

pesticide tolerances to safeguard infants and children, and for other purposes.

S. 1228

At the request of Mr. D'AMATO, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 1228, a bill to impose sanctions on foreign persons exporting petroleum products, natural gas, or related technology to Iran.

S. 1253

At the request of Mr. ABRAHAM, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a cosponsor of S. 1253, a bill to amend the Controlled Substances Act with respect to penalties for crimes involving cocaine, and for other purposes.

S. 1254

At the request of Mr. ABRAHAM, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a cosponsor of S. 1254, a bill to disapprove of amendments to the Federal Sentencing Guidelines relating to lowering of crack sentences and sentences for money laundering and transactions in property derived from unlawful activity.

SENATE RESOLUTION 176—RELATING TO EXPENDITURES FOR OFFICIAL OFFICE EXPENSES

Mr. WARNER (for himself and Mr. FORD) submitted the following resolution; which was considered and agreed to:

S. RES. 176

Resolved, That section 2(3) of Senate Resolution 294, Ninety-sixth Congress, agreed to April 29, 1980, is amended—

(1) by striking "and" after "Capitol" and inserting a comma; and

(2) by inserting before the semicolon at the end the following: ", and copies of the calendar 'We The People' published by the United States Capitol Historical Society".

SEC. 2. Copies of the calendar "We The People" published by the United States Capitol Historical Society shall be deemed to be Federal publications described in section 6(b)(1)(B)(v) of Public Law 103-283.

AMENDMENTS SUBMITTED

THE DEPARTMENT OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

GRAMS (AND MCCAIN) AMENDMENT NO. 2811

(Ordered to lie on the table.)

Mr. GRAMS (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by them to the bill (H.R. 2076) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes; as follows:

Beginning on page 115, strike line 11 and all that follow through line 2 on page 116.

SHELBY (AND OTHERS) AMENDMENT NO. 2812

(Ordered to lie on the table.)

Mr. SHELBY (for himself, Mr. LOTT, Mr. FAIRCLOTH, Mr. INHOFE, Mr. SIMPSON, and Mr. BROWN) submitted an amendment intended to be proposed by them to the bill H.R. 2076, supra, as follows:

On page 46, line 16, strike "and".

On page 46, line 20, strike the period and insert a semicolon.

On page 46, between lines 20 and 21, insert the following:

"(8) assurances that the State or States have implemented a requirement that each inmate must perform not less than 48 hours of work per week, which shall not be waived except as required by—

"(A) security conditions;

"(B) disciplinary action; or

"(C) medical certification of a disability that would make it impracticable for prison officials to arrange useful work for the inmate to perform; and

"(9) assurances that the State or States require that prison officials shall not provide to any inmate failing to meet the requirements of paragraph (8), privileges, including—

"(A) access to television;

"(B) access to bodybuilding or weight lifting equipment;

"(C) access to recreational sports;

"(D) unmonitored telephone calls, except when between the inmate and the immediate family or attorney of the inmate;

"(E) instruction or training equipment for boxing, wrestling, judo, karate, or other martial art;

"(F) except for use during required work, the use or possession of any electrical or electronic musical instrument;

"(G) an in-cell coffee pot, hot plate, or heating element;

"(H) food exceeding in quality or quantity to that which is available to enlisted personnel in the United States Army;

"(I) dress, hygiene, grooming, and appearance other than those allowed as standard in the prison, unless required for disciplinary action or a medical condition; or

"(J) equipment or facilities for publishing or broadcasting material not approved by prison officials as being consistent with prison order and discipline.

GRAMM AMENDMENT NO. 2813

Mr. GRAMM proposed an amendment to the bill H.R. 2076, supra; as follows:

On page 15, line 23 strike "\$148,280,000" and insert in lieu thereof "\$168,280,000".

On page 15, line 24 strike "and".

On page 16, line 2 after "103-322" insert "; and of which \$2,000,000 shall be for activities authorized by section 210501 of Public Law 103-322".

On page 20, line 8 strike "\$114,463,000" and insert in lieu thereof "\$104,463,000".

On page 115, line 9 strike "\$40,000,000" and insert in lieu thereof "\$22,000,000".

On page 123, line 1 strike "\$3,000,000" and insert in lieu thereof "\$300,000".

On page 151, line 16 strike "(1)" and insert "(2)".

On page 151, line 18, strike "(2) and (3)" and insert "(3) and (4)".

On page 151, line 19 strike "(2)" and insert "(3)".

On page 152, line 13 strike "(3)" and insert "(4)".

On page 153, line 14 strike "(4)" and insert "(5)".

On page 154, line 21 strike "(5)" and insert "(6)".

On page 155, line 3 strike "(6)" and insert "(7)".

On page 155, line 9 strike "(7)" and insert "(8)".

On page 155, line 19 strike "(8)" and insert "(9)".

