

provide such information and assistance to the extent permitted by law when requested by the Chair of the Commission.

(f) REPORT.—No later than 18 months following the date on which its sixth member is appointed in accordance with subsection (b)(2), the Commission shall submit its report to the President and the Congress. The Commission shall terminate 90 days after the date of the submission of its report.

(g) CONGRESSIONAL CONSIDERATION.—No later than 60 days after the submission of the report, the Committees on the Judiciary of the House of Representatives and the Senate shall act on the report.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission such sums, not to exceed \$900,000, as may be necessary to carry out the purposes of this section. Such sums as are appropriated shall remain available until expended.

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE RESOLUTION

KERRY (AND CHAFEE) AMENDMENT NO. 987

(Ordered to lie on the table.)

Mr. KERRY (for himself and Mr. CHAFEE) submitted an amendment intended to be proposed by them to the resolution (S. Res. 98) expressing the sense of the Senate regarding the conditions for the United States becoming a signatory to any international agreement on greenhouse gas emissions under the United Nations Framework Convention on Climate Change; as follows:

On page 4, line 13, after "period," insert the following:

"(i) provides countries with incentives and flexibility in reducing emissions cost-effectively by using the market-oriented approaches of emissions budgets, emissions trading, and appropriate joint implementation with all Parties,

"(iii) includes credible compliance mechanisms, and

"(iv) provides appropriate recognition for countries that undertake emissions reductions prior to the start of the mandated reductions;"

THE DEPARTMENTS OF COM- MERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT FOR FISCAL YEAR 1998

BOND AMENDMENT NO. 988

(Ordered to lie on the table.)

Mr. BOND submitted an amendment intended to be proposed by him to the bill, S. 1022, supra; as follows:

On page 143, between lines 18 and 19, insert the following:

SEC. 5 . Notwithstanding any other provision of law, no amount made available to the Small Business Administration under this title may be obligated or expended to carry out section 7(a) of the Small Business Act (15 U.S.C. 637(a)) before the date on which the Committees on Appropriations and the Committees on Small Business of the House of Representatives and the Senate receive, pursuant to section 10(e) of the Small Business

Act (15 U.S.C. 639(e)), unredacted copies of all documents requested by the Chairman of the Committee on Small Business of the Senate in a letter of May 16, 1997, relating to the program under section 7(a) of the Small Business Act (15 U.S.C. 637(a)).

SARBANES (AND OTHERS) AMENDMENT NO. 989

Mr. SARBANES (for himself, Mr. MOYNIHAN, Mr. HATCH, Mr. JEFFORDS, Mr. KERRY, Mr. BIDEN, and Mr. LEAHY) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 124, beginning on line 5, strike all through page 125, line 2.

WELLSTONE AMENDMENTS NOS. 990-991

(Ordered to lie on the table.)

Mr. WELLSTONE submitted two amendments intended to be proposed by him to the bill, S. 1022, supra; as follows:

AMENDMENT No. 990

At the appropriate place in title V of the bill, insert the following:

SEC. 5 . For fiscal year 1998 and subsequent fiscal years, in determining, under section 1007(a)(2)(B) of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(2)(B)), the eligibility for legal assistance of an individual who is a victim of domestic violence, a recipient described in such section shall calculate the assets and income described in such section as the assets and income of the individual, rather than—

(1) the assets and income of the spouse of the individual; or

(2) the joint assets and income of the individual and the spouse.

AMENDMENT No. 991

At the appropriate place in title V of the bill, insert the following:

SEC. 5 . The Attorney General, in consultation with the Legal Services Corporation, shall—

(1) conduct a study, with respect to individuals adversely affected due to changes in their Federal benefits resulting from the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), and the amendments made by that Act, who otherwise would have obtained assistance from the Legal Services Corporation or grantees thereof, but who were unable to obtain such assistance as a result of the enactment of section 504(a)(16) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104-134; 110 Stat. 1321-55), regarding—

(A) the estimated number of those individuals; and

(B) the legal, financial, and personal effects on those individuals, as appropriate, of that inability to obtain assistance from the Legal Services Corporation or grantees thereof; and

(2) not later than 180 days after the date of enactment of this Act, submit to Congress a report describing the results of the study conducted under paragraph (1).

