQUACULTURE

Mr. DOMENICI. Mr. President, I would like to bring to the attention of the chairman the description of the funding levels for aquaculture programs of the National Oceanic and Atmospheric Administration. In the Senate report, the Senate indicated that not less than \$350,000 should be made available through the aquaculture program for the Newport, OR, Marine Science Center. In the conference agreement there is the statement that \$250,000 should be made available for this purpose. It is my understanding that the funding level identified for Newport in the statement of the managers is an inadvertent mistake, and that the conferees intended to repeat the Senate report language indicating that \$350,000 should be made available for this purpose. Is that the chairman's understanding?

Mr. HOLLINGS. Yes, Mr. President, that is my understanding. This colloquy should serve notice to the National Oceanic and Atmospheric Administration that the Newport, OR, Marine Science Center should receive \$350,000 through the aquaculture program, the same level as identified in the Senate report.

Mr. DOMENICI. I thank the chairman for his courtesy, and I yield the floor.

Mrs. FEINSTEIN. Mr. President, I rise today to support the conference re-

port accompanying H.R. 2519, the Commerce, State, Justice, the Judiciary, and related agencies appropriation bill for fiscal year 1994. I commend Chairman HOLLINGS and Senator DOMENICI for putting together a fine bill that funds many important programs within a very austere allocation.

In particular, I would like to express my support for the funding in the conference agreement for the 35 bankruptcy judgeships which were authorized by the Bankruptcy Act of 1992. I hope the Judicial Conference will begin immediately to examine the pending bankruptcy caseload of each district with newly authorized judgeships so that the 35 judgeships can be fully funded as soon as possible.

Many of these judgeships have been requested and sorely needed for over 3 years. During the rapid increase in bankruptcy filings in the late 1980's and early 1990's, the small growth in bankruptcy judges has not kept pace with the increase in filings.

A primary factor considered in assessing requests for new judgeships in the Bankruptcy Court is the weighted caseload, expressed in "case related hours." A weighted caseload in excess of 1,500 annual case related hours per judge has been established as an indicator of the need for additional judgeships. This size caseload represents a workload approximately 20-percent greater than the national average.

As an example, in 1993 the Biennial Judgeship Survey revealed that the Central District of California had a weighted caseload of 2,144 hours per judge, an increase of 41.5 percent since the last survey. During the same time period, the national average grew 7.9 percent. The central district's judicial workload now ranks third in the Nation and first in the ninth circuit.

The story is the same in other parts of the country as well. Nationwide, bankruptcy filings have grown from approximately 530,000 filings in 1986, to nearly 1 million filings in 1992. Adequate judicial resources on the bankruptcy bench are important to our Nation's economic recovery: with adequate resources, the bankruptcy system allows debtors to get back on their feet and creditors to receive payment more quickly. Swift and equitable handling of bankruptcy cases is important to debtors and creditors, small and large businesses, labor and management, rural and urban Americans and to the economy as a whole.

I again thank Chairman HOLLINGS and Senator DOMENICI for their fine work on this bill, and I yield the floor.

NEED TO FUND THE BANKRUPTCY JUDGESHIPS

Mr. BIDEN. Mr. President, as my colleagues are aware, Congress authorized 35 new bankruptcy judgeships last year. The dramatic increase in bankruptcy filings in the last 12 years—193.4 percent from 1980 to 1992—demanded the creation of these judgeships to meet the significant number of filings and the growing backlog of cases in U.S. bankruptcy courts. Senator HOL-

LINGS and the conferees on the Commerce, Justice, State, and Judiciary appropriations bill took note of this and recommended to the Administrative Office of U.S. Courts that these judgeships receive primary consideration for funding. I heartily concur. One temporary judgeship was authorized for the U.S. Bankruptcy Court for the District of Delaware. While many bankruptcy courts are overwhelmed, the problem in Delaware is particularly acute.

In 1992, Delaware led the Nation with a 31.9-percent increase in the number of filings from 1991. In addition and of more significance, Delaware has become the forum of choice for mega-filings, which are cases worth more than \$50 million. A mega-filing is the most complex and difficult type of bankruptcy case, and the parties to these cases come from all over the country. As Delaware is the preferred forum for mega-filings, the adverse impact on the national economy due to the backlog of cases in the Delaware Bankruptcy Court cannot be underestimated.

Judge Helen Balick is the sole bankruptcy judge in the U.S. Bankruptcy Court for the District of Delaware. She and the court are facing a serious backlog of cases—currently pending are: 10 cases worth over \$1 billion each; 17 cases worth over \$100 million each; and more than 200 cases worth over \$1 million each.

The workload of the Delaware Bankruptcy Court is unlike any other bankruptcy court in the country. In their recommendation to the Administrative Office, the conferees pointed out "that the increase in the number of bankruptcy cases pending and the total volume of such cases in a district may not be as good an indicator of workload or need as the complexity of the individual cases." In the complex mega-filings, the sheer volume of docket entries, adversary proceedings, and motions for relief can be overwhelming, and, yet, still demand the individual attention of the judge. In one case worth over \$1 billion, there are 7,264 docket entries, 105 pending motions and 79 adversaries. Judge Balick must juggle this case with nine other billion dollar cases in addition to more than 200 other million dollar cases.

In an effort to alleviate the strain, the Delaware Bankruptcy Court has enlisted the help of bankruptcy judges from other districts, but those judges are able to help Judge Balick no more than 2 to 4 days a month. Due to the time constraints, these judges can only handle the smaller cases and cannot begin to address the issues in the more complex and time consuming mega-filings.

Without funding, the 35 new judges—many who have already been designated—cannot take the bench. The fact that the nominee for the Delaware judgeship has been chosen and has undergone his FBI background check means that when the funds are appro-

priated, the new judge will be able to start shortly.

I want to thank Senator HOLLINGS and the other conferees for their work on the Commerce, State, Justice, and Judiciary appropriations conference report and their help in ensuring funding for the Judiciary at a level that enables the new bankruptcy judges to take their places on the bench. I share Senator HOLLINGS' concern about the growth in the Judiciary's budget and I understand the constraints of the overall budget situation. I also note favorably that the Judicial Conference in conjunction with the Administrative Office of the U.S. Courts has instituted a review of the fiscal policies in effect within the judicial branch. At the same time, I know the U.S. Bankruptcy Court for the District of Delaware and bankruptcy courts across the country face serious problems in need of immediate attention.

Mr. President, during this time of fiscal austerity, each branch of Government needs to take stock and assess the needs facing the Nation. I realize the demands on the Judiciary are great. Each branch of Government is working with fewer resources. However, the negative economic impact due to the backlog of cases in bankruptcy courts across the Nation is significant. The need to alleviate this burden on bankruptcy courts and resolve these cases to provide individuals and businesses a fresh start should be a concern shared by all people wanting to move the United States out of the economic doldrums.

STATEMENT ON COMMERCE, JUSTICE, STATE APPROPRIATIONS CONFERENCE REPORT

Mr. SASSER. Mr. President, the Senate Budget Committee has examined H.R. 2519, the conference report on the Commerce, Justice, State appropriations bill, and has found that the bill is under its 602(b) budget authority allocation by \$281 million and under its 602(b) outlay allocation by \$8 million.

