

The motion to lay on the table was agreed to.

Mr. KOHL. Madam President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer [Mrs. BOXER] appointed Mr. KOHL, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. BYRD, Mr. BURNS, Mr. MACK, and Mr. HATFIELD conferees on the part of the Senate.

Mr. KOHL. Madam President, I would like to offer my deep thanks and appreciation to members of the staff, who have been very supportive and helpful in crafting this piece of legislation. In particular, I would like to say thanks to Tim Leeth and Lula Joyce from the majority side, and Mark Van de Water from the minority side—all of them very good people and indispensable in the crafting of this legislation.

Madam President, I suggest the absence of a quorum.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Madam President, I personally thank the chairman of this committee and Mr. GREGG, and folks who sat in on maneuvering this bill through today. Because of other commitments on Interior appropriations, I had to be gone and involved in that markup. I appreciate all the help, and what the chairman has done to pass this bill. I thank the staff.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Madam President, I commend the managers of the bill, the ranking member, the Senator from Montana, and the manager and chairman of the subcommittee, the senior Senator from Wisconsin.

This appropriations bill was before the Senate for a total of 2 hours and 15 minutes. That is truly extraordinary for any appropriations bill, but especially for this one, which in past years has taken 2 days and 15 hours, as opposed to 2 hours and 15 minutes. It takes skill, hard work, and persuasiveness.

The result is all the more extraordinary since this is the first bill managed on the Senate floor by Senator KOHL. I think he has set a remarkable standard for brevity that other managers will be hard pressed to meet, and a remarkable standard for skill and perseverance and patience and cooperative effort with his ranking member, Senator BURNS, who also contributed significantly to this effort. So I thank them very much.

Madam President, I am used to standing up here making statements complaining about how slow the Senate is moving. It is a rare occasion, and therefore one in which I take great pleasure, when I can comment upon the Senate moving promptly and effec-

tively to meet its public obligations. I know that is in no small part due to the tremendous job done by the Senator from Wisconsin. I thank him very much for his effort.

Madam President, under the previous order, the Senate is now to proceed to the consideration of the Commerce, Justice, State appropriations bill. I note the presence of the manager of that bill, Senator HOLLINGS, on the floor and wonder if he thinks he can do this in less than 2 hours 15 minutes.

Mr. HOLLINGS. I wish I could, Madam President. I cannot match the Kohl record. I wish I could. He is the all-time winner.

Mr. COATS. Madam President, I wonder if I could ask the majority leader if there is some reward for Senators in order, given the fact that we have expedited this bill, with some announcement perhaps of the schedule for this evening. Is there some good news on that front?

We do not want to give the Senators the impression if we move forward, it just simply brings a new item on the docket that keeps us here late anyway. That might not be incentive to move expeditiously.

Mr. MITCHELL. To paraphrase a great statesman and author, there is no greater reward in life than in doing one's job as well as one is supposed to do that job.

Mr. COATS. Madam President, I wonder how I am to interpret that in terms of the schedule this evening.

Mr. MITCHELL. I hope we can make some progress on the other bill, but I do not intend this to be a late night.

Mr. COATS. I thank the leader.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT OF 1994

The PRESIDING OFFICER. Under the previous order, the clerk will report H.R. 2519.

The legislative clerk read as follows:

A 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.

The Senate proceeded to consider the bill, which was reported from the Committee on Appropriations, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets, and the parts of the bill intended to be inserted are shown in italic.)

H.R. 2519

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1994, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE AND RELATED AGENCIES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Missing Children's Assistance Act, as amended, and the Victims of Crime Act of 1984, as amended, including salaries and expenses in connection therewith, [\$91,300,000] \$89,564,000, to remain available until expended, as authorized by section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act, as amended by Public Law 102-534 (108 Stat. 3524), of which \$650,000 of the funds provided under the Missing Children's Program shall be made available as a grant to a national voluntary organization representing Alzheimer patients and families to plan, design, and operate [a Missing Alzheimer Patient Alert] *The "Safe Return" Program.*

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, for State and Local Narcotics Control and Justice Assistance Improvements, [\$427,000,000] \$493,750,000, to remain available until expended, as authorized by section 1001(a) of title I of said Act, as amended by Public Law 102-534 (106 Stat. 3524), of which: (a) [\$358,000,000] \$371,750,000 shall be available to carry out the provisions of subpart 1 [and chapter A of subpart 2] and an additional \$50,000,000 shall be available to carry out the provisions of chapter A of subpart 2 of part E of title I of said Act, for the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs; (b) [\$15,000,000] an additional \$9,000,000 shall be available to carry out the provisions of chapter B of subpart 2 of part E of title I of said Act, for Correctional Options Grants; (c) an additional \$25,000,000 shall be available pursuant to the provisions of chapter A of subpart 2 of part E of title I of said Act, for community policing; (d) an additional \$13,000,000 shall be available to the Director of the Federal Bureau of Investigation for the National Crime Information Center 2000 project, as authorized by section 613 of Public Law 101-647 (104 Stat. 4824); (e) \$2,000,000 shall be available for the activities of the District of Columbia Metropolitan Area Drug Enforcement Task Force; and (f) \$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] and (e) an additional \$25,000,000 shall be available pursuant to the provisions of chapter A of subpart 2 of part E of title I of said Act, for criminal records upgrade projects, including \$10,000,000 for reimbursement to the Federal Bureau of Investigation: *Provided, That funds made available in fiscal year 1994 under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions: Provided further, That funds made available in fiscal year 1994 under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, may be obligated 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.*

In addition, for grants, contracts, cooperative agreements, and other assistance au-

thorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including salaries and expenses in connection therewith, [\$123,000,000] \$95,000,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of said Act, as amended by Public Law 102-586, of which: (a) [\$93,000,000] \$76,000,000 shall be available for expenses authorized by parts A, B, and C of title II of said Act; (b) [\$6,000,000] \$5,000,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of said Act for prevention and treatment programs relating to juvenile gangs; (c) [\$2,000,000] \$7,000,000 shall be available for expenses authorized by part G of title II of said Act for juvenile mentoring programs; and (d) [\$22,000,000] \$7,000,000 shall be available for expenses authorized by title V of said Act for incentive grants for local delinquency prevention programs.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, [\$8,700,000] \$5,000,000, to remain available until expended, as authorized by sections 214B, 218, and 224 of said Act, of which: (a) [\$500,000] shall be available for expenses authorized by section 213 of said Act for regional children's advocacy centers; (b) \$1,500,000 shall be available for expenses authorized by section 214 of said Act for local children's advocacy centers; (c) \$1,600,000] \$1,500,000 shall be available for technical assistance and training, as authorized by section 214A of said Act, for a grant to the American Prosecutor Research Institute's National Center for Prosecution of Child Abuse; [(d)] (b) \$1,000,000 shall be available for training and technical assistance, as authorized by section 217(b)(1) of said Act for a grant to the National Court Appointed Special Advocates program; [(e)] (e) \$3,500,000] (c) \$2,000,000 shall be available for expenses authorized by section 217(b)(2) of said Act to initiate and expand local court appointed special advocate programs; and [(f)] (f) \$600,000] (d) \$5,000,000, notwithstanding section 224(b) of said Act, shall be available to develop model technical assistance and training programs to improve the handling of child abuse and neglect cases, as authorized by section 223(a) of said Act, for a grant to the National Council of Juvenile and Family Court Judges.

PUBLIC SAFETY OFFICERS BENEFITS

For payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, to remain available until expended, as authorized by section 6093 of Public Law 100-690 (102 Stat. 4339-4340).

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, [\$117,196,000] \$115,000,000; of which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, [\$30,898,000] \$30,723,000; including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance and operation of motor vehicles without regard to the general purchase price limitation.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, [\$12,829,000] \$13,150,000, to remain available until expended for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: *Provided*, That funds designated by Congress through language or through policy guidance in reports for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed; *Provided further*, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section [605] 606 of this Act.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, [\$9,385,000] \$9,123,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia; [\$400,968,000] \$400,086,000; of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended; *Provided*, That of the funds available in this appropriation, not to exceed \$50,099,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through "Salaries and Expenses", General Administration: *Provided further*, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses. In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed [\$1,900,000] \$2,000,000 to be appropriated from the Vaccine Injury Compensation Trust Fund, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 101-509 (104 Stat. 1289).

(CIVIL LIBERTIES PUBLIC EDUCATION FUND

[For fiscal year 1994 and thereafter, after payments authorized by section 105 of the Civil Liberties Act of 1988 (Public Law 100-383) have been obligated for all known eligible individuals, any amounts remaining under the total authorized level for the Civil Liberties Public Education Fund, may be used by the Board of Directors of the Fund for research contracts and public educational

activities, and for publication and distribution of the hearings, findings, and recommendations of the Commission on Wartime Relocation and Internment of Civilians, pursuant to section 106(b) of the aforementioned Act, subject to appropriations provided for the purposes of section 106(b) of said Act.]

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, [\$63,817,000] \$62,092,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$19,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) 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 [\$44,817,000] \$43,092,000: *Provided further*, That any fees received in excess of \$19,000,000 in fiscal year 1994 shall remain available until expended, but shall not be available for obligation until October 1, 1994.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Office of the United States Attorneys, including intergovernmental agreements, [\$808,797,000] \$818,797,000, of which not to exceed \$2,500,000 shall be available until September 30, 1995 for the purposes of (1) providing training of personnel of the Department of Justice in debt collection, (2) providing services to the Department of Justice related to locating debtors and their property, such as title searches, debtor skiptracing, asset searches, credit reports and other investigations, (3) paying the costs of the Department of Justice for the sale of property not covered by the sale proceeds, such as auctioneers' fees and expenses, maintenance and protection of property and businesses, advertising and title search and surveying costs, and (4) paying the costs of processing and tracking debts owed to the United States Government: *Provided*, That of the total amount appropriated, not to exceed \$8,000 shall be available for official reception and representation expenses; *Provided further*, That not to exceed \$10,000,000 of those funds available for automated litigation support contracts shall remain available until expended.

UNITED STATES TRUSTEE SYSTEM

For the necessary expenses of the United States Trustee Program, [\$94,008,000] \$99,837,000, as authorized by 28 U.S.C. 589a(a), to remain available until expended, for activities authorized by section 115 of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99-554), of which [\$56,521,000] \$46,150,000 shall be derived from the United States Trustee System Fund: *Provided*, That deposits to the Fund are available in such amounts as may be necessary to pay refunds due depositors; *Provided further*, That, notwithstanding any other provision of law, not to exceed [\$37,487,000] \$53,687,000 of offsetting collections derived from fees collected pursuant to section 589a(f) of title 28 United States Code, as amended by section 111 of Public Law 102-140 (105 Stat. 795), shall be retained and used for necessary expenses in this appropriation; *Provided further*, That the [\$94,008,000] \$99,837,000 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

[\$56,521,000] \$46,150,000: *Provided further*, That any of the aforementioned fees collected in excess of [\$37,487,000] \$53,637,000 in fiscal year 1994 shall remain available until expended, but shall not be available for obligation until October 1, 1994.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, [\$940,000] \$898,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, lease, maintenance, and operation of vehicles and aircraft, and the purchase of passenger motor vehicles for police-type use without regard to the general purchase price limitation for the current fiscal year; [\$339,808,000] \$337,808,000, as authorized by 28 U.S.C. 561(i), of which not to exceed \$6,000 shall be available for official reception and representation expenses.

SUPPORT OF UNITED STATES PRISONERS

For support of United States prisoners in the custody of the United States Marshals Service as authorized in 18 U.S.C. 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General; [\$307,700,000] \$312,884,000, as authorized by 28 U.S.C. 561(i), to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, \$103,022,000, to remain available until expended; of which not to exceed \$4,750,000 may be made available for planning, construction, renovation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto for protected witness safesites; of which not to exceed \$1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed \$4,000,000 may be made available for the purchase, installation and maintenance of a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, [\$26,792,000] \$26,106,000, of which not to exceed [\$17,415,000] \$16,278,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements and other expenses necessary under section 501(c) of the Refugee Education Assistance Act of 1980 (Public Law 96-422; 94 Stat. 1309) for the processing, care, maintenance, security, transportation and reception and placement in the United States of Cuban and Haitian entrants: *Provided*, That notwithstanding section 501(e)(2)(B) of the Refugee Education Assistance Act of 1980 (Public Law 96-422; 94 Stat. 1810), funds may be expended for assistance with respect to Cuban and Haitian entrants as authorized under section 501(c) of such Act: *Provided further*, That to expedite the outplacement of eligible Mariel Cubans or other aliens from Bureau of Prisons or Immigration and Naturalization Service operated or contracted facilities into Community Relations Service contracted hospital and halfway house facili-

ties, the Attorney General may direct reimbursements to the Cuban Haitian Entrant Program from "Federal Prison System, Salaries and Expenses" or "Immigration and Naturalization Service, Salaries and Expenses": *Provided further*, That if such reimbursements described above exceed \$500,000, they shall only be made after notification to the Committees on Appropriations of the House of Representatives and the Senate in accordance with section [605] 606 of this Act.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (C), (F), and (G), as amended, [\$60,275,000] \$58,100,000 to be derived from the Department of Justice Assets Forfeiture Fund.

RADIATION EXPOSURE COMPENSATION ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, [\$2,586,000] \$2,668,000.

INTERAGENCY LAW ENFORCEMENT ORGANIZED CRIME DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, [\$384,381,000] \$382,381,000, of which \$50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: *Provided further*, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section [605] 606 of this Act.

FEDERAL BUREAU OF INVESTIGATION SALARIES AND EXPENSES

For expenses necessary for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,665 passenger motor vehicles of which 1,300 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; [\$2,024,705,000] \$2,038,705,000, of which not to exceed \$25,000,000 for automated data processing and telecommunications and \$1,000,000 for undercover operations shall remain available until September 30, 1995; of which not to exceed \$8,000,000 for research and development related to investigative activities shall remain available until expended; of which not to exceed \$10,000,000 is authorized to be made available for making payments or advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations; of which [\$75,400,000] \$1,400,000, to remain available until expended, shall only be available to defray expenses for the automation of fingerprint identification services and related costs; and of which \$1,500,000 shall be available to maintain an independent program office dedicated

solely to the relocation of the Identification Division and the automation of fingerprint identification services: *Provided*, That not to exceed \$45,000 shall be available for official reception and representation expenses.

DRUG ENFORCEMENT ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,117 passenger motor vehicles of which 1,117 are for replacement only for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; [\$718,684,000] \$725,161,000, of which not to exceed \$1,800,000 for research shall remain available until expended, and of which not to exceed \$4,000,000 for purchase of evidence and payments for information, not to exceed \$4,000,000 for contracting for ADP and telecommunications equipment, and not to exceed \$2,000,000 for technical and laboratory equipment shall remain available until September 30, 1995, and of which not to exceed \$45,000 shall be available for official reception and representation expenses.

IMMIGRATION AND NATURALIZATION SERVICE SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including not to exceed \$50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police-type use (not to exceed 597 of which 302 are for replacement only) without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and research related to immigration enforcement; [\$1,059,000,000] \$1,048,538,000, of which not to exceed \$400,000 for research shall remain available until expended, and of which not to exceed \$10,000,000 shall be available for costs associated with the Training program for basic officer training: *Provided*, That none of the funds available to the Immigration and Naturalization Service shall be available for administrative expenses to pay any employee overtime pay in an amount in excess of \$25,000: *Provided further*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That not to exceed \$5,000 shall be available for official reception and representation expenses: *Provided further*, That the Land Border Fee Pilot Project scheduled to end September 30, 1993, is extended to September 30, 1996 for projects on the northern border of the United States only.

FEDERAL PRISON SYSTEM SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 770 of which 405 are for replacement only) and hire of law enforcement and passenger motor vehicles; and for the provision of technical assistance and

advice on corrections related issues to foreign governments; **[\$1,950,000,000]** **\$1,971,615,000**; *Provided*, That there may be transferred to the Health Resources and Services Administration such amounts as may be necessary, in the discretion of the Attorney General, for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions; *Provided further*, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the FPS, furnish health services to individuals committed to the custody of the FPS; *Provided further*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year; *Provided further*, That not to exceed \$6,000 shall be available for official reception and representation expenses; *Provided further*, That not to exceed \$50,000,000 for the activation of new facilities shall remain available until September 30, 1995.

NATIONAL INSTITUTE OF CORRECTIONS

For carrying out the provisions of sections 4351-4353 of title 18, United States Code, which established a National Institute of Corrections, and for the provision of technical assistance and advice on corrections related issues to foreign governments, **[\$10,211,000]** **\$9,995,000**, to remain available until expended.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account; **[\$175,000,000]** **\$351,850,000**, to remain available until expended, of which not to exceed \$14,074,000 shall be available to construct areas for inmate work programs, and of which **\$75,000,000** shall be available for construction, renovation, and equipping of Immigration and Naturalization Service Service Processing Centers or other alien detention facilities; *Provided*, That not to exceed \$16,000,000 from unobligated balances shall be available for the Cooperative Agreement Program (CAP); *Provided further*, That labor of United States prisoners may be used for work performed under this appropriation; *Provided further*, That not to exceed 10 per centum of the funds appropriated to "Buildings and Facilities" in this Act or any other Act may be transferred to "Salaries and Expenses", Federal Prison System upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section [605] 606 of this Act; *Provided further*, That unless a notification as required under section [605] 606 of this Act is submitted to the Committee on Appropriations of the House and Senate, none of the funds in this Act for the CAP shall be available for a cooperative agreement with a State or local government for the housing of Federal prisoners and detainees when the cost per bed space for such cooperative agreement exceeds \$50,000, and in addition, any cooperative agreement with a cost per bed space that exceeds \$25,000 must remain in effect for no less than 15 years.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such

expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed **[\$3,100,000]** **\$3,395,000** of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's prescribed accounting system in effect on July 1, 1946, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

SEC. 102. Subject to subsection (b) of section 102 of the Department of Justice and Related Agencies Appropriations Act, 1993, authorities contained in Public Law 96-132, "The Department of Justice Appropriation Authorization Act, Fiscal Year 1980", shall remain in effect until the termination date of this Act or until the effective date of a Department of Justice Appropriation Authorization Act, whichever is earlier.

