the United States of America and the Union of Soviet Socialist Republics on destruction and nonproduction of chemical weapons and on measures to facilitate the mulitlateral convention on banning chemical weapons signed at _____ on ___, 1990.

FEINSTEIN AMENDMENTS NOS. 2171–2172

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted two amendments intended to be proposed by her to the bill, S. 1026, supra; as follows:

AMENDMENT NO. 2171

On page 486, below line 24, add the following:

SEC. 2825. LOAN GUARANTEE PROGRAM FOR REDEVELOPMENT OF INSTALLATIONS APPROVED FOR CLOSURE OR REALIGNMENT.

(a) PROGRAM.—Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) is amended by adding at the end the following:

''LOAN GUARANTEE PROGRAM FOR REDEVELOPMENT OF CLOSED OR REALIGNED MILITARY INSTALLATIONS

''SEC. 205. (a)(1) Subject to the provisions of this section, the Secretary may guarantee a loan made to any private borrower or to a redevelopment authority if the proceeds of the loan are to be used by the borrower or redevelopment authority to demolish or remove existing facilities or to construct or improve facilities on real property located at a military installation approved for closure or realignment under a base closure law which real property is sold, leased, or otherwise transferred by the Secretary of Defense pursuant to such a law.

''(2) For purposes of paragraph (1), facilities at an installation include utilities and other infrastructure at the installation.

''(b)(1) The term of a loan guaranteed under this section may not exceed 20 years, except that the Secretary may provide for the guarantee of a loan the term of which is renewed or otherwise extended beyond 20 years if the Secretary considers the extension appropriate in order to facilitate the liquidation of the loan.

''(2) The Secretary may not guarantee a loan under this section if the Secretary determines that the rate of interest on the loan is excessive. In determining if the rate on a loan is excessive, the Secretary shall take into account the rates of interest charged on other loans guaranteed by the Federal Government that have similar terms and conditions.

''(3) The Secretary may not guarantee a loan under this section unless the Secretary determines that there is reasonable assurance of the repayment of the loan according to its terms.

''(4) The Secretary may not guarantee a loan under this section if the Secretary determines that the borrower or redevelopment authority seeking the guarantee has reasonable access to funds in the amount of the loan from alternative sources (including other funds of the borrower or redevelopment authority).

''(c)(1) The proceeds of a loan guaranteed under this section may not be used to purchase real property.

''(2) The proceeds of a loan guaranteed under this section may not be used for activities relating to the compliance of the real property or facilities concerned with Federal, State, or local requirements for the restoration or remediation of any environmental contamination on the real property or facilities concerned.

''(d)(1) Subject to paragraph (2), the amount of a guarantee on a loan that may be provided under this section may not exceed the amount equal to 90 percent of the outstanding principal and interest of the loan.

''(2) The total value of any loan guaranteed under this section may not exceed $25,000,000.

''(e) The Secretary may charge and collect from a lender issuing a loan guaranteed under this section a fee in such amount as the Secretary considers sufficient to cover the costs to the Secretary of the administration of the loan.

''(f) Loan guarantees may be made under this section only to the extent that appropriations of budget authority to cover their cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) are made in advance, or authority is otherwise provided in appropriations Acts. If such appropriation or other authority is provided, there may be established a financing account (as defined in section 502(7) of such Act (2 U.S.C. 661a(7)) which shall be available for payment of claims for payment on loan guarantees under this section and for all other cash flows to and from the Government as a result of guarantees made under this section.

''(g) In this section:

''(1) The term 'base closure law' means the following:

''(A) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

''(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

''(2) The term 'redevelopment authority' means the following:

''(A) In the case of military installations approved for closure or realignment under the Defense Authorization Amendments and Base Closure and Realignment Act, a redevelopment authority as such term is defined in section 209(10) of that Act.

