

SEC. 504. SUSPICIOUS ORDERS TASK FORCE.

(a) IN GENERAL.—The Attorney General shall establish a "Suspicious Orders Task Force" (the "Task Force") which shall consist of—

(1) appropriate personnel from the Drug Enforcement Administration (the "DEA") and other Federal, State, and local law enforcement and regulatory agencies with the experience in investigating and prosecuting illegal transactions of listed chemicals and supplies; and

(2) representatives from the chemical and pharmaceutical industry.

(b) RESPONSIBILITIES.—The Task Force shall be responsible for developing proposals to define suspicious orders of listed chemicals, and particularly to develop quantifiable parameters which can be used by registrants in determining if an order is a suspicious order which must be reported to DEA. The quantifiable parameters to be addressed will include frequency of orders, deviations from prior orders, and size of orders. The Task Force shall also recommend provisions as to what types of payment practices or unusual business practices shall constitute prima facie suspicious orders. In evaluating the proposals, the Task Force shall consider effectiveness, cost and feasibility for industry and government, an other relevant factors.

(c) MEETINGS.—The Task Force shall meet at least two times per year and at such other times as may be determined necessary by the Task Force.

(d) REPORT.—The Task Force shall present a report to the Attorney General on its proposals with regard to suspicious orders and the electronic reporting of suspicious orders within one year of the date of enactment of this Act. Copies of the report shall be forwarded to the Committees of the Senate and House of Representatives having jurisdiction over the regulation of listed chemical and controlled substances.

(e) FUNDING.—The administrative expenses of the Task Force shall be paid out of existing Department of Justice funds.

(f) FACAs.—The Federal Advisory Committee Act (5 U.S.C. App. 2) shall apply to the Task Force.

(g) TERMINATION.—The Task Force shall terminate upon presentation of its report to the Attorney General, or two years after the date of enactment of this Act, whichever is sooner.

LAUTENBERG AMENDMENT NO.
5312

(Ordered to lie on the table.)

Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill, H.R. 3756, supra; as follows:

At the appropriate place, insert the following:

SEC. . GUN BAN FOR INDIVIDUALS COMMITTING DOMESTIC VIOLENCE.

(a) DEFINITIONS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following new paragraph:

"(33) The term 'crime involving domestic violence' means a felony or misdemeanor crime of violence, regardless of length, term, or manner of punishment, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim under the domestic or family violence laws of the jurisdiction in which such felony or misdemeanor was committed."

(b) UNLAWFUL ACTS.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) by striking "or" at the end of paragraph (7);

(B) by striking the period at the end of paragraph (8) and inserting "; or"; and

(C) by inserting after paragraph (8) the following new paragraph:

"(9) has been convicted in any court of any crime involving domestic violence, if the individual has been represented by counsel or knowingly and intelligently waived the right to counsel.";

(2) in subsection (g)—

(A) by striking "or" at the end of paragraph (7);

(B) in paragraph (8), by striking the comma and inserting "; or"; and

(C) by inserting after paragraph (8) the following new paragraph:

"(9) has been convicted in any court of any crime involving domestic violence, if the individual has been represented by counsel or knowingly and intelligently waived the right to counsel.";

(3) in subsection (s)(3)(B)(i), by inserting before the semicolon the following: "and has not been convicted in any court of any crime involving domestic violence, if the individual has been represented by counsel or knowingly and intelligently waived the right to counsel".

(c) RULES AND REGULATIONS.—Section 926(a) of title 18, United States Code, is amended—

(1) by striking "and" at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting "; and"; and

(3) by inserting after paragraph (3) the following new paragraph:

"(4) regulations providing for the effective receipt and secure storage of firearms relinquished by or seized from persons described in subsection (d)(9) or (g)(9) of section 922."

SHELBY AMENDMENT NO. 5313

Mr. SHELBY proposed an amendment to the bill, H.R. 3756, supra; as follows:

On page 19, line 2, before the period add the following new provision: "Provided further, That of the funds appropriated \$2,500,000 may be made available for the review of trade issues as authorized by Public Law 103-182".

KERREY AMENDMENT NO. 5314

Mr. SHELBY (for Mr. KERREY) proposed an amendment to the bill, H.R. 3756, supra; as follows:

Insert at the appropriate place: "Provided further, That from funds made available for Basic Repairs and Alterations, \$2,000,000 may be transferred to the Policy and Operations appropriation".