SEC. 103. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 104. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility; *Provided*, That nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 105. Pursuant to the provisions of law set forth in 18 U.S.C. 3071-3077, not to exceed \$2,000,000 of the funds appropriated to the Department of Justice in this title shall be available for rewards to individuals who furnish information regarding acts of terrorism against a United States person or property.

SEC. 106. For fiscal year 1994 and thereafter, deposits transferred from the Assets Forfeiture Fund to the Buildings and Facilities account of the Federal Prison System may be used for the construction of correctional institutions, and the construction and renovation of Immigration and Naturalization Service and United States Marshals Service detention facilities, and for the authorized purposes of the Cooperative Agreement Program.

SEC. 107. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers; *Provided*, That this section shall not apply to any appropriation made available in title I of this Act under the heading, "Office of Justice Programs, Justice Assistance"; *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section [605] 606 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 108. Notwithstanding 31 U.S.C. 3302 or any other statute affecting the crediting of collections, the Attorney General may credit, as an offsetting collection, to the Department of Justice Working Capital Fund, for fiscal year 1994 and thereafter, up to three percent of all amounts collected pursuant to civil debt collection litigation activities of the Department of Justice. Such amounts in the Working Capital Fund shall remain available until expended and shall be subject to the terms and conditions of that fund, and shall be used only for paying the costs of processing and tracking such litigation.

[SEC. 109. (a) Section 524(c)(9)(E) of title 28, United States Code, as amended, is further amended by inserting "up to and including September 30, 1993," immediately after the phrase "and on September 30 of each fiscal year thereafter,".

(b) Notwithstanding any other provision of law, the first \$20,000,000 of the amounts made available in fiscal year 1994 from surplus amounts remaining on September 30, 1993, in accordance with section 524(c)(9)(E) of title 28, United States Code, as amended, shall be transferred to Federal Prison System, "Buildings and facilities".]

SEC. 109. Section 524(c)(9) of title 28, United States Code, as amended, is further amended by deleting subsection (E).

SEC. 110. During fiscal year 1994, from funds appropriated to the Department of Justice, the Attorney General may enter into reimbursable agreements with the Federal Judicial Branch, or reimburse a State or local government, if applicable, for the cost of managing prisoners or detainees, who are in the custody of the Attorney General, in a home confinement, electronic monitoring, or other such less costly alternative to incarceration when a Federal judicial official has determined this course of confinement to be viable and practicable; *Provided*, That this section shall not be applied in any way which is inconsistent with Federal law under titles 18 and 21, United States Code, including Federal sentencing guidelines and law related to minimum mandatory sentences.

SEC. 111. (a) 28 United States Code 1930(a)(1) is amended by striking "\$120" and inserting in lieu thereof "\$135"; and

(b) 28 United States Code 589 is amended in subsection (b), subparagraph (1) by striking "one-fourth" and inserting in lieu thereof "22.2 per centum", and in subsection (f), paragraph (2) by inserting after the word "title" the following:

""; and
"(3) 11.1 per centum of the fees collected under section 1930(a)(1) of this title".

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, **[\$7,565,000]** **\$7,923,000**, of which \$2,000,000 is for regional offices and \$700,000 is for civil rights monitoring activi-

ties authorized by section 5 of Public Law 98-183: Provided, That not to exceed \$20,000 may be used to employ consultants: Provided further, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the Chairman who is permitted 125 billable days.

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621-634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; not to exceed \$26,000,000 \$28,500,000, for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; [\$230,000,000] \$227,305,670; Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-02; not to exceed \$450,000 for land and structures; not to exceed \$300,000 for improvement and care of grounds and repair to buildings; not to exceed \$4,000 for official reception and representation expenses; purchase (not to exceed sixteen) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109; \$129,889,000, of which not to exceed \$300,000 shall remain available until September 30, 1995, for research and policy studies: Provided, 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 60 F.C.C. 2d 1591, as amended 52 R.R. 2d 1313 (1982) and Mid-Florida Television Corp., 69 F.C.C. 2d 607 (Rev. Bd. 1978), which were effective prior to September 12, 1986, other than to close MM Docket No. 86-484 with a reinstatement of prior policy and a lifting of suspension of any sales, licenses, 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 noncommercial educational television stations in the Television Table of Assignments (section 73.606 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(c) of title 47 of the Code of Federal Regulations.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-02; [\$18,383,000] \$19,450,000; Provided, That not to exceed \$2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses; \$88,740,000; Provided, That notwithstanding any other provision of law, not to exceed \$19,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) 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 \$69,740,000: Provided further, That any fees received in excess of \$19,000,000 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 made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102-242, 105 Stat. 2282-2285): Provided further, That the funds appropriated in this paragraph are subject to the limitations and provisions of sections 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).

[NATIONAL COMMISSION TO SUPPORT LAW
ENFORCEMENT

[SALARIES AND EXPENSES

[For necessary expenses of the National Commission to Support Law Enforcement, \$500,000, as authorized by section 211(B) of Public Law 101-515 (104 Stat. 2122), to remain available until expended.]

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$57,856,000, of which not to exceed \$10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions, and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters

and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (i) such incidental expenses as meals taken in the course of such attendance, (ii) any travel or transportation to or from such meetings, and (iii) any other related lodging or subsistence: 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. 77(b)) shall increase from one-fiftieth of 1 per centum to one twenty-ninth of 1 per centum and such increase shall be deposited as an offsetting collection to this appropriation to recover costs of services of the securities registration process: Provided further, That such fees shall remain available until expended.

In addition, upon enactment of legislation amending the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.), and subject to the schedule of fees contained in such legislation, the Commission may collect not to exceed \$16,600,000 in fees, and such fees shall be deposited as an offsetting collection to this appropriation to recover the costs of registration, supervision, and regulation of investment advisers and their activities: Provided, That such fees shall remain available until expended.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by The State Justice Institute Authorization Act of [1986 (Public Law 100-690 (102 Stat. 4466-4467)), \$13,550,000] 1992 (Public Law 102-572 (106 Stat. 4515-4516)), \$13,000,000, to remain available until expended: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

This title may be cited as the "Department of Justice and Related Agencies Appropriations Act, 1994".

TITLE II—DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND
SERVICES

For necessary expenses of the National Institute of Standards and Technology, [\$210,000,000] \$240,988,000, to remain available until expended, of which not to exceed \$5,880,000 may be transferred to the "Working Capital Fund" and \$3,000,000 may be transferred to the Department of Commerce "Working Capital Fund".

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership, the Advanced Technology Program and the Quality Outreach Program of the National Institute of Standards and Technology, \$232,524,000, to remain available until expended, of which not to exceed \$1,290,000 may be transferred to the "Working Capital Fund".

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 2786-278e, \$61,686,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including acquisition, maintenance, operation, and hire

of aircraft; not to exceed 439 commissioned officers on the active list; as authorized by 31 U.S.C. 1343 and 1344; construction of facilities, including initial equipment as authorized by 33 U.S.C. 8831; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and alteration, modernization, and relocation of facilities as authorized by 33 U.S.C. 8831; [\$1,650,000,000, to remain available until expended; and in addition, \$56,544,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries"] \$1,685,000,000, to remain available until expended; of which \$600,000 shall be available for operational expenses and cooperative agreements at the Fish Farming Experimental Laboratory at Stuttgart, Arkansas; and in addition, \$54,000,000 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 in applying the provisions of section 606 of this Act to the programs, projects, and activities of the National Oceanic and Atmospheric Administration, the notification requirements of section 606 shall apply to the proposed reprogramming of funds in excess of \$250,000 or 5 per centum, whichever is less, for each program, project, or activity: 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.*

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to 16 U.S.C. 1456a, not to exceed \$7,800,000, for purposes set forth in 16 U.S.C. 1456a(b)(2).

CONSTRUCTION

For repair and modification of, and additions to, existing facilities and construction of new facilities, and for facility planning and design and land acquisition not otherwise provided for the National Oceanic and Atmospheric Administration, [\$89,775,000, to remain available until expended] \$109,703,000 to remain available until expended, of which \$5,000,000 shall be available for acquisition of real property for national estuarine reserves (16 U.S.C. 1461): *Provided, That \$6,250,000 shall be made available and shall remain available until expended for the construction of the National Fisheries Marine Service Estuarine and Habitat Research Laboratory in Lafayette, Louisiana.*

FLEET MODERNIZATION, SHIPBUILDING AND CONVERSION

For expenses necessary for the repair, construction, acquisition, leasing, or conversion of vessels, including related equipment to maintain and modernize the existing fleet and to continue planning the modernization of the fleet, for the National Oceanic and Atmospheric Administration, [\$23,064,000] \$77,064,000, to remain available until expended.

AIRCRAFT PROCUREMENT AND MODERNIZATION

For construction, procurement and modification of aircraft, including research equipment and spare parts, necessary to acquire the next generation aircraft reconnaissance system for hurricane and severe storm forecasting and atmospheric research, \$46,000,000, to remain available until expended.

FISHING VESSEL OBLIGATIONS GUARANTEES

For the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, of guaranteed loans authorized by the Mer-

chant Marine Act of 1936, as amended, \$459,000.

FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

For carrying out the provisions of section 3 of Public Law 95-376, not to exceed \$1,273,000, to be derived from receipts collected pursuant to 22 U.S.C. 1960 (b) and (c), to remain available until expended.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$999,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), the Magnuson Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627) and the American Fisheries Promotion Act (Public Law 96-561), there are appropriated from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$550,000, to remain available until expended.

GENERAL ADMINISTRATION SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed \$3,000 for official entertainment, [\$33,042,000] \$31,712,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public Law 100-504), [\$15,860,000] \$16,500,000.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, [\$131,170,000] \$128,286,000.

PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to collect and publish statistics for periodic censuses and programs provided for by law, [\$110,000,000] \$120,084,000, to remain available until expended.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$45,220,000, to remain available until September 30, 1995.

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements to include those in support of the National Textile Center University Consortium and the Tailored Clothing Technology Corporation, without regard to the provisions of law set forth in 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; purchase or

construction of temporary demountable exhibition structures for use 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; not to exceed \$327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad not to exceed \$30,000 per vehicle; obtain insurance on official motor vehicles; and rent tie lines and teletype equipment; [\$221,445,000] \$21,103,000, to remain available until expended: *Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to 15 U.S.C. 4912; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.*

EXPORT ADMINISTRATION OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; 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; not to exceed \$22,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law; \$34,747,000, to remain available until expended, of which not less than \$1,880,000 shall be available for the Office of Antitoycott Compliance: *Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities.*

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, [\$38,362,000, of which \$22,800,000 shall remain available until expended: *Provided, That not to exceed \$15,562,000 shall be available for program management for fiscal year 1994*] \$43,381,000, of which \$29,000,000 shall remain available until expended.

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. 2572, when such claims arise in foreign countries; and not to exceed \$15,000 for official representation expenses abroad; \$20,298,000, to remain available until expended, of which not to exceed \$2,500,000 is to provide financial assistance under section 203(a) of the International Travel Act of 1961, as amended, notwithstanding the provisions of section 203(f)(1) of such Act: 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.

**PATENT AND TRADEMARK OFFICE
SALARIES AND EXPENSES**

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks; \$38,329,000, to remain available until expended, to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: Provided, That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 shall remain available until expended.

**TECHNOLOGY ADMINISTRATION
SALARIES AND EXPENSES**

For necessary expenses of the Technology Administration, [\$4,500,000] \$6,000,000.

**NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATION
SALARIES AND EXPENSES**

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration, [\$18,927,000] \$20,927,000, to remain available until expended.

**PUBLIC TELECOMMUNICATIONS FACILITIES,
PLANNING AND CONSTRUCTION**

For grants authorized by section 392 of the Communications Act of 1934, as amended, [\$20,254,000] \$28,000,000, to remain available until expended as authorized by section 391 of said Act, as amended: Provided, That not to exceed \$2,000,000 shall be available for program administration as authorized by section 391 of said Act: Provided further, That notwithstanding the provisions of section 391 of said Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year: Provided further, That notwithstanding the provisions of sections 391 and 392 of the Communications Act, as amended, not to exceed \$1,000,000 appropriated in this paragraph shall be available for the Pan-Pacific Educational and Cultural Experiments by Satellite program (PEACESAT): Provided further, That \$500,000 shall be available for the American Indian Higher Education Consortium for utilization of telecommunications technologies.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, [\$21,746,000] \$31,000,000, to remain available until expended as authorized by section 391 of said Act, as amended: Provided, That not to exceed \$2,000,000 shall be available for program administration as authorized by section 391 of said Act: Provided further, That notwithstanding the requirements of section 292 (a) and 392 (c) of such Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety or other social services.

**ENDOWMENT FOR CHILDREN'S EDUCATIONAL
TELEVISION**

For expenses necessary to carry out the provisions of the National Endowment for Children's Educational Television Act of 1990, title II of Public Law 101-457, including costs for contracts, grants and administrative expenses, \$1,000,000, to remain available until expended.

ECONOMIC DEVELOPMENT ADMINISTRATION

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, \$228,922,000: 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.

**DEFENSE ECONOMIC ADJUSTMENT COMMUNITY
ASSISTANCE**

For economic adjustment grants and assistance as authorized by the Public Works and Economic Development Act of 1965, as amended, necessary to assist communities adversely affected by Department of Defense and Department of Energy contract reductions and installation realignments and closures, \$80,000,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$30,151,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

**GENERAL PROVISIONS—DEPARTMENT OF
COMMERCE**

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by said Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses paid before October 1, 1992, as authorized by section 8501 of title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 decennial census of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current

fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section [905] 606 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

This title may be cited as the "Department of Commerce Appropriations Act, 1994".

TITLE III—THE JUDICIARY

**SUPREME COURT OF THE UNITED STATES
SALARIES AND EXPENSES**

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve; [\$22,326,000] \$23,217,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a-18b), [\$2,669,000] \$2,943,000, of which \$300,000 shall remain available until expended.

**UNITED STATES COURT OF APPEALS FOR THE
FEDERAL CIRCUIT**

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, [\$13,127,000] \$12,195,000.

**UNITED STATES COURT OF INTERNATIONAL
TRADE**

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, [\$11,106,000] \$10,718,000.

**COURTS OF APPEALS, DISTRICT COURTS, AND
OTHER JUDICIAL SERVICES**

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, [\$2,189,131,000] \$2,070,400,000 (including the purchase of firearms and ammunition); of which not to exceed \$20,000,000 shall remain available until expended for space alteration projects; and of which \$500,000 is to remain available until expended for acquisition of books, periodicals, and newspapers, and all other legal reference materials, including subscriptions.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed [\$2,063,000] \$2,075,000 to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organiza-

tions, the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended, the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act (18 U.S.C. 3006A(e)), the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel, the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences, and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1975(d), [**\$297,252,000**] **\$286,170,000**, to remain available until expended as authorized by 18 U.S.C. 3006A(1): *Provided, That none of the funds contained herein may be used to increase the hourly rate paid panel attorneys above the rate in effect on July 2, 1993: Provided further, That not to exceed \$11,524,000 shall be available for Death Penalty Resource Centers.*

FEEs OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)): **\$77,095,000**, to remain available until expended: *Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.*

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702): [**\$84,500,000**] **\$80,952,000**, to be expended directly or transferred to the United States Marshals Service which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, [**\$44,612,000**] **\$43,358,000**, of which not to exceed \$7,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, [**\$18,467,000**] **\$18,296,000**; of which \$1,800,000 shall remain available through September 30, 1995, to provide education and

training to Federal court personnel; and of which not to exceed \$1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund as authorized by 28 U.S.C. 377(o), [**\$20,000,000**] **\$20,000,000**, to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), and in addition to the Claims Court Judges' Retirement Fund, as authorized by 28 U.S.C. 178(1), **\$545,000**.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, [**\$6,168,000**] **\$6,474,000**, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

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

SEC. 303. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section [605] 606 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.*

SEC. 304. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided, That such available funds shall not exceed \$10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.*

This title may be cited as "The Judiciary Appropriations Act, 1994".

TITLE IV—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

OPERATING-DIFFERENTIAL SUBSIDIES

(LIQUIDATION OF CONTRACT AUTHORITY)

For the payment of obligations incurred for operating-differential subsidies as authorized by the Merchant Marine Act, 1936, as amended, **\$240,870,000**, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, **\$76,423,000**, to remain available until expended, of which **\$28,877,000** shall be available for the United States Merchant Marine Academy and **\$10,344,000** shall be available for State maritime academy programs: *Provided, That notwithstanding any other provision of law, the Secretary of Transportation may use proceeds derived from the sale or disposal of National Defense Reserve Fleet vessels that are currently collected and retained by the Maritime Administration, to be used for facility and ship maintenance, modernization*

and repair, conversion, acquisition of equipment, and fuel costs necessary to maintain training at the United States Merchant Marine Academy and State maritime academies: *Provided further, That reimbursements may be made to this appropriation from receipts to the "Federal Ship Financing Fund" for administrative expenses in support of that program in addition to any amount heretofore appropriated.*

READY RESERVE FORCE

For necessary expenses to acquire and maintain a surge shipping capability in the National Defense Reserve Fleet in an advanced state of readiness and for related programs, **\$300,000,000**, to remain available until expended: *Provided, That reimbursement may be made to the Operations and Training appropriation for expenses related to this program.*

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: *Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.*

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

For necessary expenses of the Commission on Immigration Reform pursuant to section 141(f) of the Immigration Act of 1990, [**\$900,000**] **\$500,000**, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304, [**\$1,047,000**] **\$1,099,000**, to remain available until expended as authorized by section 3 of Public Law 99-7.