''(B) In the case of military installations approved for closure or realignment under the Defense Base Closure and Realignment Act of 1990, a redevelopment authority as such term in defined in section 2910(9) of that Act.''.

(b) USE OF EXISTING APPROPRIATIONS.—Notwithstanding any other provision of law, funds appropriated before the date of the enactment of this Act pursuant to the Public Works and Economic Development Act of 1965 for economic development assistance programs of the Economic Development Administration of the Department of Commerce may be used for providing loan guarantees under the loan guarantee program for redevelopment of closed or realigned military installations established under section 205 of that Act, as added by subsection (a).

AMENDMENT NO. 2172

On page 487, below line 24, add the following:

SEC. 2838 LAND CONVEYANCE, NAVAL COMMUNICATIONS STATION, STOCKTON, CALIFORNIA.

(a) AUTHORITY TO CONVEY.—The Secretary of the Navy may, upon the concurrence of the Administrator of General Services, convey to the Port of Stockton (In this section referred to as the ''Port''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 1,450 acres at the Naval Communication Station, Stockton, California.

(b) INTERIM LEASE.—Until such time as the real property described in subsection (a) is conveyed by deed, the Secretary may lease the property, along with improvements thereon, to the Port under terms and conditions satisfactory to the Secretary.

(c) CONSIDERATION.—If the Secretary determines that the property can be utilized for port development and is located in an area with high unemployment or in need of economic redevelopment, the Secretary may convey the property for no consideration. If the Secretary determines that it would not be in the public interest to convey the property for no consideration, then the Port, if the Port still desires to acquire the property, shall, as consideration for the conveyance, pay to the United States an amount equal to fair market value of the property to be conveyed, as determined by the Secretary.

(d) FEDERAL LEASE OF CONVEYED PROPERTY.—Notwithstanding any other provision of law, as a condition for transfer of this property under subparagraph (a), the Secretary may require that the Port agree to lease all or a part of the property currently under federal use at the time of conveyance to the United States for use by the Department of Defense or any other federal agency under the same terms and conditions now presently in force. Such terms and conditions will continue to include payment (to the Port) for maintenance of facilities leased to the Federal Government. Such maintenance of the Federal premises shall be to the reasonable satisfaction of the United States, or as required by all applicable Federal, State and local laws and ordinances.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of such survey shall be borne by Port.

(f) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) or the lease under subsection (b) as the Secretary considers appropriate to protect the interests of the United States.

FEINSTEIN (AND JOHNSTON) AMENDMENT NO. 2173

(Ordered to lie on the table.)

Mrs. FEINSTEIN (for herself and Mr. JOHNSTON) submitted an amendment intended to be proposed by them to the bill, S. 1026, supra; as follows:

On page 115, strike out line 4 and all that follows through page 116, line 13.

FEINSTEIN AMENDMENT NO. 2174

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill, S. 1026, supra; as follows:

Beginning on page 115, strike out line 4 and all that follows through page 116, line 13, and insert in lieu thereof the following:

SEC. 382. LIMITATION ON CONTRACTING WITH SAME CONTRACTOR FOR CONSTRUCTION OF ADDITIONAL NEW SHIPS.

The Secretary of the Navy may not enter into a contract, or exercise a contract option, for the construction of any additional ship by a contractor unless the Secretary has submitted to Congress, at least 60 days before entering into the contract or exercising the option, one of the following certifications:

(1) A certification—

(A) that—

(i) no ship being procured from that contractor under an existing contract is estimated by the Secretary (as of the date of the certification) to cost more than the maximum price originally established for the ship under the existing contract; or

(ii) if the estimated cost does exceed that maximum price, the contractor is able to complete construction of all ships being procured under all existing contracts between the contractor and the Government without any financial assistance from the Government; and

(B) that the contractor does not have any claim pending against the Government for any ship contracted for under the existing contract referred to in subparagraph (A)(i) that, if approved by the Government, would increase the maximum price established for such ship under the existing contract.

