

relate in any manner to the July 8, 1995 "Healthy Rangelands Communication Plan," or S. 852, the Public Rangeland Management Act of 1995.

The term document shall include, but is not limited to, any and all originals and drafts of any information whether in written, typed, printed, recorded, transcribed, taped, or audio-taped, however produced or reproduced. This request shall include, but is not limited to, memoranda, letters, briefing materials, analyses, talking points, computer entries, electronic e-mails, telephone logs, tapes, notes, diaries, journal entries, reports, studies, manuals, speeches, opinion documents, position papers, messages, summaries, and bulletins.

Because of the seriousness of these allegations, please forward all responsive documents by Friday, August 4, 1995.

Sincerely,

CRAIG THOMAS,  
*Chairman, Subcommittee on  
Oversight and Investigations.*

Mr. THOMAS. I yield to my colleague.

Mr. CRAIG. Mr. President, let me thank my colleague from Wyoming for his response. He chairs the Oversight and Investigations Subcommittee of the full Energy and Natural Resources Committee.

I hope the Secretary of the Interior will cooperate. I think it would be tragic if, in fact, the veteran career civil servants of this great, old organization called the Bureau of Land Management have been pushed into a political activity by the acting director, the national director of the BLM.

At least from my cursory observation with the information that is now available, it appears just that. Never in my 14 years in the U.S. Congress have I seen civil servants asking for and gaining interviews with editorial boards, writing editorial or guest opinions in newspapers, advocating a clear position on a given piece of legislation. That simply is not allowed. It may well be a violation of the HATCH Act.

There are other, broader ramifications here. At this moment, the kind of look that I have taken, and I think my colleagues in the Energy and Natural Resources Committee have taken, is that without question there appears at this moment at least to be a violation of this Senate's appropriations act.

The language that the Senator from Wyoming and I read, section 303, is not something new. It goes in every appropriations bill, and it has gone in for a good many years, directing the actions of the agencies involved and the money appropriated and how it should not be used in certain cases.

We hope that the Secretary of the Interior would cooperate so we can get to the bottom of this issue, so that the State directors and the information officers of the BLM will not continually be put in a most awkward position over an issue they are now being asked to advocate, when it is the responsibility of the United States Congress to make those decisions, and then for those agency personnel to carry them out and to promulgate the rules and regulations necessary.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### FOREIGN RELATIONS REVITALIZATION ACT

The Senate continued with the consideration of the bill.

#### AMENDMENT NO. 2026, AS MODIFIED

Mr. HELMS. Mr. President, I call for the regular order.

The PRESIDING OFFICER. Under the previous order, amendment No. 2026 is the regular order.

Mr. HELMS. Very well. And that is now the pending business?

The PRESIDING OFFICER. It is the pending business.

Mr. HELMS. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Under the previous order, the question now occurs on amendment 2026, offered by the Senator from North Carolina [Mr. HELMS].

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN] and the Senator from Nebraska [Mr. EXON] are necessarily absent.

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

The result was announced—yeas 94, nays 2, as follows:

[Rollcall Vote No. 343 Leg.]

YEAS—94

Abraham	Coverdell	Hatch
Akaka	Craig	Heflin
Ashcroft	D'Amato	Helms
Baucus	Daschle	Hollings
Bennett	DeWine	Hutchison
Bingaman	Dodd	Inhofe
Bond	Dole	Inouye
Boxer	Domenici	Jeffords
Bradley	Dorgan	Johnston
Breaux	Faircloth	Kassebaum
Brown	Feingold	Kempthorne
Bryan	Feinstein	Kennedy
Bumpers	Ford	Kerrey
Burns	Frist	Kerry
Byrd	Glenn	Kohl
Campbell	Gorton	Kyl
Chafee	Graham	Lautenberg
Coats	Grams	Leahy
Cochran	Grassley	Levin
Cohen	Gregg	Lieberman
Conrad	Harkin	Lott

Lugar	Pell	Smith
Mack	Pressler	Snowe
McCain	Pryor	Specter
McConnell	Reid	Stevens
Mikulski	Robb	Thomas
Moseley-Braun	Rockefeller	Thompson
Moynihan	Roth	Thurmond
Murray	Santorum	Warner
Nickles	Sarbanes	Wellstone
Nunn	Shelby	
Packwood	Simpson	

NAYS—2

Hatfield Simon

NOT VOTING—4

Biden Gramm  
Exon Murkowski

So, the amendment (No. 2026), as modified, was agreed to.

#### AMENDMENT NO. 2030

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to amendment No. 2030 offered by the Senator from Massachusetts [Mr. KERRY] to amendment No. 1977, as amended. There will now be 5 minutes of debate equally divided between the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Kansas [Mrs. KASSEBAUM].

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, this should not be interpreted as a vote for or against raising the minimum wage. This is simply a sense of the Senate that at some point we should debate and consider such an amendment. And such we shall, but not until the Labor and Human Resources Committee has had the opportunity to debate it and vote on it in committee, which I think is the proper procedure.