On page 151, line 16 after "Sec. 614." insert "(1) This Act may be cited as the Equal Opportunity Act of 1995."

On page 161, line 25 strike "\$115,000,000" and insert in lieu thereof "\$140,000,000".

HATFIELD (AND HOLLINGS) AMENDMENT NO. 2814

Mr. HATFIELD (for himself and Mr. HOLLINGS) proposed an amendment to the bill H.R. 2076, supra; as follows:

At the end of the Committee Amendment beginning on page 2, line 9, insert the following:

The amount from the Violent Crime Reduction Trust Fund for the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs is reduced by \$75,000,000.

The following sums are appropriated in addition to such sums provided elsewhere in this Act.

For the Department of Justice, Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, \$75,000,000.

For the Department of Commerce, International Trade Administration, "Operations and Administration", \$8,100,000; for the Minority Business Development Agency, "Minority Business Development", \$32,789,000; for the National Telecommunication and Information Administration, "Salaries and Expenses", \$3,000,000; for the Patent and Trademark Office "Salaries and Expenses", \$26,000,000; for the National Institute of Standards and Technology, "Industrial Technology Services", \$25,000,000; for the National Institute of Standards and Technology, "Construction of Research Facilities", \$3,000,000; and the amount for the Commerce Reorganization Transition Fund is reduced by \$10,000,000.

For the Department of State, Administration of Foreign Affairs "Diplomatic and Consular Programs", \$135,635,000; for "Salaries and Expenses", \$32,724,000; for the "Capital Investment Fund", \$8,200,000.

For the United States Information Agency, "Salaries and Expenses", \$9,000,000; for the "Technology Fund", \$2,000,000; for the "Educational and Cultural Exchange Programs", \$20,000,000 of which \$10,000,000 is for the Fulbright program; for the Eisenhower Exchanges, \$837,000; for the "International Broadcasting Operations", \$10,000,000; and for the East West Center, \$10,000,000.

For the United States Sentencing Commission, "Salaries and Expenses", \$1,460,000; for the International Trade Commission, "Salaries and Expenses", \$4,250,000; for the Federal Trade Commission "Salaries and Expenses", \$9,893,000; for the Marine Mammal Commission, "Salaries and Expenses", \$384,000; for the Securities and Exchange Commission, "Salaries and Expenses", \$29,740,000; and for the Small Business Administration, \$30,000,000.

For the United States Sentencing Commission, "Salaries and Expenses", \$1,460,000; for the International Trade Commission, "Salaries and Expenses", \$4,250,000; for the Federal Trade Commission "Salaries and Expenses", \$9,893,000; for the Marine Mammal Commission, "Salaries and Expenses", \$384,000; for the Securities and Exchange Commission, "Salaries and Expenses", \$29,740,000; and for the Small Business Administration, \$30,000,000.

For the United States Sentencing Commission, "Salaries and Expenses", \$1,460,000; for the International Trade Commission, "Salaries and Expenses", \$4,250,000; for the Federal Trade Commission "Salaries and Expenses", \$9,893,000; for the Marine Mammal Commission, "Salaries and Expenses", \$384,000; for the Securities and Exchange Commission, "Salaries and Expenses", \$29,740,000; and for the Small Business Administration, \$30,000,000.

BIDEN (AND OTHERS) AMENDMENT NO. 2815

Mr. BIDEN (for himself, Mr. HATCH, Mr. HOLLINGS, Mr. GRAMM, Mr. WELLSTONE, Mrs. BOXER, Mr. KOHL, Mr. KERRY, Mr. INOUE, Mr. AKAKA, Mr. LEAHY, Mr. HARKIN, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. BRADLEY, Mr. CONRAD, Mrs. FEINSTEIN, Ms. MOSELEY-BRAUN, Mr. DODD, Mr. ROBB, Mr. SARBANES, Mr. DORGAN, Mr. SPECTER, Ms.

SNOWE, Mr. SANTORUM, and Mr. HEFLIN) proposed an amendment to the bill H.R. 2076 supra; as follows:

On page 25, line 19, strike "\$100,900,000" and insert "\$175,400,000".

On page 25, line 22, strike "\$4,250,000" and insert "\$6,000,000".

On page 26, line 1, strike "\$61,000,000" and insert "\$130,000,000".

On page 26, line 7, strike "\$6,000,000" and insert "\$7,000,000".

On page 26, line 10, insert after "Act;" the following: "\$1,000,000 for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the Violent Crime Control and Law Enforcement Act of 1994; \$500,000 for Federal victim's counselors, as authorized by section 40114 of that Act; \$50,000 for grants for televised testimony, as authorized by section 1001(a)(7) of the Omnibus Crime Control and Safe Streets Act of 1968; \$200,000 for the study of State databases on the incidence of sexual and domestic violence, as authorized by section 40292 of the Violent Crime Control and Law Enforcement Act of 1994; \$1,500,000 for national stalker and domestic violence reduction, as authorized by section 40603 of that Act;".