KERRY (AND OTHERS) AMENDMENT NO. 992

Mr. KERRY (for himself, Mr. DODD, Mrs. MURRAY, Mr. LAUTENBERG, and Mr. JOHNSON) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 29, line 18, insert "That of the amount made available for Local Law En-

forcement Block Grants under this heading, \$47,000,000 shall be for the Community Policing to Combat Domestic Violence Program established pursuant to section 1701(d) of part Q of the Omnibus Crime Control and Safe Streets Act of 1968: *Provided further,*" after "Provided,".

GRAHAM AMENDMENT NO. 993

Mr. GRAHAM proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place in title I of the bill, insert the following:

SEC. 1. Of the amounts made available under this title under the heading "OFFICE OF JUSTICE PROGRAMS" under the subheading "STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE", not more than 90 percent of the amount otherwise to be awarded to an entity under the Local Law Enforcement Block Grant Program shall be made available to that entity, if it is made known to the Federal official having authority to obligate or expend such amounts that the entity employs a public safety officer (as that term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide an employee who is public safety officer and who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits that are otherwise paid by the entity to a public safety officer at the time of retirement or separation.

DOMENICI AMENDMENT NO. 994

Mr. DOMENICI proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place in title I of the bill, insert the following:

SEC. 1 . PUBLIC DISCLOSURE OF COURT AP- POINTED ATTORNEYS' FEES.

Section 3006A(d) of title 18, United States Code, is amended by striking paragraph (4) and inserting the following:

"(4) DISCLOSURE OF FEES.—

"(A) IN GENERAL.—Subject to subparagraphs (B) through (E), the amounts paid under this subsection for services in any case shall be made available to the public by the court upon the court's approval of the payment.

"(B) PRE-TRIAL OR TRIAL IN PROGRESS.—If a trial is in pre-trial status or still in progress and after considering the defendant's interests as set forth in subparagraph (D), the court shall—

"(i) redact any detailed information on the payment voucher provided by defense counsel to justify the expenses to the court; and

"(ii) make public only the amounts approved for payment to defense counsel by dividing those amounts into the following categories:

"(I) Arraignment and or plea.

"(II) Bail and detention hearings.

"(III) Motions.

"(IV) Hearings.

"(V) Interviews and conferences.

"(VI) Obtaining and reviewing records.

"(VII) Legal research and brief writing.

"(VIII) Travel time.

"(IX) Investigative work.

"(X) Experts.

"(XI) Trial and appeals.

"(XII) Other.

"(C) TRIAL COMPLETED.—

"(i) IN GENERAL.—If a request for payment is not submitted until after the completion

of the trial and subject to consideration of the defendant's interests as set forth in subparagraph (D), the court shall make available to the public an unredacted copy of the expense voucher.

“(ii) PROTECTION OF THE RIGHTS OF THE DEFENDANT.—If the court determines that defendant's interests as set forth in subparagraph (D) require a limited disclosure, the court shall disclose amounts as provided in subparagraph (B).

“(D) CONSIDERATIONS.—The interests referred to in subparagraphs (B) and (C) are

(i) to protect any person's 5th amendment right against self-incrimination;

“(ii) to protect the defendant's 6th amendment rights to effective assistance of counsel;

“(iii) the defendant's attorney-client privilege;

“(iv) the work product privilege of the defendant's counsel;

“(v) the safety of any person and

“(vi) any other interest that justice may require.

“(E) NOTICE.—The court shall provide reasonable notice of disclosure to the counsel of the defendant prior to the approval of the payments in order to allow the counsel to request redaction based on the considerations set forth in subparagraph (D). Upon completion of the trial, the court shall release unredacted copies of the vouchers provided by defense counsel to justify the expenses to the court. If there is an appeal, the court shall not release unredacted copies of the vouchers provided by defense counsel to justify the expenses to the court until such time as the appeals process is completed, unless the court determines that none of the defendant's interests set forth in subparagraph (D) will be compromised.”.

KYL AMENDMENT NO. 995

Mr. GREGG (for Mr. KYL) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following:

SEC. . SPECIAL MASTERS FOR CIVIL ACTIONS CONCERNING PRISON CONDITIONS.