(2) A certification that the contractor is financially capable of constructing the additional ship involved without direct or indirect financial assistance from the Government.

SIMON AMENDMENT NO. 2175

(Ordered to lie on the table.)

Mr. SIMON submitted an amendment intended to be proposed by him to the bill, S. 1026, supra; as follows:

On page 487, below line 24, add the following new sections:

SEC. 2838. LAND CONVEYANCE, NAVY PROPERTY, FORT SHERIDAN, ILLINOIS.

(a) AUTHORITY TO CONVEY.—Subject to subsection (b), the Secretary of the Navy may convey to any transferee selected under subsection (i) all right, title, and interest of the United States in and to a parcel of real property (including any improvements thereon) at Fort Sheridan, Illinois, consisting of approximately 182 acres and comprising the Navy housing areas at Fort Sheridan.

(b) REQUIREMENT FOR FEDERAL SCREENING OF PROPERTY.—The Secretary may not carry out the conveyance of property authorized by subsection (a) unless the Secretary determines that no department or agency of the Federal Government will accept the transfer of the property.

(c) CONSIDERATION.—(1) As consideration for the conveyance under subsection (a), the transferee selected under subsection (i) shall—

(A) convey to the United States a parcel of real property that meets the requirements of subsection (d);

(B) design for and construct on the property conveyed under subparagraph (A) such housing facilities (including support facilities and infrastructure) to replace the housing facilities conveyed pursuant to the authority in subsection (a) as the Secretary considers appropriate;

(C) pay the cost of relocating Navy personnel residing in the housing facilities located on the real property conveyed pursuant to the authority in subsection (a) to the housing facilities constructed under subparagraph (B);

(D) provide for the education of dependents of such personnel under subsection (e); and

(E) carry out such activities for the maintenance and improvement of the facilities constructed under subparagraph (B) as the Secretary and the transferee jointly determine appropriate.

(2) The Secretary shall ensure that the fair market value of the consideration provided by the transferee under paragraph (1) is not less than the fair market value of the property interest conveyed by the Secretary under subsection (a).

(d) REQUIREMENTS RELATING TO PROPERTY TO BE CONVEYED TO UNITED STATES.—The real property interest conveyed to the United States under subsection (c)(1)(A) by the transferee selected under subsection (i) shall—

(1) be located not more than 25 miles from Great Lakes Naval Training Center;

(2) be located in a neighborhood or area having social and economic conditions similar to the social and economic conditions of the area in which Fort Sheridan is located; and

(3) be acceptable to the Secretary.

(e) EDUCATION OF DEPENDENTS OF NAVY PERSONNEL.—In providing for the education of dependents of Navy personnel under subsection (c)(1)(D), the transferee selected under subsection (i) shall ensure that such dependents may enroll at the schools of one or more school districts in the vicinity of the real property conveyed to the United States under subsection (c)(1)(A) which schools and districts—

(1) meet such standards for schools and schools districts as the Secretary shall establish; and

(2) will continue to meet such standards after the enrollment of such dependents regardless of the receipt by such school districts of Federal impact aid.

(f) INTERIM RELOCATION OF NAVY PERSONNEL.—Pending completion of the construction of all the housing facilities proposed to be constructed under subsection (c)(1)(B) by the transferee selected under subsection (i), the Secretary may relocate Navy personnel residing in housing facilities located on the property to be conveyed pursuant to the authority in subsection (a) to the housing facilities that have been constructed by the transferee under such subsection (c)(1)(B).

(g) APPLICABILITY OF CERTAIN AGREEMENTS.—The property conveyed by the Secretary pursuant to the authority in subsection (a) shall be subject to the Memorandum of Understanding concerning the Transfer of Certain Properties at Fort Sheridan, Illinois, dated August 8, 1991, between the Department of the Army and the Department of the Navy.

(h) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the real property to be conveyed under subsection (a) and of the consideration to be provided under subsection (c)(1). Such determination shall be final.