I believe this is not the time or place to address this matter, and I will move to table the amendment of the Senator from Massachusetts.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, this is a simple resolution and it is a sense-of-the-Senate resolution that says we will consider, prior to the time that we recess this year, whether we should raise the minimum wage. We have done sense-of-the-Senate resolutions on gifts, we have done it on lobbying, we have done it on finance reform. All we are saying is in the period of the next 12 weeks, can we find a few hours of the Senate's time to consider whether we should address the increase in the minimum wage, which is now nearly the lowest in terms of purchasing power that it has ever been in the history of the minimum wage, all at a time, Mr. President, that magazines like Business Week, the New York Times, the Washington Post talk about record profits for industry, record profits in the stock markets and record salaries for the CEO's.

All we are saying is over the period of these next 3 months that we might have a few hours to debate whether we should consider an increase in the minimum wage. It was good enough for

campaign financing, it is good enough for lobbying, it is good enough for welfare reform. It ought to be good enough for the 12 million working families in this country that today are at the bottom rung of the economic ladder.

The PRESIDING OFFICER. Who yields time?

VOTE ON MOTION TO TABLE AMENDMENT NO. 1977, AS AMENDED

Mrs. KASSEBAUM. Mr. President, I move to table the Kennedy amendment and 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.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment No. 1977, as amended, offered by the Senator from Massachusetts.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

Mr. FORD. I announce that the Senator from Nebraska [Mr. EXON] is necessarily absent.

The result was announced—yeas 49, nays 48, as follows:

[Rollcall Vote No. 344 Leg.]

#### YEAS—49

Abraham	Frist	McCain
Ashcroft	Gorton	McConnell
Bennett	Grams	Nickles
Bond	Grassley	Packwood
Brown	Gregg	Pressler
Burns	Hatch	Roth
Chafee	Hatfield	Santorum
Coats	Helms	Shelby
Cochran	Hutchison	Simpson
Cohen	Inhofe	Smith
Coverdell	Kassebaum	Snowe
Craig	Kempthorne	Stevens
D'Amato	Kerrey	Thomas
DeWine	Kyl	Thompson
Dole	Lott	Thurmond
Domenici	Lugar	
Faircloth	Mack	

#### NAYS—48

Akaka	Feinstein	Lieberman
Baucus	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Boxer	Harkin	Murray
Bradley	Heflin	Nunn
Breaux	Hollings	Pell
Bryan	Inouye	Pryor
Bumpers	Jeffords	Reid
Byrd	Johnston	Robb
Campbell	Kennedy	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Simon
Dodd	Lautenberg	Specter
Dorgan	Leahy	Warner
Feingold	Levin	Wellstone

#### NOT VOTING—3

Exon	Gramm	Murkowski
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So the motion to lay on the table the amendment (No. 1977), as amended, was agreed to.

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

Mr. KERRY. Mr. President, I move to table the motion.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 2031

(Purpose: To amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to authorize reduced levels of appropriations for foreign assistance programs for fiscal years 1996 and 1997)

Mr. HELMS. Mr. President, I ask unanimous consent to lay aside the Dole amendment, and I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 2031.

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

The amendment is as follows:

At the end of the bill, add the following new division:

#### DIVISION C—FOREIGN AID REDUCTION

##### SEC. 2001. SHORT TITLE.

This division may be cited as the "Foreign Aid Reduction Act of 1995".

#### TITLE XXI—DEFENSE AND SECURITY ASSISTANCE

##### CHAPTER 1—FOREIGN MILITARY FINANCING PROGRAM

##### SEC. 2101. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans under such section—

- (1) \$3,185,000,000 for fiscal year 1996; and
- (2) \$3,160,000,000 for fiscal year 1997.

##### SEC. 2102. LOANS FOR GREECE AND TURKEY.

Of the amounts made available for fiscal years 1996 and 1997 under section 23 of the Arms Export Control Act (22 U.S.C. 2763)—

(1) \$26,620,000 shall be made available for fiscal year 1996, and up to \$26,620,000 may be made available for fiscal year 1997, for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans for Greece; and

(2) \$37,800,000 shall be made available for fiscal year 1996, and up to \$37,800,000 may be made available for fiscal year 1997, for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans for Turkey.

##### CHAPTER 2—INTERNATIONAL MILITARY EDUCATION AND TRAINING

##### SEC. 2121. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$39,781,000 for each of the fiscal years 1996 and 1997 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).

#### CHAPTER 3—ANTITERRORISM ASSISTANCE

##### SEC. 2131. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated \$15,000,000 for fiscal year 1996 and \$15,000,000 for fiscal year 1997 to carry out chapter 8 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa et seq.).

(b) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

#### CHAPTER 4—NARCOTICS CONTROL ASSISTANCE

##### SEC. 2141. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated \$213,000,000 for each of the fiscal years 1996 and 1997 to carry out chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.).