Section 3626(f) of title 18, United States Code, is amended—

(1) by striking the subsection heading and inserting the following:

“(f) SPECIAL MASTERS FOR CIVIL ACTIONS CONCERNING PRISON CONDITIONS.—”; AND

(2) in paragraph (4)—

(A) by inserting “(A)” after “(4)”;

(B) in subparagraph (A), as so designated, by adding at the end the following: “In no event shall a court require a party to a civil action under this subsection to pay the compensation, expenses, or costs of a special master. Notwithstanding any other provision of law (including section 306 of the Act entitled ‘An Act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997,’ contained in section 101(a) of title I of division A of the Act entitled ‘An Act making omnibus consolidated appropriations for the fiscal year ending September 30, 1997, (110 Stat. 3009–201)) and except as provided in subparagraph (B), the requirement under the preceding sentence shall apply to the compensation and payment of expenses or costs of a special master for any action that is commenced, before, on, or after the date of enactment of the Prison Litigation Reform Act of 1995.”; and

(C) by adding at the end the following:

“(B) The payment requirements under subparagraph (A) shall not apply to the payment to a special master who was appointed

before the date of enactment of the Prison Litigation Reform Act of 1995 (110 Stat. 1321–165 et seq.) of compensation, expenses, or costs relating to activities of the special master under this subsection that were carried out during the period beginning on the date of enactment of the Prison Litigation Reform Act of 1995 and ending on the date of enactment of this subparagraph.”.

COVERDELL AMENDMENT NO. 996

Mr. GREGG (for Mr. COVERDELL) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place in title I of the bill, insert the following:

SEC. . REPORT ON COLLECTING DNA SAMPLES FROM SEX OFFENDERS.

(a) DEFINITIONS.—In this section—

(1) the terms “criminal offense against a victim who is a minor”, “sexually violent offense”, and “sexually violent predator” have the meanings given those terms in section 170101(a) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(a));

(2) the term “DNA” means deoxyribonucleic acid; and

(3) the term “sex offender” means an individual who—

(A) has been convicted in Federal court of—

(i) a criminal offense against a victim who is a minor; or

(ii) a sexually violent offense; or

(B) is a sexually violent predator.

(b) REPORT.—From amounts made available to the Department of Justice under this title, not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report, which shall include a plan for the implementation of a requirement that, prior to the release (including probation, parole, or any other supervised release) of any sex offender from Federal custody following a conviction for a criminal offense against a victim who is a minor or a sexually violent offense, the sex offender shall provide a DNA sample to the appropriate law enforcement agency for inclusion in a national law enforcement DNA database.

(c) PLAN REQUIREMENTS.—The plan submitted under subsection (b) shall include recommendations concerning—

(1) a system for—

(A) the collection of blood and saliva specimens from any sex offender;

(B) the analysis of the collected blood and saliva specimens for DNA and other genetic typing analysis; and

(C) making the DNA and other genetic typing information available for law enforcement purposes only;

(2) guidelines for coordination with existing Federal and State DNA and genetic typing information databases and for Federal cooperation with State and local law in sharing this information;

(3) addressing constitutional, privacy, and related concerns in connection with the mandatory submission of DNA samples; and

(4) procedures and penalties for the prevention of improper disclosure or dissemination of DNA or other genetic typing information.

DORGAN (AND OTHERS) AMENDMENT NO. 997

Mr. HOLLINGS (for Mr. DORGAN, for himself, Mr. ROCKEFELLER, Mr. HOLLINGS, and Mr. DASCHLE) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE THAT THE FEDERAL GOVERNMENT SHOULD NOT MANIPULATE UNIVERSAL SERVICE SUPPORT PAYMENTS TO BALANCE THE FEDERAL BUDGET.

