

view of the special character of the Bank and its operations and necessary in the public interest or for the protection of investors,

(b) **AUTHORITY OF SECURITIES AND EXCHANGE COMMISSION TO SUSPEND EXEMPTION; REPORTS TO THE CONGRESS.**—The Securities and Exchange Commission, acting in consultation with such agency or officer as the president shall designate, may suspend the provisions of subsection (a) at any time as to any or all securities issued or guaranteed by the Bank during the period of such suspension. The Commission shall include in its annual reports to the Congress such information as it shall deem advisable with regard to the operations and effect of this section.

SEC. . TECHNICAL AMENDMENTS.

(a) **ANNUAL REPORT REQUIRED ON PARTICIPATION OF THE UNITED STATES IN THE BANK.**—Section 1701(c)(2) of the International Financial Institutions Act (22 U.S.C. 262r(c)(2)) is amended by inserting "Bank for Economic Cooperation and Development in the Middle East and North Africa," after "Inter-American Development Bank".

(b) **EXEMPTION FROM LIMITATIONS AND RESTRICTIONS ON POWER OF NATIONAL BANKING ASSOCIATIONS TO DEAL IN AND UNDERWRITE INVESTMENT SECURITIES OF THE BANK.**—The 7th sentence of paragraph 7 of section 5136 of the Revised Statutes of the United States (12 U.S.C. 24) is amended by inserting "Bank for Economic Cooperation and Development in the Middle East and North Africa," after "the Inter-American Development Bank."

(c) **BENEFITS FOR UNITED STATES CITIZEN-REPRESENTATIVES TO THE BANK.**—Section 51 of Public Law 91-599 (22 U.S.C. 276c-2) is amended by inserting "the Bank for Economic Cooperation and Development in the Middle East and North Africa," after "the Inter-American Development Bank,".

Amend the title so as to read as follows: "A Bill to authorize United States contributions to the International Development Association and to a capital increase of the African Development Bank, to authorize the participation of the United States in the Bank for Economic Cooperation and Development in the Middle East and North Africa, and for other purposes."

LEAHY AMENDMENT NO. 5086

Mr. MCCONNELL (for Mr. LEAHY) proposed an amendment to the bill, H.R. 3540, supra; as follows:

On page 114, line 24 insert the following before the period at the end thereof: " *Provided further*, That of the funds appropriated under this heading by prior appropriation's Acts, \$36,000,000 of unobligated and unearmarked funds shall be transferred to and consolidated with funds appropriated by this Act under the heading "International Organization's and Programs".

PELL AMENDMENT NO. 5087

Mr. MCCONNELL (for Mr. PELL) proposed an amendment to the bill, H.R. 3540, supra; as follows:

On page 198, between lines 17 and 18, insert the following:

SEC. . SENSE OF THE SENATE.

(a) **FINDINGS.**—Congress finds that—

(1) Environmental Impact Assessments as a national instrument are undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority;

(2) in 1978 the Senate adopted Senate Resolution 49, calling on the United States Government to seek the agreement of other governments to a proposed global treaty requir-

ing the preparation of Environmental Impact Assessments for any major project, action, or continuing activity that may be reasonably expected to have a significant adverse effect on the physical environment or environmental interests of another nation or a global commons area;

(3) subsequent to the adoption of Senate Resolution 49 in 1978, the United Nations Environment Programme Governing Council adopted Goals and Principles on Environmental Impact Assessment calling on governments to undertake comprehensive Environmental Impact Assessments in cases in which the extent, nature, or location of a proposed activity is such that the activity is likely to significantly affect the environment; and

(4) on October 7, 1992, the Senate gave its advice and consent to the Protocol on Environmental Protection to the Antarctic Treaty, which obligates parties to the Antarctic Treaty to require Environmental Impact Assessment procedures for proposed activities in Antarctica.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) the United States Government should encourage the governments of other nations to engage in analysis of activities that may cause adverse impacts on the environment of other nations or a global commons area; and

(2) such additional analysis can recommend alternatives that will permit such activities to be carried out in environmentally sound ways to avoid or minimize any adverse environmental effects, through requirements for Environmental Impact Assessments where appropriate.