COMPETITIVENESS POLICY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the Competitiveness Policy Council as authorized by section 5209 of the Omnibus Trade and Competitiveness Act of 1988, **\$1,140,000**, to remain available until expended.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92-522, as amended, [**\$1,226,000**] **\$1,290,000**.

MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Martin Luther King, Jr. Federal Holiday Commission, as authorized by Public Law 98-399, as amended, [**\$300,000**] **\$500,000**.

OFFICE OF THE UNITED STATES TRADE
REPRESENTATIVE
SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, [\$21,318,000] \$20,143,000, of which \$2,500,000 shall remain available until expended: *Provided*, That not to exceed \$98,000 shall be available for official reception and representation expenses.

SMALL BUSINESS ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 101-674, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed \$3,500 for official reception and representation expenses, [\$243,326,000] of which \$71,266,000 is for grants for performance in fiscal year 1994 or fiscal year 1995 for Small Business Development Centers as authorized by section 21 of the Small Business Act, as amended; \$215,000,000, of which \$3,500,000 shall be available for the *Service Corps of Retired Executives (SCORE)*, and of which \$3,000,000 shall be available to the *Small Business Institute program (SBI)*, and of which \$9,500,000 shall be available until expended for *Microloan technical assistance*: *Provided*, That not more than \$500,000 of this amount shall be available to pay the expenses of the National Small Business Development Center Advisory Board and to reimburse Centers for participating in evaluations as provided in section 20(a) of such Act, and to maintain a clearinghouse as provided in section 21(g)(2) of such Act. [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.]

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public Law 100-504), \$7,962,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, authorized by 15 U.S.C. 631 note, [\$22,994,000] \$21,032,000, of which \$5,135,000 shall be available until expended for the *Microloan program*, and for the cost of guaranteed loans, [\$219,459,000] \$191,955,000, as authorized by 15 U.S.C. 631 note: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$94,737,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans, authorized by 15 U.S.C. 631 note, [\$75,000,000] \$65,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, 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.

In addition, for administrative expenses to carry out the direct loan program, \$76,101,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

In addition, for the cost of emergency disaster loans and associated administrative expenses, \$75,000,000, to remain available until expended: *Provided*, That these funds, or any portion thereof, shall be available beginning in fiscal year 1994 to the extent that the President notifies the Congress of his designation of any or all of these amounts as emergency requirements under the Budget Enforcement Act of 1990: *Provided further*, That Congress hereby designates these amounts as emergency requirements pursuant to section 251(b)(2)(D).

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the "Surety Bond Guarantees Revolving Fund", authorized by the Small Business Investment Act, as amended, \$12,369,000, to remain available without fiscal year limitation as authorized by 15 U.S.C. 631 note.

SBIC BANKRUPTCY PROVISION

None of the funds provided by this Act for the Small Business Administration may be used to guarantee any participating securities authorized by Public Law 102-366 until legislation has been enacted which directly or indirectly prohibits the filing of a petition under the Bankruptcy Code by a small business investment company licensed under subsection (c) or (d) of section 301 of the Small Business Investment Act of 1958 or regulations implemented to reduce risks to the Small Business Administration from companies licensed under section (c) or (d) of section 301 of the Small Business Investment Act of 1958.

THOMAS JEFFERSON COMMEMORATION
COMMISSION

SALARIES AND EXPENSES

[For necessary expenses of the Thomas Jefferson Commemoration Commission as authorized by Public Law 102-343, \$62,000: *Provided*, That any unobligated balances of amounts made available for fiscal year 1993 shall expire on September 30, 1994.]

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the *Legal Services Corporation* to carry out the purposes of the *Legal Services Corporation Act of 1974*, as amended, \$349,000,000; of which \$298,904,000 is for basic field programs; \$7,826,000 is for *Native American programs*; \$10,808,000 is for *migrant programs*; \$1,226,000 is for *law school clinics*; \$1,173,000 is for *supplemental field programs*; \$595,000 is for *regional training centers*; \$8,056,000 is for *national support*; \$9,236,000 is for *State support*; \$963,000 is for the *Clearinghouse*; \$560,000 is for *computer assisted legal research regional centers*; \$9,555,000 is for *Corporation management and administration*; and \$49,000 is for *board initiatives*.

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

SALARIES AND EXPENSES

[For necessary expenses of administering the economic development assistance programs as provided for by law, \$26,284,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.]

TITLE V.—DEPARTMENT OF STATE AND
RELATED AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended; representation

to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; acquisition by exchange or purchase of passenger motor vehicles as authorized by 31 U.S.C. 1343, 40 U.S.C. 4810(c), 22 U.S.C. 2674; [\$1,612,206,000] \$1,658,164,000 and in addition not to exceed \$665,000 in registration fees collected pursuant to section 38 of the Arms Export Control Act, as amended, may be used in accordance with section 45 of the State Department Basic Authorities Act of 1956, 22 U.S.C. 2717, and in addition not to exceed \$1,185,000 shall be derived from fees from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act (Public Law 90-553, as amended by section 120 of Public Law 101-246), and in addition not to exceed \$15,000 shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2718(a)) and for expenses of general administration.

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of State and the Foreign Service, provided for by law, including expenses authorized by section 9 of the Act of August 31, 1964, as amended (31 U.S.C. 3721), and the State Department Basic Authorities Act of 1956, as amended, [\$481,416,000] \$455,816,000.

BUYING POWER MAINTENANCE

To offset adverse fluctuations in foreign currency exchange rates and/or overseas wage and price changes, as authorized by section 24(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696 (b)), [\$3,800,000] \$3,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public Law 100-504), \$23,469,000.

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), \$4,780,000.

PROTECTION OF FOREIGN MISSIONS AND
OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4314) and 9 U.S.C. 209, \$10,551,000.

ACQUISITION AND MAINTENANCE OF BUILDINGS
ABROAD

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292-300), and the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), [\$381,481,000] \$410,000,000, to remain available until expended as authorized by 22 U.S.C. 2396(c): *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

EMERGENCIES IN THE DIPLOMATIC AND
CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), \$7,805,000, to remain available

able until expended as authorized by 22 U.S.C. 2696(c): *Provided*, That not more than \$1,000,000 shall be available for representation expenses.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, [\$186,000] \$593,000, as authorized by 22 U.S.C. 2671: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. *In addition, for administrative expenses necessary to carry out the direct loan program, \$183,000, which may be transferred to and merged with the Salaries and Expenses account under Administration of Foreign Affairs.*

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96-8 (93 Stat. 14), \$15,165,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, \$125,084,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$904,926,000, of which not to exceed \$44,041,000 is available to pay arrearages, the payment of which shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided, That none of the funds appropriated in this paragraph shall be available for arrearage payments to the United Nations until the Secretary of State certifies to the Congress that the United Nations has established an independent office of audits and inspections 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.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For payments, not otherwise provided for, by the United States for expenses of the United Nations peacekeeping forces, as authorized by law, [\$422,499,000] \$444,736,000, of which not to exceed [\$20,892,000] \$21,992,000 is available to pay arrearages: *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, and that the United States Mission to the United Nations has established procedures to provide information on all United Nations procurement regulations and solicitations to American manufacturers and suppliers.*

INTERNATIONAL CONFERENCES AND CONTINGENCIES

For necessary expenses authorized by section 5 of the State Department Basic Authorities Act of 1956, in addition to funds otherwise available for these purposes, contributions for the United States share of general expenses of international organizations

and conferences and representation to such organizations and conferences as provided for by 22 U.S.C. 2656 and 2672, and personal services without regard to civil service and classification laws as authorized by 5 U.S.C. 5102, [\$5,463,000] \$6,600,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed \$200,000 may be expended for representation as authorized by 22 U.S.C. 4085.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, [\$11,054,000] \$11,330,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, [\$14,051,000] \$14,790,000, to remain available until expended as authorized by 22 U.S.C. 2696(c).

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, including not to exceed \$9,000 for representation expenses incurred by the International Joint Commission, \$4,290,000; for the International Joint Commission and the International Boundary Commission, as authorized by treaties between the United States and Canada or Great Britain.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$14,200,000: *Provided, That the United States share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.*

OTHER

UNITED STATES BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS

For necessary expenses, not otherwise provided for, for Bilateral Science and Technology Agreements, \$4,275,000, to remain available until expended as authorized by 22 U.S.C. 2696(c).

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by section 501 of Public Law 101-246, [\$16,287,000] \$15,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c).

GENERAL PROVISIONS—DEPARTMENT OF STATE

SEC. 501. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of 5 U.S.C.; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 502. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Information Agency in this Act*

may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section [605] 606 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.*

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY—ARMS CONTROL AND DISARMAMENT ACTIVITIES

For necessary expenses, not otherwise provided, for arms control and disarmament activities, including not to exceed \$100,000 for official reception and representation expenses, authorized by the Act of September 26, 1961, as amended (22 U.S.C. 2551 et seq.), [\$47,279,000] \$58,000,000, of which \$14,000,000 is available only for payment of United States contributions to the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons.

BOARD FOR INTERNATIONAL BROADCASTING GRANTS AND EXPENSES

For expenses of the Board for International Broadcasting, including grants to Radio Free Europe/Radio Liberty, Incorporated, as authorized by the Board for International Broadcasting Act of 1973, as amended (22 U.S.C. 2871-2883), \$210,000,000, of which not to exceed \$52,000 may be made available for official reception and representation expenses.

[ISRAEL RELAY STATION

(RESCISSION)

[Of the available funds under this heading, \$180,000,000 are rescinded.]

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, \$200,000 as authorized by Public Law 99-83, section 1303.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, [\$44,391,000] \$42,000,000, to remain available until expended.

JAPAN-UNITED STATES FRIENDSHIP COMMISSION

JAPAN-UNITED STATES FRIENDSHIP TRUST FUND

For expenses of the Japan-United States Friendship Commission as authorized by Public Law 94-118, as amended, from the interest earned on the Japan-United States Friendship Trust Fund, \$1,250,000; and an amount of Japanese currency not to exceed the equivalent of \$1,420,000 based on exchange rates at the time of payment of such amounts as authorized by Public Law 94-118.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary to enable the United States Information Agency, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.) and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to carry out international communication, educational and cultural activities; and to carry out related activities authorized by law, including employment,

without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by 22 U.S.C. 1471, and entertainment, including official receptions, within the United States, not to exceed \$25,000 as authorized by 22 U.S.C. 1474(3); [\$730,000.000] \$731,693,000: *Provided*, That not to exceed \$1,400,000 may be used for representation abroad as authorized by 22 U.S.C. 1452 and 4085: *Provided further*, That not to exceed \$1,200,000 of the amounts allocated by the United States Information Agency to carry out section 102(a)(3) of the Mutual Educational and Cultural Exchange Act, as amended (22 U.S.C. 2452(a)(3)), shall remain available until expended: *Provided further*, That not to exceed \$500,000 shall remain available until expended as authorized by 22 U.S.C. 1477b(a), for expenses and equipment necessary for maintenance and operation of data processing and administrative services as authorized by 31 U.S.C. 1535-1536: *Provided further*, That not to exceed \$7,615,000 to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, library, motion pictures, radio, television, and publication programs as authorized by section 810 of the United States Information and Educational Exchange Act of 1948, as amended.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), and in accordance with the provisions of 31 U.S.C. 1105(a)(25), \$1,247,000.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of Fulbright, International Visitor, Humphrey Fellowship, Citizen Exchange, Congress-Bundestag Exchange, and other exchange programs, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), [\$217,650,000] \$250,762,000, to remain available until expended as authorized by 22 U.S.C. 2455.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, incorporated to be derived from interest and earnings from the Eisenhower Exchange Fellowship Program Trust Fund as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-05), \$300,000, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 1994, to remain available until expended.

RADIO CONSTRUCTION

For an additional amount for the purchase, rent, construction, and improvement of fa-

ilities 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, [\$75,164,000] \$57,620,000, to remain available until expended as authorized by 22 U.S.C. 1477b(a).

EAST-WEST CENTER

To enable the Director of the United States Information Agency to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960 (22 U.S.C. 2054-2057), by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, [\$23,000,000] \$26,000,000: *Provided*, That none of the funds appropriated herein shall be used to pay any salary, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

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), and the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.) including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by 22 U.S.C. 1471, \$28,351,000, to remain available until expended as authorized by 22 U.S.C. 1477b(a): *Provided*, That such funds for television broadcasting to Cuba may be used to purchase or lease, maintain, and operate such aircraft (including aerostats) as may be required to house and operate necessary television broadcasting equipment.

[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, \$8,000,000, to remain available until expended.]

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the United States Information Agency to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$35,000,000, to remain available until expended.

TITLE VI—GENERAL PROVISIONS

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

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

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, con-

version, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. [605] 606. (a) None of the funds provided under this Act or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 per centum, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 per centum funding for any existing program, project, or activity, or numbers of personnel by 10 per centum as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress, unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

[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) 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 Census to be within its geographical area shall be distributed in the following order: grants from the Legal Services Corporation and contracts entered into with the Legal Services Corporation for basic field programs shall be maintained in fiscal year 1994 at not less than 97.903 per centum of the annual level at which each grantee and contractor was funded in fiscal year 1993 pursuant to Public Law 102-395;

(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 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 paragraph (2) or (3) applies;

(2) paragraph 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;

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

SEC. 608. It is the sense of the Congress that entities purchasing goods or services with funds available under this Act should, to the maximum extent feasible where available, purchase only American-made equipment, products, and services.

This Act may be cited as the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994".

Mr. HOLLINGS. Madam President, I am pleased to present the Senate with the committee-recommended fiscal year 1994 Commerce, Justice, and State, the judiciary, and related agencies appropriations bill.

The recommended bill, Madam President, provides \$22.971 billion in discretionary budget authority, and \$23.275 billion in outlays. This bill is at our 602(b) allocation. I should note that the bill is \$1.210 billion in budget authority below the budget request, and \$1.156 billion below the President's budget request. To get this bill down within our allocation, we have had to reduce a lot of programs. Many of these programs eliminated were proposed by the President.

This fiscal year has been one of the strangest since I have been chairman of the subcommittee. Our distinguished former colleague and now Director of the Office of Management and Budget, Mr. Leon Panetta, who knows better, sent us a budget that exceeded the discretionary budget caps in the 1990 Budget Enforcement Act by \$6.7 billion in outlays.

The budget euphemistically calls this excess spending "investments." And for this bill, he sent us \$987 million in program requests above the caps for Justice, Small Business, and Commerce programs. Yet, every Cabinet Secretary, and Mr. Panetta himself, have been telling us that even though they could not find the money for these programs, it is imperative that we must.

So we have gone back and done a lot of cutting, and this bill provides \$728 million for these investment programs for Nexrad weather stations, small business loans, and National Institute of Standards and Technology programs like manufacturing technology centers and the advanced technology programs.

The bill also eliminates and cuts a lot of programs that the President proposed in his economic speech in February. The bill cuts or eliminates funding for such programs as the Export Administration, trade adjustment assistance for firms, and the North-South Center in Miami. And while Member after Member sent us requests for university research projects, and SBA or EDA earmarks, the recommended bill contains no such projects.

The bill contains a \$131 million initiative above the President's budget request to control our borders and beef

up the operations of the Immigration and Naturalization Service. It puts an additional 600 Border Patrol agents on the Southwest border and provides new facilities for alien detention and deportation. The bill contains an increase of \$20 million above the budget for counterterrorism programs in the FBI and the State Department.

I think all anyone needs to do is turn on the television to see why we are recommending these particular initiatives. The bill contains \$198 million for research facilities, equipment, and infrastructure at NOAA and NIST. The average age of the ships in the NOAA fleet is 28 years. And in the words of the Undersecretary for Oceans and Atmosphere, "the fleet is in terrible shape." During the 1980's, this country funded the construction of 242 Navy vessels and 65 Coast Guard ships, but no vessels were built for NOAA.

So our recommended bill includes \$58 million for a new oceanographic research vessel, and we have included \$46 million for high altitude NOAA hurricane research aircraft. The current NOAA aircraft were designed for anti-submarine warfare. They cannot fly high enough or fast enough to perform the kind of research that is needed to advance our prediction of hurricane intensity and direction.

Other bill highlights include: In total, we have provided \$9.427 billion for the Department of Justice domestic discretionary programs. That is \$404 million or 4.5 percent above this year's level. And we are \$215 million above the House bill.

Our bill includes \$683 million for justice assistance grants, including \$431 million for State and local drug grants; \$25 million for community policing; \$25 million for criminal records upgrades; and \$100 million for the juvenile justice program.

We fully funded the President's prison construction request of \$277 million, and \$1.972 billion is provided for salaries and expenses of the prison system—an increase of \$290 million above this year.

\$819 million is provided for U.S. attorneys, and \$2.039 billion for the FBI. We have a \$2 billion budget now for the Federal Bureau of Investigation.

\$233 million is recommended for NIST external research programs, the President's budget request and \$146 million above this year. This should finally get us on our way to developing a real program to modernize American manufacturing industry and make us more competitive.

\$251 million is recommended for the International Trade Administration. We have fully funded the United States and Foreign Commercial Service which is charged with increasing U.S. business exports, and we have included \$32.3 million for the Import Administration, an increase of \$3 million, to improve its dumping investigations by getting some accountants and financial people in that agency.