Whereas the Congress reaffirmed the importance of universal service support for telecommunications services by passing the Telecommunications Act of 1996;

Whereas the Telecommunications Act of 1996 required the Federal Communications Commission to preserve and advance universal service based on the following principles:

(A) Quality services should be available at just, reasonable, and affordable rates;

(B) Access to advanced telecommunications and information services should be provided in all regions of the Nation;

(C) Consumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services;

(D) All providers of telecommunications services should make an equitable and non-discriminatory contribution to the preservation and advancement of universal service;

(E) There should be specific, predictable, and sufficient Federal and State mechanisms to preserve and advance universal service; and

(F) Elementary and secondary schools and classrooms, health care providers, and libraries should have access to advanced telecommunications services;

Whereas Federal and state universal contributions are administered by an independent, non-federal entity and are not deposited into the Federal Treasury and therefore not available for Federal appropriations;

Whereas the Conference Committee on H.R. 2015, the Budget Reconciliation Bill, is considering proposals that would withhold Federal and State universal service funds in the year 2002; and

Whereas the withholding of billions of dollars of universal service support payments will mean significant rate increases in rural and high cost areas and will deny qualifying schools, libraries, and rural health facilities discounts directed under the Telecommunications Act of 1996;

Now, therefore, be it

Resolved, That it is the sense of the Senate that the Conference Committee on HR 2015 should not manipulate, modify, or impair universal service support as a means to achieve a balanced Federal budget or achieve Federal budget savings.

BIDEN AMENDMENT NO. 998

Mr. HOLLINGS (for Mr. BIDEN) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following:

SEC. . EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND.

Section 310001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211(b)) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(7) for fiscal year 2001, \$4,355,000,000; and

“(8) for fiscal year 2002, \$4,455,000,000.”.

Beginning on the date of enactment of this legislation, the non-defense discretionary spending limits contained in Section 201 of

H. Con. Res. (105th Congress) are reduced as follows:

for fiscal year 2001, \$4,355,000,000 in new budget authority and \$5,936,000,000 in outlays;

for fiscal year 2002, \$4,455,000,000 in new budget authority and \$4,485,000,000 in outlays;

BAUCUS (AND BURNS) AMENDMENT NO. 999

Mr. HOLLINGS (for Mr. BAUCUS for himself and Mr. BURNS) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following:

Notwithstanding any other provision of law, the Economic Development Administration is directed to transfer funds obligated and awarded to the Butte-Silver Bow Consolidated Local Government as Project Number 05-01-02822 to the Butte Local Development Corporation Revolving Loan Fund to be administered by the Butte Local Development Corporation, such funds to remain available until expended.

BINGAMAN AMENDMENT NO. 1000

Mr. HOLLINGS (for Mr. BINGAMAN) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 65, between lines 9 and 10, insert the following:

SEC. 120. (a) Section 1(d) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611(d)) is amended by inserting after "The term 'agent of a foreign principal'" the following: "(1) includes an entity described in section 170(b)(1)(A)(vi) of the Internal Revenue Code of 1986 that receives, directly or indirectly, from a government of a foreign country (or more than one such government) in any 12-month period contributions in a total amount in excess of \$10,000, and that conducts public policy research, education, or information dissemination and that is not included in any other subsection of 170(b)(1)(A), and (2)".

Section 3(d) of such Act (22 U.S.C. 613(d)) is amended by inserting ", other than an entity referred to in section 1(d)(1)," after "Any person".

BUMPERS AMENDMENT NO. 1001

Mr. HOLLINGS (for Mr. BUMPERS) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . The Office of Management and Budget shall designate the Jonesboro-Paragould, AR Metropolitan Statistical Area in lieu of the Jonesboro, AR Metropolitan Statistical Area. The Jonesboro-Paragould, AR Metropolitan Statistical Area shall include both Craighead County, AR and Greene County, AR, in their entirety.

BYRD (AND HATCH) AMENDMENT NO. 1002

Mr. HOLLINGS (for Mr. BYRD, for himself and Mr. HATCH) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 29 of the bill, on line 18, before the ":", insert the following: ", of which \$25,000,000 shall be for grants to states for programs and activities to enforce state laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors".

DORGAN AMENDMENT NO. 1003

Mr. HOLLINGS (for Mr. DORGAN) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 86, line 3 after "Secretary of Commerce." insert the following:

"SEC. 211. In addition to funds provided elsewhere in this Act for the National Telecommunications and Information Administration Information Infrastructure Grants program, \$10,490,000 is available until expended: Provided, That this amount shall be offset proportionately by reductions in appropriations provided for the Department of Commerce in Title II of this Act, provided amounts provided: *Provided further*, That no reductions shall be made from any appropriations made available in this Act for the National Oceanic and Atmospheric Administration, National Institute of Standards and Technology and National Telecommunications and Information Administration public broadcasting facilities, planning and construction."