I compliment the distinguished manager of the bill, Senator HOLLINGS, and the distinguished ranking member of the subcommittee, Senator DOMENICI, for all of their hard work.

Mr. President, I have a table from the Budget Committee showing the official scoring of the conference report on the Commerce, Justice, State appropriations bill and I ask unanimous consent that it be inserted in the RECORD at the appropriate point.

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

SENATE BUDGET COMMITTEE SCORING OF H.R. 2519: FISCAL YEAR 1994 COMMERCE, JUSTICE, STATE APPROPRIATIONS—CONFERENCE

(in millions of dollars)

Bill summary	Budget authority	Outlays
Discretionary total		
New spending in bill	27,838	23,773
Outlays from prior years appropriations		6,350
Permanent/advance appropriations	20	18
Supplementals	0	1

SENATE BUDGET COMMITTEE SCORING OF H.R. 2519: FISCAL YEAR 1994 COMMERCE, JUSTICE, STATE APPROPRIATIONS—CONFERENCE—Continued

(in millions of dollars)

Bill summary	Budget authority	Outlays
Subtotal, discretionary spending	27,838	23,773
Mandatory total	561	547
Bill total	23,399	23,770
Senate 602(b) allocation	23,640	23,778
Difference	-241	-8
Discretionary total above (+) or below (-)		
President's request	-1,343	-1,209
House-passed bill	2,557	1,547
Senate-reported bill	-133	-53
Senate-passed bill	-144	-54

Mr. LEVIN. Mr. President, I want to thank the conferees for providing funds for the Great Lakes Fishery Commission to reregister the pesticide, TFM, which is used to control sea lamprey population in the Great Lakes.

The approximately \$2 million in new funds for fiscal year 1994 for the Commission will help avert ecosystemwide disaster. As my Great Lakes colleagues know, the lamprey population is growing and threatening fisheries all across the region. The only weapon that we have at present to stem the tide is this lampricide, TFM. If the use of this substance were to be discontinued or banned, because of a failure to reregister it per U.S. pesticide law, Great Lakes recreational and commercial fishing would most likely be decimated by the resultant lamprey population explosion.

As I indicated when I offered an amendment to the Senate's version of the Commerce appropriations bill to provide reregistration funds, we have very little choice in how we control the lamprey in the Great Lakes at the present time. But, there are some nonchemical control methods that may show some promise. Unfortunately, neither the United States, nor Canada, is spending enough money to realize these promising control technologies or methods. I would encourage the administration and my colleagues on the Appropriations Committee to consider increasing our research efforts in this area in fiscal year 1995 and beyond.

Mr. President, I appreciate the conferees assistance, particularly the help of subcommittee Chairman HOLLINGS and Senator INOUYE. The funds they have provided should be sufficient to complete the reregistration process. However, I would like to note, this process is somewhat open-ended and depends on the testing and data requirements of the Environmental Protection Agency.

Mr. PRESSLER. Mr. President, I want to take a few moments to comment on the conference report accompanying H.R. 2519, the fiscal year 1994 Commerce-Justice-State appropriations bill. Specifically, I wish to commend the conferees, in particular my friend from New Mexico, Senator DOMENICI, for including language to withhold 10 percent of our assessed payments to the United Nations until an independent office of inspector general

is established. The Senate version would have withheld our arrearage payments until an inspector general was appointed.

I believe the conference committee's approach is an improvement over the earlier version. First, the United States should honor its past obligations to the United Nations. Many nations and their representatives in the U.N. leadership are not willing to take a stand for U.N. reform. They dodge the issue by pointing to our Nation's debt to the United Nations. Honoring those debts would put an end to the discussion of this nonissue. Furthermore, last month, in his address before the U.N. General Assembly, President Clinton called on Congress to make good on our past obligations. The conference report takes a positive step in that direction.

Second, this measure is a very modest version of an approach I have advocated—withholding a portion of our current payments to the United Nations until it gets its house in order. I have taken this floor many times to call upon the United Nations to establish a tough, effective inspector general to crack down on waste, fraud, abuse, and outright thievery at the United Nations. I suspect this will not be my last speech on this subject.

Mr. President, I again commend the conferees for recognizing the need for U.N. reform. I am pleased they have joined the growing chorus of Americans demanding a cleanup of the United Nations. That chorus that includes our President, who stood before the U.N. General Assembly and called on Secretary General Boutros Boutros Ghali to appoint an inspector general.

Let me be clear, the approach contained in the conference report is modest. I believe tougher action would be warranted. During consideration of the foreign operations appropriations bill, I intended to offer an amendment to withhold two-thirds of our voluntary contributions to the United Nations until an independent inspector general has been appointed. I agreed to withdraw the amendment after I received the commitment of the distinguished President pro tempore, Senator BYRD, to work with me in crafting and offering a similar measure on the next appropriate vehicle. I am pleased my distinguished friend from West Virginia has been willing to work with me on this important issue.

ELIMINATION OF DEATH PENALTY PROVISIONS

Mr. FEINGOLD. Mr. President, I want to commend the House and Senate conferees in their decision to strike the Senate amendment to the Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1994, which would have applied the death penalty to individuals convicted of terrorist activities and bombing offenses which result in death. The conferees correctly concluded that the amendment constituted legislation on appropriations, and therefore appropriately removed it from the con-

ference report. I share these procedural concerns but also reject the amendment on substantive as well as moral grounds.

The death penalty, and any expansion of it, serves no beneficial purpose and has no place in our society. There is no evidence linking executions to the deterrence of future crimes, and the specter of the death penalty certainly would not deter those heinous enough to plot and carry out the tragic events such as those that transpired in New York. A terrorists's "ready to die for their cause" frame of mind does not operate on a normal cost-benefit analysis—let alone any standard of moral decency.

I voted against this amendment when the Senate debated the bill on July 29. Unfortunately, this amendment passed.

Fortunately, the House/Senate conferees struck the provision as was anticipated. This permits me to support final passage.

However, I am sure we will see similar amendments in the upcoming crime bill debate on top of the current crime bill's expansion in the number of offenses punishable by death. I plan to strongly oppose any such amendment that seeks to expand the death penalty as well as the provisions in the bill which already do so.

Mr. President, I feel that we must concentrate on improving and implementing our proven crime prevention efforts rather than waste our time and resources on symbolic measures such as the death penalty. Further expansion of this barbaric procedure will not only increase the likelihood of executing the innocent, but will also divert our time and precious resources away from our efforts to curb the Nation's violence. Creating new Federal death penalties will do nothing to help reduce the violence in our streets.

The PRESIDING OFFICER. The question occurs on the conference report. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 90, nays 10, as follows:

[Rollcall Vote No. 323 LOG.]