(i) SELECTION OF TRANSFEREE.—(1) The Secretary shall use competitive procedures for the selection of a transferee under subsection (a).

(2) In evaluating the offers of prospective transferees, the Secretary shall—

(A) consider the technical sufficiency of the offers and the adequacy of the offers in meeting the requirements for consideration set forth in subsection (c)(1); and

(B) consult with the communities and jurisdictions in the vicinity of Fort Sheridan (including the City of Lake Forest, the City of Highwood, and the City of Highland Park and the County of Lake) in order to determine the most appropriate use of the property to be conveyed.

(j) DESCRIPTIONS OF PROPERTY.—The exact acreage and legal descriptions of the real property to be conveyed by the Secretary under subsection (a) and the real property to be conveyed under subsection (c)(1)(A) shall be determined by surveys satisfactory to the Secretary. The cost of such surveys shall be borne by the transferee selected under subsection (i).

(k) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2839. LAND CONVEYANCE, ARMY RESERVE PROPERTY, FORT SHERIDAN, ILLINOIS.

(a) AUTHORITY TO CONVEY.—(1) Subject to subsection (b), the Secretary of the Army may convey to any transferee selected under subsection (h) all right, title, and interest of the United States in and to the real property described in paragraph (2).

(2) The authority in paragraph (1) applies to the following parcels of real property at Fort Sheridan, Illinois: A parcel of real property (including improvements thereon) consisting of approximately 114 acres and comprising an Army Reserve area.

(b) REQUIREMENT FOR FEDERAL SCREENING OF PROPERTY.—The Secretary may not carry out the conveyance of property authorized by subsection (a) unless the Secretary determines that no department or agency of the Federal Government will accept the transfer of the property.

(c) CONSIDERATION.—(1) As consideration for the conveyance under subsection (a), the transferee selected under subsection (h) shall—

(A) convey to the United States a parcel of real property that meets the requirements of subsection (d);

(B) design for and construct on the property conveyed under subparagraph (A) such facilities (including support facilities and infrastructure) to replace the facilities conveyed pursuant to the authority in subsection (a) as the Secretary considers appropriate; and

(C) pay the cost of relocating Army personnel in the facilities located on the real property conveyed pursuant to the authority in subsection (a) to the facilities constructed under subparagraph (B).

(2) The Secretary shall ensure that the fair market value of the consideration provided by the transferee under paragraph (1) is not less than the fair market value of the real property conveyed by the Secretary under subsection (a).

(d) REQUIREMENTS RELATING TO PROPERTY TO BE CONVEYED TO UNITED STATES.—The real property conveyed to the United States under subsection (c)(1)(A) by the transferee selected under subsection (h) shall—

(1) be located not more than 25 miles from Fort Sheridan;

(2) be located in a neighborhood or area having social and economic conditions similar to the social and economic conditions of the area in which Fort Sheridan is located; and

(3) be acceptable to the Secretary.

(e) INTERIM RELOCATION OF ARMY PERSONNEL.—Pending completion of the construction of all the facilities proposed to be constructed under subsection (c)(1)(B) by the transferee selected under subsection (h), the Secretary may relocate Army personnel in the facilities located on the property to be conveyed pursuant to the authority in subsection (a) to the facilities that have been constructed by the transferee under such subsection (c)(1)(B).

(f) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the real property to be conveyed under subsection (a) and of the consideration to be provided under subsection (c)(1). Such determination shall be final.

(g) SELECTION OF TRANSFEREE.—(1) The Secretary shall use competitive procedures for the selection of a transferee under subsection (a).

(2) In evaluating the offers of prospective transferees, the Secretary shall—

(A) consider the technical sufficiency of the offers and the adequacy of the offers in meeting the requirements for consideration set forth in subsection (c)(1); and

(B) consult with the communities and jurisdictions in the vicinity of Fort Sheridan (including the City of Lake Forest, the City of Highwood, and the City of Highland Park and the County of Lake) in order to determine the most appropriate use of the property to be conveyed.