(b) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

#### CHAPTER 5—PEACEKEEPING OPERATIONS

##### SEC. 2151. PEACEKEEPING OPERATIONS.

Section 552(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(a)) is amended to read as follows:

"(a) There are authorized to be appropriated to the President to carry out the purposes of this chapter, in addition to amounts otherwise available for such purposes, \$40,000,000 for fiscal year 1996 and \$35,000,000 for fiscal year 1997."

#### TITLE XXII—TRADE AND EXPORT DEVELOPMENT

##### SEC. 2201. TRADE AND DEVELOPMENT AGENCY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 661(f)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2421(f)(1)) is amended to read as follows: "There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, \$67,000,000 for fiscal year 1996 and \$75,000,000 for fiscal year 1997."

(b) AVAILABILITY OF APPROPRIATIONS.—Section 661(f) of such Act (22 U.S.C. 2421(f)) is amended by striking paragraph (2) and inserting the following:

"(2) AVAILABILITY OF APPROPRIATIONS.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended."

#### TITLE XXIII—PRIVATE SECTOR, ECONOMIC, AND DEVELOPMENT ASSISTANCE

##### CHAPTER 1—PRIVATE SECTOR ENTERPRISE FUNDS

##### SEC. 2301. SUPPORT FOR PRIVATE SECTOR ENTERPRISE FUNDS.

Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by inserting after section 601 (22 U.S.C. 2351) the following new section:

##### "SEC. 601A. PRIVATE SECTOR ENTERPRISE FUNDS.

"(a) AUTHORITY.—(1) The President may provide funds and support to Enterprise Funds designated in accordance with subsection (b) that are or have been established for the purposes of promoting—

"(A) development of the private sectors of eligible countries, including small businesses, the agricultural sector, and joint ventures with United States and host country participants; and

"(B) policies and practices conducive to private sector development in eligible countries;

on the same basis as funds and support may be provided with respect to Enterprise Funds for Poland and Hungary under the Support for East European Democracy (SEED) Act of 1989.

"(2) Funds may be made available under this section notwithstanding any other provision of law.

"(b) COUNTRIES ELIGIBLE FOR ENTERPRISE FUNDS.—(1) Except as provided in paragraph (2), the President is authorized to designate a private, nonprofit organization as eligible to receive funds and support pursuant to this section with respect to any country eligible to receive assistance under part I of this Act

in the same manner and with the same limitations as set forth in section 201(d) of the Support for East European Democracy (SEED) Act of 1989.

"(2)(A) Except as provided in subparagraph (B), the authority of paragraph (1) shall not apply to any country with respect to which the President is authorized to designate an enterprise fund under section 498B(c) of this Act or section 201 of the Support for East European Democracy (SEED) Act of 1989.

"(B) The prohibition of subparagraph (A) shall not apply to the Trans-Caucasus Enterprise Fund established under subsection (c).

"(c) TRANS-CAUCASUS ENTERPRISE FUND.—The President shall designate a private, non-profit organization under subsection (b) to carry out this section with respect to the Trans-Caucasus region of the former Soviet Union. Such organization shall be known as the 'Trans-Caucasus Enterprise Fund'.

"(d) TREATMENT EQUIVALENT TO ENTERPRISE FUNDS FOR POLAND AND HUNGARY.—Except as otherwise specifically provided in this section, the provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (excluding the authorizations of appropriations provided in subsection (b) of that section) shall apply to any Enterprise Fund that receives funds and support under this section. The officers, members, or employees of an Enterprise Fund that receive funds and support under this section shall enjoy the same status under law that is applicable to officers, members, or employees of the Enterprise Funds for Poland and Hungary under the Support for East European Democracy (SEED) Act of 1989.

"(e) REPORTING REQUIREMENT.—Notwithstanding any other provision of this section, the requirement of section 201(p) of the Support for East European Democracy (SEED) Act of 1989, that an Enterprise Fund shall be required to publish an annual report not later than January 31 each year shall not apply with respect to an Enterprise Fund that receives funds and support under this section for the first twelve months after it is designated as eligible to receive such funds and support.

"(f) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes—

"(A) \$12,000,000 for fiscal year 1996 to fund the Trans-Caucasus Enterprise Fund established under subsection (d); and

"(B) \$52,000,000 for fiscal year 1996 to fund any enterprise fund authorized to receive funds under this section other than the Trans-Caucasus Enterprise Fund.

"(2) Funds appropriated under this subsection are authorized to remain available until expended."

## **CHAPTER 2—DEVELOPMENT ASSISTANCE FUND AND OTHER AUTHORITIES**

### **SEC. 2311. DEVELOPMENT ASSISTANCE FUND.**

(a) SINGLE AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President the total amount of \$2,475,000,000 for fiscal year 1996 and the total amount of \$2,324,000,000 for fiscal year 1997 to carry out the following authorities in law:

(1) Sections 103, 104, 105, 106, and 108 of the Foreign Assistance Act of 1961 (relating to development assistance).