YEAS—90

Akaka	D'Amato	Hollings
Baucus	Danforth	Hutchison
Bennett	Daschle	Inouye
Biden	DeConcini	Jeffords
Blingaman	Dodd	Johnston
Bond	Dole	Kassebaum
Boren	Domenici	Kempthorne
Boxer	Durenberger	Kennedy
Bradley	Exon	Kerry
Breaux	Faircloth	Kerry
Bryan	Feingold	Kohl
Bumpers	Feinstein	Lautenberg
Burns	Ford	Leahy
Byrd	Glenn	Levin
Campbell	Gorton	Lieberman
Chafee	Graham	Lugar
Coats	Grassley	Mack
Cochran	Harkin	Mathews
Cohen	Hatch	McCain
Coverdell	Hatfield	McConnell
Craig		Metzenbaum

Mikulski	Pell	Shelby
Mitchell	Pressler	Simon
Misler-Braun	Pryor	Simpson
Mjornlihan	Reid	Specter
Murkowski	Riegle	Stevens
Murray	Robb	Thurmond
Nickles	Rockefeller	Warner
Nunn	Sarbanes	Wellstone
Packwood	Sasser	Wofford

NAYS—10

Brown	Heflin	Smith
Conrad	Helms	Wallop
Dorgan	Lott	
Orr	Roth	

So the conference report was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate concurs in the House amendments to the remaining Senate amendments en bloc, and the motion to reconsider the votes is laid upon the table.

The Senate concurred en bloc to the amendments of the House to the amendments of the Senate Nos. 3, 5, 10, 21, 22, 23, 27, 30, 31, 34, 37, 44, 52, 63, 64, 67, 71, 73, 75, 78, 81, 84, 93, 97, 101, 110, 111, 113, 114, 115, 122, 129, 130, 132, 133, 135, 138, 139, 140, 141, 142, 147, 148, 149, 150, 159, 161, 162, 166, 169, 170, 174, and 175, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 3 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: "notwithstanding the provisions of section 511 of said Act, \$474,500,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 5 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: "of part E of title I of said Act and \$50,000,000 shall be available to carry out the provisions of chapter A of subpart 2".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

"(e) \$16,000,000 shall be available to reimburse any appropriation account, as designated by the Attorney General, for selected costs incurred by State and local law enforcement agencies which enter into cooperative agreements to conduct joint law enforcement operations with Federal agencies; (f) \$500,000 shall be available to carry out the provisions of subtitle B of title I of the Anti Car Theft Act of 1992 (Public Law 102-519), notwithstanding the provisions of section 131(b)(2) of said Act, for grants to be used in combating motor vehicle theft: *Provided* That not to exceed \$12,500,000 of the funds made available in fiscal year 1994 under chapter A of subpart 2 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, shall be available as follows: (a) \$2,000,000 shall be available for the activities of the District of Columbia Metropolitan Area Drug Enforcement Task Force; (b) not to exceed \$10,000,000 shall be available to the Director of the Federal Bu-

reau of Investigation for startup costs associated with coordinating the national background check system; and (c) \$500,000 shall be transferred to the National Commission to Support Law Enforcement for the necessary expenses of the Commission as authorized by section 211(B) of Public Law 101-515".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 21 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: "(f) \$500,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 22 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed in said amendment, insert "\$119,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 23 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed in said amendment, insert "\$30,000,000".

Resolved, That the House recede from its disagreement to the amendment to the Senate numbered 27 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert \$403,968,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 30 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed in said amendment, insert "\$66,817,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 31 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed in said amendment, insert "\$45,997,000".

And on page 9 line 19 of the House engrossed bill, H.R. 2519, strike "\$19,000,000," and insert in lieu thereof "\$20,820,000".

And on page 10 line 3 of the House engrossed bill, H.R. 2519, strike "\$19,000,000," and insert in lieu thereof "\$20,820,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 34 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed in said amendment, insert "\$61,513,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 37 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed in said amendment, insert "\$61,513,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 44 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed in said amendment, insert "\$55,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 52 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

for projects on the northern border of the United States only.

In addition, section 296 of the Immigration and Nationality Act of 1952 (8 U.S.C. 1356), as amended, is further amended—

(1) in subsection (d), by striking “35”, and inserting “36”; and

(2) in subsection (h)(2)(A), by deleting subsection (v), and inserting the following:

“(v) providing detention and deportation services for: excludable aliens arriving on commercial aircraft and vessels; and any alien who is excludable under section 212(a) who has attempted illegal entry into the United States through avoidance of immigration inspection at air or sea ports-of-entry.

“(vi) providing exclusion and asylum proceedings at air or sea ports-of-entry for: excludable aliens arriving on commercial aircraft and vessels including immigration exclusion proceedings resulting from presentation of fraudulent documents and failure to present documentation; and any alien who is excludable under section 212(a) who has attempted illegal entry into the United States through avoidance of immigration inspection at air or sea ports-of-entry.”

IMMIGRATION EMERGENCY FUND

For the Immigration Emergency Fund, as authorized by section 404(b)(1) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1101), \$6,000,000, to remain available until expended.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 63 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed in said amendment, insert the following:

SEC. 110. TECHNICAL AMENDMENTS TO THE VICTIMS OF CRIME ACT.

(a) Section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601), is amended—

(1) in subsection (d)(2)—

(A) by striking “and” at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by adding at the end the following:

“(C) 1 percent shall be available for grants under section 1404(c); and

“(D) 4.5 percent shall be available for grants as provided in section 1404A.”

(2) in subsection (d)(3), by striking “1404(a)” and inserting “1404A”.

(3) in subsection (g)(1), by striking “(d)(2)(A)(iv)” and inserting “(d)(2)(D)”.

(b) Section 1404A of the Victims of Crime Act of 1984 (42 U.S.C. 10603(a)), is amended by striking “1402(d)(2)” and inserting “1402(d)(2)(D) and (d)(3)”.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 64 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed in said amendment, insert the following:

SEC. 111. BANKRUPTCY FEES.

(a) CHAPTERS 7 AND 13 FILING FEES.—Effective 30 days after enactment of this Act—

(1) Section 1930(a)(1) of title 28 of the United States Code is amended by striking “\$120” and inserting “\$130”.

(2) Section 589a of title 28 of the United States Code is amended in subsection (b)(1), by striking “one-fourth” and inserting “23.08 percentum”.

(3) Sec. 406(b) of Public Law 101-162 (103 Stat. 1016) is amended by striking “25 percent”, and inserting “30.76 percentum”.

(b) CHAPTER 11 FILING FEE.—Effective 30 days after enactment of this Act—

(1) Section 1930(a)(3) of title 28 of the United States Code is amended by striking “\$600” and inserting in lieu thereof “\$800”.

(2) Section 589a of title 28 of the United States Code is amended in subsection (b)(2), by striking “50 percentum” and inserting “37.5 percentum”.

(3) Section 589a of title 28 of the United States Code is amended in subsection (f)(1), by striking “16.7 percentum” and inserting “12.5 percentum”.

(4) SEC. 406. (b) of Public Law 101-162 (103 Stat. 1016) is amended by adding “and 25 percent of the fees hereafter collected under 28 U.S.C. section 1930(a)(3)” immediately after “28 U.S.C. section 1930(a)(1)”.