**MCCAIN (AND DORGAN)
AMENDMENT NO. 2816**

Mr. MCCAIN (for himself and Mr. DORGAN) proposed an amendment to the bill H.R. 2076, supra; as follows:

At the end of the pending committee amendment, insert the following new section:

SEC. . COMPETITIVE BIDDING FOR ASSIGNMENT OF DBS LICENSES

No funds provided in this or any other Act shall be expended to take any action regarding the applications that bear Federal Communications Commission File Numbers DBS-94-11EXT, DBS-94-15ACP, and DBS-94-16MP; Provided further, that funds shall be made available for any action taken by the Federal Communications Commission to use the competitive bidding process prescribed in Section 309(j) of the Communications Act of 1934 (47 U.S.C. § 309(j)) regarding the disposition of the 27 channels at 110° W.L. orbital location.

**KERREY (AND OTHERS)
AMENDMENT NO. 2817**

Mr. KERREY (for himself, Mr. LEAHY, Mr. LIEBERMAN, and Mr. BINGAMAN) proposed an amendment to the bill H.R. 2076, supra; as follows:

At the appropriate place in the bill insert the following: "The amounts made available to the Department of Justice in Title I for administration and travel are reduced by \$19,200,000."

On page 73, between lines 4 and 5, insert the following:

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$18,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$900,000 shall be available for program administration and other support activities as authorized by section 391 of the Act including support of the Advisory Council on National Information Infrastructure: *Provided further*, That of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastruc-

ture: *Provided further*, That notwithstanding the requirements of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: *Provided further*, That in reviewing proposals for funding, the Telecommunications and Information and Infrastructure Assistance Program (also known as the National Information Infrastructure Program) shall add to the factors taken into consideration the following: (1) the extent to which the proposed project is consistent with State plans and priorities for the deployment of the telecommunications and information infrastructure and services; and (2) the extent to which the applicant has planned and coordinated the proposed project with other telecommunications and information entities in the State.

**BIDEN (AND BRYAN) AMENDMENT
NO. 2818**

Mr. BIDEN (for himself and Mr. BRYAN) proposed an amendment to the bill H.R. 2076, supra; as follows:

On page 26, line 10, after "Act;" insert the following: "\$27,000,000 for grants for residential substance abuse treatment for State prisoners pursuant to section 1001(a)(17) of the 1968 Act; \$10,252,000 for grants for rural drug enforcement assistance pursuant to section 1001(a)(9) of the 1968 Act;".

On page 28, line 11, before "\$25,000,000" insert "\$150,000,000 shall be for drug courts pursuant to title V of the 1994 Act;".

On page 29, line 6, strike "\$750,000,000" and insert "\$728,800,000."

On page 29, line 15, after "Act;" insert the following: "\$1,200,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act".

On page 44, lines 8 and 9, strike "conventional correctional facilities, including prisons and jails," and insert "correctional facilities, including prisons and jails, or boot camp facilities and other low cost correctional facilities for nonviolent offenders that can free conventional prison space".

On page 20, line 16, strike all that follows to page 20 line 19, and insert: "Section 245(i) of the Immigration and Nationality Act (8 U.S.C. 1255(i)) is amended—

(1) in the second sentence of paragraph (1), by striking "five" and inserting "ten"; and

(2) in paragraph (3), by inserting before the period at the end the following: "or, notwithstanding any other provision of law, may be deposited as offsetting collections in the Immigration and Naturalization Service "Salaries and Expenses" appropriations account to be available to support border enforcement and control programs".

The amendments made by subsection (a) shall apply to funds remitted with applications for adjustment of status which were filed on or after the date of enactment of this Act.

For activities authorized by section 130016 for Public Law 103-322, \$10,300,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

**DOMENICI (AND OTHERS)
AMENDMENT NO. 2819**

Mr. DOMENICI (for himself, Mrs. KASSEBAUM, Mr. HOLLINGS, Mr. D'AMATO, Mr. STEVENS, Mr. INOUE, Mr. HATFIELD, Mr. KENNEDY, and Mr. SPECTER) proposed an amendment to the bill H.R. 2076, supra; as follows:

At the end of the committee amendment beginning on page 26, line 18, add the following:

**LEGAL SERVICES CORPORATION
PAYMENT TO THE LEGAL SERVICES
CORPORATION**

For payment to the Legal Services Corporation to carry out the Legal Services Corporation Act, \$340,000,000, of which \$327,000,000 is for direct delivery of legal assistance, including basic field programs; and \$13,000,000 (to be allocated by the Board of Directors of the Corporation) is for management, administration, and the Office of Inspector General: *Provided*, That \$115,000,000 of the total amount provided under this heading shall not be available until the date on which the Corporation commences implementation of the system of competitive awards of grants and contracts under section 13.