\$339 million is provided for EDA including \$80 million for the defense economic adjustment assistance for communities and \$45.6 million in title IX grants for communities in distress, such as Kauai, HI, which is still suffering the effects of Hurricane Iniki and the Pacific Northwest from reduced timber sales.

The bill provides \$2.656 billion for the Federal judiciary. That is \$122 million or 4.8 percent increase over this year. That is a higher percentage increase than the Justice Department received.

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

For the judiciary overall, the recommendation reflects application of the same management efficiencies and administrative reductions that all other agencies in this bill are required to achieve.

We have tried to do our very best to help out the State Department within the constraints placed on us by the authorization committee. Our recommended level of \$4.135 billion is, however, \$242 million below this year's level.

We have provided \$10 million to modernize overseas processing of visas, and will enable the State Department to get rid of the antiquated methods of checking backgrounds of individuals trying to enter the United States. We have provided \$410 million for maintenance and repairs of our embassies overseas.

\$445 million is included for international peacekeeping, and \$905 million is included for the United Nations and international organizations. And we have included two amendments suggested by Senator DOMENICI. The first requires that the United Nations give American companies a fair shot at procurement contracts, and the second withholds U.N. arrearage payments until the United Nations creates an inspector general.

For the USIA, we have included \$251 million for exchange programs, like the Fulbright and Edmund Muskie scholarships and Mansfield programs. That is \$33 million above the House bill.

We have provided \$35 million for the National Endowment for Democracy and \$28 million for Radio and TV Marti. The House has proposed zeroing out both of these programs.

And, we have provided \$14 million for the implementation of the chemical weapons disarmament treaty. That is one of great concerns to our National Security Council pending the ongoing conference. The House bill proposed no appropriations for this purpose.

For SBA, we fully funded the President's request for loans and business loan guarantees. That is \$213 million. And, of course, the Small Business Committee is just now making changes in the way the loan programs operate to make this money go farther in terms of the level of loans it finances.

We have provided instead of \$3 billion, something over \$6 billion in actual loan guarantees in this bill.

We have provided \$67 million for small business development centers, \$3.5 million for the SCORE program, and \$14.6 million for the successful micro-loan program.

I want to point out to the Members that we are putting this bill together just as fast as possible. We have done that with the guidance of our distinguished ranking member, Senator PETE DOMENICI who has been a wonderful co-operator here in trying to iron out various concerns on either side of the aisle.

I want to thank Senator DOMENICI and our minority staff director, John Shank, who along with our staff director, Scott Gudes, and Liz Blevins, and Dorothy Seder—have been working around the clock just exactly the way Senator Warren Rudman and I did—developing a close bipartisan working relationship. I am proud to say that we have gotten that continued relationship with my distinguished friend from New Mexico.

We understand that there are a few amendments of concern, and I think we can more or less take most of them. But I have to confer of course with my leader on the other side.

Let me yield to Senator DOMENICI.

Mr. DOMENICI. Thank you very much.

Madam President, even though this bill funds a variety of major Federal agencies and departments, I think because of the times and because of what the American people are worried about, I can quite properly call this a crime fighting bill. I do not think there is any question about it. Wherever we could find additional money, and whatever we could cut, most of it, other than for economic development and technology in the Department of Commerce, most of the rest went to crime fighting. I am very pleased that that is the case.

Madam President, while I have been on the Appropriations Committee for awhile, this is my first year as the ranking Republican on the Commerce, Justice, and State Subcommittee. I want to express my sincere appreciation to my chairman, Senator HOLLINGS, and the majority staff for this easy transition. Obviously, the minority staff director for this subcommittee, John Shank, who sits here at my right, has been invaluable.

I think Senator HOLLINGS and I, and this subcommittee, have looked at this bill and the subject contained in it as thoroughly as we could, and we have come up with a reasonably good bill.

I will not explain it in any detail because that has been done by the chairman. But I will go over a few highlights and some areas that everybody should know are rather contentious with reference to the amount of funding that we have not given certain activities of the Government.

First, the committee recommends a total of \$22.968 billion in discretionary budget authority, resulting in new and prior year outlays of \$23,274,264,000. To put these numbers in context, they are almost \$1.2 billion in outlays below the level of the budget requests pending before this subcommittee. In addition, the bill is almost \$152 million in budget authority below the 1993 enacted level. Indeed, the subcommittee allocation—that is, the amount we have been given by the Appropriations Committee to spend—if we keep to ours and all of the other subcommittees keep to their allocations, we will be within the cap that was set in the 1990 agreement and applies to the Congress and the President this year.

So this subcommittee is \$533.9 million in outlays below the current services level; current services being what you would spend if you left everything in the Government alone within this subcommittee and added inflation to it.

In regard to funding the Federal judiciary, the OMB 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. By that, I mean it was cut that much, but they did not tell us how with specificity. This reduction has, in effect, been sent over to us in what we call a crosswalk to the Commerce, Justice, and State Subcommittee by the committee in their overall allocation of what we have to spend. We have been able to provide an increase, nonetheless, for the judiciary of \$64.9 million above this level only by cutting other requests in this bill.

Overall, the judiciary would receive an increase of almost 5 percent—4.8 percent. 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. That caused all of us with some real problems just a while ago, and we had to take care of it in a supplemental, as most Senators remember.

The State Department and other international affairs accounts within this bill generally conform to the levels included in the recently reported foreign affairs authorization bill. That is, for the State Department, it includes assessed contributions for international organizations. The level is \$242 million less than the 1993 level and almost \$500 million below the request.

The level for peacekeeping is \$444.7 million in budget authority for this activity minus a requested contingency fund of \$175 million. Senator HOLLINGS and I agree that this subcommittee cannot absorb larger levels for peacekeeping expenses without seriously impacting other programs, such as the Justice Department and NOAA, and the operations of the State Department itself. Frankly, it appears to this Senator that so long as we have no specific caps on domestic, defense, and foreign

affairs appropriations, what we really need is for the President to set out officially and formally, within his budget, all of the money he wants for peacekeeping, and make sure that it is understood within the context of all of the other programs.

With regard to the international organizations and peacekeeping, we have included, as the chairman indicated, bill language which requires that the United Nations establish an inspector general prior to the release of any arrears payments. I might say that it is not the intention of this committee or this Senator, who suggested this language, that we, with any kind of preciseness, say you must have an inspector general like we have in our big departments. But clearly, we intend to protect our commitment to the United Nations by making sure that they are not caught with some big abuse of resources within the United Nations. I am not making that accusation today, but there are plenty who say its bookkeeping methods, its accounting methods, are not up to snuff. At some point, a scandal will blow up on us, and the American people will say let us not contribute and be part of this. Obviously, in this new and different world, we need a number of years of experience in our peacekeeping effort and with the United Nations, in their expanded role to see exactly how it fits into this world, and we have to be players. And to be players we have to have the American people's support, and for that, they have to believe that the funding is handled with integrity and in a good workmanlike manner and that there is no waste, fraud, or abuse within the United Nations, or at least none that could be accounted for with some reasonable, good practices of ordinary accounting inspection and the like.

With regard to the international organizations and peacekeeping, we have included language which requires precisely that there be an inspector general, and I have just explained why. We have expanded bill language from last year which requires that the Secretary of State certify that U.S. firms are being given a fair chance at procurement contracts associated with peacekeeping. And we have included report language to indicate that the administration must do a better job in informing and consulting with Congress on the costs and scope of peacekeeping questions.

I believe in all three. Something in the nature of an inspector general, the language says: the United Nations, as it puts out contracts for acquisition of peacekeeping equipment or materiel, the United States must be given a fair chance to be among those selling or providing the products, services, or materiel. I think that is only fair.

Last, there has been some concern expressed on the floor about the President of the United States informing and consulting with the Congress on the cost and scope of peacekeeping op-

erations. This is imperative. It is not an easy order, and the policy will be evolving. Frankly, I think we have to have our processes of trying to keep the budget under control so it is not subject to the sort of ups and downs and we do not really have any way to judge what it is going to cost. I think we have to have better exchanges between the executive branch and the legislative branch in that regard.

A few things that are very positive on the crime-fighting end. I do not think I have been part of an amendment that has received as many accolades as the one with reference to the Border Patrol and the Immigration and Naturalization Service. We would restore, as the chairman said, 93 positions that the President had cut out of his budget. We also allow them to hire an additional 600 officers. In addition, 254 new positions would expand detention and deportation activities, and \$75 million for construction, renovation, and equipping of additional INS processing centers and other alien detention facilities, including \$10 million for such facilities at international airports.

Now, Madam President, the airways are full of the problem of illegal aliens. Americans are concerned about this. Their heads are going back and forth wondering what are we up to when we read about what is going on in New York City, when we see illegal aliens coming in greater numbers with the new immigration law and when we find them able to escape our temporary confinement—even though they are illegal—wind up and on the streets of our cities. We cannot find them ever again, and we, in our good nature, think they will report to a judge someday to see if they are legal or illegal.

We want to give the Border Patrol and INS every opportunity to do their job. We think they need more, not less. And I am pleased to say to the Senate that, while I am not familiar with all the proposals that the President and the White House are going to submit in this regard, I can tell you with a great deal of confidence and some degree of pride, with reference to funding the Border Patrol and making sure we can incarcerate those that need to be incarcerated temporarily awaiting a decision on whether they are illegal or not, the President is proposing this program and we will have already have funded it.

I think that means we are all on the right track. There is no use giving up on this aspect of illegal aliens entering our country. When we read about what happens in Kennedy Airport, when illegals come in with no papers and then we say to them we have no place to keep you, you are entitled to a hearing. We let them go and say, report back in 6 months to this judge that will hear your case.

I see the Presiding Officer nodding her head in the positive.

They do not come back. They are out there in the streets of New York and

our cities and, frankly, we just cannot continue this. If we need more, we need more, but we have to have that issue heard right then and if necessary put them right back on an airplane. Whenever they came from ought to take them back. The airplane, perhaps, ought to take them back. But I am not going to prejudge that because many are fooling the airlines, too, entering with papers and destroying them en route, throwing them down the toilet and some time even eating them, as I understand it. So they end up arriving on our shores with no papers, being illegal, getting this decent American treatment which turns them loose until they are supposed to report back, which is probably never. They are wreaking havoc in our cities, and we have seen much of that in the terrorism of New York City.

Frankly, I do not think we can go much longer without telling the American people we are going to do something about that. We are doing that in this bill.

In addition, a portion of this initiative that was embraced today by the President, as I indicated, is exactly the same as this. The President said, "The Border Patrol is drastically understaffed, breathtakingly understaffed," and our initiative attempts to correct that.

Those were quotes from the President. I believe he is acknowledging he made a mistake in his budget when they recommended cutting 93 positions and making no increases of personnel. He changed his mind.

We accommodated that in advance, and provided \$10 million more for the FBI for enhanced counterterrorism, including the establishment of a second hostage rescue team. And the State Department would also receive \$10 million to upgrade and automate its visa processing capability in order to halt entrance into this country of undesirable aliens who may attempt to engage in terrorist activities.

Frankly, we cannot afford to have anything but the best when it comes to counterterrorism, when it comes to computer capability. It has to be as automated as possible regarding visa processing. All the capability we can add to it must be there, and we have to develop a uniform system.

Hopefully, we are starting down that path. It is probably late, but it is better late than never.

We also provided the full budget request, as my friend, the chairman has indicated, for small business loans. There is a very big demand for guaranteed Small Business Administration loans. We all know why.

We all think that this program is working, as compared with other programs that give money away or give grants. This one lends money. The banks actually lend it on our behalf, and small business is taking advantage of it in many cases where they would not otherwise be able to borrow.

When the Committee on Small Business completes changes to some of the subsidy rates, we ought to have as much as \$6.6 billion available for small business from the dollars that we are putting into this guarantee program, which is the amount that we think is necessary to make the program work.

There are many other items within this bill, but I am very pleased with it. We will go to conference and obviously some things will be changed. But from this Senator's standpoint I think we did a reasonably good job with the demands and requests that were put upon us by the administration, our commitments to the United Nations and other Senators who saw other needs which we could not accommodate.

I yield the floor at this time.

Mr. SASSER. Madam President, the Senate Budget Committee has examined H.R. 2519, the conference report on the commerce, justice, state appropriations bill as reported by the Appropriations Committee, and has found that the bill is under its 602(b) allocations in budget authority by \$235 million and is under its 602(b) allocations in outlays by \$1 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.

Madam 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 printed 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

(In millions of dollars)

	Budget authority	Outlays
BILL SUMMARY		
Discretionary total:		
New spending in bill	22,951	16,906
Outlays from prior years appropriations		6,350
Permanent/advance appropriations	20	18
Supplemental	0	1
Subtotal, discretionary spending	22,971	23,275
Mandatory total	561	545
Bill total	23,532	23,821
Senate 602(b) allocation	23,767	23,822
Difference	--235	-1
Discretionary total above (+) or below (-):		
President's request	-1,210	-1,156
House-passed bill	2,690	1,500
Senate reported bill		
Senate-passed bill		

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Madam President, might I ask does the distinguished manager of the bill have other comments at this point? I have an amendment I would like to have considered.

Mr. HOLLINGS. We want to get the amendments up, all who have amendments, because I do not mind taking the rap of being precipitous and moving to third reading. We are not going

to sit around this evening waiting and talking.

If the Senator has an amendment, we will be glad to hear it.

Mr. KERREY. Madam President, I have an amendment. I am going to hold for a minute sending it to the desk.

I discussed this amendment with the distinguished chairman of the subcommittee, the Senator from South Carolina, about a time limitation. I do not know if we discussed an hour or 30 minutes. I am not a long talker. I could talk for 15 or 20 minutes, however long it takes to describe this amendment, and not take very much longer after that.

Mr. HOLLINGS. On the amendment of the distinguished Senator from Nebraska, we agreed to 15 minutes to each side. I would not agree to the amendment, I tell my ranking member.

If I am correct, I think it has to do with instructions to the reconciliation conference. I do not think this is appropriate for this particular bill. Has the Senator from New Mexico seen the amendment?

Mr. KERREY. No. I can describe it. The Senator from South Carolina described it accurately. It instructs the conference committee relative to paying for the disaster program that we are going to consider at some point here.

Mr. DOMENICI. Madam President, might I ask my friend from Nebraska; I do not know whether it is, in his opinion, urgent that we do that, that he lay this down tonight. But I had told Senator HOLLINGS that we probably would have a D'Amato amendment, and I have sent for him.

There is nothing precluding the Senator from Nebraska proceeding as he is now. I was wondering if we could at least ask the Senator.

Mr. HOLLINGS. We could get right to it in half an hour.

Mr. DOMENICI. The amendment?

Mr. HOLLINGS. Yes.

Mr. DOMENICI. The committee amendments are still outstanding, are they not?

Mr. HOLLINGS. Yes. Get agreement on the committee amendment.

Mr. DOMENICI. We are trying to do that.

Mr. HOLLINGS. While waiting, I thought it would be a good use of time to hear the distinguished Senator from Nebraska.

Mr. DOMENICI. Could the Senator discuss the amendment without sending it to the desk, while I make a call to a Senator and come right back?

Mr. KERREY. I am glad to.

Mr. DOMENICI. I thank the Senator for accommodating.

Mr. KERREY. Madam President, this amendment essentially instructs the conference committee that it is the sense of this amendment.

The PRESIDING OFFICER. Has the Senator sent the amendment to the desk?

Mr. KERREY. He has not. He was asked by the Senator from New Mexico

to withhold. I intend to send the amendment to the desk.

The PRESIDING OFFICER. The Senator may proceed.

Mr. KERREY. Madam President, the amendment that I will send to the desk soon expresses the sense of this Senate that we are going to change the way we do things; that instead of merely passing an appropriations bill, a supplemental bill, a dire and much needed appropriation bill, having to do with the disaster of the flood in the Midwest. Instead of merely passing the appropriations bill and figuring out how we are going to pay for it later, we are going to change the way we do business in that we are going to pay for this disaster.

Earlier in the House there was a vote that allowed for a rule to be accepted essentially avoided the need to have an offset. There were a number of Members of the House who were urging a slightly different course of action. They said if we are going to have an appropriation, we should have an offset.

Madam President, I am saying in this particular amendment that we place a temporary Federal tax on gasoline to generate the money that is necessary to pay for this particular disaster. Thus, we are essentially passing the collective hat.

We hear constantly that the American people are compassionate; they see the disaster in the Midwest and they are prepared to fund that disaster; they are prepared to provide assistance to people, to farmers in particular, who have lost an entire year's crop; they are prepared to fund loans and other sort of grants to communities and businesses and homes that have been negatively impacted. I think those who are expressing that sentiment, such as myself on many occasions, have been absolutely right. The American people are prepared to respond to this disaster. They see the tragedy, they understand the nature of the tragedy and they are prepared to respond.

What this amendment does, Madam President, is it says we are going to change the way we do things when we see a disaster of this kind. Given the urgent need to get our deficit under control, given the urgent need to stop the sort of blind borrowing that goes on here in Congress, given the urgent need to say to the American people that we are going to do some things differently, this amendment says that we are indeed going to do things differently.

Madam President, earlier today, the senior Senator from Nebraska presented to me a document having to do with the reconciliation bill, the President's economic plan. There are many myths that have been perpetuated about the President's economic plan, specifically, that the Senate deficit reduction bill will increase tax rates on most Americans and Nebraskans.

The Senator from Nebraska [Mr. EXON] accurately described that to be

false and indicates that a relatively small number of people will pay more taxes and that, in fact, those will be completely offset by the much, much larger number of people who actually have a tax reduction.

He talks about the deficit reduction bill, that rather than hurting small business, it will actually help small business. He talks about the impact upon corporations. There are many people concerned about the impact upon raising the corporate rate, but it only impacts those corporations that have incomes over \$10 million.