(h) DESCRIPTIONS OF PROPERTY.—The exact acreage and legal descriptions of the real property to be conveyed by the Secretary under subsection (a) and the real property to be conveyed under subsection (c)(1)(A) shall be determined by surveys satisfactory to the Secretary. The cost of such surveys shall be borne by the transferee selected under subsection (h).

(i) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

DASCHLE (AND DORGAN) AMENDMENT NO. 2176

(Ordered to lie on the table.)

Mr. DASCHLE (for himself and Mr. DORGAN) submitted an amendment intended to be proposed by them to the bill S. 1026, supra; as follows:

On page 32, strike out line 14 and insert in lieu thereof the following: ''$9,473,148,000, of which—

''(A) not more than $85,000,000 is authorized to be appropriated for the cruise missile defense policy established in Section 236;''.

SIMON AMENDMENT NO. 2177

(Ordered to lie on the table.)

Mr. SIMON submitted an amendment intended to be proposed by him to the bill S. 1026, supra; as follows:

On page 371, after line 21, insert the following:

SEC. 1062. SUPPORT FOR INTERNATIONAL PEACEKEEPING AND PEACE ENFORCEMENT.

(b) SUPPORT AUTHORIZED.—(1) Section 403 of title 10, United States Code, is amended to read as follows:

''§ 403. International peacekeeping and international peace enforcement: support involving United States combat forces

''(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Defense may—

''(1) pay, out of funds in the Contributions for International Peacekeeping and Peace Enforcement Activities Fund established by subsection (g), the United States fair share (as determined by the Secretary) of assessments for international peacekeeping or international peace enforcement activities of the United Nations in which United States combat forces participate; and

''(2) furnish assistance, on a reimbursable basis, in support of such activities.

''(b) FORMS OF ASSISTANCE.—Assistance provided under this section may include supplies, services, and equipment.

''(c) DETERMINATION REQUIRED.—No assessment may be paid and no assistance may be furnished pursuant to this section unless the President determines that the provision of assistance is in the national interest of the United States.

''(d) ADVANCE NOTICE.—(1) In the case of any international peacekeeping or international peace enforcement operation of the United Nations in which the United States combat forces are to participate, not less than 15 days before an initial deployment of United States combat forces, payment of a United Nations assessment, furnishing of assistance of a value in excess of $14,000,000, or waiver of reimbursement to the United States under subsection (f), the President shall transmit to the designated congressional committee a report, which may be classified in whole or in part, that contains the determination required by subsection (c) and the following matters:

''(A) A description of the threat to international peace and security presented by the conflict involved.

''(B) The United States interests that will be advanced by the operation and by the United States action.

''(C) The political and military objectives of the operation.

''(D) The exit criteria and likely duration of the operation.

''(E) The personnel and material resources that have been pledged, or are otherwise expected to be made available, by other nations to the United Nations for the operation.

''(F) The units of the armed forces that will participate.

''(G) The necessity for involvement of United States forces.

''(H) The command arrangements for those forces and, if any of the United States forces are to be placed under the operational control of a foreign commander, the justification for doing so.

''(I) The rules of engagement for the operation.

''(J) An assessment of the risks involved in the operation.

''(K) In the case of payment of an assessment the amount to be paid and the terms under which the payment is to be made.

''(L) In the case of assistance, the supplies, services, or equipment to be provided by the United States and the terms under which such supplies, services, or equipment are to be provided.

''(M) In the case of a waiver of reimbursement, the justification for the waiver.

''(2) If the President determines that an unforseen emergency requires the immediate deployment of United States combat troops or the immediate furnishing of assistance of a value in excess of $14,000,000 under this section, the President—

''(A) may waive the requirement of paragraph (1) that a report be transmitted at least 15 days in advance of the action; and

''(B) shall promptly notify the designated committees of such waiver and such deployment or transfer.