(c) No funds provided by this Act shall be expended to fill any bankruptcy judgeship unless such appointee was on a merit selection list or report submitted to the court of appeals by either the judicial council or a subcommittee of the members of the council, in accordance with section 120 of the Bankruptcy Amendments and Federal Judgeship Act of 1934 (Public Law 98-353; 98 Stat. 344), section 152 of title 28 of the United States Code, and the Judicial Conference of the United States' Procedures for the Selection and Appointment of Bankruptcy Judges.

(d) REPORT ON BANKRUPTCY FEES.—

(1) REPORT REQUIRED.—Not later than March 31, 1998, the Judicial Conference of the United States shall submit to the Committees on the Judiciary of the House of Representatives and the Senate, a report relating to the bankruptcy fee system and the impact of such system on various participants in bankruptcy cases.

(2) CONTENTS OF REPORT.—Such report shall include—

(A)(i) an estimate of the costs and benefits that would result from waiving bankruptcy fees payable by debtors who are individuals, and

(ii) recommendations regarding various revenue sources to offset the net cost of waiving such fees.

(B)(i) an evaluation of the effects that would result in cases under chapters 11 and 13 of title 11, United States Code, from using a graduated bankruptcy fee system based on assets, liabilities, or both of the debtor, and

(ii) recommendations regarding various methods to implement such a graduated bankruptcy fee system.

(3) WAIVER OF FEES IN SELECTED DISTRICTS.—For purposes of carrying out paragraphs (1) and (2), the Judicial Conference of the United States shall carry out in not more than six judicial districts, throughout the 3-year period beginning October 1, 1994, a program under which fees payable under section 1930 of title 28, United States Code, may be waived in cases under chapter 7 of title 11, United States Code, for debtors who are individuals unable to pay such fees in installments.

(4) STUDY OF GRADUATED FEE SYSTEM.—For purposes of carrying out paragraphs (1) and (2), the Judicial Conference of the United States shall carry out, in not fewer than six judicial districts, a study to estimate the results that would occur in cases under chapters 11 and 13 of title 11, United States Code, if filing fees payable under section 1930 of title 28, United States Code, were paid on a graduated scale based on assets, liabilities, or both of the debtor.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 67 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 112. For fiscal year 1994 only, grants awarded to State and local governments for the purpose of participating in gang task forces and for programs or projects to abate drug activity in residential and commercial buildings through community participation,

shall be exempt from the provisions of section 504(f) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 71 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: Provided, That \$60,400,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than \$50,900,000: Provided further, That any offsetting collections received in excess of \$60,400,000 in fiscal year 1994 shall remain available until expended, but shall not be available for obligation until October 1, 1994: Provided further, That none of the funds appropriated by this Act shall be used to repeal, to retroactively apply changes in, or to continue a reexamination of the policies of the Federal Communications Commission with respect to comparative licensing, distress sales and tax certificates granted under 26 U.S.C. 1071, to expand minority ownership of broadcasting licenses, including those established in the Statement of Policy on Minority Ownership of Broadcasting Facilities, 68 F.C.C. 2d 979 and 69 F.C.C. 2d 1521, as amended 62 R.R. 2d 1313 (1962) and Mid-Florida Television Corp., 69 F.C.C. 2d 607 (Rev. Bd. 1978), which were effective prior to September 12, 1968, other than to close MM Docket No. 86-484 with a reinstatement of prior policy and a lifting of suspension of any sales, license applications, or proceedings, which were suspended pending the conclusion of the inquiry: Provided further, That none of the funds appropriated to the Federal Communications Commission by this Act may be used to diminish the number of VHF channel assignments reserved for non-commercial educational television stations in the Television Table of Assignments (section 73.608 of title 47, Code of Federal Regulations): Provided further, That none of the funds appropriated by this Act may be used to repeal, to retroactively apply changes in, or to begin or continue a reexamination of the rules and the policies established to administer such rules of the Federal Communications Commission as set forth at section 73.3555(d) of title 47 of the Code of Federal Regulations, other than to amend policies with respect to waivers of the portion of section 73.3555(d) that concerns cross-ownership of a daily newspaper and an AM or FM radio broadcast station.

In addition, section 9(a) of Title I of the Communications Act of 1934, as amended, is further amended as follows:

(a) by striking “(a) GENERAL AUTHORITY.—” and inserting in lieu thereof the following:

“(a) GENERAL AUTHORITY.—

“(1) RECOVERY OF COSTS.—”; and

(b) by adding at the end the following new paragraph:

“(2) FEES CONTINGENT ON APPROPRIATIONS.—The fees described in paragraph (1) of this subsection shall be collected only if, and only in the total amounts, required in Appropriations Acts.”

And on page 28 line 14 of the House engrossed bill, H.R. 2619, strike \$129,889,000, and insert in lieu thereof “\$160,300,000”.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 73 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

Provided further, That the funds appropriated in this paragraph are subject to the limitations and provisions of section 10(a) and 10(c) (notwithstanding section 10(e)), 11(b), 18, and 20 of the Federal Trade Commission Improvements Act of 1980 (Public Law 96-252; 94 Stat. 374), except that this proviso shall cease to be effective upon enactment of an Act authorizing appropriations for the Federal Trade Commission for fiscal year 1994.

and on page 29 line 11 of the House engrossed bill, H.R. 2519, strike "\$19,000,000", and insert in lieu thereof "\$20,820,000".

and on page 29 line 21 of the House engrossed bill, H.R. 2519, strike "\$69,740,000", and insert in lieu thereof "\$67,920,000".

and on page 29 line 22 of the House engrossed bill, H.R. 2519, strike "\$19,000,000", and insert in lieu thereof "\$20,820,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 75 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

Provided, That immediately upon enactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of 1 percentum to one-twenty-ninth of 1 percentum and such increase shall be deposited as an offsetting collection to this appropriation, to remain available until expended, to recover costs of services of the securities registration process: *Provided further*, That such fee increase shall be repealed upon enactment of legislation amending the Securities Exchange Act of 1934 to establish a new fee system in fiscal year 1994 for full cost recovery of Commission expenses.