He talks about the impact upon agriculture. He talks about the very, very small impact upon Social Security recipients. He talks about the allegation that there are grassroots organizations out there that are opposing this, and he refutes that by identifying the dominant one as being controlled by, in fact, someone who is running for the Republican nomination for the Senate in Virginia. He talks about a number of other things that essentially says: Here is the myth and here, in fact, are the facts; here is the truth.

I ask unanimous consent that this myth versus fact document be printed in the RECORD.

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

THE SENATE DEFICIT REDUCTION BILL—MYTH VS. FACT

Myth: The Senate Deficit Reduction bill increases tax rates on most Americans and Nebraskans.

Fact: False. The only tax rate increases are on those individuals who have more than \$115,000 in taxable income after deductions and those couples who have more than \$140,000 in taxable income after deductions. Using the latest data available, as verified by the Nebraska Department of Revenue, this represents only 5,345 tax returns filed in Nebraska (0.76 percent) which would be subject to this tax rate increase.

Conversely, 82,772 tax returns filed in Nebraska (12 percent) could qualify for the Earned Income Tax Credit reduction in taxes. Depending on the number of children in a family, taxable income levels up to \$27,000 per year could qualify for a tax break under this bill.

Myth: The Senate Deficit Reduction bill increases taxes on small business, killing the biggest engine of U.S. job growth.

Fact: False. There is no small business tax. Most small business owners file individual—not corporate—tax returns as owners of proprietorships, partnerships or so-called Subchapter S corporations. Only such small businesses and individuals who earn more than \$115,000 or couples who earn more than \$140,000 per year will see their taxes increase. These business owners pay taxes only on their profits after deductions are taken for expenses like paying wages and making new investments to expand. Further, the House and Senate are now negotiating tax breaks for small business. Jobs will be created not lost. Over 90 percent of small businesses would pay no more and some even less under the Deficit Reduction bill.

Myth: The corporate tax rate increase will take money out of businesses and cost jobs.

Fact: The corporate tax rate will only increase from 34 to 35 percent, and only for those corporations with profits of \$10 million or more. Again, profits are computed after

deductions are taken for expenses like paying wages and making new investments to expand.

Myth: The Btu tax will impact virtually every American and Nebraskan.

Fact: The Btu tax is dead. The Senate killed it and the Clinton administration now realizes it must be buried as well, but unfortunately many don't know this.

Myth: At a time of agricultural stress, this bill will hurt Nebraska agriculture.

Fact: False. The Btu tax is dead. The irrigation surcharge was killed by the Senate. The barge tax, which would have added 8 cents to the cost of each bushel of farm products, was killed by the Senate. Off-road agricultural use of gasoline or diesel fuel was exempted from the 4.3 cent per gallon transportation fuel tax. There is now no energy tax on agriculture in the Senate-passed bill.

Myth: The bill increases taxes on most or all Social Security recipients.

Fact: Wrong. The Social Security tax was changed in the Senate to exempt most middle-income seniors from the tax. Under the Senate bill only seniors with total income above \$32,000 as individuals or \$40,000 as couples per year will be subject to the tax increase. Clearly, only higher-income seniors will not have to pay any tax increase.

MYTH: Many "grass roots" groups like the Citizens for a Sound Economy (CSE) are opposing this plan.

FACT: Let's look at a couple of the most prominent "grass roots" groups who are opposing this bill. The most prominent has been the Citizens for a Sound Economy, which has been running ads and holding press conferences in Nebraska and all over America. The Chairman of CSE is Mr. James Miller, who is currently running against Oliver North for the Republican Senate nomination in Virginia. Jim Miller was Director of the Office of Management and Budget from 1985 through 1988 when the national debt was increased by \$784 billion.

The CSE was the brainchild of the Koch brothers who own the largest independent, privately-held oil company in America. David Koch is the Chairman of the CSE Foundation. David Koch ran for Vice President on the "Libertarian" party ticket in 1980. That party's platform included legalizing drugs and prostitution, ending public education, abolishing Social Security, Medicare, and Medicaid, repealing all taxes and privatizing almost everything in America. Koch Industries have a Political Action Committee (PAC) and are large Republican party contributors. That hardly describes a legitimate "grass roots" group.

Between 1986 and 1990 and Koch Foundation gave CSE \$4.8 million. The CSE still receives more than \$500,000 annually from the Koch Foundation. A CSE spokesman said the organization has 250,000 members who contribute somewhere between \$4 and \$10 million to its coffers. The CSE is not obligated to release any information about its membership or finances as is the case with other group spending thousands of dollars on advertising.

MYTH: The enactment of the Senate-passed bill will simply be a repeat of the 1990 Budget Agreement experience and will not help Americans and Nebraskans.

FACT: One of the little-discussed aspects of this plan is that its enactment would help to keep interest rates at their current low level. Mortgage interest rates are at their lowest level in 20 years and interest rates across-the-board are very low as well. Low interest rates help virtually every American from farmers to business owners to home owners. Testimony from economic experts including the Chairman of the Federal Reserve Board has uniformly indicated that

passage of this level of deficit reduction will help maintain low interest rates.

The 1990 Budget Agreement fell short of the mark mostly because of the recession which lowered revenues, the Persian Gulf War and greater-than-anticipated spending on entitlement programs such as Medicare and Medicaid. Both political parties agree that our current budget estimates are based upon honest and conservative economic assumptions. Additionally, the Senate and House are now negotiating on an agreement which will place a cap on both federal discretionary spending and entitlement spending, including Medicare and Medicaid. There are significant differences between the 1990 Budget Agreement and the 1993 Senate-passed bill.

CONCLUSION: This bill is easy to criticize but it's the only chance we have now to begin deficit reduction. Provided the House-Senate conference agrees on a report that generally follows the Senate-passed version, it is my best judgment it should pass.

Mr. KERREY. Madam President, in spite of the truth of the senior Senator from Nebraska, there is still a great deal of distrust out there, at least in the State of Nebraska and I suspect throughout the country, about what this deficit-reduction package does.

One of the reasons that there is distrust is that they look to Washington, DC, and they see, for the large part, that it is still sort of business as usual; that if we find something that we really want to spend money on, it is relatively easy to get a majority, it is relatively easy to put together a coalition.

I heard earlier the distinguished Senator from New Mexico talking about the need to have Republicans and Democrats coming together for deficit reduction. He is absolutely right. The problem, Madam President, is it is difficult to do that.

What is not difficult is to get a majority to come together when there is a dire emergency appropriation. When the time comes to spend money—particularly when we do not have to really go to the American people and ask them to pay for it—when the time comes to spend money, we get Republicans and Democrats coming together.

You do not hear any talk then about the President not consulting us. You do not hear any talk then about, "Gee, the President has not called me up lately and asked me to participate in this."

Quite the contrary, Madam President, you see Members on both sides of the aisle rushing as quickly as possible to embrace the President, thanking him for declaring the disaster, knowing that in the end we are not going to be held responsible for this; that in the end, all we are going to have to do is simply vote aye and issue our press releases and take credit for the hundreds of millions of dollars that will roll into the States that are affected and restoring the economic health, as we ought to, Madam President. And knowing, as well, that we are not going to be held accountable; that we are not really going to have to pay for it; that a full

third of it, at least, is going to be paid for by selling bonds once again.

Of the \$10 billion appropriation, Madam President, somewhere around \$2 billion of that will be funded as a consequence of the Treasury going up to Wall Street and saying once again we are going to sell some more bonds.

I do not dispute the disaster. At least \$300 million of that disaster exists in the State of Nebraska. I have argued for and will continue to argue that the Federal Government ought to provide a safety net to restore the economic health when there is a disaster that is outside of the control of human beings in our States.

Madam President, this is a 500-year disaster. It is similar to Hurricane Hugo and other sorts of disasters that have ravaged our countryside in the past.

We are saying to the American people that now is the time for change. We are saying to the American people we are going to change the way we do things.

Madam President, if that is the policy, if that is the principle, then it is time, in my judgment, for us to change and say, yes, we will pay for this disaster. We will provide resources to restore the health of our communities, but we are going to pass the hat today and not say to our children this is one more thing that we are going to spend. "Here is one more thing that we are going to spend in the current year and ask you to pay for it over the course of your working lives."

The most rapidly growing account in our budget, as both the distinguished chairman and ranking member of this subcommittee not only know but spoke very eloquently about, is the net interest on our debt, the amount of money that taxpayers have to pay merely to service the national debt. The net interest today is in excess of \$215 billion a year and growing very rapidly. Compounding interest rates are working against us, Madam President, rather than working for us.

There is a very simple reason why. It has to do with the desire to get something for nothing. It has to do with the ability to basically say, "Yes, we are going to get together—Republicans and Democrats—one more time, because we see an opportunity to spend money. However, we are not going to be getting together when it comes time to pay the bills."

Madam President, does the distinguished chairman wish me to yield to him?

Mr. HOLLINGS. Will the distinguished Senator from Nebraska yield? I think we have a unanimous consent agreement.

Mr. KERREY. I am happy to yield.

UNANIMOUS-CONSENT AGREEMENT

Mr. HOLLINGS. Madam President, I ask unanimous consent that the committee amendments to H.R. 2519 be considered and agreed to en bloc, with the exception of the amendment on page 83, lines 12 through 16; the amend-

ment on page 8, line 16; the amendment on page 71, line 21 through page 72, line 18; the amendment on page 72, line 25 through page 73, line 10; provided that no points of order are waived thereon and that the measure, as amended, shall be considered as original text for the purpose of further amendment.

That has been cleared on both sides.

Mr. DOMENICI. Madam President, it has been cleared on this side.

Reserving the right to object, and I will not, I understand, however, that the Senator from Nebraska will not amend any of those 4; that he will amend the bill.

Mr. HOLLINGS. That is right.

Mr. DOMENICI. I have no objection.

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

Mr. HOLLINGS. Madam President, if the distinguished Senator from Nebraska would yield further, let me pick up a couple of points, if the Senator does not mind yielding for a minute.

We are going to have to send the amendment up.

AMENDMENT NO. 697

(Purpose: Expressing the sense of the Senate that disaster relief payments during 1993 be funded by a temporary gasoline tax)

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

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Nebraska [Mr. KERREY] proposes an amendment numbered 697.

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

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

The amendment is as follows:

At the appropriate place, insert:

SEC. . FUNDING OF DISASTER RELIEF PAYMENTS.

It is the sense of the Senate that disaster relief assistance for disasters occurring during 1993 should be funded through the enactment in the Omnibus Budget Reconciliation Act of 1993 of a temporary Federal tax on gasoline.

Mr. HOLLINGS. Madam President, the distinguished Senator from Nebraska, as I understand it, has an amendment to the effect that we instruct the conferees of the omnibus budget reconciliation bill, that is now in conference, that the emergency funds for the flood victims in the Midwest be taken care of by a gasoline tax, if I remember correctly.

Mr. KERREY. By a temporary gasoline tax.

Mr. HOLLINGS. By a temporary gasoline tax. I did not want to misstate it.

Madam President, I admire the sincerity and dedication with which the Senator from Nebraska, as a former Governor, approaches these budget problems. There is not any question that he is a product of balanced budgets in his home State and has led the way and feels very keenly the disorder that we have here in Washington, just like this Senator from South Carolina,

and at every opportunity he has turned to try to bring us to a sobriety and awareness of where we are headed. Perhaps now we may solve even a bit of the problem; in this particular instance, the emergency funds necessary for those flood victims.

I happen to disagree on this particular score, having been through the emergency just 4 years ago with Hurricane Hugo. We could not wait at that particular time. We should not be waiting now in light of the overall predicament in which we find ourselves; namely, under the present budget for this fiscal year the deficit would amount to some \$341 billion. There has been a reestimate, they say on that, for some \$25 billion less. So we have picked up \$25 billion and we want to debate, and debate it will be, with respect to this particular direction to the conferees in the omnibus reconciliation conference, because I know, with respect to the gasoline tax, no one is objecting to a tax.

I have been running around here, trying to do more, as the distinguished Senator from Nebraska wants, on a broad-based consumption tax. But I emphasize, a broad-based consumption tax that falls on everybody. Knowing that from Federal highway trust fund we gain, from Federal taxes right now, about \$19 billion, we spend \$12 billion on highways and bridges but we cart off some \$7 billion or more each year for the deficit. Working with the destroyed highways and fallen bridges and everything else of this kind, here I am not spending the money the traveling public has already contributed by way of their own tax payments into that particular fund, and here now we are going to use that particular fund, a gasoline tax, for a special assigned mission with respect to disasters. I think, yes, you are going to have to pay for the disasters. But I think we are all going to have to pay. That would be one of my objections.

But I do not think this is the appropriate legislation on which to address this matter—on State, Justice, Commerce, an appropriations bill—even if we could get it passed this week, the best we can do, perhaps, is reconcile the difference in the conference itself, after Labor Day: The reconciliation conference is bound to come out one way or the other before that time.

So on those two scores I would be prepared to move to table the amendment of the distinguished Senator, regretfully. Because, as I say, I admire his sincerity of purpose here. He has been very conscientious and very disturbed about bringing deficit spending under control. You can tell by his comments and the way he goes at these problems. I like it. I wish we could get him and others to get wrought up over this deficit tax for which we raise \$1 billion a day.

We constantly talk about the largest tax increase, some \$243 billion, in the reconciliation conference right at this moment. That is the way it stands, at

\$243 billion over 5 years—totally ignoring, of course, the \$310 billion deficit tax increase by way of interest payments that is occurring right under our feet here.

So, with that I feel the same way, we cannot give instructions on this bill to the reconciliation conference. Anyway, I think it would have an adverse purpose if it worked. Using that logic, every Senator ought to come down and tell us how he thinks that amendment such and such ought to come out in the reconciliation conference and put his amendment on this bill and then we would really have a Christmas tree of amendments around here.

So either way it is a lose-lose situation.

But let me yield to my distinguished colleague to hear further on this amendment.

Mr. KERREY. I thank the Senator from South Carolina. I do not refute the difficulty in putting this on this particular bill. I must say I am troubled by it. But I am much more deeply troubled, Madam President, by the willingness to go along, the willingness to say this is something we have always done, we have always done it this way.

I have had lots of people with whom I have discussed this say, "You do not understand." They say, "We always do the disaster programs this way." That is the problem.

I acknowledge, in fact, the leadership of the Senator from South Carolina on a broad-based consumption tax. I support that idea deeply. I know the distinguished Senator from New Mexico has participated in an effort to get this body to consider a tax that is actually relatively similar, at least the foundation principle is that we ought not to be out there trying to figure out which income stream to tax. We ought to tax according to the disposition of that income. We ought to focus on the need for people to save and people to make productive investments in order to increase employment. I am prepared to go in that direction as well.

I was just looking, in this particular instance, for a way for us to pay given the current tax structure. I suspect there are going to be an awful lot of people in Nebraska who will say that they are against a tax increase on gasoline. I understand that. But my question right back would be how do you want to pay for it? How do you want to pay for this disaster program you are asking me to vote for? That is the problem.

I have lots of people coming to me saying, "Why do you not vote for national service? We want that program. Why do you not give me a little more money for Medicare. Give me just a little more money for Medicaid," they will say. "Senator, I have a couple of more bridges I would like to build. There are a couple of other things I would like to do."

It is time to look our citizens dead in the eye and say, "I love what you want

to do but how are you going to pay for it? How are you going to pay the bills?" I think it is a good test for the American people right now, to allow the compassion they feel to be checked—checked with the requirement to pay for whatever it is they describe they want.

I believe strongly we must change the way we are doing things, change the attitude that we have toward expenditures, and that attitude has to carry over when we come face to face with somebody who needs help, regardless of what the origin of the help is. I fear, unless we begin to change in that fundamental way, change our attitude—we do not need to necessarily pass this constitutional amendment or that constitutional amendment. There have been all kinds of people coming down here to say what we need is a constitutional amendment to balance the budget, Democrats and Republicans, rejoicing at the idea that if we amend the sacred Constitution of the United States of America that will get the job done. All we need to do is amend the Constitution. Give the President of the United States a line-item veto That will solve it. That will fix it. Once and for all, that is all we need to do.

That is not going to fix it at all unless we change our attitude, our personal, individual attitude, mustering the courage when people ask us for spending to say we are going to pay for it. Unless that attitude changes, it is going to be business as usual. It is going to be the same old stuff.

Not only do we suffer economically, not only do we suffer as a consequence of adding more and more debt, but the citizens lose confidence. The worst consequence of deficit financing, in my judgment, is the people lose confidence in our capacity to govern ourselves. Our ability to be able to make responsible decisions is eroded as a result of not being able to do anything about this fundamental problem that terrifies most Americans.

Madam President, I must say when it comes time to allow the distinguished Senator from South Carolina, which I am about ready to do, to move to table, it would not surprise me if there is only one vote in opposition. It would not surprise me to hear all kinds of reasons. "Basically I am for doing this in a responsible way," it will be said, "but you see I would rather do an offset." Or, "I would rather select a different taxing mechanism." Or, "We will do that next year." Or, "Maybe sometime out there in the future we will start doing it differently."

I think the time has come right now. This is about change. We talk about it every single day: Change, change, change. Madam President, it has come time for us to change our behavior, our actions, and say to the American people, "If you want, with compassionate hearts, to respond to a disaster, then we must pay for it."

I appreciate the time the distinguished Senator from South Carolina has allowed me. I am prepared now to yield.

Mr. HOLLINGS. Does the distinguished Senator want the yeas and nays or can we voice vote this? There will be a motion to table. We can record your one vote.

Mr. KERREY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HOLLINGS. Madam President, I move to table the amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Madam President, I ask unanimous consent to speak 30 seconds on this before we vote?

The PRESIDING OFFICER. Without objection, the Senator may proceed for 30 seconds.