DASCHLE AMENDMENT NO. 1004

Mr. HOLLINGS (for Mr. DASCHLE) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 29 of the bill, line 2, after "Center" insert the following: ", of which \$100,000 shall be available for a grant to Roberts County, South Dakota; and of which \$900,000 shall be available for a grant to the South Dakota Division of Criminal Investigation for the procurement of equipment for law enforcement telecommunications, emergency communications, and the state forensic laboratory".

INOUE AMENDMENT NO. 1005

Mr. HOLLINGS (for Mr. INOUE) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 93, strike the matter between lines 14 and 15 and insert the following:

"Ninth California, Nevada.";

On page 93, strike the matter between lines 17 and 18 and insert the following:

"Twelfth Alaska, Arizona, Guam, Hawaii, Idaho, Montana, Northern Mariana Islands, Oregon, Washington.";

On page 94, strike lines 14 through 19 and insert the following:

"(1) is in California or Nevada is assigned as a circuit judge on the new ninth circuit; (2) is in Alaska, Arizona, Guam, Hawaii, Idaho, Montana, Northern Mariana Islands, Oregon or Washington is assigned as a circuit judge on the twelfth circuit; and".

HARKIN (AND WARNER) AMENDMENT NO. 1006

Mr. HOLLINGS (for Mr. HARKIN, for himself and Mr. WARNER) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . SENSE OF THE SENATE REGARDING THE EXEMPLARY SERVICE OF JOHN H. R. BERG TO THE UNITED STATES

Whereas, John H. R. Berg began his service to the United States Government working for the United States Army at the age of fifteen after fleeing Nazi persecution in Germany where his father died in the Auschwitz concentration camp; and,

Whereas, John H. R. Berg's dedication to the United States Government was further

exhibited by his desire to become a United States citizen, a goal that was achieved in 1981, 35 years after he began his commendable service to the United States; and,

Whereas, since 1949, John H. R. Berg has been employed by the United States Embassy in Paris where he is currently the Chief of the Visitor's and Travel Unit. And, this year has supported over 10,700 official visitors, 500 conferences, and over 15,000 official and unofficial reservations; and,

Whereas, John H. R. Berg's reputation for "accomplishing the impossible" through his dedication, efficiency and knowledge has become legend in the Foreign Service; and,

Whereas, John H. R. Berg has just completed 50 years of outstanding service to the United States Government with the United States Department of State,

Therefore Be It Resolved, it is the Sense of the Senate that John H. R. Berg deserves the highest praise from the Congress for his steadfast devotion, caring leadership, and lifetime of service to the United States Government.

LEAHY (AND KENNEDY) AMENDMENT NO. 1007

Mr. HOLLINGS (for Mr. LEAHY, for himself and Mr. KENNEDY) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place in the bill, insert the following new section:

"The Administrative Office of the United States Courts, in consultation with the Judicial Conference, shall conduct a study of the average costs incurred in defending and presiding over federal capital cases from the initial appearance of the defendant through the final appeal, and shall submit a written report to the Chairman and Ranking Members of the Senate and House Committees on Appropriations and Judiciary on or before July 1, 1998, containing recommendations on measures to contain costs in such cases, with constitutional requirements.

"*Provided Further*, That the Attorney General, shall review the practices of U.S. Attorneys' Offices and relevant investigating agencies in investigating and prosecuting federal capital cases, including before the initial appearance of the defendant through final appeal, and shall submit a written report to the Chairman and Ranking Members of the Senate and House Committees on the Appropriations and Judiciary on or before July 1, 1998, containing recommendations on measures to contain costs in such cases, consistent with constitutional requirements, and outlining a protocol for the effective, fiscally responsible prosecution of federal capital cases".

REED (AND OTHERS) AMENDMENT NO. 1008

Mr. HOLLINGS (for Mr. REED, for himself, Mr. HOLLINGS, Mr. MCCAIN, Mr. BURNS, and Mr. DURBIN) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place insert the following:

SEC. . SENSE OF THE SENATE WITH RESPECT TO SLAMMING.