**ADMINISTRATIVE PROVISIONS—LEGAL SERVICES
CORPORATION**

SEC. 11. Funds appropriated under this Act to the Legal Services Corporation for basic field programs shall be distributed as follows:

(1) The Corporation shall define geographic areas and make the funds available for each geographic area on a per capita basis relative to the number of individuals in poverty determined by the Bureau of the Census to be within the geographic area, except as provided in paragraph (2)(B). Funds for such a geographic area may be distributed by the Corporation to 1 or more persons or entities eligible for funding under section 1006(a)(1)(A) of the Legal Services Corporation Act (42 U.S.C. 2996e(a)(1)(A)), subject to sections 12 and 14.

(2) Funds for grants from the Corporation, and contracts entered into by the Corporation, for basic field programs shall be allocated so as to provide—

(A) except as provided in subparagraph (B), an equal figure per individual in poverty for all geographic areas, as determined on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code (or, in the case of the Republic of Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, Alaska, Hawaii, and the United States Virgin Islands, on the basis of the adjusted population counts historically used as the basis for such determinations); and

(B) an additional amount for Native American communities that received assistance under the Legal Services Corporation Act for fiscal year 1995, so that the proportion of the funds appropriated to the Legal Services Corporation for basic field programs for fiscal year 1996 that is received by the Native American communities shall be not less than the proportion of such funds appropriated for fiscal year 1995 that was received by the Native American communities.

SEC. 12. None of the funds appropriated under this Act to the Legal Services Corporation shall be used by the Corporation to make a grant, or enter into a contract, for the provision of legal assistance unless the Corporation ensures that the person or entity receiving funding to provide such legal assistance is—

(1) a private attorney admitted to practice in a State or the District of Columbia;

(2) a qualified nonprofit organization, chartered under the laws of a State or the District of Columbia, that—

(A) furnishes legal assistance to eligible clients; and

(B) is governed by a board of directors or other governing body, the majority of which is comprised of attorneys who—

(i) are admitted to practice in a State or the District of Columbia; and

(ii) are appointed to terms of office on such board or body by the governing body of a State, county, or municipal bar association, the membership of which represents a majority of the attorneys practicing law in the locality in which the organization is to provide legal assistance;

(3) a State or local government (without regard to section 1006(a)(1)(A)(ii) of the Legal Services Corporation Act (42 U.S.C. 2996e(a)(1)(A)(ii)); or

(4) a substate regional planning or coordination agency that serves a substate area and whose governing board is controlled by locally elected officials.

SEC. 13. (a) Not later than September 1, 1996, the Corporation shall implement a system of competitive awards of grants and contracts that will apply to all grants and contracts for the delivery of legal assistance awarded by the Corporation after the date of implementation of the system.

(b) Not later than 60 days after the date of enactment of this Act, the Legal Services Corporation shall promulgate regulations to implement a competitive selection process for the recipients of such grants and contracts.

(c) Such regulations shall specify selection criteria for the recipients, which shall include—

(1) a demonstration of a full understanding of the basic legal needs of the eligible clients to be served and a demonstration of the capability of serving the needs;

(2) the quality, feasibility, and cost effectiveness of a plan submitted by an applicant for the delivery of legal assistance to the eligible clients to be served; and

(3) the experience of the Corporation with the applicant, if the applicant has previously received financial assistance from the Corporation, including the record of the applicant of past compliance with Corporation policies, practices, and restrictions.

(d) Such regulations shall ensure that timely notice regarding an opportunity to submit an application for such an award is published in periodicals of local and State bar associations and in at least 1 daily newspaper of general circulation in the area to be served by the person or entity receiving the award.

(e) No person or entity that was previously awarded a grant or contract by the Legal Services Corporation for the provision of legal assistance may be given any preference in the competitive selection process.

(f) Sections 1007(a)(9) and 1011 of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(9) and 42 U.S.C. 2996j) shall not apply to grants and contracts awarded under the system of competitive awards for grants and contracts for the delivery of legal assistance.

SEC. 14. (a) None of the funds appropriated under this Act to the Legal Services Corporation may be used to provide financial assistance to any person or entity (which may be referred to in this section as a "recipient")—

(1) that makes available any funds, personnel, or equipment for use in advocating or opposing any plan or proposal, or represents any party or participates in any other way in litigation, that is intended to or has the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census;

(2) that attempts to influence the issuance, amendment, or revocation of any executive order, regulation, or similar promulgation by any Federal, State, or local agency, except as permitted in paragraph (3);

(3) that attempts to influence any decision by a Federal, State, or local agency, except when legal assistance is provided by an employee of a recipient to an eligible client on a particular application, claim, or case—

(A) that directly involves a legal right or responsibility of the client; and

(B) that does not involve the issuance, amendment, or revocation of any agency promulgation described in paragraph (2);