Mr. DOMENICI. Madam President, let me say to my friend from Nebraska, frankly, I hope that in the not-too-distant future we can join together in an effort to make some real changes. I am not sure that I can do this in the midst of a conference. I do not know that I would want to disturb that conference. Even though I do not want it to succeed, I would not want to throw another burden on it and be accused of making it more difficult for the President to get his package.

Let me suggest that we need to change the income tax law—the Senator from Nebraska is aware of that—so we get productivity from savings and investment. We need to address the entitlement programs in this country, and the Senator has shown an enormous willingness to do those kinds of things.

We are not finished, whether this package of the President passes or does not. There is still a fiscal problem; there is still a deficit problem. And I look forward, in all sincerity, in working with the Senator from Nebraska in the ensuing months and years to see if we cannot fix this once and for all.

I thank the Chair.

The PRESIDING OFFICER. The yeas and nays have been ordered on the motion to table the amendment of the Senator from Nebraska. The question is on agreeing to the motion. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY], is necessarily absent.

The PRESIDING OFFICER (Mr. AKAKA). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 7, as follows:

[Rollcall Vote No. 220 Leg.]

YEAS—92

Akaka	Ford	McConnell
Baucus	Glenn	Metzenbaum
Bennett	Gorton	Mikulski
Biden	Graham	Mitchell
Bingaman	Gramm	Moseley-Braun
Bond	Grassley	Moynihan
Boren	Gregg	Murray
Boxer	Harkin	Nickles
Breaux	Hatch	Nunn
Brown	Hatfield	Packwood
Bryan	Heflin	Pell
Bumpers	Helms	Pressler
Burns	Hollings	Pryor
Byrd	Hutchison	Reid
Coats	Inouye	Riegle
Cochran	Jeffords	Rockefeller
Cohen	Johnston	Roth
Conrad	Kassebaum	Sarbanes
Coverdell	Kempthorne	Sasser
Craig	Kennedy	Shelby
D'Amato	Kerry	Simon
Danforth	Kohl	Simpson
Daschle	Lautenberg	Smith
Dodd	Leahy	Specter
Dole	Levin	Stevens
Domenici	Lieberman	Thurmond
Dorgan	Lott	Wallop
Exon	Lugar	Warner
Faircloth	Mack	Wellstone
Feingold	Mathews	Wofford
Feinstein	McCain	

NAYS—7

Campbell	Durenberger	Robb
Chafee	Kerrey	
DeConcini	Murkowski	

NOT VOTING—1

Bradley

So the motion to lay on the table the amendment (No. 697) was agreed to.

Mr. HOLLINGS. Mr. President, if we can get the attention of the colleagues—the distinguished leader, the Senator from Kentucky—it is my understanding now, the amendment that will come from this side, by the distinguished Senator from New York, relative to terrorism and the death penalty will be laid down. We would be prepared to debate it as long as the distinguished Senator from New York desires this evening.

The majority leader will be here shortly to confirm the arrangement whereby after we complete the debate we will probably put it for a vote tomorrow sometime.

So I yield to the distinguished Senator from New York.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER (Mr. AKAKA). The Chair recognizes the Senator from New York [Mr. D'AMATO].

Mr. D'AMATO. Mr. President, may I ask what the pending business is?

The PRESIDING OFFICER. The committee amendment is the pending amendment.

AMENDMENT NO. 698

(Purpose: To apply the constitutional drug kingpin death penalty procedures for terrorist activities and bombing offenses under section 844 of title 18, United States Code, that result in the death of a person.)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New York (Mr. D'AMATO), for himself, Mr. STEVENS, Mr. DOMENICI, and Mr. LIEBERMAN, proposes an amendment numbered 698 to committee amendment on page 8, line 16.

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

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

The amendment is as follows:

At the end of pending amendment, add the following:

CONSTITUTIONAL DEATH PENALTY PROCEDURES FOR CAUSING DEATH BY TERRORIST ACTIVITY OR BOMBING.

(a) DEATH PENALTY PROCEDURES.—Title 18, United States Code, is amended by inserting after chapter 227 the following new chapter:

CHAPTER 228—DEATH PENALTY PROCEDURES

"Sec.

"3591. Definitions.

"3592. Sentence of death.

"§ 3591. Definitions

"In this chapter—

"'capital offense' means an offense that constitutes—

"(A) a violation of subsection (d), (f), or (l) of section 844; or

"(B) a terrorist activity.

"'terrorist activity' means:

"(A) the hijacking or sabotaging of an aircraft, vessel, vehicle, or other conveyance;

"(B) the seizing or detaining of a person and threatening to kill, injure, or continue to detain the person of the purpose of compelling another person (including a government organization) to perform or refrain from performing any act as an explicit or implicit condition for the release of the seized or detained person;

"(C) a violent attack on an internationally protected person (as defined in section 1116(b)(4)) or in the liberty of such a person;

"(D) an assassination; and

"(E) the use of a biological agent, chemical agent, or nuclear weapon or device with intent to endanger, directly or indirectly, the safety of a person or to cause substantial damage to property.

"§ 3592. Sentence of death

"(a) IN GENERAL.—A sentence of death for a capital offense may be imposed only if—

"(1) the defendant caused the death of a person intentionally, knowingly, or through recklessness manifesting extreme indifference to human life, or caused the death of a person through the intentional infliction of serious bodily injury; and

"(2) the sentence is imposed in accordance with the procedures set forth in section 408 (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), and (r) of the Controlled Substances Act (21 U.S.C. 848 (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), and (r)), except that for the purposes of a violation of that law, the references to "this section" in section 408(g) and (h)(1) and "subsection (e)" in section 408(i)(1), (j), (k) (each place it appears), and (p) of the Controlled Substances Act shall be deemed to be references to that subsection.

"(b) EXCLUSIVITY.—No rule of law, including a rule contained in a law under which an offense is committed, may be applied in determining whether a penalty of death shall be imposed in a particular case, other than the procedures described in subsection (a). Those procedures supersede all other provisions of law that pertain to whether a penalty of death shall be imposed in any particular case (not including the authorization of the penalty itself)."

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on the

date of enactment of this Act notwithstanding any other provision of this Act.

Mr. D'AMATO. Mr. President, last year Senator STEVENS and I proposed legislation dealing with terrorist activities. Our legislation was intended to deal with a situation that should have been remedied and must be remedied, and the sooner the better; that is, although we have provided for that, although we have in the statutes on the books a death penalty for bombing, that death penalty is inapplicable. It has been found to be unconstitutional. I will tell you why.

It is because, unlike the legislation, which we passed, which provided for the death penalty for the drug kingpins who ordered the assassination—I know that my colleagues remember what gave us the impetus to do that. It was a young police officer, Officer Byrne in New York City, who was so brutally murdered, was assassinated as he sat behind the wheel of his automobile providing protection for a drug witness. Then we learned that he had been ordered, by a punk who was in prison, to be assassinated. They put out a contract on him. They came up, put a gun into his window, and he never had a chance. It could have been any officer, anyone on duty. And he was viciously, brutally slain.

We proposed at that point in time that enough was enough, and that we certainly had a duty and an obligation to see to it that those who had ordered the execution of someone else, the drug kingpin, whether it be a police officer or anyone else, any other citizen, that they would pay with their life.

In so doing, we designed the legislation so that we provided for those contingencies which the courts have said safeguards against the taking of a life without due regard to the Constitution—we provided constitutional guarantees and mitigation, where there are mitigating circumstances as it related to the death.

That was not the case in the legislation that covers bombing.

So, Mr. President, if there are convictions of those who have been accused of the malicious terrorist bombing of the World Trade Center that took 6 people's lives, that injured 1,000, that cost in economic terms almost half a billion dollars that held the Nation hostage and gripped it with fear, notwithstanding a conviction, the prosecutors in that case could not seek the death penalty because the Supreme Court has found, as it relates to bombing in the case, that there are not the provisions for mitigating circumstances.

Mr. President, what we are doing today with this legislation is seeing to it that we have provided a death penalty for terrorists and terrorist activities that result in death, whether it be by bombing, or by assassination. And I believe that the people of this Nation want to know that those who would be willing to hold our Nation hostage, those who would be willing to assassinate a head of state or a Federal official, will pay with their lives.

I believe that the events of the past 6 months provide us with a clear understanding of the dangers of terrorism. And this is just beginning.

Terrorism is a new form of warfare. We find state-sponsored terrorism has arrived on our shores. I must say to you that it was very gratifying when the President of the United States called this Senator. At first, I did not believe it was the President, because I have had some friends spoof me before. After the death threats had been made public against the Secretary General of the United Nations, President Mubarak of Egypt, and this Senator, as well as a New York State Legislator by the name of Dov Hikind, I had a number of people who called and mimicked that they were not favorably disposed toward me and I better watch myself. Most were friends who were good-naturedly spoofing me.

So when, Friday, the 25th of June, my staff told me that the President was calling so, naturally I figured it was one of my friends who was continuing this spoof. So I answered the phone rather tentatively and said, "Yes." They said, "Hold on for a minute, Senator; it is the President." I figured again it would be Larry Elovich, a local lawyer and friend of mine back in Long Island, who has been known to pull these pranks on me. He said, "Al," with this southern drawl. I said, "Yes, Mr. President." He said, "I saw you poking that big pencil into me and the 'Taxasaurus.'" Then I knew it was the President. I said, "No, Mr. President, it was not you. It was my colleagues in the Congress."

He then went on to say—and I have to tell you some people might say it is good politics, but I say at least the President took the time out—and I am deeply appreciative of that—to say he was concerned for my safety and the fact that I had to endure this kind of situation, a threat, a terrorist threat placed against me, or the possibility of an attempted assassination. It was more than politics. I think it was just wonderful that he took that time out to speak to me.

He went on to say that he intended to deal with terrorists in a very forceful manner, and those who sponsored terrorism. I could have predicted to you—as a matter of fact, I was interviewed later that evening for a program not shown until Sunday—that he was going to take tough action against Iraq. He did not tell me he was going to order the missile strike against Iraq. But I salute him for undertaking that act.

Maybe some will say, well, he did not go far enough, or he went too far. Let me tell you, we should not be second-guessing our President when it comes to these kinds of things.

Just as Ronald Reagan ordered an attack against Libya, because of terrorist attacks that were made against our young men serving in Germany, once it was determined that the Libyans

were connected with the bombing of the LaBelle Night Club and a number of them were killed; he ordered a bombing attack at Mu'ammarr Qadhafi's headquarters. We supported that action.

President Reagan was right, and I tell you that President Clinton was right in saying to these nations that you cannot plan an assassination of our former President, or any of our officials, or take the lives of our citizens and think that this Nation will not respond. He was right.

Mr. President, we better understand that the magnificent work of the FBI and the intelligence units of New York City in arresting almost a dozen—and I believe there may still be a warrant out for one or two of these characters—does not mean that this network is smashed, or that there are not many others, and that that is the end of state-sponsored terrorism or terrorist attacks that are undertaken by different fanatical groups.

We have to understand that this is a new kind of warfare and, indeed, the Iranians are deeply involved in this kind of activity, an activity where they will single out targets and people, an activity in which they have paid tens and tens of millions of dollars to various groups; and that our people must be prepared to undertake whatever is necessary to let these terrorists—whether it is state-sponsored terrorists or others—know that we will not bend to their will. We will not allow them to hold America hostage. We will not be intimidated and, indeed, we are going to fight it at every front here at home, by using the best counterintelligence tactics known, because we have the best domestic intelligence agency, and one that is mindful of people's rights and still does the job, and that is the Federal Bureau of Investigation.

They did an outstanding job in this situation. And we are going to see to it that on the international scene we send the right message to terrorist nations that they will be dealt with accordingly.

I am sure, Mr. President, as I had predicted back in 1991, that the assassination of Rabbi Meir Kahane, was not a case where one man had undertaken this action alone. Indeed, we are finding more and more compelling facts that are coming to the surface that indicate very clearly that there was a network. Since that time—and I regret very deeply that those who should have been investigating all of the circumstances around that killing did not. I am talking about here on the Federal level—were not looking to see just how far this conspiracy that deprived someone of their civil rights and life had gone, and that we did not go further in determining just how extensive this network was.

Now we have a situation where, indeed, many of the very people who were outside the courtroom protesting the prosecution of Sayyid Nosair, who

while he was not convicted of killing Kahane, was convicted of weapons possessions and other crimes, and was sent to prison for 6 to 21 years. Indeed, we find that his cousin, is alleged to be one of the main culprits in the bomb plot and has been charged with planning to undertake a whole series of terrorist attacks that went beyond the World Trade Center.

We are talking about the bombing of the U.N. headquarters, bombing of the FBI Building, and the bombing of various highway tunnels in New York that people are dependent upon, and the mass destruction that could have been caused. As a result of this intelligence work undertaken by the FBI, they were precluded from undertaking these attacks, or the assassinations that they had contemplated.

Make no mistake that these bombings have been going on. I am not suggesting that all these bombings throughout the Nation have been bombings which are inspired by foreign governments. But I will tell you that there is no doubt in this Senator's mind that the Iranians are behind this new kind of warfare, and that the United States and our interests are being regularly targeted. Some of the groups that conduct terrorism are not even aware of where the funds are coming from; that there are funds coming to support their activities from the Iranians.

Let us look at the record. In 1991, according to the FBI, there were over 2,400 bombings. That is incredible. I wonder how many of us were aware that this is what is taking place. We are a Nation that is under assault by the use of these kinds of tactics—bombings. In 1991, there were 230 injuries and 289 people were killed. Property damage went into the millions. Of course, when we speak about the World Trade Center bombing, we have a different situation where in one incident we had the killing of 6 people, the wounding of 1,000, and over \$500 million in losses to businesses and property damages.

Let me share with you what the numbers are as it relates to the latest report. From 1990 to 1991, according to the FBI, we had an increase in bombings of some 58 percent. But let me go over possibly I think in more graphic terms starting in the year 1982.

In 1982 we had a total number of 795 bombings. In 1983, we had 687. In 1984, we had 804. In 1985 we had 841. Let us go to 1988. We had 977. So from 1982 to 1988, we had maybe an increase of 100-plus bombings.

But take a look at 1989. We go from 977 up to 1,208. And the next year we go to 1,582; the next year, 1991, we go to 2,499. So over a period of 3 years we have an increase of well over 200 percent.

Mr. President, let us understand that this is not by coincidence. Let us understand that there are people who are unstable who are utilized in these terrorist attacks. Do not believe because

you find a nest of people you might consider to be radical they may not be directly financed by a foreign government in terms of undertaking these kinds of attacks. As a matter of fact, that makes it much more difficult to ascertain who the prime mover—who the originator is in these kinds of attacks.

Indeed, when there was some who suggested, including this Senator, that the KGB was behind the attempted assassination of the Pope some 10 years ago, there were some who ridiculed that. Even our own intelligence agencies were putting out stories how was it that this fellow Mehmet Ali Agca, a half-crazed Turk, that he would be used in connection with this kind of such a visible figure, such a worldwide figure as the Pope. It made perfect sense because even if you were to capture this individual, what would his credibility be as it related to how he was financed, where he traveled, where he got his resources, where he got his training, if he was a person who was rather unstable.

So let us understand that in the arsenal of this new phenomena, rather than new, in terms of terrorist attacks by way of assassination or by the way of bombing, which is a way in which we see more and more of these activities carried out, that you will not always find the character that you see in the movie who moves with great stealth, who is an expert at munitions, who is an expert in martial arts, who is an expert in disguise, but indeed you will find in some cases some rather pathetic looking characters who have been utilized because they are never privy to the prime source and who the mover is and where the funds came from. When the authorities attempt to trace back who gave them their instructions, at some point in time it looks rather ridiculous and their stories lack credibility.

That was the case in the attempted assassination of the Pope. And I think more and more and, hopefully, we will get some help someday from the Bulgarians that will, I believe, substantiate those who have contended that the KGB by utilizing the Bulgarians and this pathetic, half-deranged Turk was behind that assassination.

Similarly, this Senator is suggesting to you that state-sponsored terrorism is real, that it is alive, and that while we have the ability to strike targets abroad, and the President in ordering the strike against the Iraqis for their attempted and foiled plot to assassinate former President Bush, while he was correct in doing that, we have a gaping hole in our domestic battle as it relates to dealing with those who are convicted of terrorist attacks; that is, we do not have the ability to impose the death penalty.

That is what this legislation will empower us to do. I think it is right, and I think it is just, and I think the American people demand this is something that should be undertaken.

Let me conclude by saying that I understand that there are some who may have doubts in terms of the effectiveness of this legislation—whether it will deter those who are indeed committed to carry out this kind of activity, who are willing to sacrifice their life in their blind adherence to their beliefs.

I think when innocent people are slain, just as in the case of Officer Byrne, just as in the case of those who died for no reason other than they found themselves in the World Trade Center when the bomb went off, the death penalty is appropriate for these kinds of cases where there are no mitigating circumstances, where you can show very clearly to the jury that this was done with total disregard for the lives of others, for innocent people.

I believe the American people want this legislation. I believe that in terms of us enacting parts of it heretofore which provided the death penalty in certain bombing cases that what we are doing is rectifying the omission of not providing those constitutional guarantees that the Supreme Court said must be contained in any such legislation.

That is the purpose in this Senator introducing it, and I would hope that we would pass it speedily along with this bill, and that we would hold out very strongly to see to it that our colleagues in the House also adopt this legislation.

Mr. President, I see the distinguished chairman of the committee rising.

Mr. HOLLINGS. I ask the distinguished colleague if he will yield for a question.

Mr. D'AMATO. Certainly.

Mr. HOLLINGS. Am I to understand that this particular amendment of his would compel the death penalty for those involved in terrorist activities that resulted in death; is that correct?

Mr. D'AMATO. It would make it possible for that to be sought, for the penalty to be sought.