''(e) REIMBURSEMENT.—(1) The President shall require reimbursement from the United Nations or from any other source for the participation of any force of the armed forces in support of international peacekeeping or international peace enforcement activities of the United Nations or for the provision of assistance by the Secretary of Defense in support of such activities.

''(2) Any funds received as reimbursements shall be used as follows:

''(A) As a first priority, for the payment of the incremental costs of the military departments and Defense Agencies providing the participating United States forces or the supplies, services, or equipment involved.

''(B) As a second priority, for the payment of the incremental costs of any other United States forces that are operating in support of international peacekeeping or international peace enforcement activities but for which reimbursement is not possible.

''(3) After use of reimbursement funds for the purposes specified in paragraph (2), any remainder of such funds shall be credited to the Contributions for International Peacekeeping and Peace Enforcement Activities Fund established by subsection (g).

''(4) Reimbursements utilized for the payment of incremental costs shall be credited, at the option of the Secretary of the military department concerned or the head of the Defense Agency concerned, either to an appropriation, fund, or other account obligated to pay such costs or to an appropriate appropriation, fund, or other account available for paying such costs.

''(f) WAIVER OF REIMBURSEMENT.—The President may waive, in whole or in part, any reimbursement required under subsection (a)(2) or (e) in exceptional circumstances upon determining that such waiver is in the national interest of the United States.

''(g) ESTABLISHMENT OF ACCOUNT.—There is hereby established in the Treasury of the United States a fund to be known as the 'Contributions for International Peacekeeping and Peace Enforcement Activities Fund'. Amounts appropriated or other credited to the Fund shall be available until expended for, and shall be used for, paying assessments for United Nations operations under this section.

''(h) AUTHORITY INAPPLICABLE WHEN UNITED STATES COMBAT FORCES NOT INVOLVED.—The authority in subsection (a) to pay United Nations assessments for international peacekeeping and international peace enforcement activities of the United Nations may not be construed as authorizing payment of United Nations assessments for any such activity in which United States combat forces do not participate.

''(i) COORDINATION WITH OTHER LAWS.—This section may not be construed as superseding any provision of the War Powers Resolution. This section does not provide authority for the participation of United States combat forces in any international peacekeeping or international peace enforcement operation.

''(j) DEFINITIONS.—In this section:

''(1) The term 'designated congressional committees' means the Committees on Armed Services, Appropriations, and Foreign Relations of the Senate and the Committees on National Security, Appropriations, and International Relations of the House of Representatives.

''(2) The term 'combat forces' means forces of the armed forces that have combat missions as primary missions.

''(3) The term 'international peacekeeping' means those activities performed pursuant to Chapter VI of the United Nations Charter.

''(4) The term 'international peace enforcement' means those activities performed pursuant to Chapter VII of the United Nations Charter.''.

(2) The item relating to section 403 in the table of sections at the beginning of subchapter I of chapter 20 of such title is amended to read as follows:

''403. International peacekeeping and international peace enforcement: support involving United States combat forces.''

(c) AUTHORIZED SUPPORT FOR FISCAL YEAR 1996.—Funds are authorized to be appropriated to the Contributions for International Peacekeeping and Peace Enforcement Activities Fund in the total amount of $65,000,000.

(d) Funds authorized under Division A, Title I, Subtitle A of this Act are hereby reduced by $65,000,000.

SIMON (AND JEFFORDS) AMENDMENT NO. 2178

(Ordered to lie on the table.)

Mr. SIMON (for himself and Mr. JEFFORDS) submitted an amendment intended to be proposed by them to the bill, S. 1026, supra; as follows:

On page 371, after line 21, insert the following:

SEC. 1062. VOLUNTEER FORCE FOR PEACE OPERATIONS.