In addition, and subject to enactment of legislation amending the Securities Exchange Act of 1934 to establish a new fee system in fiscal year 1994 to require the Commission to collect \$171,621,000 in fees to be deposited to this appropriation as an offsetting collection; \$171,621,000, to remain available until expended: *Provided*, That subject to the fee provisions contained in said legislation, \$171,621,000 of fees shall be assessed and deposited as an offsetting collection to this appropriation to recover the costs of services of the securities registration process: *Provided further*, That the \$171,621,000 herein appropriated shall be reduced as the aforementioned fees are collected during fiscal year 1994, so as to result in a final fiscal year 1994 appropriation estimated at not more than \$0.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 78 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum named in said amendment, insert: "\$1,500,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 81 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

\$1,694,753,000, to remain available until expended; of which \$578,000 shall be available for operational expenses and cooperative agreements at the Fish Farming Experimental Laboratory at Stuttgart, Arkansas; and in addition, \$54,800,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries"; *Provided*, That grants to States pursuant to section 306

and 306(a) of the Coastal Zone Management Act, as amended, shall not exceed \$2,000,000 and shall not be less than \$500,000: *Provided further*, That hereafter all receipts received from the sale of aeronautical charts that result from an increase in the price of individual charts above the level in effect for such charts on September 30, 1993, shall be deposited in this account as an offsetting collection and shall be available for obligation.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 84 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum named in said amendment, insert: "\$43,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 93 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the United States Travel and Tourism Administration including travel and tourism promotional activities abroad for travel to the United States and its possessions without regard to 44 U.S.C. 501, 3702 and 3703, including employment of American citizens and aliens by contract for services abroad; rental of space abroad for periods not exceeding five years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; advance of funds under contracts abroad; payment of tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672, when such claims arise in foreign countries; and not to exceed \$15,000 for official representation expenses abroad; \$17,120,000, to remain available until expended: *Provided*, That none of the funds appropriated by this paragraph shall be available to carry out the provisions of section 203(a) of the International Travel Act of 1961, as amended: *Provided further*, That in addition to fees currently being assessed and collected, the Administration shall charge users of its services, products, and information, fees sufficient to result in an additional \$3,000,000, to be deposited in the General Fund of the Treasury.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 97 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

Provided further, That notwithstanding the provisions of sections 391 and 392 of the Communications Act, as amended, not to exceed \$700,000 appropriated in this paragraph shall be available for the Pan-Pacific Educational and Cultural Experiments by Satellite program (PEACESAT).

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 101 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, Public Law 91-304, and such laws that were in effect immediately before September 30, 1982, and for trade adjustment as-

sistance, \$322,642,000: *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, without it being required that the grantees have title or ability to obtain a lease for the property, for the useful life of the project, when, in the opinion of the Secretary of Commerce, such financial assistance is necessary for the economic development of the area: *Provided further*, That the Secretary of Commerce may, as the Secretary considers appropriate, consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure or realignment.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 110 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: "\$2,160,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 111 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: "\$280,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 113 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum named by said amendment, insert: "\$19,800,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 114 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: "\$86,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 115 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: "\$44,900,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 122 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert the following:

\$1,118,000, of which \$500,000 shall be available by transfer from unobligated balances remaining from the appropriation entitled "Commission on Agricultural Workers, Salaries and expenses"

and on page 51 of the House engrossed bill, H.R. 2519, after the heading "Salaries and Expenses" on line 9, insert the following new heading "(including transfer of funds)".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 129 to the aforesaid bill, and concur therein with an amendment as follows:

Restore the matter stricken by said amendment amended to read as follows:

None of the funds appropriated for the Small Business Administration under this

Act may be used to impose any new or increased loan guaranty fee or debenture guaranty fee, or any new or increased user fee or management assistance fee, except as otherwise provided in this Act: *Provided*, That none of the funds provided in this or any other Act may be used for the cost of direct loans to any borrower under section 7(b) of the Small Business Act to relocate voluntarily outside the business area in which the disaster has occurred.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 130 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: "\$16,946,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 132 to the aforesaid bill, and concur therein with an amendment as follows:

Delete the matter stricken and delete the matter inserted and strike all on line 14, page 54 of the House engrossed bill, H.R. 2519, and all that follows through "In addition," on line 24, page 54, and on page 53, line 12 of the House engrossed bill, H.R. 2519, strike "this amount" and insert in lieu thereof "the total amount in this paragraph".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 133 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum named in said amendment insert: "\$140,000,000", and on page 55, line 6 of the House engrossed bill, H.R. 2519, strike "\$12,369,000" and insert in lieu thereof "\$7,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 135 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert: "For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, \$400,000,000; of which \$41,865,000 is for basic field programs; \$8,950,000 is for Native American programs; \$12,759,000 is for migrant programs; \$1,402,000 is for law school clinics; \$1,274,000 is for supplemental field programs; \$795,000 is for regional training centers; \$9,611,000 is for national support; \$10,564,000 is for State support; \$1,101,000 is for the Clearinghouse; \$651,000 is for computer assisted legal research regional centers; \$10,928,000 is for Corporation management and administration; and \$100,000 is for board initiatives."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 138 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: "\$1,704,589,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 139 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment insert:

and for expenses of general administration: *Provided*, That notwithstanding section 502 of this Act, not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts, "Diplomatic and Consular Programs" and "Salaries and Expenses" under the heading "Administration of Foreign Affairs" may be transferred between such appropriation accounts: *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.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 140 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: "\$396,722,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 141 to the aforesaid bill, and concur therein with an amendment as follows:

Delete the matter stricken and delete the matter inserted, and strike all on line 24, page 57 of the House engrossed bill, H.R. 2519, and all that follows through line 3, page 58.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 142 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: "\$410,000,000, of which \$10,000,000 is for relocation and renovation costs necessary to facilitate the consolidation of overseas financial and administrative activities in the United States".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 147 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

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 pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$860,895,000: *Provided*, That any payment of arrearages made from these funds shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations, ten percent of said assessment shall be available for obligation only upon a certification to the Congress by the Secretary of State that the United Nations has established an independent office with responsibilities and powers substantially similar to offices of Inspectors General authorized by the Inspector General Act of 1978, as amended: *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.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 148 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: "\$401,607,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 149 to the aforesaid bill, and concur therein with an amendment as follows:

Delete the matter stricken and delete the matter inserted, and on line 5, page 60 of the House engrossed bill, H.R. 2519, strike ", of"

and all that follows through "arrearages" on line 7.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 150 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert: "*Provided*, 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 activities equal to those being given to foreign manufacturers and suppliers".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 159 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 503. Funds appropriated or otherwise made available under this Act or any other Act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 161 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: "\$53,500,000, of which not less than \$9,500,000 is available until expended only for payment of United States contributions to the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 162 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum \$208,000,000 named in said amendment insert: "\$210,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 168 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the sum proposed by said amendment insert: "to include other educational and cultural exchange programs, \$1,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 169 to the aforesaid bill, and concur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

BROADCASTING TO CUBA RADIO BROADCASTING TO CUBA

For expenses necessary to enable the United States Information Agency to carry out the Radio Broadcasting to Cuba Act, as amended (22 U.S.C. 1465 et seq.) (providing for the Radio Marti Program or Cuba Service of the Voice of America), including the purchase, rent, construction, and improvement of facilities for radio transmission and reception and purchase and installation of necessary equipment for radio transmission and reception as authorized by 22 U.S.C. 1471, \$14,000,000, to remain available until expended as authorized by 22 U.S.C. 1477b(a), of which \$5,000,000 shall be withheld from obligation until 30 days after the Director of the United States Information Agency submits a report to Congress which certifies receipt of the report of the Advisory Panel on Radio Marti and TV Marti and specifies the mea-

ures the United States Information Agency is taking with respect to the recommendations of the panel.