(a) STATEMENT OF PURPOSE.—The purposes of this statement of the sense of the Senate are to—

(1) protect consumers from the fraudulent transfer of their phone service provider;

(2) allow the efficient prosecution of phone service providers who defraud consumers; and

(3) encourage an environment in which consumers can readily select the telephone service provider which best serves them.

(b) FINDINGS.—The Congress finds the following:

(1) As the telecommunications industry has moved toward competition in the long distance market, consumers have increasingly elected to change the company which provides their long-distance phone service. As many as fifty million consumers now change their long distance provider annually.

(2) The fluid nature of the long distance market has also allowed an increasing number of fraudulent transfers to occur. Such transfers have been termed "slamming", which constitutes any practice that changes a consumer's long distance carrier without the consumer's knowledge or consent.

(3) Slamming is now the largest single consumer complaint received by the Common Carrier Bureau of the Federal Communications Commission. As many as one million consumers are fraudulently transferred annually to a telephone consumer which they have not chosen.

(4) The increased costs which consumers face as a result of these fraudulent switches threaten to rob consumers of the financial benefits created by a competitive marketplace.

(5) The Telecommunications Act of 1996 sought to combat this problem by directing that any revenues generated by a fraudulent transfer be payable to the company which the consumer has expressly chosen, not the fraudulent transferor.

(6) While the Federal Communications Commission has proposed and promulgated regulations on this subject, the Commission has not been able to effectively deter the practice of slamming due to a lack of prosecutorial resources as well as the difficulty of proving that a provider failed to obtain the consent of a consumer prior to acquiring that consumer as a new customer. Commission action to date has not adequately protected consumers.

(7) The majority of consumers who have been fraudulently denied the services of their chosen phone service vendor do not turn to the Federal Communications Commission for assistance. Indeed, section 258 of the Communications Act of 1934 directs that State commissions shall be able to enforce regulations mandating that the consent of a consumer be obtained prior to a switch of service.

(8) It is essential that Congress provide the consumer, local carriers, law enforcement, and consumer agencies with the ability to efficiently and effectively persecute those companies which slam consumers, thus providing a deterrent to all other firms which provide phone services.

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

(1) the Federal Communications Commission should, within 12 months of the date of enactment of this Act, promulgate regulations, consistent with the Communications Act of 1934 which provide law enforcement officials dispositive evidence for use in the prosecution of fraudulent transfers of presubscribed customers of long distance and local service; and

(2) the Senate should examine the issue of slamming and take appropriate legislative action in the 105th Congress to better protect consumers from unscrupulous practices including, but not limited to, mandating the recording and maintenance of evidence concerning the consent of the consumer to switch phone vendors, establishing higher civil fines for violations, and establishing a civil right of action against fraudulent providers, as well as criminal sanctions for repeated and willful instances of slamming.

ROBB AMENDMENT NO. 1009

Mr. HOLLINGS (for Mr. ROBB) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 65, line 10, insert the following:
"SEC. 120. There shall be no restriction on the use of Public Safety and Community Policing Grants, authorized under title I of the 1994 Act, to support innovative programs to improve the safety of elementary and secondary school children and reduce crime on or near elementary or secondary school grounds."

LAUTENBERG (AND HATCH) AMENDMENT NO. 1010

Mr. HOLLINGS (for Mr. LAUTENBERG, for himself and Mr. HATCH) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 75, line 3, strike all beginning with "\$20,000,000," through line 8 and insert the following: "such funds as are necessary, not to exceed 2 percent of projected annual revenues of the Patent and Trademark Office, shall be made available from the sum appropriated in this paragraph for the staffing, operation, and support of said office once a plan for this office has been submitted to the House and Senate Committees on Appropriations pursuant to section 605 of this Act."

BIDEN AMENDMENT NO. 1011

Mr. HOLLINGS (for Mr. BIDEN) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, add the following:

"Section 1701(b)(2)(A) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended to read as follows:

"(A) may not exceed 20 percent of the funds available for grants pursuant to this subsection in any fiscal year."

