

I am proud to be a cosponsor of S. 1851 and to have voted for it in the Committee on the Judiciary. S. 1851 is supported by the Department of Justice, American Bar Association, American Jewish Committee, National Spiritual Assembly of the Baha'is of the United States, Armenian Assembly of America, Amnesty International U.S.A., and other organizations.

Perhaps the most compelling words to demonstrate the importance of passing S. 1851 in this Congress were those of Elie Wiesel before the Judiciary Committee. He said, "What is at stake is the future of many nations. What is at stake is our honor as a nation governed by an ancient ethical tradition that proclaims its belief that life is to be celebrated and sanctified—that applies to the life of the individual and of human communities alike." I urge adoption of S. 1851.

Mr. HELMS. Mr. President, when the Genocide Convention was approved by the Senate on February 18, 1986, I was pleased that two reservations, five understandings, and one mandatory declaration were attached thereto.

The understandings and reservations which were made a part of the Genocide Convention were a response to the criticism raised by the late, great Senator from North Carolina, my friend and colleague Senator Sam Ervin. These reservations and understandings constitute a memorial to Senator Ervin and his lifelong commitment to the U.S. Constitution. They represent the very minimum of constitutional protections for this great Nation.

Mr. President, I voted against the ratification of the Genocide Convention in memory of Senator Ervin. Thanks to the provisos approved by the Foreign Relations Committee and attached by the Senate to the Convention, the Genocide Convention is more a symbol than a legal reality. Nevertheless, I still have concerns about how it might be implemented.

The legislation on which we are about to vote meets some of those concerns. I preferred a simple resolution condemning genocide in 1986. I prefer a simple resolution condemning genocide now. I condemn genocide, which is mass murder, in any form. However, I will still vote against this legislation because of Senator Ervin's objections and because I believe that the Convention is at best an uncertain symbol. Criminal laws are the best way of dealing with criminals, domestic or international.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BYRD. Mr. President, I ask unanimous consent that the motion to reconsider be laid on the table.

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

Mr. THURMOND. Mr. President, an inquiry: Are we going to reconsider each of these bills without reconsidering the nominations of judges?

Mr. BYRD. It will be fine with me.

I ask unanimous consent that the motion to reconsider be vitiated.

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

Mr. THURMOND. Mr. President, I did not understand.

Mr. BYRD. I vitiated the motion to reconsider.

Mr. THURMOND. I thank the Senator very much.

#### UNANIMOUS-CONSENT AGREEMENT—H.R. 3911, DEFENSE PROCUREMENT FRAUD BILL

Mr. BYRD. Mr. President, I ask unanimous consent that the majority leader, after consultation with the minority leader, any move to proceed to the consideration of Calendar No. 924, H.R. 3911, the defense procurement fraud bill, and that it be considered under the following time limitation:

One and a half hours on the bill, equally divided and controlled between the two leaders or their designees.

Five minutes on a managers' technical amendment to be offered to the committee substitute amendment.

Five minutes on a Grassley amendment dealing with technical changes to the False Claims Act.

Ten minutes on a Grassley-Levin amendment dealing with allowable costs for Government contractors.

Thirty minutes on an amendment to be offered on behalf of Senator CRANSTON adding the text of S. 1456.

Five minutes on an amendment to be offered on behalf of Mr. LEAHY to incorporate the text of S. 438 as passed by the Senate.

Ten minutes on any debatable motion, appeal, or point of order, if submitted by the Chair.

Provided, further, that no other amendments be in order, with the exception of the committee-reported substitute amendment.

That the agreement be in the usual form and that no motion to recommit, with or without instructions, be in order.

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

The text of the agreement is as follows:

*Ordered*, That the Majority Leader, after consultation with the Minority Leader, may move to proceed to the consideration of H.R. 3911, the Defense procurement fraud bill, and that it be considered under the following time limitation:

Managers' technical amendment, to be offered to the committee substitute amendment, 5 minutes

Grassley amendment, dealing with technical changes to the False Claims Act, 5 minutes

Grassley-Levin amendment, dealing with allowable costs for government contractors, 10 minutes

Amendment to be offered on behalf of Senator CRANSTON, adding text of S. 1456, 30 minutes

Amendment to be offered on behalf of Senator LEAHY, to incorporate the text of S. 438, as passed the Senate, 5 minutes

*Ordered further*, That no other amend-

ments be in order, with the exception of the committee-reported substitute amendment.

*Ordered further*, That time for debate on any debatable motion, appeal, or point of order, if submitted by the Chair, be limited to 10 minutes each.

*Ordered further*, That no motion to recommit, with or without instructions, be in order.

*Ordered further*, That time for debate on the bill be limited to 1 1/2 hours, to be equally divided and controlled between the Majority and Minority Leaders, or their designees.

*Ordered further*, That the agreement be in the usual form. (Oct. 14, 1988)

#### APPOINTMENT OF ADDITIONAL BANKRUPTCY JUDGES

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Order No. 948, H.R. 4064.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4064) to amend title XXVIII of the United States Code to authorize the appointment of additional bankruptcy judges.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

#### AMENDMENT NO. 3700

(Purpose: To authorize the appointment of additional bankruptcy judges)

Mr. BYRD. Mr. President, I call up an amendment on behalf of Senators BENTSEN, DECONCINI, and McCAIN.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from West Virginia (Mr. BYRD), for Mr. BENTSEN, (for himself, Mr. DECONCINI, and Mr. McCAIN), proposes an amendment numbered 3700.

Mr. BYRD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike out "and" at the end of paragraph (4) in the first section.

Strike out the period at the end of paragraph (5) in the first section and insert in lieu thereof a comma.

After paragraph (5), add the following:

(6) in the item relating to the western district of Texas, by striking "3" and inserting "4", and

(7) in the item relating to the district of Arizona, by striking "4" and inserting "5".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3700) was agreed to.

Mr. STEVENS. Mr. President, I am delighted today to rise in support of H.R. 4064, a bill which authorizes five new bankruptcy judges including one for the Judicial District of Alaska.

I am indebted to my good friend and colleague, Congressman DON YOUNG,