HATCH (AND OTHERS)
AMENDMENT NO. 5315

Mr. HATCH (for himself, Mr. COVERDELL, Mrs. HUTCHISON, and Mr. WARNER) proposed an amendment to amendment No. 5295 proposed by Mr. BIDEN to the bill, H.R. 3756, supra; as follows:

Strike all after the first word and insert the following:

PROVISIONS RELATING TO USE OF A CONTROLLED SUBSTANCE WITH INTENT TO COMMIT A CRIME OF VIOLENCE.

(a) PENALTIES FOR DISTRIBUTION.—Section 401(b) of the Controlled Substances Act is amended by adding at the end the following:

"(7)(A) Whoever, with intent to commit a crime of violence as defined in section 16,

United States Code (including rape) against an individual, violates subsection (a) by distributing a controlled substance to that individual without that individual's knowledge, shall be imprisoned not more than 20 years and fined as provided under title 18, United States Code.

"(B) As used in this paragraph, the term 'without that individual's knowledge' means that the individual is unaware that a substance with the ability to alter that individual's ability to appraise conduct or to decline participation in or communicate unwillingness to participate in conduct is administered to the individual."

"(b) ADDITIONAL PENALTIES RELATING TO FLUNITRAZEPAM.

(1) GENERAL PENALTIES.—Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended—

(A) in subsection (b)(1)(C), by inserting "or 1 gram of flunitrazepam" after "I or II"; and

(B) in subsection (b)(1)(D), by inserting "or 30 milligrams of flunitrazepam," after "schedule III,".

(2) IMPORT AND EXPORT PENALTIES.—

(A) Section 1009(a) of the Controlled Substances Import and Export Act (21 U.S.C. 959(a)) is amended by inserting "or flunitrazepam" after "I or II".

(B) Section 1010(b)(3) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended by inserting "or flunitrazepam" after "I or II,".

(C) Section 1010(b)(4) of the Controlled Substances Import and Export Act is amended by inserting "(except a violation involving flunitrazepam)" after "III, IV, or V,".

(3) SENTENCING GUIDELINES.—The United States Sentencing Commission shall amend the Sentencing Guidelines so that one dosage unit of flunitrazepam shall be equivalent to one gram of marijuana for determining the offense level under the Drug Quantity Table.

(d) INCREASED PENALTIES FOR UNLAWFUL SIMPLE POSSESSION OF FLUNITRAZEPAM.—Section 404(a) of the Controlled Substances Act (21 U.S.C. 844(a)) is amended by inserting after the sentence ending with "exceeds 1 gram," the following new sentence: "Notwithstanding any penalty provided in this subsection, any person convicted under this subsection for the possession of flunitrazepam shall be imprisoned for not more than 3 years and shall be fined as otherwise provided in this section."

ASHCROFT AMENDMENT NO. 5316

Mr. ASHCROFT proposed an amendment to amendment No. 5234 proposed by Mr. DASCHLE to the bill, H.R. 3756, supra; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. . WORKFORCE FLEXIBILITY FOR EMPLOYEES OF FEDERAL CONTRACTORS.—Subchapter II of chapter 61 of title 5, United States Code, shall apply to contractors and employees specified in section 53(a)(1) and to contractors with an entity of the executive branch of the Federal Government, and employees of such contractors, in the same manner, and to the same extent, as such subchapter applies to agencies and employees, respectively, as defined in section 6121 of title 5, United States Code.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forest and Public Land Management.

The hearing will take place Wednesday, September 25, 1996, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 987, a bill to provide for the full settlement of all claims of Swain County, NC, against the United States under the agreement dated July 30, 1943, and for other purposes.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Judy Brown or Mark Rey at (202) 224-6170.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 10 a.m. on Thursday, September 12, 1996, in open session, to receive testimony on the situation in Iraq.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. SHELBY. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, September 12, 1996, at 10 a.m., for a hearing on S. 1794, Congressional, Presidential, and Judiciary Pension Forfeiture Act.

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

COMMITTEE ON EAST ASIA/PACIFIC AFFAIRS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Subcommittee on East Asia/Pacific Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 12, 1996, at 10 a.m. (agenda attached).

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

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. SHELBY. Mr. President, I ask unanimous consent that the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, September 12, 1996, for purposes of conducting a subcommittee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider S. 1695, a bill to authorize the Secretary of the Interior to assess up to \$2 per person visiting the Grand Canyon or other national parks to secure bonds for capital improvements to the park.