ABRAHAM (AND KENNEDY) AMENDMENT NO. 1012

Mr. GREGG (for Mr. ABRAHAM, for himself and Mr. KENNEDY) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert: "Provided further, That none of the funds appropriated or otherwise made available to the Immigration and Naturalization Service may be used to accept, process, or forward to the Federal Bureau of Investigation any FD-258 fingerprint card, or any other means used to transmit fingerprints, for the purpose of conducting a criminal background check on any applicant for any benefit under the Immigration and Nationality Act unless the applicant's fingerprints have been taken by an office of the Immigration and Naturalization Service or by a law enforcement agency, which may collect a fee for the service of taking and forwarding the fingerprints."

HATCH AMENDMENT NO. 1013

Mr. GREGG (for Mr. HATCH) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 2, lines 17 through 22, strike the colon on line 17 and all that follows through "basis" on line 22.

BURNS AMENDMENT NO. 1014

Mr. GREGG (for Mr. BURNS) proposed an amendment to the bill, S. 1022, supra; as follows:

On page 125, strike lines 3-9.

MCCAIN (AND KYL) AMENDMENT NO. 1015

Mr. GREGG (for Mr. MCCAIN, for himself and Mr. KYL) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following:

WAIVER OF CERTAIN VACCINATION REQUIREMENTS

SEC. (a) IN GENERAL.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by adding at the end the following:

"(p) The Attorney General should exercise the waiver authority provided for in subsection (g)(2)(B) for any alien orphan applying for an IR3 or IR4 category visa."

STEVENS AMENDMENT NO. 1016

Mr. GREGG (for Mr. STEVENS) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert:

SEC. . The second proviso of the second paragraph under the heading "OFFICE OF THE CHIEF SIGNAL OFFICER." in the Act entitled "An Act Making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June thirtieth, nineteen hundred and one", approved May 26, 1900 (31 Stat. 206; chapter 586; 47 U.S.C. 17), is repealed.

DEWINE AMENDMENT NO. 1017

Mr. GREGG (for Mr. DEWINE) proposed an amendment to the bill, S. 1022, supra; as follows:

At the appropriate place, insert the following:

SEC. . EXCLUSION FROM THE UNITED STATES OF ALIENS WHO HAVE BEEN INVOLVED IN EXTRAJUDICIAL AND POLITICAL KILLINGS IN HAITI.

(a) GROUNDS FOR EXCLUSION.—None of the funds appropriated or otherwise made available in this Act shall be used to issue visas to any person who—

(1) has been credibly alleged to have ordered, carried out, or materially assisted in the extrajudicial and political killings of Antoine Izmerly, Guy Malary, Father Jean-Marie Vincent, Pastor Antoine Leroy, Jacques Fleurival, Mireille Durocher Bertin, Eugene Baillergeau, Michelange Hermann, Max Mayard, Romulus Dumarsais, Claude Yves Marie, Mario Beaubrun, Leslie Grimar, Joseph Chilove, Michel Gonzalez, and Jean-Hubert Feuille;

(2) has been included in the list presented to former President Jean-Bertrand Aristide by former National Security Council Advisor Anthony Lake in December 1995, and acted upon by President Rene Preval;

(3) was a member of the Haitian presidential security unit who has been credibly alleged to have ordered, carried out, or materially assisted in the extrajudicial and political killings of Pastor Antoine Leroy and Jacques Fleurival, or who was suspended by President Preval for his involvement in or knowledge of the Leroy and Fleurival killings on August 20, 1996;

(4) was sought for an interview by the Federal Bureau of Investigation as part of its inquiry into the March 28, 1995, murder of Mireille Durocher Bertin and Eugene Baillergeau, Jr., and was credibly alleged to

have ordered, carried out, or materially assisted in those murders, per a June 28, 1995, letter to the then Minister of Justice of the Government of Haiti, Jean-Joseph Exume;

(5) was a member of the Haitian High Command during the period 1991 through 1994, and has been credibly alleged to have planned, ordered, or participated with members of the Haitian Armed Forces in—

(A) the September 1991 coup against any person who was a duly elected government official of Haiti (or a member of the family of such official), or

(B) the murders of thousands of Haitians during the period 1991 through 1994; or

(6) has been credibly alleged to have been a member of the paramilitary organization known as FRAPH who planned, ordered, or participated in acts of violence against the Haitian people.

(b) EXEMPTION.—Subsection (a) shall not apply if the Secretary of State finds, on a case-by-case basis, that the entry into the United States of a person who would otherwise be excluded under this section is necessary for medical reasons or such person has cooperated fully with the investigation of these political murders. If the Secretary of State exempts any such person, the Secretary shall notify the appropriate congressional committees in writing.