(a) FINDINGS.—The Congress makes the following findings:

(1) With the end of the Cold War, the United States is clearly the undisputed world economic and military leader and as such bears major international responsibilities.

(2) Threats to the long-term security and well-being of the United States no longer derive primarily from the risk of external military aggression against the United States or its closest treaty allies but in large measure derive from instability from a variety of causes: population movements, ehtnic and regional conflicts including genocide against ethnic and religious groups, famine, terrorism, narcotics trafficking, and proliferation of weapons of mass destruction.

(3) To address such threats, the United States has increasingly turned to the United Nations and other international peace operations, which at times offer the best and most cost-effective way to prevent, contain, and resolve such problems.

(4) In numerous crisis situations, such as the massacres in Rwanda, the United Nations has been unable to respond with peace operations in a swift manner.

(5) The Secreatry-General of the United Nations has asked member states to identify in advance units which are available for contribution to international peace operations under the auspices of the United Nations in order to create a rapid response capability.

(6) United States participation and leadership in the initiative of the Secretary-General is critical to leveraging contributions from other nations and, in that way, limiting the United States share of the burden and helping the United Nations to achieve success.

(b) REPORT ON PLAN TO ORGANIZE VOLUNTEER UNITS.—Not later than 180 days after the date of the enactment of this Act, the President shall submit a report to Congress setting forth—

(1) a plan for—

(A) organizing into units of the Armed Forces a contingency force of up to 3,000 personnel, comprised of active-duty military personnel, who volunteer additionally and specifically to serve in international peace operations and who receive added compensation for such service;

(B) recruiting personnel to serve in such units; and

(C) providing training to such personnel which is appropriate to such operations; and

(2) proposed procedures to implement such plan.

(c) AUTHORIZATION.—(1) Upon approval by the United Nations Security Council of an international peace operation, the President, after appropriate congressional consultation, is authorized to make immediately available for such operations those units of the Armed Forces of the United States which are organized under subsection (b)(1)(A).

(2)(A) Subject to subparagraph (B), the President may terminate United States participation in international peace operations at any time and take whatever actions he deems necessary to protect United States forces.

(B) Notwithstanding section 5(b) of the War Powers Resolution, not later than 180 days after a Presidential report is submitted or required to be submitted under section 4(a) of the War Powers Resolution in connection with the participation of the Armed Forces of the United States in an international peace operation, the President shall terminate any use of the Armed Forces with respect to which such report was submitted or required to be submitted, unless the Congress has extended by law such 180-day period.

(d) AVAILABILITY OF FUNDS.—Funds available to the Department of Defense are authorized to be available to carry out subsection (c)(1).

(e) WAR POWERS RESOLUTION REQUIREMENTS.—Except as otherwise provided, this section does not supersede the requirements of the War Powers Resolution.

(f) MISSION STATEMENTS FOR ARMED FORCES.—(1) Section 3062(a) of title 10, United States Code, is amended—

(A) by striking out ''and'' at the end of paragraph (3);

(B) by striking out the period at the end of paragraph (4) and inserting in lieu thereof ''; and''; and

(C) by adding at the end the following:

''(5) participating in international peacekeeping activities, humanitarian activities, and refugee assistance activities when determined by the President to be in the national interests of the United States.''.

(2) Section 5062(a) of such title is amended—

(A) by inserting ''(1)'' after ''(a)'';

(B) by striking out the third sentence; and

(C) by adding at the end the following new paragraph:

''(2) The Navy is responsible for the preparation of naval forces necessary for the following activities:

''(A) Effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Navy to meet the needs of war.

''(B) Participation in international peacekeeping activities, humanitarian activities, and refugee assistance activities when determined by the President to be in the national interests of the United States.''.

(3) Section 8062(a) of such title is amended—

(A) by striking out ''and'' at the end of paragraph (3);

(B) by striking out the period at the end of paragraph (4) and inserting in lieu thereof ''; and''; and

(C) by adding at the end the following:

''(5) participating in international peacekeeping activities, humanitarian activities, and refugee assistance activities when determined by the President to be in the national interests of the United States.''.