(4) that attempts to influence the passage or defeat of any legislation, constitutional amendment, referendum, initiative, or any similar procedure of Congress or a State or local legislative body;

(5) that attempts to influence the conduct of oversight proceedings of the Corporation or any person or entity receiving financial assistance provided by the Corporation;

(6) that pays for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, administrative expense, or related expense, associated with an activity prohibited in this section;

(7) that initiates or participates in a class action suit;

(8) that files a complaint or otherwise initiates litigation against a defendant, or engages in a precomplaint settlement negotiation with a prospective defendant, unless—

(A) each plaintiff has been specifically identified, by name, in any complaint filed for purposes of such litigation or prior to the precomplaint settlement negotiation; and

(B) a statement of facts written in English and, if necessary, in a language that the plaintiff understands, that enumerates the particular facts known to the plaintiff on which the complaint is based, has been signed by the plaintiff, is kept on file by the recipient, and is made available to any Federal department or agency that is auditing or monitoring the activities of the Corporation or of the recipient, and to any auditor or monitor receiving Federal funds to conduct such auditing or monitoring, including any auditor or monitor of the Corporation, except that—

(i) on establishment of reasonable cause that an injunction is necessary to prevent probable, serious harm to a potential plaintiff, a court of competent jurisdiction may enjoin the disclosure of the identity of the potential plaintiff pending the outcome of such litigation or negotiation after notice and an opportunity for a hearing is provided to potential parties to the litigation or the negotiation; and

(ii) other parties to the litigation or negotiation shall have access to the statement of facts only through the discovery process after litigation has begun;

(9) unless—

(A) prior to the provision of financial assistance—

(i) if the person or entity is a nonprofit organization, the governing board of the person or entity has set specific priorities in writing, pursuant to section 1007(a)(2)(C)(i) of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(2)(C)(i)), of the types of matters and cases to which the staff of the nonprofit organization shall devote time and resources; and

(ii) the staff of such person or entity has signed a written agreement not to undertake cases or matters other than in accordance with the specific priorities set by such governing board, except in emergency situations defined by such board and in accordance with the written procedures of such board for such situations; and

(B) the staff of such person or entity provides to the governing board on a quarterly basis, and to the Corporation on an annual basis, information on all cases or matters

undertaken other than cases or matters undertaken in accordance with such priorities; (10) unless—

(A) prior to receiving the financial assistance, such person or entity agrees to maintain records of time spent on each case or matter with respect to which the person or entity is engaged;

(B) any funds, including Interest on Lawyers Trust Account funds, received from a source other than the Corporation by the person or entity, and disbursements of such funds, are accounted for and reported as receipts and disbursements, respectively, separate and distinct from Corporation funds; and

(C) the person or entity agrees (notwithstanding section 1009(d) of the Legal Services Corporation Act (42 U.S.C. 2996h(d)) to make the records described in subparagraph (A) available to any Federal department or agency that is auditing or monitoring the activities of the Corporation or of the recipient, and to any auditor or monitor receiving Federal funds to conduct such auditing or monitoring, including any auditor or monitor of the Corporation;

(11) that provides legal assistance for or on behalf of any alien, unless the alien is present in the United States and is—

(A) an alien lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));

(B) an alien who—

(i) is married to a United States citizen or is a parent or an unmarried child under the age of 21 years of such a citizen; and

(ii) has filed an application to adjust the status of the alien to the status of a lawful permanent resident under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), which application has not been rejected;

(C) an alien who is lawfully present in the United States pursuant to an admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) (relating to refugee admission) or who has been granted asylum by the Attorney General under such Act;

(D) an alien who is lawfully present in the United States as a result of withholding of deportation by the Attorney General pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h));

(E) an alien to whom section 305 of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1101 note) applies, but only to the extent that the legal assistance provided is the legal assistance described in such section; or

(F) an alien who is lawfully present in the United States as a result of being granted conditional entry to the United States before April 1, 1980, pursuant to section 203(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(7)), as in effect on such date, because of persecution or fear of persecution on account of race, religion, or political calamity;

(12) that supports or conducts a training program for the purpose of advocating a particular public policy or encouraging a political activity, a labor or antilabor activity, a boycott, picketing, a strike, or a demonstration, including the dissemination of information about such a policy or activity, except that this paragraph shall not be construed to prohibit the provision of training to an attorney or a paralegal to prepare the attorney or paralegal to provide—

(A) adequate legal assistance to eligible clients; or

(B) advice to any eligible client as to the legal rights of the client;

(13) that provides legal assistance with respect to any fee-generating case, if a private attorney is available and willing to take the case;

(14) that claims, or whose employee or eligible client claims, or collects, attorneys' fees from a nongovernmental party to litigation, initiated after January 1, 1996, by such client with the assistance of such recipient or an employee of the recipient;