SIMPSON AMENDMENT NO. 5088

Mr. SIMPSON proposed an amendment to the bill, H.R. 3540, supra; as follows:

On page 196, strike lines 14 through 26.

MURKOWSKI AMENDMENT NO. 5089

Mr. MURKOWSKI (for himself, Mr. MCCAIN, and Mr. LIEBERMAN) proposed an amendment to amendment No. 5078 proposed by Mr. LIEBERMAN to the bill, H.R. 3540, supra; as follows:

On page 2, line 9, of the matter proposed to be inserted, strike "Fund" and all that follows to the end period and insert the following: "Fund: *Provided further*, That such funds may be obligated to KEDO only if, prior to such obligation of funds, the President certifies and so reports to Congress that (1)(A) the United States is taking steps to assure that progress is made on the implementation of the January 1, 1992, Joint Declaration on the Denuclearization of the Korean Peninsula and the implementation of the North-South dialogue, and (B) North Korea is complying with the other provisions of the Agreed Framework between North Korea and the United States and with the Confidential Minute; (2) North Korea is cooperating fully in the canning and safe storage of all spent fuel from its graphite-moderated nuclear reactors and that such canning and safe storage is scheduled to be completed by the end of fiscal year 1997; and (3) North Korea has not significantly diverted assistance provided by the United States for purposes for which such assistance was not intended: *Provided further*, That the President may waive the certification requirements of the preceding proviso if the President deems it necessary in the vital national security interests of the United States: *Provided further*, That no funds may be obligated for KEDO until 30 calendar days after the submission

to Congress of the waiver permitted under the preceding proviso: *Provided further*, That before obligating any funds for KEDO, the President shall report to Congress on (1) the cooperation of North Korea in the process of returning to the United States the remains of United States military personnel who are listed as missing in action as a result of the Korean conflict (including conducting joint field activities with the United States); (2) violations of the military armistice agreement of 1953; (3) the actions which the United States is taking and plans to take to assure that North Korea is consistently taking steps to implement the Joint Declaration on Denuclearization of the Korean Peninsula and engage in North-South dialogue; and (4) all instances of non-compliance with the Agreed Framework between North Korea and the United States and the Confidential Minute, including diversion of heavy fuel oil."

THE SMALL BUSINESS INVESTMENT COMPANY IMPROVEMENT ACT OF 1996

BOND (AND BUMPERS) AMENDMENT NO. 5090

Mr. MURKOWSKI (for Mr. BOND, for himself and Mr. BUMPERS) proposed an amendment to the bill (S. 1784) to amend the Small Business Investment Act of 1958, and for other purposes; as follows:

SEC. 13. EXTENSION OF SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM.

Section 711(c) of the Small Business Competitiveness Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended by striking "September 30, 1996" and inserting "September 30, 1997".

THE GOVERNMENT ACCOUNTABILITY ACT OF 1996

SPECTER (AND OTHERS) AMENDMENT NO. 5091

Mr. MURKOWSKI (for Mr. SPECTER, for himself, Mr. LEVIN, Mr. ROTH, Mr. NUNN, Mr. STEVENS, Mr. INOUE, Mr. GRASSLEY, Mr. LEAHY, Mr. COHEN, Mr. KOHL, and Mr. JEFFORDS) proposed an amendment to the bill (H.R. 3166) to amend title 18, United States Code, with respect to the crime of false statement in a Government matter; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "False Statements Penalty Restoration Act".

SEC. 2. RESTORING FALSE STATEMENTS PROHIBITION.

Section 1001 of title 18, United States Code, is amended to read as follows:

"§ 1001. Statements or entries generally

"(a) **PROHIBITED CONDUCT.**—

"(1) **IN GENERAL.**—A person shall be punished under subsection (b) if, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Federal Government, or any department, agency, committee, subcommittee, or office thereof, that person knowingly and willfully—

"(A) falsifies, conceals, or covers up, by any trick, scheme, or device, a material fact;

“(B) makes any materially false, fictitious, or fraudulent statement or representation; or

“(C) makes or uses any false writing or document, knowing that the document contains any materially false, fictitious, or fraudulent statement or entry.

“(2) APPLICABILITY.—This section shall not apply to parties to a judicial proceeding or anyone seeking to become a party to a judicial proceeding, or their counsel, for statements, representations, or documents submitted by them to a judge in connection with the performance of an adjudicative function.