(2) Chapter 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2294; relating to the Development Fund for Africa).

(3) Chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.).

(4) The Support for East European Democracy (SEED) Act of 1989 (Public Law 101-179).

(5) Title III of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2181

et seq.; relating to housing and other credit guaranty programs).

(6) Section 214 of the Foreign Assistance Act of 1961 (22 U.S.C. 2174; relating to American Schools and Hospitals Abroad).

(b) POPULAR NAME.—Appropriations made pursuant to subsection (a) may be referred to as the "Development Assistance Fund".

(c) PROPORTIONAL ASSISTANCE TO AFRICA.—Of the funds authorized to be appropriated by subsection (a), not less than 25 percent each fiscal year shall be used to carry out chapter 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2294 et seq.; relating to the Development Fund for Africa).

### **SEC. 2312. ECONOMIC SUPPORT FUND.**

Subsection (a) of section 532 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346a) is amended to read as follows:

"(a)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter \$2,375,000,000 for the fiscal year 1996 and \$2,340,000,000 for the fiscal year 1997.

"(2) Of the amount authorized to be appropriated by paragraph (1) for each of the fiscal years 1996 and 1997, \$15,000,000 shall be available only for Cyprus.

"(3) Of the amount authorized to be appropriated by paragraph (1) for fiscal year 1996, \$15,000,000 shall be available only for the International Fund for Ireland.

"(4) Of the amount authorized to be appropriated by paragraph (1) for fiscal year 1996, \$10,000,000 shall be available only for the rapid development of a prototype industrial park in the Gaza Strip."

## **CHAPTER 3—PEACE CORPS**

### **SEC. 2331. PEACE CORPS.**

Section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)) is amended to read as follows:

"(b) There are authorized to be appropriated to carry out the purposes of this Act \$234,000,000 for each of the fiscal years 1996 and 1997."

## **CHAPTER 4—INTERNATIONAL DISASTER ASSISTANCE PROGRAMS**

### **SEC. 2341. INTERNATIONAL DISASTER ASSISTANCE.**

Section 492(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2292a) is amended to read as follows:

"(a) There are authorized to be appropriated to the President to carry out section 491, in addition to funds otherwise available for such purposes, \$200,000,000 for fiscal year 1996 and \$200,000,000 for fiscal year 1997."

## **TITLE XXIV—PEACE AND SECURITY IN THE MIDDLE EAST**

### **SEC. 2401. ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL.**

(a) MINIMUM ALLOCATION.—Of the amounts made available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund) for fiscal years 1996 and 1997, not less than \$1,200,000,000 for each such fiscal year shall be available only for Israel.

(b) TERMS OF ASSISTANCE.—The total amount of funds allocated for Israel each fiscal year under subsection (a) shall be made available as a cash transfer on a grant basis. Such transfer shall be made on an expedited basis within 30 days after the beginning of the fiscal year or the date of enactment of the Act appropriating such funds, whichever is later. In exercising the authority of this subsection, the President shall ensure that the level of cash transfer made to Israel does not cause an adverse impact on the total level of nonmilitary exports from the United States to Israel.

### **SEC. 2402. FOREIGN MILITARY FINANCING FOR ISRAEL.**

(a) MINIMUM ALLOCATION.—Of the amounts made available for fiscal years 1996 and 1997

for assistance under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C. 2763), not less than \$1,800,000,000 for each such fiscal year shall be available only for Israel.

(b) TERMS OF ASSISTANCE.—

(1) GRANT BASIS.—The assistance provided for Israel for each fiscal year under subsection (a) shall be provided on a grant basis.

(2) EXPEDITED DISBURSEMENT.—Such assistance shall be disbursed—

(A) with respect to fiscal year 1996, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, or by October 31, 1995, whichever is later; and

(B) with respect to fiscal year 1997, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, or by October 31, 1996, whichever is later.

(3) ADVANCED WEAPONS SYSTEMS.—To the extent that the Government of Israel requests that funds be used for such purposes, funds described in subsection (a) shall, as agreed by the Government of Israel and the Government of the United States, be available for advanced weapons systems, of which not less than \$475,000,000 for each fiscal year shall be available only for procurement in Israel of defense articles and defense services, including research and development.

### **SEC. 2403. ECONOMIC SUPPORT FUND ASSISTANCE FOR EGYPT.**

Of the amounts made available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund) for fiscal years 1996 and 1997, not less than \$815,000,000 for each such fiscal year shall be available only for Egypt.

### **SEC. 2404. FOREIGN MILITARY FINANCING FOR EGYPT.**

(a) MINIMUM ALLOCATION.—Of the amounts made available for fiscal years 1996 and 1997 for assistance under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C. 2763), not less than \$1,300,000,000 for each such fiscal year shall be available only for Egypt.