TELEVISION BROADCASTING TO CUBA

For expenses necessary to enable the United States Information Agency to carry out the Television Broadcasting to Cuba Act (22 U.S.C. 1464aa et seq.), including the purchase, rent, construction, and improvement of facilities for television transmission and reception, and purchase and installation of necessary equipment for television transmission and reception, \$7,000,000, to remain available until expended: *Provided*, That not later than July 1, 1994, the Director of the United States Information Agency shall submit to Congress, after consulting with the Board for International Broadcasting and after taking into account any relevant recommendations of the Advisory Panel on Radio Marti and TV Marti, his recommendations as to whether TV Marti broadcasting is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation and whether the interests of the United States are better served by maintaining television broadcasting to Cuba, by terminating television broadcasting to Cuba and strengthening radio broadcasting to Cuba, or by funding other activities related to promoting democracy in Cuba authorized by law: *Provided further*, That of the amount appropriated in this paragraph, \$2,500,000 shall be withheld from obligation until after July 1, 1994, and, after that date, funds shall be available only for the orderly termination of television broadcasting to Cuba unless the Director of the United States Information Agency determines, in the report to Congress called for in the Administration Provision Establishing the Advisory Panel on Radio Marti and TV Marti, that maintaining television broadcasting to Cuba is technically sound and effective, is consistently being received by a sufficient Cuban audience to warrant its continuation, and is in the best interests of the United States.

ADMINISTRATIVE PROVISION ESTABLISHING THE ADVISORY PANEL ON RADIO MARTI AND TV MARTI

(a) **ESTABLISHMENT.**—There is established an advisory panel to be known as the Advisory Panel on Radio Marti and TV Marti (in this section referred to as the "Panel").

(b) **FUNCTIONS.**—The Panel shall study the purposes, policies, and practices of radio and television broadcasting to Cuba (commonly referred to as "Radio Marti" and "TV Marti") by the Cuba Service of the Voice of America.

(c) **REPORT.**—Not later than 90 days after the date on which the members of the Panel have been appointed pursuant to subsection (d), the Panel shall submit to the Congress and the United States Information Agency (USIA) a report which shall contain—

(1) a statement of the findings and conclusions of the Panel on the matters described in subsection (b); and

(2) specific findings and recommendations with respect to whether—

(A) such broadcasting consistently meets the standards for quality and objectivity established by law or by the United States Information Agency;

(B) such broadcasting is cost-effective;

(C) the extent to which such broadcasting is already being received by the Cuban people on a daily basis from credible sources;

(D) TV Marti broadcasting is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation;

(d) **COMPOSITION.**—(1) The Panel shall be composed of three members, who shall among them have expertise in government

information and broadcasting programs, broadcasting journalism, journalistic ethics, and the technical aspects of radio and television broadcasting.

(2) The Director of the United States Information Agency shall appoint the members of the Panel not later than 30 days after the date of the enactment of this Act. Individuals appointed to the Panel shall be noted for their integrity, expertise, and independence of judgment consistent with the purposes of the Panel.

(3) Each member of the Panel shall be appointed for the life of the Panel. A vacancy in the Panel shall be filled in the manner in which the original appointment was made.

(4) Each member of the Panel shall serve without pay, except that such member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with Sections 5702 and 5703 of title 5, United States Code.

(e) **TEMPORARY PERSONNEL.**—The Panel may procure temporary and intermittent services under Section 3108(b) of title 5, United States Code (relating to employment of experts and consultants), at rates for individuals not to exceed the maximum rate of basic pay payable for GS-15 of the General Schedule.

(2) Upon request of the Panel, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of the agency to the Panel to assist it in carrying out its duties under this section.

(3) **SUPPORT SERVICES.**—The United States Information Agency shall provide facilities, supplies, and support services to the Panel upon request.

(f) **TERMINATION.**—The Panel shall terminate immediately upon submitting its report pursuant to subsection (c).

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 170 to the aforesaid bill, and concur therein with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

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, \$8,700,000, to remain available until expended: *Provided*, That funds appropriated by this Act for the United States Information Agency and the Department of State may be obligated and expended at the rate of operations and under the terms and conditions provided by H.R. 2519 as enacted into law, notwithstanding section 701 of the United States Information and Education Exchange Act of 1948 and section 15 of the State Department Basic Authorities Act of 1956 except that this proviso shall cease to be effective after April 30, 1994 or upon enactment into law of H.R. 2333, the State Department, USIA, and Related Agencies Authorization Act, Fiscal Years 1994 and 1995 or similar legislation, whichever first occurs.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 174 to the aforesaid bill, and concur therein with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

SEC. 606. (a) **PURCHASE OF AMERICAN MADE EQUIPMENT AND PRODUCTS.**—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the

sense of the Congress that entities receiving such assistance should, in expending the assistance, to the extent feasible, purchase only American-made equipment and products.

(b) **NOTICE TO RECIPIENTS OF ASSISTANCE.**—In providing financial assistance under this Act, the Head of the agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 607. (a) None of the funds made available in this Act may be used for the construction, 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.

(b) None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), conversion, or modernization of aircraft for the National Oceanic and Atmospheric Administration in facilities located outside the United States and Canada.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 176 to the aforesaid bill, and occur therein with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 608. (a) Funds appropriated under this Act to the Legal Services Corporation and distributed to each grantee funded in fiscal year 1994, pursuant to the number of poor people determined by the Bureau of the Census to be within its geographical area, shall be distributed in the following order:

(1) grants from the Legal Services Corporation and contracts entered into with the Legal Services Corporation under section 1006(a)(1) of the Legal Services Corporation Act, as amended, shall be maintained in fiscal year 1994 at not less than the annual level at which each grantee and contractor was funded in fiscal year 1993 pursuant to Public Law 102-395; and

(2) each grantee or contractor for basic field funds under section 1006(a)(1) shall receive an increase of not less than 2.5% over its fiscal year 1993 grant level. Any additional increase in funding for grants and contracts to basic field programs under section 1006(a)(1) shall be awarded to grantees and contractors funded at the lowest levels per-poor-person (calculated for each grantee or contractor by dividing each such grantee's or contractor's fiscal year 1993 grant level by the number of poor persons within its geographical area under the 1990 census) so as to fund the largest number of programs possible at an equal per-poor-person amount; and

(3) any increase above the fiscal year 1993 level for grants and contracts to migrant programs under section 1006(a)(1) shall be awarded on a per migrant and dependent basis calculated by dividing each such grantee's or contractor's fiscal year 1993 grant level by the state migrant and dependent population, which shall be derived by applying the state migrant and dependent population percentage as determined by the 1992 Larson-Plascencia study of the Tomas Rivera Center migrant enumeration project. This percentage shall be applied to a population figure of 1,661,875 migrants and dependents. These funds shall be distributed in the following order:

(A) forty percent to migrant grantees and contractors funded at the lowest levels per migrant (including dependents) so as to fund the largest number of programs possible at an equal per migrant and dependent amount; and

(B) forty percent to migrant grantees and contractors such that each grantee or contractor funded at a level of less than \$19.74 per migrant and dependent shall be increased

by an equal percentage of the amount by which such grantee's or contractor's funding, including the increases under subparagraph (A) above, falls below \$19.74 per migrant and dependent, within its State; and

(C) twenty percent on an equal migrant and dependent basis to all migrant grantees and contractors funded below \$19.74 per migrant and dependent within its State.