“(b) PENALTIES.—A person who violates this section shall be fined under this title, imprisoned not more than 5 years, or both.”

SEC. 3. CLARIFYING PROHIBITION ON OBSTRUCTING CONGRESS.

Section 1515 of title 18, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

“(b) CORRUPTLY.—As used in section 1505, the term ‘corruptly’ means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information.”

SEC. 4. ENFORCING SENATE SUBPOENA.

Section 1365(a) of title 28, United States Code, is amended in the second sentence, by striking “Federal Government acting within his official capacity” and inserting “executive branch of the Federal Government acting within his or her official capacity, except that this section shall apply if the refusal to comply is based on the assertion of a personal privilege or objection and is not based on a governmental privilege or objection the assertion of which has been authorized by the executive branch of the Federal Government”.

SEC. 5. COMPELLING TRUTHFUL TESTIMONY FROM IMMUNIZED WITNESS.

Section 6005 of title 18, United States Code, is amended—

(1) in subsection (a), by inserting “or ancillary to” after “any proceeding before”; and

(2) in subsection (b)—

(A) in paragraphs (1) and (2), by inserting “or ancillary to” after “a proceeding before” each place that term appears; and

(B) in paragraph (3), by adding a period at the end.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Tuesday, July 30, 1996, beginning at 9:30 a.m. to conduct a markup on S. 1983, to amend the Native American Graves Protection and Repatriation Act to provide for Native Hawaiian organizations, and for other purposes. The markup will be held in room 485 of the Russel Senate Office Building.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce that the oversight hearing regarding the conditions that have made the national forests of the

Southwest susceptible to catastrophic fires and diseases scheduled for Tuesday, July 30, 1996, before the Subcommittee on Forests and Public Land Management will now begin at 10:30 a.m. instead of 9:30 a.m. as previously scheduled.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Oversight and Investigations Subcommittee of the Energy and Natural Resources Committee on the propriety of a commercial lease issued by the Bureau of Land Management at Lake Havasu, AZ, including its consistency with the Federal Land Policy and Management Act and Department of the Interior land use policies.

The hearing will take place on Thursday, August 1 at 9:00 a.m. in Room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Those wishing 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 Kelly Johnson or Jo Meuse at (202) 224-6730.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MCCONNELL. 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 on Thursday, July 25, 1996, to conduct an oversight hearing to review the General Accounting Office [GAO] report on the Federal Reserve System.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. PRESSLER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Thursday, July 25, 1996, session of the Senate for the purpose of conducting a hearing on S. 1726, the Promotion of Commerce On-Line in the digital Era [Pro-Code] Act of 1996.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 25, at 2:00 p.m.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MCCONNELL. Mr. President, I ask Unanimous Consent on behalf of the Governmental Affairs Committee to meet on Thursday, July 25.

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

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday July 25, 1996, at 10:00 a.m., to hold an executive business meeting.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Labor Human Resources be authorized to meet for a hearing on Genetic Issues, during the session of the Senate on Thursday, July 25, 1996, at 9:30 a.m.

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

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. MCCONNELL. 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, July 25, 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. 1699, a bill to establish the National Cave and Karst Research Institute in the State of New Mexico; and S. 1809, the Aleutian World War II National Historic Sites Act of 1996.

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

ADDITIONAL STATEMENTS

CBO COST ESTIMATE—S. 901

• Mr. MURKOWSKI. Mr. President, on July 16, 1996, I filed Report 104-322 to accompany S. 901, to amend the Reclamation Projects Authorization and Adjustment Act of 1992, that had been ordered favorably reported on June 19, 1996. At the time the Report was filed, the estimates by Congressional Budget Office were not available. The estimate is now available and concludes that enactment of S. 901 would “not affect direct spending or receipts”. I ask that a copy of the CBO estimate be printed in the RECORD.

The estimate follows:

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 901.

2. Bill title: A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize the Secretary of the Interior to participate in the design, planning, and construction of certain water reclamation and reuse projects and desalination research and development projects, and for other purposes.

3. Bill status: As reported by the Senate Committee on Energy and Natural Resources on July 16, 1996.

4. Bill purpose: S. 901 would authorize the Secretary of the Interior to participate in the design, planning, and construction of