(b) TERMS OF ASSISTANCE.—The assistance provided for Egypt for each fiscal year under subsection (a) shall be provided on a grant basis.

## **TITLE XXV—INTERNATIONAL ORGANIZATIONS AND PROGRAMS**

### **SEC. 2501. VOLUNTARY CONTRIBUTIONS; UNITED NATIONS CHILDREN'S FUND.**

Section 302(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2222(a)) is amended to read as follows:

"(a)(1) There are authorized to be appropriated to the President, in addition to funds otherwise available for such purpose, \$225,000,000 for fiscal year 1996, and \$225,000,000 for fiscal year 1997, for voluntary contributions under this chapter to international organizations and programs, of which amounts not less than \$103,000,000 for each fiscal year shall be available only for the United Nations Children's Fund (UNICEF).

"(2) Funds appropriated pursuant to paragraph (1) are authorized to remain available until expended."

### **SEC. 2502. REPLENISHMENT OF THE ASIAN DEVELOPMENT BANK.**

The Asian Development Bank Act (22 U.S.C. 285-285aa) is amended by adding at the end the following new section:

#### **"SEC. 31. FOURTH REPLENISHMENT.**

"(a) SUBSCRIPTION AUTHORITY.—

"(1) IN GENERAL.—The United States Governor of the Bank may, on behalf of the

United States, subscribe to 276,105 shares of the increase in the capital stock of the Bank—

“(A) 5,522 of which shall be shares of paid-in capital stock; and

“(B) 270,583 of which shall be shares of callable capital stock.

“(2) SUBJECT TO APPROPRIATIONS.—The authority provided by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

“(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the subscription authorized by subsection (a), there are authorized to be appropriated to the Secretary of the Treasury \$13,320,000 for each of the fiscal years 1996 and 1997.”.

#### TITLE XXVI—EFFECTIVE DATE

##### SEC. 2601. EFFECTIVE DATE.

Except as otherwise provided, this division, and the amendments made by this division, shall take effect on October 1, 1995.

Mr. KERRY. I understand the pending business is the Dole amendment.

The PRESIDING OFFICER. The Helms amendment is now pending.

Mr. KERRY. I ask unanimous consent that the Helms amendment be temporarily set aside.

Mr. HELMS. Mr. President, I call for regular order. That will do it.

The PRESIDING OFFICER. The call for regular order is heard.

AMENDMENT NO. 2032 TO AMENDMENT NO. 2025

(Purpose: To express the sense of the Senate regarding the arrest of Harry Wu by the Government of the People's Republic of China)

Mr. KERRY. Mr. President, I send a perfecting amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY] for Mrs. BOXER, for herself and Mrs. FEINSTEIN, proposes an amendment numbered 2032 to amendment No. 2025.

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

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

The amendment is as follows:

Strike all page 1, line 6, through page 2, line 23, and insert the following new section.

(a) The Senate finds that—

(1) Peter H. Wu, known as Harry Wu, attempted to enter the People's Republic of China on June 19, 1995;

(2) Harry Wu, a 58-year-old American citizen, was traveling on a valid United States passport and a valid visa issued by the Chinese authorities;

(3) the Chinese Foreign Ministry notified the United States Embassy in Beijing of Harry Wu's detention on Friday, June 23;

(4) the United States Embassy in Beijing approached the Chinese Foreign Ministry on Monday, June 26, to issue an official demarche for the detention of an American citizen;

(5) the terms of the United States-People's Republic of China Consular Convention on February 19, 1982, require that United States Government officials shall be accorded access to a detained American citizen as soon as possible, but not more than 48 hours after the United States has been notified of such detention;

(6) on June 28, the highest ranking representative of the People's Republic of China in the United States refused to offer the United States Government any information on Harry Wu's whereabouts or the charges brought against him;

(7) by denying consular officials access to Harry Wu, the Government of the People's Republic of China violated the terms of its Consular Convention;

(8) on July 8, the People's Republic of China formally charged Harry Wu, with espionage, which is a capital crime;

(9) Harry Wu, who was born in China, has already spent 19 years in Chinese prisons;

(10) Harry Wu has dedicated his life to the betterment of the human rights situation in the People's Republic of China;

(11) Harry Wu first detailed to the United States Congress the practice of using prison labor to produce products for export from China to other countries;

(12) Harry Wu testified before the Committee on Foreign Relations of the Senate on May 4, 1995, informing the Committee, the Senate, and the American people about human rights abuses in Chinese prisons;

(13) on June 2, 1995, the President of the United States announced his determination that further extension of the waiver authority granted by section 402(c) of the Trade Act of 1974 (Public Law 93-618; 88 Stat. 1978), also known as “Jackson-Vanik”, will substantially promote freedom of emigration from the People's Republic of China;

(14) this waiver authority will allow the People's Republic of China to receive the lowest tariff rates possible, also known as Most-Favored-Nation trading status, for a period of 12 months beginning on July 4, 1995;

(15) the Chinese government and people benefit substantially from the continuation of such trading benefits;

(b) The Senate condemns the arrest of Harry Wu, urges his immediate return, and expresses deep concern for his well being.