(15) that participates in any litigation with respect to abortion;

(16) that participates in any litigation on behalf of a person incarcerated in a Federal, State, or local prison;

(17) that initiates legal representation or participates in any other way, in litigation, lobbying, or rulemaking, involving an effort to reform a Federal or State welfare system, except that this paragraph shall not be construed to preclude a recipient from representing an individual eligible client who is seeking specific relief from a welfare agency, if such relief does not involve an effort to amend or otherwise challenge existing law (as of the date of the effort);

(18) that defends a person in a proceeding to evict the person from a public housing project if—

(A) the person has been charged with the illegal sale or distribution of a controlled substance; and

(B) the eviction proceeding is brought by a public housing agency because the illegal drug activity of the person threatens the health or safety of another tenant residing in the public housing project or employee of the public housing agency; or

(19) unless such person or entity agrees that the person or entity, and the employees of the person or entity, will not accept employment resulting from in-person unsolicited advice to a nonattorney that such nonattorney should obtain counsel or take legal action, and will not refer such nonattorney to a second person or entity or an employee of the person or entity, that is receiving financial assistance provided by the Legal Services Corporation, except that this paragraph shall not be construed to prohibit such first person or entity or an employee of the person or entity from referring such nonattorney to the appropriate Federal, State, or local agency with jurisdiction over the matter involved.

(b) Nothing in this section shall be interpreted to prohibit—

(1) a recipient from using funds from a source other than the Corporation for the purpose of contacting, communicating with, or responding to a request from, a State or local government agency, a State or local legislative body or committee, or a member thereof, regarding funding for the recipient, including a pending or proposed legislative or agency proposal to fund such recipient; or

(2) the Corporation from responding to a request for comments regarding a Federal funding proposal.

(c) Not later than 30 days after the date of enactment of this Act, the Corporation shall promulgate a suggested list of priorities that boards of directors may use in setting priorities under subsection (a)(9).

(d)(1) The Corporation shall not accept any non-Federal funds, and no recipient shall accept funds from any source other than the Corporation, unless the Corporation or the recipient, as the case may be, notifies in writing the source of the funds that the funds may not be expended for any purpose prohibited by the Legal Services Corporation Act or this title.

(2) Paragraph (1) shall not prevent a recipient from—

(A) receiving Indian tribal funds (including funds from private nonprofit organizations for the benefit of Indians or Indian tribes) and expending the tribal funds in accordance with the specific purposes for which the tribal funds are provided; or

(B) using funds received from a source other than the Corporation to provide legal assistance to a client who is not an eligible client if such funds are used for the specific purposes for which such funds were received, except that such funds may not be expended by recipients for any purpose prohibited by the Legal Services Corporation Act or this title (other than any requirement regarding the eligibility of clients).

(e) As used in this section:

(1) The term "controlled substance" has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) The term "fee-generating case" means a case that, if undertaken on behalf of an eligible client by a private attorney would reasonably be expected to result in a fee for legal services from an award to an eligible client from public funds, from the opposing party, or from any other source.

(3) The term "individual in poverty" means an individual who is a member of a family (of 1 or more members) with an income at or below the poverty line.

(4) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(5) The term "public housing project" has the meaning as used within section 3, and the term "public housing agency" has the meaning given the term in section 3, of the United States Housing Act of 1937 (42 U.S.C. 1437a).

SEC. 15. None of the funds appropriated under this Act to the Legal Services Corporation or provided by the Corporation to any entity or person may be used to pay membership dues to any private or nonprofit organization.

SEC. 16. The requirements of sections 14 and 15 shall apply to the activities of a recipient described in section 14, or an employee of such a recipient, during the provision of legal assistance for a case or matter, if the recipient or employee begins to provide the legal assistance on or after the date of enactment of this Act. If the recipient or employee began to provide legal assistance for the case or matter prior to such date, and begins to provide legal assistance for an additional related claim on or after such date, the requirements shall apply to the activities of the recipient or employee during the provision of legal assistance for the claim.

SEC. 17. (a) Notwithstanding any other provision of this Act, the amounts appropriated under this Act for the accounts referred to in subsection (b) shall be adjusted as described in subsection (b).

(b)(1) In the matter under the heading "OFFICE OF INSPECTOR GENERAL" under the heading "GENERAL ADMINISTRATION" in title I, the reference to "\$30,484,000" shall be considered to be a reference to "\$27,436,000".

(2) In the matter under the heading "SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES" under the heading "LEGAL ACTIVITIES" in title I, the reference to "\$431,660,000" shall be considered to be a reference to "\$406,529,000".

(3) In the matter under the heading "SALARIES AND EXPENSES, UNITED STATES ATTORNEYS" under the heading "LEGAL ACTIVITIES" in title I, the reference to "\$920,537,000" shall be considered to be a reference to "\$909,463,000".