Mr. HOLLINGS. Make it possible for it to be sought?

Mr. D'AMATO. Yes.

Mr. HOLLINGS. But not mandatory.

Mr. D'AMATO. Not mandatory, not at all.

Mr. HOLLINGS. As a matter of interest, the terrorism we recently witnessed up there in New York, since the terrorist definition, as I understand it, refers only to aliens—

Mr. D'AMATO. Pardon me?

Mr. HOLLINGS. Refers only to aliens.

Mr. D'AMATO. No.

Mr. HOLLINGS. American citizens alike?

Mr. D'AMATO. The source of this provision explaining the terrorist activity is the Immigration and Nationality Act. We refer to them.

Mr. HOLLINGS. One thing I was trying to understand and I was given, I think by your staff, a copy of the source of the definition of "terrorist activity" in your amendment. I am looking at section 212 of the Immigra-

tion and Nationality Act of 1990, "Terrorist Activities." In general, "any alien who has engaged in terrorist activities, or consular officer or attorney general knows or has reasonable ground to believe is likely to engage"—any alien, who is hijacking, seizing, obtaining, violent acts, assassination, the use of firearm, biological agent.

I am just wondering. Of the majority of those involved in the New York bombing that we know about now, that have been apprehended, are they aliens or citizens?

Mr. D'AMATO. No. This would cover people whether they were citizens or aliens and is not described as such in the definition of terrorist acts. The death penalty might be applied to people whether they are citizens because indeed even in this pending case, the matter in New York, I believe there may have been several citizens, although the death penalty is not applicable to them. Under this provision, it will be applicable to aliens, to citizens, to illegal aliens and legal aliens.

So it would cover the whole scope. We use terrorist as defined in our definition of terrorist activity. We describe the activity but not the individual. So it would apply to any individual, whether it is a citizen of the United States or an alien.

Mr. HOLLINGS. Very good.

If the Senator will yield, I will comment that this particular Senator, not as the manager, but as an individual Senator, is in sympathy with the amendment of the distinguished Senator from New York, and appreciates the initiative he gives to this serious problem at this particular time.

So I want to put the Senate on notice that those who really are opposed to the death penalty, period, they should be heard from or come to the floor and be heard on this score.

I can well foresee developing in our civilization where we will not need the death penalty someday. But, having had to operate, for example, the penitentiary, and knowing the inmates, and talking behind that wall and dealing with them over the years and everything else, if you did not have that death penalty, in many instances they would eat each other within the prison system itself.

There has to be that ultimate penalty. It is unfortunate we have not advanced to the understanding of society that many of our colleagues have that oppose the death penalty.

I do not go along with those that say it is not a deterrent. That is like telling this particular Senator that deregulation is working.

I had to buy a ticket last week for my wife to fly from Washington to Charleston and back. A round-trip ticket was \$698, coach class—\$698.

I saw where a ticket could be had to fly from Washington to Frankfurt, Germany, and back for \$279.

But they are constantly coming up with these reports that deregulation is working. They have a wonderful com-

mission, I say to the Senator, right now studying it. But I can give the result of the study in one word—deregulation. That is what has happened.

We had public convenience and necessity. Little cities and towns built the airports out in the counties. They went to the airlines. They came up to the CAB and made a presentation on the basis of convenience and necessity.

Now we have gone haywire, whereby, on the one hand, you have the study of trying to keep them competitive—namely, to keep them in business; it has nothing to do with the traveling public's convenience and necessity. Then on the other hand, we have the regulated taking over the deregulated—KLM taking over Northwest; British Air taking over USAir. And they will get the favorable routes, all in this great compulsion: "Got to get rid of the Government. The Government is the problem. The Government is not the solution."

So deregulate, deregulate. And we have come full circle. So the deregulators have taken them over.

And in a similar fashion—I do not mind aligning myself in the direction the Senator from New York is now moving—we will continue to have even a greater increase in the terrorist activity which we are now experiencing if we don't do otherwise. So I sympathize and support and would vote for the amendment of the distinguished Senator from New York.

Those who are opposed or want to debate it further, please come to the floor.

I thank the Senator.

Mr. D'AMATO. I thank the distinguished chairman and manager of this bill.

I think that I should not go further, because the Senator has said it well.

Indeed, without the death penalty, in circumstances that we now have, I think we would see far more in the way of killings.

Indeed, I think it sends a signal, though, that we are determined to take this on; that we have the national will and the national resolve, and that if you are going to undertake these kinds of activities, you will pay with your life. And, further, some of these acts are just so desperate, they are so depraved that the appropriate punishment for that kind of conduct is forfeiture of one's life.

I might say, Mr. President, that I hope we can have a debate for an hour tomorrow morning, if need be, on this before a vote occurs.

I would ask for the yeas and nays, if that would be appropriate.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. HOLLINGS. I ask the Senator to withhold on that. I do not intend to object. We have to check it on our side. If he could give us a little time, maybe we would have to suggest the absence of a quorum to be able to check it on this side.

The PRESIDING OFFICER. There is not a sufficient second.

Mr. D'AMATO. Mr. President, let me also say that I find myself in an unusual position, but you have to call them the way you see them.

Today I have been very critical of some of the President's economic policy, as it relates to spending and taxing. But as it relates to this battle against international terrorism, the President today advanced legislation that I think is part of this process. I hope that we will enact it as speedily as possible.

I am talking about that area of the law that also, again, has just a gaping hole as it relates to the failure to give to our Immigration and Naturalization Service sufficient help in the way of manpower, resources, and authority to close down smuggling rings that are operating just with an openness in front of all the officials, and the officials' hands are tied.

We see people who are coming from London, who get on an airplane, who come from a Third-World nation, let us say Iran, or wherever, and get onto the plane in London, land in Kennedy, get off the plane, and they now have no documentation. Mysteriously, they lost it. Their passport is destroyed.

They say two words: "political asylum." Those two words guarantee them and give them a passport, literally, into this country, many of them not to be seen again.

The President today introduced legislation that will protect and keep this Nation—as it says on the Statue of Liberty, we welcome those huddled masses. We want to welcome the huddled masses, those who are in need of protection, but certainly not those who are drug dealers, those who employ people for drug smuggling, those who are involved in terrorist activities, and others who are entrapped in this.

I think the President made a significant contribution in advancing legislation that closes some of these loopholes. So I want to, at this point in time, when we are talking about trying to galvanize the Nation's resources, commend him for moving forward in this manner.

Mr. DECONCINI. Mr. President, Public Law 102-361 authorized the appointment of 35 new bankruptcy judges, including 2 for the Federal District of Arizona. These judgeships are needed to deal with the tremendous growth in bankruptcy filings which have occurred over the past 12 years. Factors such as major setbacks in real estate and construction and the general state of the economy led to a tripling of bankruptcy filings from 1980 to 1992. In 1992 alone, there were nearly 1 million bankruptcy filings representing over \$100 billion in debt. While hearings on the legislation underscored the overwhelming need for the new judges, the funding has never been appropriated.

Without the relief of these additional judgeships, our bankruptcy court system will remain overloaded. As a con-

sequence of the backlog, both debtors and creditors continue to suffer needlessly. The bankruptcy committee of the Judicial Conference states that the threshold for the creation of an additional judgeship is 1,500 weighted case hours per judge. All of the requests for permanent judgeships exceed that case load by at least 160 hours per judge, some by as much as 1,850 hours.

The District of Arizona set another record for bankruptcy filings in 1992—19,883 cases. Although bankruptcy filings in Arizona and the rest of the Nation dropped during the first quarter of 1993, these new judgeships remain fully justified based on current caseload. Furthermore, Arizona has a large number of complex chapter 11 filings which require significantly more resources than other types of cases.

Although there is no specific appropriation for these judges included in the bill before us today, I want to make it clear that I believe the courts should make funding of these judgeships a priority. I urge my colleagues in conference to support an appropriation which provides sufficient funds to the courts for these judges.

Funding new bankruptcy judges is critical to get cases involving bankrupt individuals and businesses resolved in a reasonable amount of time. The return of businesses and individuals to productive livelihoods ultimately benefits our country as a whole.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I am informed on this side that those who were not able tonight to clear the unanimous-consent agreement will be present and ready to debate—I do not believe from what I have been told that there is any intention to delay; they just do not want to agree this evening—will be present and ready to debate with the distinguished Senator from New York as soon as we come back to this bill in the morning.

Mr. D'AMATO. That is wonderful.

Mr. HOLLINGS. I am sure you and the others who now have that concern will be able to get together on a unanimous-consent agreement.

Mr. D'AMATO. Fine.

Mr. President, I thank the manager of the bill and look forward to proceeding tomorrow morning, or whatever time we take up the bill.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New York suggests the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination:

Calendar 287. Robert R. Nordhaus, to be general counsel of the Department of Energy;

I further ask unanimous consent that the Senate proceed to immediate consideration of the nomination, that the nominee be confirmed, that any statements appear in the RECORD as if read, that the motion to reconsider be laid upon the table, and that the President be immediately notified of the Senate's action.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF ENERGY

Robert Riggs Nordhaus, of the District of Columbia, to be general counsel of the Department of Energy.

LEGISLATIVE SESSION

Mr. HOLLINGS. Mr. President, I ask unanimous consent the Senate return to legislative session.

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

CHANGE OF REFERRAL—S. 524

Mr. HOLLINGS. Mr. President, on behalf of the majority leader I ask unanimous consent the Energy Committee be discharged from further consideration of S. 524, a bill to designate Pittsburgh Aviary as the National Aviary of Pittsburgh, and that the measure then be referred to the appropriate committee of jurisdiction, Environment and Public Works.

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

REHABILITATION ACT AMENDMENTS OF 1993

Mr. HOLLINGS. Mr. President, on behalf of the majority leader I ask unanimous consent the Senate proceed to the immediate consideration of S. 1295, the Rehabilitation Act Amendments introduced earlier today by Senators HARKIN, DURENBERGER, and DOLE; that the bill be read a third time, passed, the motion to reconsider be laid upon the table, any statements thereon appear at the appropriate place in the RECORD.

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

The clerk will report.

The legislative clerk read as follows:

A bill (S. 1295) to amend the Rehabilitation Act of 1973 and the Education of the Deaf Act

tent to endanger, directly or indirectly, the safety of a person or to cause substantial damage to property.

***13592. Sentence of death**

"(a) IN GENERAL.—A sentence of death for a capital offense may be imposed only if—

"(1) the defendant caused the death of a person intentionally, knowingly, or through recklessness manifesting extreme indifference to human life, or caused the death of a person through the intentional infliction of serious bodily injury; and

"(2) the sentence is imposed in accordance with the procedures set forth in section 408 (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), and (r) of the Controlled Substances Act (21 U.S.C. 848 (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q) and (r)), except that for the purposes of a violation of that law, the reference to 'this section' in section 408 (g) and (h)(1) and 'subsection (e)' in section 408 (i)(1), (j), (k) (each place it appears), and (p) of the Controlled Substances Act shall be deemed to be references to that subsection.

"(b) FLEXIBILITY.—No rule of law, including a rule contained in a law under which an offense is committed, may be applied in determination whether a penalty of death shall be imposed in a particular case, other than the procedures described in subsection (a). Those procedures supersede all other provisions of law that pertain to whether a penalty of death shall be imposed in any particular case (not including the authorization of the penalty itself)."

"(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act notwithstanding any other provision of this Act

GLENN AMENDMENT NO. 699

(Ordered to lie on the table.)

Mr. GLENN submitted an amendment intended to be proposed by him to the bill (H.R. 2519), supra, as follows:

On page 28, add after line 22 the following new section:

SEC. 112. No funds appropriated under this Act or any other Act may be expended to implement or enforce Attorney General Order No. 1638-92, dated December 11, 1992 (relating to the jurisdiction of the Office of the Inspector General and certain allegations of misconduct).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate Tuesday, July 27, 1993, at 10 a.m. to conduct a hearing on the nominations of Nelson Diaz to be General Counsel of the Department of Housing and Urban Development, and Gordon J. Linton to be Federal Transit Administrator.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet at 10:30 a.m. July 27, 1993, on the nomination of Lionel Skipwith Johns, of Virginia, to be an Associate Director of

the Office of Science and Technology Policy.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet at 10:30 a.m. July 27, 1993, on the nomination of Mary Low Good, of New Jersey, to be Under Secretary of Commerce for Technology.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Tuesday, July 27, 1993, at 2 p.m., to hold a nomination hearing on Stuart E. Eizenstat, to be U.S. Representative to the European Communities, with the rank of Ambassador.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources' Subcommittee on Education, Art and the Humanities be authorized to meet for a hearing on "How We Pay Our Schools," during the session of the Senate on Tuesday, July 27, 1993, at 9:15 a.m.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. HOLLINGS. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a hearing on the report of the National Academy of Sciences' Committee To Review the Health Effects in Vietnam Veterans Exposure to Herbicides at 10 a.m. on Tuesday, July 27, 1993. The hearing will be held in room G50 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, July 27, 1993, at 2:30 p.m., to hold a closed briefing on intelligence matters.

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

SUBCOMMITTEE ON CLEAN WATER

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Subcommittee on Clean Water, Fisheries and Wildlife, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Tuesday, July 27, beginning at 2:15 p.m., to conduct a hearing on reauthorization of the Clean Water Act, focusing on the issues of watershed planning and enforcement.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Tuesday, July 27, 1993, at 3 p.m., to receive a closed briefing on the latest developments in United States-North Korea talks on the Nuclear Non-Proliferation Treaty.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT

Mr. HOLLINGS. Mr. President, I would like to request that the Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, be granted authority to meet during the session of the Senate on Tuesday, July 27, 1993, at 9:30 a.m., to hold a hearing on oversight of Federal property management.

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

ADDITIONAL STATEMENTS

NATIONAL ENDOWMENT FOR DEMOCRACY (NED)

• Mr. LUGAR. Mr. President, sometime this week the full Senate will take up legislation that will ask Members to make a judgment on the National Endowment for Democracy [NED]. The legislation could be both an authorization bill and an appropriations bill. I strongly urge Members to support continued funding for the NED when these bills reach the floor.

The National Endowment for Democracy has been in existence for a decade and has been one of the most effective organizations in the world in supporting democracy and democratic institution-building. The NED and its core grantees have been involved globally in helping nondemocratic societies transition to open political systems, sustain those fledgling democratic societies once the transition has begun, and strengthen democratic institutions during the difficult post transition phase of democratic conversion. Whether supporting a free press, civic education, free and fair elections, government accountability, free market practices, or labor organizing, the NED has helped play a catalytic role in promoting open and pluralistic civil societies around the world.

I have been privileged to be a member of the NED board of directors for the past year and have been able to observe first hand and up close the vigorous review process on all proposals before the Board. I have been deeply impressed by the quality, diligence, and dedication of the entire NED family. I have been equally impressed by the fact that NED has been engaged in its

worldwide activities with a comparatively small staff, low overhead costs, and a relatively modest budget. Much of the work of its core institutes is done by volunteers who are not paid, who give up free vacation time, and who wish to contribute to grass roots efforts to build democratic societies abroad.

There should be little doubt about NED's success in promoting democratic values and practices, about its international reputation, or about its contribution to beating back threats to democracy from authoritarianism, communism, repression, and statism. Letters, in the form of testimonials and endorsements, have come in from around the world urging continued support for NED. They come from national leaders, reformers, democrats, from people of all persuasions and orientations who share one common overarching value: that freedom and democracy are values worth having because they lead to a better and more enriching life with greater dignity and purpose. NED has been an important part of the experiences of these distinguished individuals as they grappled with problems in bringing democracy to their countries. Comparable endorsements have poured in from U.S. Government leaders, the press, and others in virtually every sector of our own society.

This global endorsement should not be surprising. The NED has enjoyed strong bipartisan support here in the United States and in the Congress ever since it was established. It received the enthusiastic support of Presidents Reagan and Bush and is now a major foreign policy priority of President Clinton. Democrats and Republicans, liberals and conservatives, academicians, practitioners, businessmen, political activists, amateurs and professionals openly and knowingly praise the work of NED and its four core institutes: the Free Trade Union Institute [FTUI], the Center for International Private Enterprise [CIPE], the International Republican Institute [IRI], and the National Democratic Institute [NDI].

Mr. President, I ask that a representative sample of excerpts from letters and testimonials about NED be included in the RECORD. They come from abroad and at home. It is my hope that these documents will help inform Members of NED's efficacy and that each Member will support the NED provisions in the Foreign Relations authorization bill and in the Commerce, Justice, and State appropriations bill when they come before this body.

The material follows:

NATIONAL ENDOWMENT FOR DEMOCRACY
MISCELLANEOUS ENDORSEMENTS

"NED played a critical role in support of Lithuania's drive to reestablish democracy and national independence. By supplying Sajudis and other grassroots democratic organizations in Lithuania with computers, telefax machines and other technical assistance as well as paper for its democratic

press, NED made our enormous task of challenging, and ultimately defeating, the Soviet Empire much easier. * * * NED had the foresight and courage to support us at a time when others in the West preferred to sit on the sidelines or even to support Goliath against David * * * Lithuania's democratic forces need NED's assistance today as much as they needed its help in 1989 and 1990 * * * the return of anti-democratic regimes in Eastern Europe and the former Soviet Union and the resurgence of imperial forces in Russia is an ever-present threat not just to the citizens of those countries but also to those of the United States."—Vytautas Landsbergis, former President of Lithuania.

"We think the democratic revolution in Ukraine is not yet finished. The old communist nomenclature changed its name and called itself democratic. It is still in power and does its best against development of real democracy in Ukraine. So we are in the position that the help of the National Endowment for Democracy is still very important for Ukraine. We are grateful to NED for its contribution to the development of democracy. That is the best proof of the American peoples' devotion to democratic ideals."—From a letter signed by nine members of the Ukrainian parliament, including representatives of the Independent Miners Trade Union, the Ukrainian Legal Foundation, several independent publications and the Ukrainian Centre for Independent Political Research.