(c) It is the sense of the Senate that—

(1) the People's Republic of China must comply with its commitments under the United States-People's Republic of China Consular Convention of February 19, 1982;

(2) the President of the United States should use every diplomatic means available to ensure Harry Wu's safe and expeditious return to the United States;

(3) United States citizens who are participants in the United Nations Fourth World Conference on Women should strongly urge the release of Harry Wu at every appropriate public and private opportunity.

AMENDMENT NO. 2033

(Purpose: To express the sense of Congress on the United Nations Fourth World Conference on Women, to be held in Beijing, China)

Mrs. HUTCHISON. Mr. President, I offer an amendment and send it to the desk for immediate consideration.

The PRESIDING OFFICER. The Senator is asking that the pending amendment be set aside?

Mrs. HUTCHISON. Mr. President, that is correct.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself and Mr. GRAMM, Mr. COATS, Mr. HELMS, Mr. GRAMS, Mr. SMITH, Mr. KEMPTHORNE, Mr. INHOFE, Mr. LOTT, Mr. NICKLES, and Mr. DEWINE, proposes an amendment numbered 2033.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that further

reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 91, between lines 4 and 5, insert the following new section:

#### SEC. 319. SENSE OF CONGRESS ON UNITED NATIONS FOURTH WORLD CONFERENCE ON WOMEN IN BEIJING, CHINA.

It is the sense of the Congress that—

(1) the United Nations Fourth World Conference on Women in Beijing, China, should promote a representative American perspective on issues of equality, peace, and development; and

(2) in the event the United States sends a delegation to the Conference, the United States delegation should use the voice and vote of the United States—

(A) to ensure that the biological and social activity of motherhood is recognized as a valuable and worthwhile endeavor that should in no way, in its form or actions, be demeaned by society or by the state;

(B) to ensure that the traditional family is upheld as a fundamental unit of society upon which healthy cultures are built and, therefore, receives esteem and protection by society and the state; and

(C) to define or agree with any definitions that define gender as the biological classification of male and female, which are the two sexes of the human being.

Mrs. HUTCHISON. Mr. President, my amendment would express the sense of the Senate that the participation of the U.S. delegation to the upcoming U.N. Fourth World Conference on Women should reflect the American perspective on the value of families.

My amendment is simple and straightforward. It puts the Congress on record that the U.S. delegates should advocate the importance of family as the fundamental unit of our society.

Mr. President, most Americans would be surprised to learn that there is any reason for the Congress to take this step. However, some conference delegates from other nations apparently have views that depart significantly from the mainstream and have said they may seek to have them ratified during the conference. Americans are attending the conference. It should be as representatives of our American values.

Much has been said on the floor of this Chamber in recent months about the importance of families and the vital role they play to ensure the well-being of our children in our society.

Increased violent juvenile crime, high teen pregnancy rates, drug use, and educational failure are painful realities.

In attempting to address these terrible problems, this Congress and our Nation have come to a common understanding, one that cuts across all political and social lines, that strengthening families is the single most crucial factor. We must do that if we are going to have an impact on the problems that our society faces.

Mr. President, one of the cosponsors of my amendment is on the floor. I ask if the Senator would like me to yield

for him to say why he is a cosponsor of this amendment and why he thinks this is very important.

Mr. DOLE. Will the Senator yield?

Mr. COATS. I am happy to yield, and I thank the Senator from Texas, and am happy to yield to the majority leader.

Mr. DOLE. After this discussion, we will have morning business and there will be no additional action on this bill tonight.

Mr. COATS. Mr. President, We have all become accustomed to the plethora of international conferences held by the United Nations. We tend to think of them as rather benign discussions about ideals. I have grave concerns, however, about the U.S. acquiescing to overreaching policy goals which could alter American culture. The Beijing Conference on the Status of Women has these aims. Months of preliminary meetings have produced a draft document which conflicts with the views of most Americans and is silent on the unique role of women as mothers.

I hope that passage of this amendment will signal the United Nations and the administration that the Senate rejects the current language and the current approach. The goals do not seek to understand and respect women's roles all over the world, but rather promote a particular political ideology of women.

The amendment which is being offered by the Senator from Texas reasserts what I believe the entire Senate and what the vast majority of Americans wish to reassert, regarding the role of mothers and the role of traditional families.

It is hard to imagine how a document about the status of women could fail to even mention their roles as mothers. In fact one country had the reference to "mother" replaced with "caretaker." And "family with "household". References to fathers are made only in the negative terms of violence and abuse of wives and daughters. Likewise, the document fails to acknowledge the critical role of fathers in parenting and teaching their children by daily example to respect women and hold them in esteem. There was no attempt to discuss the importance of families in nurturing children and raising them to become responsible citizens.