(4) In the matter under the heading "CONSTRUCTION" under the heading "FEDERAL BUREAU OF INVESTIGATION" in title I, the reference to "\$147,800,000" shall be considered to be a reference to "\$98,800,000".

(5) In the matter under the heading "SALARIES AND EXPENSES" under the heading

"INTERNATIONAL TRADE COMMISSION" under the heading "RELATED AGENCIES" under the heading "TRADE AND INFRASTRUCTURE DEVELOPMENT" in title II, the reference to "\$34,000,000" shall be considered to be a reference to "\$29,750,000".

(6) In the matter under the heading "SALARIES AND EXPENSES" under the heading "ECONOMIC AND INFORMATION INFRASTRUCTURE ECONOMIC AND STATISTICAL ANALYSIS" under the heading "DEPARTMENT OF COMMERCE" in title II, the reference to "\$57,220,000" shall be considered to be a reference to "\$46,896,000".

(7) In the matter under the heading "SALARIES AND EXPENSES" under the heading "BUREAU OF THE CENSUS" under the heading "DEPARTMENT OF COMMERCE" in title II, the reference to "\$144,812,000" shall be considered to be a reference to "\$133,812,000".

(8) In the matter under the heading "OFFICE OF INSPECTOR GENERAL" under the heading "GENERAL ADMINISTRATION" under the heading "DEPARTMENT OF COMMERCE" in title II, the reference to "\$21,849,000" shall be considered to be a reference to "\$19,849,000".

(9) In the matter under the heading "COMMERCE REORGANIZATION TRANSITION FUND" under the heading "GENERAL ADMINISTRATION" under the heading "DEPARTMENT OF COMMERCE" in title II, the reference to the dollar amount for deposit in the Commerce Reorganization Transition Fund established under section 206(c)(1) for use in accordance with section 206(c)(4) shall be considered to be reduced by \$5,000,000.

(10) In the matter under the heading "SALARIES AND EXPENSES" under the heading "COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES" in title III, the reference to "\$2,471,195,000" shall be considered to be a reference to "\$2,446,194,665".

(11) In the matter under the heading "FOREIGN AFFAIRS REORGANIZATION TRANSITION FUND" under the heading "ADMINISTRATION OF FOREIGN AFFAIRS" under the heading "DEPARTMENT OF STATE" in title IV, the reference to "\$26,000,000" shall be considered to be a reference to "\$5,000,000".

(12) In the matter under the heading "OFFICE OF INSPECTOR GENERAL" under the heading "ADMINISTRATION OF FOREIGN AFFAIRS" under the heading "DEPARTMENT OF STATE" in title IV, the reference to "\$27,350,000" shall be considered to be a reference to "\$24,350,000".

(13) In the matter under the heading "WORKING CAPITOL FUND (RESCISSION)" under the heading "GENERAL ADMINISTRATION" under the heading "DEPARTMENT OF JUSTICE" in title VII, the reference to "\$35,000,000" shall be considered to be a reference to "\$55,000,000".

SEC. 18. Notwithstanding any other provision of this Act, section 120, and the matter under the heading "CIVIL LEGAL ASSISTANCE" under the heading "OFFICE OF JUSTICE PROGRAMS" in title I, shall have no effect.

ABRAHAM (AND GRAMS) AMENDMENT NO. 2820

Mr. GRAMM (for Mr. ABRAHAM, for himself, and Mr. GRAMS) proposed an amendment to the bill H.R. 2076, supra, as follows:

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

SEC. . (a) The Regulatory Coordination Advisory Committee for the Commodity Futures Trading Commission is terminated.

(b) Section 5(h) of the Export Administration Act of 1979 is repealed.

(c)(1) Section 5002 of title 18, United States Code, is repealed.

(2) The table of sections for chapter 401 of title 18, United States Code, is amended by

striking out the item relating to the Advisory Corrections Council.

(d) This action shall take effect 30 days after the date of the enactment of this Act.

HELMS AMENDMENT NO. 2821

Mr. GRAMM (for Mr. HELMS) proposed an amendment to the bill H.R. 29076, supra, as follows:

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

SEC. . EXTENSION OF AU PAIR PROGRAMS.

Section 8 of the Eisenhower Exchange Fellowship Act of 1990 is amended in the last sentence by striking "fiscal year 1995" and inserting "fiscal year 1999".

DORGAN (AND CONRAD) AMENDMENT NO. 2822

Mr. GRAMM (for Mr. DORGAN, for himself, and Mr. CONRAD) proposed an amendment to the bill H.R. 2076, supra, as follows:

On page 124, after line 20, insert the following:

SEC. 6 . SENSE OF THE SENATE ON UNITED STATES-CANADIAN COOPERATION CONCERNING AN OUTLET TO RELIEVE FLOODING AT DEVILS LAKE IN NORTH DAKOTA.