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

SUBCOMMITTEE ON PERSONNEL

Mr. SHELBY. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be author-

ized to meet at 2 p.m. on Thursday, September 12, 1996, in open session, to receive testimony regarding the practices and procedures of the investigative services of the Department of Defense and the military departments concerning investigations into the deaths of military personnel which may have resulted from self-inflicted causes.

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

ADDITIONAL STATEMENTS

TRIBUTE TO MARILYN S. PENNINGTON

• Mr. McCONNELL. Mr. President, I rise today to recognize Marilyn S. Pennington who is retiring from the Social Security Administration after 29 years of Federal service.

Ms. Pennington began her Social Security career as a service representative in Louisville, KY, in August 1965. She was promoted to claims representative and reassigned to Paducah, KY, in October 1966 and then to Silver Spring, MD, in August 1967. She returned to Louisville in May 1969. Her performance as a claims representative was always outstanding and she served as a model and mentor to other employees. During the early 1970's, Ms. Pennington was assigned as an operations analyst for the Louisville District. She provided outstanding staff assistance to the Louisville management team. Her work as an analyst was instrumental in improving the overall efficiency of the Louisville District Office. On May 8, 1977, she was promoted to the operations supervisor position which she holds today.

During her career, Ms. Pennington won many performance-related awards based on her outstanding work in serving the public. Her service to the public has been a model of the best that Government can bring to the people.

Ms. Pennington has also helped implement major additions to Social Security programs. These include Medicare in July 1966 and the Supplemental Security Income program in January 1974. There have also been many other changes to Social Security programs during her career, such as the extension of coverage to include Federal employees and employees of non-profit organizations, taxation of benefits, and more.

Mr. President, I ask you and my colleagues to join me in recognizing Marilyn S. Pennington for 29 years of dedicated service to the Federal Government. •

THE EXTRAORDINARY LIFE OF CARDINAL BERNARDIN

Mr. HOLLINGS. Mr. President, I rise today to pay tribute to the extraordinary life of Cardinal Joseph Bernardin.

Cardinal Bernardin is one of America's most beloved and most respected

Catholics. He is the son of Italian immigrants and grew up in my home State of South Carolina. I am proud to claim him as a product of the Palmetto State. He has had a tremendous impact on my life and the lives of thousands of others.

Cardinal Bernardin was made a bishop in 1966, at 38, the youngest U.S. bishop of that time, and since then has held a wide range of leadership positions. As head of the archdiocese of Chicago, the Nation's second-largest, for 14 years, he has built a reputation for reaching out to non-Catholics and for trying to bridge gaps within the church.

On September 9, Cardinal Bernardin was presented with the Presidential Medal of Freedom, the highest civilian honor. In his remarks, President Clinton said, "As the Archbishop of Chicago, Cardinal Bernardin is one of our Nation's most beloved men and one of Catholicism's great leaders. When others have pulled people apart, Cardinal Bernardin has sought common ground. In a time of transition in his Church, his community, his Nation and the world, he has held fast to his mission to bring out the best in humanity and to bring people together. Throughout his career, he has fought tirelessly against social injustice, poverty, and ignorance. Without question, he is both a remarkable man of God and a man of the people."

In a column called "Cardinal Virtues" earlier this week, Washington Post columnist Mary McGrory also talked about the extraordinary life of Cardinal Joseph Bernardin. She told of the grace with which confronting his diagnosis of terminal cancer. He spoke of his diagnosis as a "gift," she said.

McGrory writes, "Why? Before he knew he was going to die, he said he had many fears." After the news, the Cardinal said, "God has given me the gift of peace and tranquility."

McGrory went on to say that Cardinal Bernardin hopes to write a book to help other cancer victims who are terrified by the diagnosis and lose heart. "I have spent 30 years as a bishop trying to teach people how to live," he said during an interview. "Now I will teach them how to die."

Cardinal Bernardin is a remarkable man and I am honored to call him a friend.

Mr. President, I ask that Mary McGrory's September 10 column be printed in the RECORD.

The column follows:

[From the Washington Post, Sept. 10, 1996]

CARDINAL VIRTUES

(By Mary McGrory)

Under some pressure on the matter of the company he keeps, President Clinton surrounded himself with some classy people at the White House and gave the 11 of them the Medal of Freedom, the highest civilian award. The star of the occasion was a small, frail cardinal from Chicago, Joseph Bernardin, who accepted the medal in the East Room and then went out on the lawn to explain, gently, his differences with the donor.