Some of the conference participants seem intent on dramatically altering the traditional view that the family structure is headed by a married man and woman. Demanding complete equality for men and women at home, denies basic biology and trivializes women as mothers.

Senator HUTCHISON's amendment asserts the traditional family is the fundamental unit of society upon which healthy cultures are built and therefore the traditional family should receive both the esteem and the protection by society and the state. Traditional family has long been recognized as the fundamental foundation, building block for this successful society.

There have been attempts over the past several years to undermine the role of the traditional family. I think those attempts have fortunately failed because Americans, by strong majority, believe that traditional family role should be upheld and promoted wherever possible, and not undermined. Experience shows us—today particularly, with the declining social culture and problems that exist throughout society with young people—the destructive nature of broken families and the impact that has had on our social system, the incidence of juvenile delinquency, the incidence of crime, the incidence of teenage pregnancy, of substance abuse, of teenage suicides, of breakdown in the moral fiber of our young people and in our society because of the breakdown of the traditional family.

While gender is used 216 times in a 121 page document, it is never defined. When several delegates sought to define gender, their efforts were rebuffed. Behind the scenes, it became evident that the meaning of gender had been expanded to include not just male and female, but transsexual, bisexual and homosexual.

A statement released by the UN Secretary General's office attempting to clarify some of this controversy only fuels it. It asserts that "sex and equality are absolute concepts" and "a person is born male or female and this is an unchangeable attribute." Strangely, however, the Secretary General goes on to say that

Gender is also a relative concept. Although many people use the term gender interchangeably with sex, the two terms are quite different. Gender refers to the relationships between women and men based on socially defined roles that are assigned to one sex or the other . . . because the roles change, gender is relative.

I wonder how many Americans consider "gender" to be relative. The definition of gender is sex, that is male or female, period. The General Secretariat statement deliberately confuses roles of men and women with their identities as men and women. Clearly, both sexes can serve with equal skill and dexterity in many roles in our society. However, there are other roles—such as motherhood and fatherhood—which remain distinct. We should reject outright any attempt to promote a political agenda based on a concept of gender which is alien to most Americans.

The document makes clear the viewpoint that gender roles are all socially constructed. There are no differences between the sexes. Empowerment and advancement of women can only come when governments take action to ensure that men and women are completely equal in all aspects of life.

Other gender statements in the draft document clearly promote this position. The conference goals would require gender sensitivity at all levels of society with direct government involvement. Education must have "gender awareness" Employers must have

gender instruction. All governments must develop gender sensitive programs to quote "end social subordination of women and girls".

Furthermore, the eighty-one calls in the document for "gender equality" would make 50-50 male-female quotas a requirement for employment and to receive funding. President Clinton's commitment to make the final product of the conference a reality make this far more than a theoretical discussion of policy aims. The ultimate effect of implementing the document will be government dictating radical cultural changes to the American people.

Senator HUTCHISON's amendment would ensure that gender be limited to only male and female.

I am also deeply concerned that the document neglects to acknowledge freedom of conscience or of religion. Instead, references to religion are cited as a source of repression for women. The one mention of women's spiritual needs has been bracketed—meaning subject to deletion in Beijing. The document does not call for religious freedom for women as you might expect. In fact, the entire process of preparing for Beijing seems determined to deny this fundamental right.

A number of courageous delegates from other countries were distressed that their attempts to add and change language to reflect their views were met with contempt. These women have expressed deep reservations about proposals for social change would be contrary to the religious views of the citizens of the nations they represented.

Mr. President, earlier Senator DOLE introduced an amendment which would cut international conference funds to participate in the Beijing conference unless Harry Wu were released. I applaud his amendment. It reminds us that there are larger issues which are at stake. Basic human rights are being denied to U.S. citizen Harry Wu, as they are denied to thousands of Chinese.

I frankly find the selection of Beijing as host of this conference the ultimate act of hypocrisy. While delegations from hundreds of countries discuss issues of concern to women, Chinese officials brutally and cruelly force women to have abortions and be sterilized to enforce a one child per family policy. Our message to Chinese women should be that Americans find such acts abhorrent. Rather, our official participation at Beijing signals them that we are not concerned about these violent acts.

Diane Knippers, of the Project on Religion and Democracy, stated:

One of the more serious omissions in the draft Platform is any acknowledgement of freedom of conscience or religion of women. Throughout the document, religion is cited as a source of repression of women. . . . But nowhere in the 121 pages does the document call for the religious freedom for women. . . . We believe that women should have the right to engage in religious practice, to change their religion and to propagate their religious faith, particularly to their children.

... It is outrageous that this conference on women's rights is being held in a country which currently imprisons women for practicing their faith and forces many to have abortions.

I strongly support Senator HUTCHISON's amendment. It is essential for the rest of the world to know that Americans continue to value women in their roles of mothers, and that we believe that the traditional family is an important element to maintain a strong and healthy culture.