(c) REPORTING REQUIREMENT.—(1) The United States chief of mission in Haiti shall provide the Secretary of State a list of those who have been credibly alleged to have ordered or carried out the extrajudicial and political killings mentioned in paragraph (1) of subsection (a).

(2) The Secretary of State shall submit the list provided under paragraph (1) to the appropriate congressional committees not later than 3 months after the date of enactment of this Act.

(3) The Secretary of State shall submit to the appropriate congressional committees a list of aliens denied visas, and the Attorney General shall submit to the appropriate congressional committees a list of aliens refused entry to the United States as a result of this provision.

(4) The Secretary of State shall submit a report under this subsection not later than 6 months after the date of enactment of this Act and not later than March 1 of each year thereafter as long as the Government of Haiti has not completed the investigation of the extrajudicial and political killings and has not prosecuted those implicated for the killings specified in paragraph (1) of subsection (a).

(d) DEFINITION.—In this section, the term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

HELMS (AND BIDEN) AMENDMENT NO. 1018

Mr. GREGG (for Mr. HELMS, for himself and Mr. BIDEN) proposed an amendment to the bill, S. 1022, *supra*; as follows:

On page 114, strike lines 14–23.

WARNER (AND OTHERS) AMENDMENT NO. 1019

Mr. GREGG (for Mr. WARNER, for himself, Mr. LEAHY, and Mr. ROBB) proposed an amendment to the bill, S. 1022, *supra*; as follows:

At the appropriate place in title I of the bill, insert the following:

SEC. 1. Section 233(d) of the Anti-terrorism and Effective Death Penalty Act of

1996 (110 Stat. 1245) is amended by striking “1 year after the date of enactment of this Act” and inserting “October 1, 1999”.

COATS AMENDMENT NO. 1020

Mr. GREGG (for Mr. COATS) proposed an amendment to the bill, S. 1022, *supra*; as follows:

On page 139, after line 13 insert the following:

GAMBLING IMPACT STUDY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the National Gambling Impact Study Commission, \$1,000,000, to remain available until expended: Provided, That funds made available for this purpose shall be taken from funds made available on page 23, line 21.

STEVENS (AND OTHERS) AMENDMENT NO. 1021

Mr. GREGG (for Mr. STEVENS, Mr. KERRY, and Mrs. FEINSTEIN) proposed an amendment to the bill, S. 1022, *supra*; as follows:

At the appropriate place in the bill, insert the following: “*Provided further*, That not to exceed \$2,000,000 may be made available for the 1999 Women’s World Cup Organizing Committee cultural exchange and exchange related activities associated with the 1999 Women’s World Cup.”

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Wednesday, July 30, 1997, at 9:30 a.m. to mark-up S. 569, a bill to amend the Indian Child Welfare Act of 1978; to be followed immediately by an Oversight Hearing on the Special Trustee’s “Strategic Plan” to reform the management of Indian Trust Funds. The hearing will be held in room 106 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place Thursday, July 31, 1997, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony from the Forest Service on their organizational structure, staffing, and budget for the Alaska region.

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. GREGG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, July 24, 1997, at 9:30 a.m. in open session, to consider the nomination of John J. Hamre, to be Deputy Secretary of Defense.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, July 24, 1997, at 9:30 a.m. on management and program weaknesses at NASA and National Science Foundation.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee Special Investigation to meet on Thursday, July 24, 1997, at 10 a.m. for a hearing on campaign financing issues.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GREGG. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a business meeting Thursday, July 24, 1997, at 9:30 a.m. hearing room (SD-406).

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

COMMITTEE ON FOREIGN RELATIONS

Mr. GREGG. 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 24, 1997, at 9:30 a.m. and 11:30 a.m. to hold hearings.

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

COMMITTEE ON THE JUDICIARY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary, be authorized to hold an executive business meeting during the session of the Senate on Thursday, July 24, 1997, at 9 a.m. in room 226 of the Senate Dirksen Office Building.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Higher Education Act Reauthorization during the session of the Senate on Thursday, July 24, 1997, at 10 a.m.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources