

1254) 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; as follows:

At the end of the bill, insert the following new section:

**SEC. . REDUCTION OF SENTENCING DISPARITY.**

(a) **RECOMMENDATIONS.**—

(1) **IN GENERAL.**—The United States Sentencing Commission shall submit to Congress recommendations regarding changes to the statutes and Sentencing Guidelines governing sentences for unlawful manufacturing, importing, exporting, and trafficking of cocaine, and like offenses, including unlawful possession, possession with intent to commit any of the forgoing offenses, and attempt and conspiracy to commit any of the forgoing offenses. The recommendations shall reflect the following considerations:

(A) the sentence imposed for trafficking in a quantity of crack cocaine should generally exceed the sentence imposed for trafficking in a like quantity of powder cocaine;

(B) high-level wholesale cocaine traffickers, organizers, and leaders, of criminal activities should generally receive longer sentences than low-level retail cocaine traffickers and those who played a minor or minimal role in such criminal activity;

(C) if the Government establishes that a defendant who traffics in powder cocaine has knowledge that such cocaine will be converted into crack cocaine prior to its distribution to individual users, the defendant should be treated at sentencing as though the defendant had trafficked in crack cocaine; and

(D) An enhanced sentence should generally be imposed on a defendant who, in the course of an offense described in this subsection

(i) murders or causes serious bodily injury to an individual;

(ii) uses a dangerous weapon;

(iii) uses or possess a firearm;

(iv) involves a juvenile or a woman who the defendant knows or should know to be pregnant;

(v) engages in a continuing criminal enterprise or commits other criminal offenses in order to facilitate his drug trafficking activities;

(vi) knows, or should know, that he is involving an unusually vulnerable person;

(vii) restrains a victim;

(viii) traffics in cocaine within 500 feet of a school;

(ix) obstructs justice;

(x) has a significant prior criminal record; or

(xi) is an organizer or leader of drug trafficking activities involving five or more persons.

(2) **RATIO.**—The recommendations described in the preceding subsection shall propose revision of the drug quantity ratio of crack cocaine to powder cocaine under the relevant statutes and guidelines in a manner consistent with the ratios set for other drugs and consistent with the objectives set forth in 28 U.S.C. 3553(a).

(b) **STUDY.**—No later than May 1, 1996, the Department of Justice shall submit to the Judiciary Committees of the Senate and House of Representatives a report on the charging and plea practices of federal prosecutors with respect to the offense of money laundering. Such study shall include an account of the steps taken or to be taken by the Justice Department to ensure consistency and appropriateness in the use of the money laundering statute. The Sentencing Commission shall submit to the Judiciary Committees comments on the study prepared by the Department of Justice.

**THE INTELLIGENCE APPROPRIATIONS AUTHORIZATION ACT FOR FISCAL YEAR 1996**

**SPECTER AMENDMENT NO. 2880**

Mr. COATS (for Mr. SPECTER) proposed an amendment to the bill (S. 922) to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes; as follows:

In lieu of the matter proposed to be inserted by the Committee amendment to page 3, lines 18 through 21 of the bill, insert the following:

(c) **SCOPE OF SCHEDULE.**—For fiscal year 1996, the Schedule of Authorizations referred to in subsections (a) and (b) does not include the Schedule of Authorizations for the Joint Military Intelligence Programs (JMIP).

**SPECTER (AND KERREY) AMENDMENT NO. 28881**

Mr. COATS (for Mr. SPECTER for himself and Mr. KERREY) proposed an amendment to the bill S. 922, supra; as follows:

On page 11, between lines 14 and 15, insert the following new section:

**SEC. 309. REDUCTION IN AMOUNTS AUTHORIZED TO BE APPROPRIATED FOR THE NATIONAL RECONNAISSANCE OFFICE FOR FISCAL YEAR 1996.**

The total amount authorized to be appropriated for fiscal year 1996 for the National Reconnaissance Office (NRO) shall be reduced by an amount equal to the amount by which appropriations for the Department of Defense for fiscal year 1996 are reduced to reflect the availability of funds appropriated prior to fiscal year 1996 that have accumulated in the carry forward accounts for that Office.

**SPECTER (AND OTHERS) AMENDMENT NO. 2882**

Mr. COATS (for Mr. SPECTER, for himself, Mr. KERRY, Mr. BRYAN, and Mr. SHELBY) proposed an amendment to the bill S. 922, supra; as follows:

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

**SEC. 310. FINANCIAL MANAGEMENT OF THE NATIONAL RECONNAISSANCE OFFICE.**

(a) **LIMITATION.**—No funds are authorized to be carried over into FY 1997 or subsequent years for the programs, projects, and activities of the National Reconnaissance Office in excess of the amount necessary to provide for the ongoing mission of the NRO for one month."

(b) **MANAGEMENT REVIEW.**—(1) The Inspector General for the Central Intelligence Agency and the Inspector General of the Department of Defense shall jointly undertake a comprehensive review of the financial management of the National Reconnaissance Office to evaluate the effectiveness of policies and internal controls over the budget of the National Reconnaissance Office, including the use of forward funding, to ensure that National Reconnaissance Office funds are used in accordance with the policies of the Director of Central Intelligence and the Department of Defense, the guidelines of the National Reconnaissance Office, and congressional direction.

(2) The review required by paragraph (1) shall—

(A) determine the quality of the development and implementation of the budget process within the National Reconnaissance Office at both the comptroller and directorate level;

(B) assess the advantages and disadvantages of the use of incremental versus full funding for contracts entered into by the National Reconnaissance Office;

(C) assess the advantages and disadvantages of the National Reconnaissance Office's use of forward funding;

(D) determine how the National Reconnaissance Office defines, identifies, and justifies forward funding requirements;

(E) determine how the National Reconnaissance Office tracks and manages forward funding;

(F) determine how the National Reconnaissance Office plans to comply with congressional direction regarding forward funding;

(G) determine whether or not a contract entered into by the National Reconnaissance Office has ever encountered a contingency which required the utilization of more than 30 days of forward funding;

(H) consider the proposal by the Director of Central Intelligence for the establishment of a position of a Chief Financial Officer, and assess how the functions to be performed by that officer would enhance the financial management of the National Reconnaissance Office; and

(I) make recommendations, as appropriate, to improve control and management of the budget process of the National Reconnaissance Office.

(3) The President shall submit a report to the appropriate committees of the Congress setting forth the findings of the review required by paragraph (1) not later than 90 days after the date of enactment of this Act, with an interim report provided to those committees not later than 45 days after the date of enactment of this Act.

(c) **REPORT.**—(1) Not later than January 30, 1996, the President shall submit a report to the appropriate committees of the Congress on a proposal to subject the budget of the intelligence community to greater oversight by the Executive branch of Government.

(2) Such report shall include—

(A) consideration of establishing by statute a financial control officer for the National Reconnaissance Office, other elements of the intelligence community and for the intelligence community as a whole; and

(B) recommendations for procedures to be used by the Office of Management and Budget for review of the budget of the National Reconnaissance Office.

(d) **DEFINITIONS.**—As used in this section:

(1) **INTELLIGENCE COMMUNITY.**—The term "intelligence community" has the meaning given to the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

**SPECTER AMENDMENT NO. 2883**

Mr. COATS (for Mr. SPECTER) proposed an amendment to the bill S. 922, supra; as follows:

On page 11, strike lines 17 through 21 and insert the following:

**SEC. 401. EXTENSION OF THE CENTRAL INTELLIGENCE AGENCY VOLUNTARY SEPARATION PAY ACT.**

(a) **EXTENSION OF AUTHORITY.**—Section 2(f) of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403-4(f)) is amended by striking "September 30, 1997" and inserting "September 30, 1999".

(b) **REMITTANCE OF FUNDS.**—Section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403-4) is amended

by inserting at the end the following new subsection:

“(i) REMITTANCE OF FUNDS.—The Director shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund (in addition to any other payments which the Director is required to make under subchapter III of chapter 83 and subchapter II of chapter 84 of title 5, United States Code), an amount equal to 15 percent of the final basic pay of each employee who, in fiscal year 1998 or fiscal year 1999, retires voluntarily under section 8336, 8412, or 8414 of such title or resigns and to whom a voluntary separation incentive payment has been or is to be paid under this section.”.

At the end of title V of the bill, add the following new section:

**SEC. 504. ENHANCEMENT OF CAPABILITIES OF CERTAIN INTELLIGENCE STATIONS.**

(a) **AUTHORITY.**—(1) In addition to funds otherwise available for such purpose, the Secretary of the Army is authorized to transfer or reprogram funds for the enhancement of the capabilities of the Bad Aibling Station and the Menwith Hill Station, including improvements of facility infrastructure and quality of life programs at both installations.

(2) The authority of paragraph (1) may be exercised notwithstanding any other provision of law.

(b) **FUNDING.**—Funds available for the Army for operations and maintenance for any fiscal year shall be available to carry out subsection (a).