(b) None of the funds appropriated under this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by or contrary to any of the provisions of—

(1) section 607 of Public Law 101-515, and that, except for the funding formula, all funds appropriated for the Legal Services Corporation shall be subject to the same terms and conditions as set forth in section 607 of Public Law 101-515 and all references to "1991" in section 607 of Public Law 101-515 shall be deemed to be "1994" unless subparagraph (2) or (3) applies;

(2) subparagraph 1, except that, if a Board of eleven Directors is nominated by the President and confirmed by the Senate, provisions 20 and 22 shall not apply to such a confirmed Board;

(3) authorizing legislation for fiscal year 1994 for the Legal Services Corporation that is enacted into law.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The PRESIDING OFFICER. Under the previous order, there will now be 1 hour of debate on the conference report on H.R. 2520, the Interior appropriations bill for fiscal year 1994. The time for debate is equally divided and controlled by the Senator from West Virginia (Mr. BYRD) and the Senator from Oklahoma (Mr. NICKLES).

Several Senators addressed the Chair.

Mr. BYRD. Mr. President, if the Senator will yield.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Did the Chair recognize the Senator from Wyoming?

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. BYRD. I thank the Chair.

Mr. President, I yield time under my control to the distinguished Senator from Nevada (Mr. REID).

Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

PRIVILEGE OF THE FLOOR

Mr. WALLOP. Mr. President, in the absence of Senator NICKLES, let me propound a unanimous-consent request.

I ask unanimous consent that the privilege of the floor be granted to the following members of the minority Energy Committee staff: Jim Beirne, Jim O'Toole, Kelly Fischer, Carol Craft, Marian Marshall, Gerry Hardy, Camille Heninger, Judy Pensabene, Richard Grundy, and Howard Useem, during the pendency of H.R. 2520.

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

Mr. WALLOP. Mr. President, I ask unanimous consent that Jim Tate and

Dave Mills be granted the privilege of the floor during the consideration of H.R. 2520.

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

Mr. STEVENS. Will the Senator yield to me just 30 seconds?

Mr. WALLOP. I yield to the Senator.

A HALT TO NUCLEAR DUMPING

Mr. STEVENS. Mr. President, yesterday I criticized Russia for the dumping of nuclear waste. I am pleased to announce to the Senate that Russia has announced a halt of the second planned nuclear dump.

I ask unanimous consent that the Reuter announcement from Russia and the article from this morning's Washington Post be printed in the RECORD.

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

RUSSIA ANNOUNCES HALT TO SECOND NUCLEAR DUMP

MOSCOW, October 21.—Russia announced on Thursday it would not ditch a second load of nuclear waste in the Sea of Japan following protests about an earlier dumping mission.

Ecology Minister Viktor Danilov-Danilyan told a news conference after a cabinet meeting: "The prime minister has decided to suspend the second dumping of waste. A second dumping will not take place in the near future."

Danilov-Danilyan said Russia would urgently look into building a factory in the Far east to process radioactive waste and said if this were built quickly it might be possible to avoid dumping any more waste at sea.

"If, however, this takes some time, more than a year and a half, Russia will probably be forced to dump more waste," he said.

When Russia poured 900 cubic meters (32,000 cubic feet) of liquid radioactive waste from scrapped atomic submarines into the sea off Japan last weekend there was an angry response from Tokyo, Seoul, Washington and others.

Despite this, Moscow initially said it would go ahead with a plan to dump a second load of 800 cubic metres (28,000 cubic feet) in the next few days, arguing it was safe and in any case all land sites were full. But it came under intense pressure to back down.

[From the Washington Post, Oct. 21, 1993]

RUSSIA RETHINKS NUCLEAR DUMPING

(By Fred Hiatt)

MOSCOW, October 20.—Facing international protests over their dumping of radioactive waste into the Sea of Japan on Sunday, Russian officials said today that they may postpone or cancel a second dumping scheduled to take place soon.

Ecology Minister Viktor Danilov-Danilyan told Prime Minister Viktor Chernomyrdin that the permit for a second dumping of low-level liquid radioactive waste should be revoked, according to a spokesman who said the question is likely to be resolved at a cabinet session Thursday. The waste, mostly residue from cleaning and deactivating nuclear-powered submarines, is pumped directly into the ocean by hose, with no containers used, according to the environmental group Greenpeace, which has trailed the Russian barges hauling it.

The retreat followed strong protests from Japanese officials, who were especially angry about the action since it followed by less

than a week Russian President Boris Yeltsin's state visit to Tokyo. During that visit, the problem of nuclear waste disposal was discussed, but Yeltsin did not mention—and may not have known—that the Russian navy was planning to discharge 1,700 tons of liquid waste into the Sea of Japan.

Secretary of State Warren Christopher, who is about to visit Moscow, also called on the Russians to halt the dumping, and U.S. officials in Tokyo said Christopher is determined to get a firm commitment from the Russians that the dumping will stop. Christopher's intervention followed an appeal by Japanese officials to Walter F. Mondale, the new U.S. ambassador in Tokyo, after the Russians brushed aside their own protests to Moscow, saying they had no alternative to dumping the waste in the Sea of Japan.

Today, Russian Foreign Minister Andrei Kozyrev told his Japanese counterpart, Tsutomu Hata, that he would relay Japan's concern to Yeltsin. The two ministers also agreed that such a problem, "arousing public anxiety in both countries," once might have triggered a "bitter confrontation," but that "now, when bilateral relations are entering a new phase, both sides should energetically search for ways to resolve it," according to a Russian spokesman.

Earlier today, Ecology Ministry spokesman Yuri Kazakov said the dumping poses no environmental hazard. He said 900 tons had been dumped at sea Sunday, and the remaining 800 tons may be spilled out into a Russian harbor because of protests from both Japan and South Korea.

But later in the day, Kazakov indicated the government had reconsidered. "It is probable that the second dumping will not take place," he told the Reuter news agency. But he said that if Russia does not find a solution to its waste disposal problem, it will recur in a few months.

The dumping of liquid waste at sea appears to violate Russian law and a voluntary international moratorium that Russia has agreed to. But it has been a public relations disaster for Russia, partly because officials appear to have handled the issue in Soviet style.

Last week, in response to inquiries from The Washington Post, a Russian navy spokesman denied that any dumping was planned. A Greenpeace ship shadowing the navy tanker leaving the port of Pavlovsk was the first to report that a dumping operation was underway. Russian officials notified international organizations before authorizing the disposal but neglected to inform Japan directly.

As early as July, however, a senior Russian admiral had said Russia would soon dump radioactive wastes into the ocean because it has no storage space left and no funds to build disposal facilities on land. "Our storage facilities—two in the north and two in the Far East—are practically 100 percent full, and there is nowhere to put the spent fuel," Vice Adm. Viktor Topilin told the Moscow newspaper Izvestia.

Russian nuclear-powered submarines and icebreakers produce 6,000 tons of solid radioactive waste and 26,000 cubic yards of liquid waste each year, according to a recent Russian government report. But much of the waste remains in floating tankers, and many retired nuclear subs remain afloat because the navy has nowhere to put them.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Who yields time?