(a) FINDINGS.—The Senate finds that—

(1) flooding in Devils Lake Basin, North Dakota, has resulted in water levels in the lake reaching their highest point in 120 years;

(2) basements are flooded and the town of Devils Lake is threatened with lake water reaching the limits of the protective dikes of the lake;

(3) the Army Corps of Engineers and the Bureau of Reclamation are now study the feasibility of constructing an outlet from Devils Lake Basin;

(4) an outlet from Devils Lake Basin will allow the transfer of water from Devils Lake Basin to the Red River of the North watershed that the United States shares with Canada; and

(5) the Treaty Relating to the Boundary Waters and Questions Arising Along the Boundary Between the United States and Canada, signed at Washington on January 11, 1909 (36 Stat. 2448; TS 548) (commonly known as the "Boundary Water Treaty of 1909"), provides that "waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other." (36 Stat. 2450).

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States Government should seek to establish a joint United States-Canadian technical committee to review the Devils Lake Basin outlet project to consider options for an outlet that would meet Canadian concerns with regard to the Boundary Water Treaty of 1909.

HOLLINGS AMENDMENTS NOS. 2823-2824

Mr. GRAMM (for Mr. HOLLINGS) proposed two amendments to the bill H.R. 2076, supra, as follows:

AMENDMENT NO. 2823

On page 75 of the bill, line 7, after "grants" insert the following: "Provided further, That of the amounts provided in this paragraph \$76,300,000 is for the Manufacturing Extension Partnership program".

AMENDMENT NO. 2824

Table the Committee amendment on page 79, lines 1 through 6.

On page 79, line 22, delete "\$42,000,000" and insert "\$37,000,000".

GRAMM AMENDMENT NO. 2825

Mr. GRAMM proposed an amendment to the bill H.R. 2076, supra, as follows:

On page 115, line 2 after "equipment" insert the following "": *Provided further*, That not later than April 1, 1996, the headquarters of the Office of Cuba Broadcasting shall be relocated from Washington, D.C. to south Florida, and that any funds available to the United States Information Agency may be available to carry out this relocation".

HATFIELD (AND HOLLINGS) AMENDMENT NO. 2826

Mr. GRAMM (for Mr. HATFIELD, for himself and Mr. HOLLINGS) proposed an amendment to the bill H.R. 2076, supra, as follows:

At the appropriate place, insert the following new section:

SEC. . Sections 6(a) and 6(b) of Public Law 101-454 are repealed. In addition, notwithstanding any other provision of law, Eisenhower Exchange Fellowships, Incorporated, may use any earned but unused trust income from the period 1992 through 1995 for Fellowship purposes.

HELMS AMENDMENT NO. 2827

Mr. GRAMM (for Mr. HELMS) proposed an amendment to the bill H.R. 2076, supra, as follows:

On page 110, between lines 2 and 3, insert the following new section:

SEC. 405. (a) Subject to subsection (b), section 15(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680(a)) and section 701 of the United States Information and Educational Exchange Act of 1948 and section 313 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995 and section 53 of this Arms Control and Disarmament Act shall not apply to appropriations made available for the Department of State in this Act.

(b) The waiver of subsection (a) shall cease to apply December 1, 1995.

HELMS (AND PELL) AMENDMENT NO. 2828

Mr. GRAMM (for Mr. HELMS, for himself and Mr. PELL) proposed an amendment to the bill H.R. 2076, supra, as follows:

On page 93, line 7, after "Provided," insert the following: "That, notwithstanding the second sentence of section 140(a)(3) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), not to exceed \$125,000,000 of fees may be collected during fiscal year 1996 under the authority of section 140(a)(1) of that Act: *Provided further*, That all fees collected under the preceding proviso shall be deposited in fiscal year 1996 as an offsetting collection to appropriations made under this heading to recover the costs of providing consular services and shall remain available until expended: *Provided further*,".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LOTT. 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, September 28, 1995, on S. 1260, the Public Housing Reform and Empowerment Act of 1995.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Thursday, September 28, 1995 session of the Senate for the purpose of conducting an executive session and mark up. Budget reconciliation instructions.

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

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, September 28, 1995 at 9 a.m., in SR-332, to markup the committee budget reconciliation instruction.

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

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, September 28, 1995 at 9:30 a.m., in SR-332, to discuss ethanol, clean air, and farm economy.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, September 28, 1995, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider the nominations of Derrick Forrister to be Assistant Secretary for Congressional and Intergovernmental Affairs, Department of Energy; Patricia Beneke to be Assistant Secretary for Water and Science, Department of the Interior; Eluid Martinez to be Commissioner of the Bureau of Reclamation, Department of the Interior; and Charles William Burton to be a Member of the Board of Directors of the U.S. Enrichment Corporation.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 28, 1995 at 2:30 p.m.

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