(c) **CONGRESSIONAL NOTIFICATION.**—Whenever the Secretary of the Army determines that an amount to be transferred or reprogrammed under this section would cause the total amounts transferred or reprogrammed in that fiscal year to exceed \$1,000,000, the Secretary shall notify in advance the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate and the Permanent Select Committee on Intelligence, the Committee on National Security, and the Committee on Appropriations of the House of Representatives and provide a justification for the increased expenditure.

(d) **STATUTORY CONSTRUCTION.**—Nothing in this section may be construed to modify or obviate existing law or practice with regard to the transfer or reprogramming of substantial sums of money from the Department of the Army to the Bad Aibling or Menwith Hill Stations.

**MIKULSKI AMENDMENT NO. 2884**

Mr. COATS (for Ms. MIKULSKI) proposed an amendment to the bill S. 922, *supra*; as follows:

On page 10, line 7, after “(22 U.S.C. 4008),” insert “and to provide for other personnel review systems.”.

On page 10, at the end of line 10 add the following new sentence: “The report shall also contain a description and analysis of voluntary separation incentive proposals, including a waiver of the two-percent penalty reduction for early retirement.”

**NOTICES OF HEARINGS**

**COMMITTEE ON INDIAN AFFAIRS**

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will hold an oversight hearing on the views of Alaska Natives on the Reorganization of the Bureau of Indian Affairs and the

Indian Health Service. The hearing will take place in Anchorage, AK, on Friday, October 6, 1995, beginning at 2 p.m. The location of the hearing will be the Federal Building at 222 W. 7th Avenue, Anchorage, AK.

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

**COMMITTEE ON ENERGY AND NATURAL RESOURCES, SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION**

Mr. CAMPBELL. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, October 26, 1995 at 2 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to review S. 231, a bill to modify the boundaries of Walnut Canyon National Monument in the State of Arizona; S. 342, a bill to establish the Cache La Poudre River National Water Heritage Area in the State of Colorado; S. 364, a bill to authorize the Secretary of the Interior to participate in the operation associated with, but outside the boundaries of, Rocky Mountain National Park in the State of Colorado; S. 489, a bill to authorize the Secretary of the Interior to enter into an appropriate form of agreement with the town of Grand Lake, CO, authorizing the town to maintain permanently a cemetery in the Rocky Mountain National Park; and S. 608, a bill to establish the New Bedford Whaling National Historical Park in New Bedford, MA.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Parks, Historic Preservation, and Recreation, Committee on Energy and Natural Resources, U.S. Senate, 364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Jim O'Toole of the subcommittee staff at 202-224-5161.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Friday, September 29, 1995, at 10 a.m. in open session, to consider the nomination of Mr. John W. Douglass for appointment as Assistant Secretary of the Navy for Research, Development, and Acquisition.

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

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. GRAMM. Mr. President, I ask unanimous consent that the Com-

mittee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Friday, September 29, 1995, to conduct a nomination hearing of the following nominees: Dwight P. Robinson, of Michigan, to be Deputy Secretary of Housing and Urban Development; John A. Knubel, of Maryland, to be the Chief Financial Officer of HUD; Hal C. Decell, III, of Mississippi, to be an Assistant Secretary of HUD; Elizabeth K. Julian, of Texas, to be an Assistant Secretary of HUD; Kevin G. Chavers, of Pennsylvania, to be the president of the Government National Mortgage Association; Joseph H. Neely, of Mississippi, to be a member of the board of directors of the Federal Deposit Insurance Corporation; Alicia Munnell, of Massachusetts, to be a member of the Council of Economic Advisors; Norman S. Johnson, of Utah, to be a member of the Securities and Exchange Commission; and Isaac C. Hunt, Jr., of Ohio, to be a member of the Securities and Exchange Commission.

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

**COMMITTEE ON FINANCE**

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet Friday, September 29, 1995, beginning at 11 a.m. in room SH-216, to continue a markup of spending recommendations for the budget reconciliation legislation.

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

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. GRAMM. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Friday, September 29, 1995, at 9:30 a.m. to hold a closed hearing on intelligence matters.

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

**ADDITIONAL STATEMENTS**

**RETIREMENT OF REPRESENTATIVE NORMAN MINETA**

● Mr. SIMON. Mr. President, when the House adjourns today for the Columbus Day recess, it will also mark the end of the congressional career of Representative NORMAN MINETA of San Jose, CA. NORM MINETA and I came to Congress together in January 1975 and over the past two decades he has been a remarkable public servant.

There was cynicism about Washington when we arrived in the Watergate class of 1974 and, sadly, there is loss of faith in our political system today. But there has never been a question about the contributions NORM MINETA has made to make this country a better place.

While ably representing the people of his district, NORM MINETA has also developed a natural, national constituency among Asian-Pacific-Americans.