Several Senators addressed the Chair.

Mr. DOLE. Has the Senator from Texas finished?

Mrs. HUTCHISON. I had about 2 more minutes.

Mr. DOLE. The Senator from Texas had the floor, so I will yield the floor and then I will ask for the floor on the completion of her remarks.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I will just finish. I think the Senator from Indiana said very well exactly what this amendment would do. It expresses a sense of the Senate that our delegates from America should represent our American values, and the importance that we place on the family and on the role of motherhood. I think it is very important that we recognize that we have new experiences available, new opportunities for women that have come along in the last few years. But these continuing changes in our society have never diminished the unique and important value of maternal care-giving. And our amendment just says very clearly that, if we have delegates to this conference, they should express these views.

I hope our colleagues will agree to this amendment. It is a sense of the Senate. I think it is very simple and straightforward. It really is the motherhood amendment, and I hope no one would choose to vote against it.

The PRESIDING OFFICER. The distinguished Republican leader.

#### CLOTURE MOTION

Mr. DOLE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 908, the State Department Reorganization bill.

Bob Dole, Jesse Helms, John McCain, Fred Thompson, Olympia Snowe, Jim Inhofe, Lauch Faircloth, Spence Abraham, Trent Lott, Strom Thurmond, Larry E. Craig, Don Nickles, Mitch McConnell, Bob Smith, John Ashcroft, Nancy Landon Kassebaum.

#### MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 10 minutes each.

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

#### MESSAGES FROM THE HOUSE

At 3:01 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1103. An act entitled, "Amendments to the Perishable Agricultural Commodities Act, 1930."

At 4:27 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2017. An act to authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 1103. An act entitled, "Amendments to the Perishable Agricultural Commodities Act, 1930"; to the Committee on Agriculture, Nutrition, and Forestry.

#### MEASURES PLACED ON THE CALENDAR

The following measure was read the first and second times by unanimous consent and placed on the calendar:

H.R. 2017. An act to authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BIDEN:

S. 1094. A bill to amend the Federal Rules of Evidence relating to character evidence in sexual misconduct cases, and for other purposes; to the Committee on the Judiciary.

By Mr. MOYNIHAN: (for himself, Mr.

ROTH, Mrs. MURRAY, Mr. BAUCUS, Mr. D'AMATO, Mr. GRASSLEY, Mr. BREAUX, Mr. HATCH, and Mr. PRYOR):

S. 1095. A bill to amend the Internal Revenue Code of 1986 to extend permanently the exclusion for educational assistance provided by employers to employees; to the Committee on Finance.

By Mr. D'AMATO:

S. 1096. A bill to amend the Immigration and Nationality Act to provide that members of Hamas (commonly known as the Is-

lamic Resistance Movement) be considered to be engaged in a terrorist activity and ineligible to receive visas and excluded from admission into the United States; to the Committee on the Judiciary.

By Mr. HATFIELD (for himself and Mr. PACKWOOD):

S. 1097. A bill to designate the Federal building located at 1550 Dewey Avenue, Baker City, Oregon, as the "David J. Wheeler Federal Building", and for other purposes; to the Committee on Environment and Public Works.

By Mr. HELMS (for himself and Mr. DOLE):

S. 1098. A bill to establish the Midway Islands as a National Memorial, and for other purposes; to the Committee on Armed Services.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BIDEN:

S. 1094. A bill to amend the Federal Rules of Evidence relating to character evidence in sexual misconduct cases, and for other purposes; to the Committee on the Judiciary.

#### RULE OF EVIDENCE LEGISLATION

Mr. BIDEN. Mr. President, I am introducing a bill today that I do not much like. It involves the so-called Dole-Molinari rules of evidence which the Congress included last year in the 1994 crime law. This provision made a radical change in the Federal Rules of Evidence. It took the unprecedented—and in my mind absolutely unwise and unwarranted—step of allowing unproven allegations of prior crimes to be used against a defendant at trial.

These new rules—which apply in sexual assault and child molestation cases—were added to the crime law over my strenuous objections. My objections were twofold, one substantive and one procedural. I will detail what I believe are the serious substantive problems with the new rules in a moment. First, I must point out that the way these rules were adopted by the Congress contravenes—indeed flaunts—the procedures we have used, with certain modifications, since 1948 for making alterations in the Federal rules.

I am talking about the Rules Enabling Act. That act allows for a thoughtful, inclusive process for considering any changes to the Federal Rules of Evidence—rules which have been on the books for many, many years and which have been relied upon by judges and litigants in countless cases. The Enabling Act process gives the Judicial Conference of the United States, the organization of America's Federal judges, and, ultimately, the Supreme Court a first cut at any proposed changes. The conference, through its various committees, solicits the views of judges, lawyers, and academics who have studied the rules, worked with the rules, and identified any problems with them. The process ensures that the public is given the chance to comment about proposed changes, and guarantees that these comments be considered by the rule-makers.