The theory behind an industrywide system may be simple, but its execution is not, Mr. Raines has found.

"DIFFERENT FOCUSES"

"It requires standards across a lot of people who have different focuses." Mr. Raines said.

As the largest single participant in the mortgage market, Fannie Mae has tremendous leverage as it proceeds with the project.

Chances are good that if the system is well designed, it will be widely used in the industry.

The company is now designing prototypes, and Mr. Raines said substantial pieces of the technology would be out in the next two or three years.

While the arch-rival Federal Home Loan Mortgage Corp. also is looking to eliminate inefficiencies in the primary market, it has no project comparable to Fannie Mae's.

"We want to have technology that is widely accessible to hundreds or thousands of people," said Fannie Mae's chairman, James Johnson.

"We believe the industry is at a point that it can make very substantial strides" in the use of technology.

Better technology will help Fannie's bottom line by improving the crucial link between Fannie and the banks, thrifts, and mortgage bankers who sell their loans to the company, Mr. Raines said.

A number of lenders, however, are concerned about how the technology system will affect the competitive dynamics in the industry.

Some for example, worry that through its technology project, Fannie is actually preparing to compete with them in making loans directly to consumers.

These lenders point out that Fannie, in mapping out its plans, has been studying lenders' origination systems in minute detail.

Does Fannie really want to operate such systems itself?

Mr. Raines, for his part, said Fannie harbors no ambition to get into the primary market.

"I can tell you that since I've been here, we haven't spent five minutes talking about the relative benefits of being in the origination business," he said.

"What we know is the secondary market. We know the wholesale end of the business. We don't see what value-added would bring in the origination end of the business, especially when the business has got all these thousands of competitors out there," he said.

COUNTRYWIDE SEES A THREAT

Meanwhile, giant lenders like Countrywide Credit Industries worry that Fannie Mae's technology will render their own innovations obsolete, or at least dilute their value.

Countrywide, based in Pasadena, Calif., has helped lead the industry in automating the origination and underwriting process.

Angelo Mozilo, Countrywide's vice chairman, is concerned that his company will lose the technological edge that it has fought for if Fannie brings out its own system.

"I thought I had made a solid investment" in technology, but now it doesn't seem that way, he added.

Once Fannie's system is in place, Mr. Mozilo fears, he will have to dismantle his own system to get the same advantages as his competition.

Mr. Raines delicately dismisses Mr. Mozilo's fears.

"I think there's some kind of romancing of technology as a permanent competitive advantage," he said.

IT'S HOW YOU USE IT

What will count in the future is not whether you have technology, but how you use it.

he said, as there's nothing to stop lenders from putting their unique stamp on Fannie's system.

Fannie is designing a flexible system that will meet industry standards now being drawn up. (See accompanying article.) Loans generated on the system could be sold to both Fannie Mae and Freddie Mac.

But plenty of logistical problems lie ahead.

For example, mortgage servicers use big mainframe computers that manipulate masses of information about the same loans every month.

Originators use personal computers to plug in new information each time they make a loan.

Says Mr. Raines: "Typically, what happens is people say: I want the data in my way, only my way. And so you get a lot of fragmentation."

"How do you make your seamless approach fit all these systems that people have developed over the years?"

So will Mr. Raines succeed in putting out an industrywide system with Fannie's stamp?

At Freddie Mac, they're not losing any sleep.

"The mortgage industry is very, very old. It didn't originate overnight. It's something that can't be done in a short period of time," said Richard D. Bryan executive vice president of operations at Freddie.

"I don't think you'll see just one or two utilities [industrywide computer systems] in this market. It's too large," he said.

But Washington lawyer Vernon E. Jordan Jr., a Raines fan, has been in the foxhole with Mr. Raines a couple of times in the past few years—first when they worked on the transition effort of Washington Mayor Sharon Pratt Kelly, and recently on Bill Clinton's transition team.

He's sure Frank Raines will come through.

"He will master it. He will complete his task," said Mr. Jordan.

"He's a strategic thinker. He thinks long and deep, and he's a solid doer."

DEADBEAT AT THE UNITED NATIONS

Mr. MOYNIHAN. Mr. President, today the Senate adopted the conference report on the Commerce-State-Justice appropriations bill. There are many important initiatives contained in that legislation which have my strong support.

However, the conference committee has taken a number of steps concerning the international legal obligations of the United States toward the United Nations which are deeply troubling. In 1983 Charles Lichenstein, a Reagan administration official, invited the United Nations to leave New York:

If in the judicious determination of the members of the United Nations, they feel that they are not welcome and that they are not being treated with the hostile consideration that is their due * * * then the United States strongly encourages such member states seriously to consider removing themselves and this organization from the soil of the United States....

We will put no impediment in your way * * * The members of the U.S. mission to the United Nations will be down at dockside waving you a fond farewell as you sail into the sunset.

Such is the sad state of the knowledge of even American geography today that one had to point out to Mr.

Lichenstein that this would have been difficult as the sun in that vicinity sets over Hoboken, NJ, and not the Atlantic Ocean.

Mr. President, the conference committee has taken a number of steps in the Lichenstein mode. It has eliminated the fourth of five payments on our arrearages. This five payment schedule is not something President Clinton dreamed up. It was one of the top foreign policy priorities of the Bush administration which was vigorously urged on the Congress by Secretary Baker. The conference committee also mandated that the United States withhold 10 percent of the U.S. mandatory contribution until the United Nations creates and fills an Office of Inspector General. I strongly support the creation of an Office of Inspector General at the United Nations. Some contributions to U.N. agencies are voluntary. These are not. The United States has already made a binding commitment to pay its annual assessed contribution. It embraced this commitment as "the supreme Law of the Land." It debases our own respect for the sanctity of law—not to mention the credibility of our solemn commitments in the eyes of other nations—when we summarily violate the law. No one forced this obligation upon us. The U.N. Charter and the treaties related to it are our handiwork. Largely. Confirmed by the Senate.

Mr. President, there is much that desperately needs improvement at the United Nations. I am willing to work with any of my colleagues to bring about changes. Through legal means. This is not such. It further exacerbates the status of the United States as the leading deadbeat at the United Nations. Not Syria. Not South Africa. Not a prostrate Russia. But the last remaining superpower on earth. Which will not pay its voluntarily accepted debts.

Mr. President, the United States will have more authority to insist upon the changes needed at the United Nations once it has paid this debt.

USE OF FORCE

Mr. PELL. Mr. President, we are at the end of several days in which it has been crystal clear to us all the perils our young service personnel face in Somalia and the importance that problem has assumed for all of us. Bosnia and Haiti—so different in the issues they pose and so far apart—pose similarly important issues with regard to military involvement and the use of force abroad.

It makes no sense for us to address these issues on a piecemeal or ad hoc basis. They must be decided in the framework of agreed rules and guidelines satisfactory to both the Congress and the President.

If we leave matters as they are, we face the uninviting prospect of an executive too bound up by problems of the moment to propose clear policies and