"Practically speaking, the endowment is the only grant-giving organization which focuses its activities in the post-totalitarian countries directly on supporting the work of non-governmental organizations. In this way, it promotes the emergence of civil society, which serves as the basic guarantee that the future development of these countries will follow along a democratic path. * * * The closing of the Endowment poses a danger * * * which can best be characterized by the proverb, 'penny wise, pound foolish.'"—Elena Bonner, widow of Andrei Sakharov.

"Your organization provides important support to independent media organizations in Russia. * * * In contrast to the numerous other foreign aid programs * * * the Endowment has always economically and effectively used its allocated resources. * * * We would like to raise the hope that the activities of the Endowment, which pursue the noble goal of helping democracy triumph in Russia, will continue."—V. Davidov, Chairman of the press syndicate "The Globe," Moscow, Russia.

"I want to thank you for your ongoing support of the work of the Center for Anti-War Action and for your generous financial backing of our conference on war crimes and the International War Tribunal. * * * The National Endowment for Democracy not only made this important meeting and future contacts and collaboration possible, but also set a significant example for others committed to freedom and human rights to follow."—Vesna Pusic, Director, Center for Anti-War Action, Belgrade.

"NED's activity is the mortar which binds together the bricks which together make up the civil society we so much need * * * NED's support gives us the moral and material means to serve a cause dear to us all. * * * It isn't anymore a short, violent battle of arms. It is a long tenacious battle of arms. It is a long tenacious battle to change the mentality of a society. We shall win this struggle the day we shall be able to say truthfully that the people decided their future through their own will."—Luminita Petrescu, Executive Director, Humanitas Foundation, Romania.

"Because of what NED has done for Iraq since the Gulf War, it has been possible for Iraqi writers and human rights activists to

get their ideas and aspirations into Iraq. * * * Reports still reach me of the effect of this kind of work in creating a new and enriching climate of ideas on issue of democracy and the imperative for a central focus on human rights in the building of a new order in Iraq. None of this would have been possible without the backing of the National Endowment for Democracy. * * * The work of the NED affects millions of lives and must continue."—Kanan Makiya, Iraqi author of Republic of Fear and Cruelty of Silence.

"In my experience, the Endowment is the only institution prepared to assist fledgling organizations committed and richer institutions, the Endowment does not look for glamorous or elaborate projects, but seeks hands-on sustained effort that works and can have an impact particularly at the grass-roots level. It provides support, encouragement and hope for struggling democrats often working under difficult conditions. * * * The end of the Cold War offers an unprecedented chance of success for efforts by the endowment at strengthening a democratic culture among developing nations. * * * Such activity is now 'pro-people' and can only be rejected by dictators who constitute a threat to their own countrymen and to world peace. It is in the interest of civilization as a whole to seize this opportunity and, through peaceful, cost-effective means, assist democratic groups to develop and sow the seeds of democracy. * * * I would like to thank the Endowment for having the vision to realize that supporting democracy is not merely a Cold War tool. Iraqi democrats, through the intermediary of the Iraq Foundation, have benefited from this vision and appreciate the Endowment's commitment."—Rend Franke, Executive Director, Iraq Foundation.

"The pro-democracy movements of many countries, including China, are directly encouraged by NED's efforts. It is true that the Cold War is over, but that does not mean that democracy has been achieved. In fact, many countries in today's world are still ruled by oligarchic dictatorships, still lack freedom of speech, still have no meaningful elections and still hold political prisoners. Therefore, NED's functions are still absolutely necessary for the leadership of the US in international affairs. * * * History has shown many times that a dictator who relies on massacre and suppression to maintain his rule at home is frequently untrustworthy in international affairs as well. In this sense the problem of democracy is one of the world-wide problems, like that of environment. Without step-by-step improvement in the world-wide environment for human rights and democracy one cannot expect a complete solution of many international problems."—Fang Lizhi, Chinese astrophysicist.

"We, the Third World people in Asia, Africa and Latin America, still have a life-and-death struggle for democracy, freedom and justice against ruthless dictatorships. The NED's support for our struggles, in the face of severely limited resources, is very crucial and could make a difference between total victory and defeat for the democratic forces. * * * We have achieved much in our struggle because of the support given by NED. * * * Reducing or cutting off NED's support would surely weaken to a great extent democratic movements in general and our struggle in particular."—Dr. Sein Win, Prime Minister, National Coalition Government of the Union of Burma.

"The NED is unique in recognizing the necessity for democratic political development as a global and long-range project. By giving concrete support in a coherent and continuous fashion to a wide diversity of grassroots indigenous movements, the Endowment is

giving voice to the victims, providing them with the basic and indispensable tools with which they can set about constructing their democratic future. * * * NED Supports a wide range of programs, large and small, provided that they are dynamic and original efforts which make a positive advancement toward democratic progress. * * * The NED, with its unique and far-sighted objectives, is truly pushing back the frontiers of democracy for present and future generations."—Vo Van Ai, President, Que Me, Vietnam Committee on Human Rights.

"Of all the American funding agencies, the Endowment deserves high praise for the quality of its staff, the level of understanding and awareness about the regions it serves, and the assistance and support it provides to its grantees. * * * The National Endowment for Democracy is not mired in paper, bureaucracy or inaccessibility. Operating as a professional foundation, the Endowment has been able to successfully address the needs of new democracies with energy, insight, commitment and dispatch."—Raymond Shonholtz, President, Partners for Democratic Change, San Francisco, CA.

"There is no other US government program which has done so much to secure democracy, freedom and peace in Latvia. The National Endowment for Democracy supported both morally and financially the efforts of the American Latvian Association to aid pro-democracy forces in Soviet-occupied Latvia. This support came at a time when other parts of the US government were unable or unwilling to provide overt help to groups and individuals seeking to reestablish freedom and democracy. * * * I feel it is not overstating the case to say that the National Endowment for Democracy is in part responsible for the victory of democracy in Latvia. The National Endowment for Democracy must be preserved, to help consolidate the gains democracy has made in our world. Latvia, other new or renewed democracies in Europe and around the world and the United States itself have too much at stake to allow America's most successful exponent of democracy reform to die."—Ints Rupners, President, American Latvian Association.

"We have a grant from the National Endowment for Democracy to place recycled computers in organizations to help develop democracy. Our work has had a profound impact on the target organizations. * * * The League of Women Voters in Prague, Czech Republic, keeps its membership list on a donated computer. The Congressional Research office of the Ukrainian parliament publishes 30 journals a week, all with donated computers. The Open Media Foundation in South Africa teaches freedom of speech with donated computers. Old Star Wars accounting computers are on-duty making freedom of speech a reality in Romania. The list goes on and on. Had NED purchased the equipment it would average \$3,000 per system. We delivered the machines, on the ground, ready to use for \$100 each. This is cheap. And it is indicative of the work being done with NED's money. NED is not a relic of the Cold War. It is a living organization working under different conditions to stimulate democracy."—Alexander Randall, President, East-West Education Development Foundation, Boston, MA.

"The NED is prepared to provide modest but crucial support to citizen projects too small to interest USAID and its ponderous mechanisms. Further, it has brought the skills and talents of many Wisconsin citizens together with those in other countries struggling to build democratic structures and understanding. Former Eau-Claire county administrators have taught regional governance in Belarus, for example * * * and I am sure there are many other Wisconsin leaders

like me whose efforts have been engaged in translating US policy into human experience through the NED."—Sarah Harder, Office of the Vice-Chancellor, University of Wisconsin, Eau-Claire.

"The Mershon Center has underway with the Polish Ministry of National Education and major Polish universities the largest, most comprehensive project on democracy education in Central Europe—"Education for Democratic Citizenship in Poland." Among other things, this project is developing curriculum guides for civic education for primary and secondary schools, a civics course that will reach nearly one million primary school students a year, a university course for new teachers on "schools and a democratic society" and five centers for civic and economic education across Poland. This project would not exist without support from the National Endowment for Democracy. * * * Polish philosopher Leszek Kolakowski echoed our own founding fathers when he said "Freedom is never assured. It is always to be defended." In my judgment, the Endowment is worthy of strong, bi-partisan support; you are making an invaluable contribution to the development of democracy across the world and thereby to the defense of American democracy."—Charles Herman, Director, Professor of Political Science, Mershon Center, Ohio State University.

WHAT OTHERS ARE SAYING ABOUT THE NATIONAL ENDOWMENT FOR DEMOCRACY

"The NED has proved to be one of our most effective means for supporting grass-roots trade union, business and citizen groups, which form the basis for democratic reform. By fostering such reforms abroad, we not only project our own values, we also increase our own security and create better partners for trade and global problem solving."—President Bill Clinton, June 16, 1993.

"Backers of NED point out that the Cold War may be over, but the triumph of democracy in large parts of Asia, Africa and Eastern Europe is far from ensured. All sorts of hostile elements are ready to strangle democracy in the crib. * * * The Senate next month has a chance to undo the damage [of the House vote to kill NED] and keep the United States on the side of building democracy in the world."—David Broder, July 4, 1993.

"The Senate should reverse the House's shortsighted action and restore NED funding. The NED is a dynamic, flexible and cost-effective means of furthering U.S. interests by promoting the development of stable democracies in strategically important parts of the world. The U.S. cannot afford to disarm unilaterally in the international war of ideas."—Executive memorandum, The Heritage Foundation, July 8, 1993.

"The National Endowment has done very effective work. The fact of the matter is, establishing a democracy is a tough, difficult task. It is far more than just running an election. You are building the institutions of democracy, and that is what the Endowment has expertise in."—Congressman Lee Hamilton, June 22, 1993.

"We have observed the Endowment's programs first-hand. They work, and they are cost-effective. We unanimously urge continued funding for efforts that are contributing to the development of democratic institutions and free market economies abroad. * * * Now more than ever, the National Endowment for Democracy is an investment in America's future."—Tom C. Kerologos, Chairman, U.S. Advisory Commission on Public Diplomacy, July 9, 1993.

"The work of the National Endowment for Democracy and its affiliates in promoting civic education and the transition to free market economies and pluralistic democ-

racies has proven to be extremely cost-effective. The money spent in promoting democracy is money saved in responding to civil conflicts."—Former President Jimmy Carter, June 30, 1993.

"The NED helps democracy by means of small but life-giving grants for trade unions, student groups, publications, legal assistance for the persecuted, and other measures. It has a record of success in helping democracy put down roots in stony social soil."—George F. Will, July 11, 1993.

"How, in 1993, less than two years after the dissolution of the Soviet Union, less than four years after the fall of the Berlin Wall, less than 12 years after the National Endowment for Democracy started working with Lech Walesa and other believers in democracy in Eastern Europe, within 10 years after the National Endowment for Democracy went to the Philippines and went to Chile, went to Namibia, and went all over the world where the struggle for free elections and democracy was going on and winning support, how can we possibly contemplate wiping out the key part of America's program."—Congressman Howard Berman, June 22, 1993.

"Often mistakenly portrayed as an anti-communistic relic, NED is instead a pioneer of the pro-democracy activism that emerged on every continent in the 1960s."—Scripps Howard News Service editorial, July 3, 1993.

"The National Endowment embodies America's broad-based and bipartisan support for freedom. The Endowment's pioneering programs are models of how democratic principles can be given practical expression in every single region of the world."—Secretary of State Warren Christopher, April 26, 1993.

"The National Endowment for Democracy, during the Cold War, played a vital role from El Salvador to Poland. In the transition out of the Cold War, it plays an even more important role."—Congressman Dana Rohrabacher, June 22, 1993.

"Iraqis fighting Saddam Hussein say one American organization in particular helps keep alive their hopes that democracy has a chance in their country. China's dissidents, at home or in exile, know and bless its name—the National Endowment for Democracy."—A.M. Rosenthal, July 13, 1993.

TRIBUTE TO KENTUCKY'S BLUE RIBBON HIGH SCHOOLS

● Mr. MCCONNELL. Mr. President, I rise today to pay tribute to six outstanding Blue Ribbon Kentucky high schools.

I would like to take this opportunity to congratulate Assumption High School, Belfry High School, Elizabethtown High School, Fort Campbell High School, St. Xavier High School, and Williamsburg High School for their exemplary achievement in secondary education. Recently, these fine Kentucky high schools were honored as Blue Ribbon Schools by the U.S. Department of Education. All six of these high schools will be formally recognized at a ceremony in Washington, DC, this September. I have had the distinct pleasure of visiting several of these schools in the past and I intend to visit more of these outstanding schools in the future to get a firsthand look at their accomplishments.

The recognition of these institutions as Blue Ribbon Schools is particularly laudable considering the vast number of nominations for the award. Only 260

oted in the streets of Lagos. The situation is intensifying each and every day. Tens of thousands of people have set fires and erected barricades. Violent confrontations between police and rioting civilians have resulted in a number of Nigerians being killed. These people risked their lives in the name of democracy. If progress toward democracy remains impeded, we should consider reassessing our policies and our financial support for Nigeria.

General Babangida should allow the democratic process to function freely. He should allow the voters to speak for themselves. It should not be democracy at his discretion. It should not be majority rule by minority will. While visiting Abuja, Nigeria's new capital, our delegation was assured by Chief Ernest Shonekan, chairman of the transition council, that General Babangida was resolutely committed to completing the transition to civilian rule. I must say that upon my return I was hopeful Nigeria was truly on the road toward democracy and an end to 24 years of military rule. I sincerely hope General Babangida's future actions soon will disprove allegations that he is stalling the progress of democracy in order to remain in power. General Babangida and all his military officials must prove their commitment to the transition to civilian rule. Further attempts to block the fulfillment of democracy could thrust the country into anarchy.

Therefore, I strongly urge General Babangida to adhere to his own timetable and facilitate the swearing in of a democratically elected President on August 27. In response to his annulment of the June 12 election, President Clinton reduced assistance by roughly \$1 million, and expelled Nigeria's military attaché here in Washington. Other tough measures could be taken if General Babangida continues to pay nothing more than lip service to democracy. Such measures would be most unfortunate but necessary.

Mr. President, this year alone, Burundi, Eritrea, Lesotho, Madagascar, Malawi, and Niger have conducted internationally supervised elections and referendums. However, Nigeria, a nation of enormous potential, once again has stalled on the road to democracy. This of all African countries has the potential to succeed. I hope that August 27, 1993, will be a day to celebrate Nigerian democracy. Now is the time for General Babangida to restore legitimacy to the Nigerian State.

Mr. President, in summary, my visit to Nigeria with Senator SPECTER was a very interesting experience but also very sad in some ways, because here

you have a country with such enormous potential, where gasoline is sold for a few cents a gallon on the streets because of government subsidies, where the people want to have elections, where they were having the party conventions, and yet the elections were canceled.

All the countries we visited—we visited eight countries across Central Africa, starting in Senegal, and then to Kenya and going all the way back to Nigeria including the Central African Republic, Cameroon, Congo, Uganda, Kenya, and Mauritania—they were all a disappointment in terms of the development of democracy, except for Uganda, where the President, Yoweri Museveni, is trying hard to put democratic institutions in place. All the others, it is my judgment, except maybe the Congo, have kleptocratic governments; that is, governments that are stealing from the people. I believe, these government leaders get into power and their idea is to stay in power and to steal as much as possible.

I was told by our Foreign Service officers in the various stops we made that a number of African people were amazed at the transition of power from George Bush to Bill Clinton. In one country, the USIA representatives called in several local citizens to watch President Clinton's inauguration on TV. This transition is amazing to many people in Africa because none of their leaders ever give up power.

That is what is happening in Nigeria. General Babangida just will not give up power. We should use our AID figures to influence democratic change as President Clinton has done. I commend President Clinton for his action. We also should threaten to use our influence with the international monetary organizations and elsewhere to insist on democracy in these countries.

But my great concern is that many countries in Africa currently are going backwards rather than forwards in terms of democratization. I wish that were not my assessment. But what is happening in Nigeria is another example of why that is so.

Mr. President, I yield the floor.

UNANIMOUS-CONSENT AGREEMENT—S. 919

Mr. DECONCINI. Mr. President, I ask unanimous consent that, when the Senate resumes consideration on Wednesday, July 28, of S. 919, the national service bill, Senator KENNEDY be recognized to offer a substitute amendment; that a cloture motion filed on this amendment mature on Thursday, July

29, with the vote occurring at a time to be determined by the majority leader, after consultation with the Republican leader, with the mandatory live quorum being waived; and that the cloture motion filed on the committee substitute be vitiated.

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

ORDERS FOR WEDNESDAY, JULY 28, 1993

Mr. DECONCINI. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 8 a.m., Wednesday, July 28; that following the prayer, the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; that there then be a time for morning business, not to extend beyond 11:15 a.m., with Senators permitted to speak therein for up to 5 minutes each, with the following Senators recognized for the time limits specified and in the order listed, if present:

Senator MURKOWSKI for up to 30 minutes, Senator DORGAN for up to 10 minutes, Senator MITCHELL or his designee for up to 30 minutes, Senator WALLOP or his designee for up to 1 hour, Senator HOLLINGS for up to 30 minutes, and Senator GRASSLEY for up to 10 minutes; that at 11:15 a.m., the Senate immediately resume consideration of H.R. 2519, the State, Justice, Commerce appropriations bill.

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

RECESS UNTIL 8 A.M. TOMORROW

Mr. DECONCINI. Mr. President, if there be no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess, as previously ordered.

There being no objection, the Senate, at 7:51 p.m., recessed until Wednesday, July 28, 1993, at 8 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate July 27, 1993:

DEPARTMENT OF ENERGY

ROBERT RUGGS NORDHAUS, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.