(g) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional consultation'' means consultation as described in section 3 of the War Powers Resolution.

(2) The term ''international peace operations'' means any such operation carried out under chapter VI or chapter VII of the United Nations Charter or under the auspices of the Organization of American States.

DORGAN AMENDMENT NO. 2179

(Ordered to lie on the table.)

Mr. DORGAN submitted an amendment intended to be proposed by him to the bill, S. 1026, supra; as follows:

On page 32, strike out line 14 and insert in lieu thereof the following: ''$9,283,148,000, of which—

''(a) not more than $407,900,000 is authorized to implement the national missile defense policy established in Section 233(2);''.

DORGAN AMENDMENT NO. 2180

(Ordered to lie on the table.)

Mr. DORGAN submitted an amendment intended to be proposed by him to the bill, S. 1026, supra; as follows:

At the appropriate place, insert the following:

SEC. . LAND CONVEYANCE, WILLIAM LANGER JEWEL BEARING PLANT, ROLLA, NORTH DAKOTA

(a) CONVEYANCE.—The Administrator of the General Services Administration may convey, without consideration, to the Rolla Job Development Authority, an agency of the City of Rolla, North Dakota, authorized by the North Dakota Century Code (in this section referred to as the ''Authority'') all right, title, and interest of the United States in and to the parcel of real property consisting of approximately 9.77 acres, with improvements, comprising the William Langer Jewel Bearing Plant in Rolla, North Dakota, which has previously been owned by the Department of the Army as a contractor-operated facility manufacturing precision items used in avionics and inertial guidance systems.

(b) CONDITION OF CONVEYANCE.—The conveyance authorized under subsection (a) shall be subject to the condition that the Authority—

(1) use the real property conveyed under that subsection for economic development purposes; or

(2) enter into an agreement with an appropriate public or private entity or person to lease such property and facility to that entity or person for such purposes, or

(3) enter into an agreement with an appropriate public or private entity or person to sell such property and facilities to that entity or person for such purposes.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under this section shall be determined by a survey satisfactory to the Administrator. The cost of such survey shall be borne by the Administrator.

(d) ADDITIONAL TERMS AND CONDITIONS.—Administrator may require such additional terms and conditions in connection with the conveyance under this section as the Administrator determines appropriate to protect the interests of the United States.

(e) PREFERENCE FOR DOMESTIC DISPOSAL OF JEWEL BEARINGS—In offering to enter into agreements pursuant to any provision of law for the disposal from the National Defense Stockpile of jewel bearings, the President shall give a right of first refusal on all such offers to the Rolla Jobs Development Authority or the appropriate public or private entity or person referred to in subsection (b).

(f) NATIONAL DEFENSE STOCKPILE DEFINED.—For the purposes of this section, the term ''National Defense Stockpile'' means the stockpile provided for in section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98(c)).

(g) AUTHORIZATION FOR PRIOR-YEAR FUNDS.—The Department may use up to $1.5 million in prior-year funds to maintain the Plant as a going concern during the implementation of this section.

STEVENS AMENDMENTS NOS. 2181–2182

(Ordered to lie on the table.)

Mr. STEVENS submitted two amendments intended to be proposed by him to the bill, S. 1026, supra; as follows:

AMENDMENT NO. 2181

On page 306, beginning on line 22, strike all through line 11 on page 307 and insert in lieu thereof the following:

(1)(A) The Secretary of Defense shall establish a test program under which contracting activities in the military departments and the Defense Agencies are authorized to undertake one or more demonstration projects to determine whether the negotiation and administration of comprehensive subcontracting plans will reduce administrative burdens on contractors while enhancing opportunities provided under Department of Defense contracts for small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals. In selecting the contracting activities to undertake demonstration projects, the Secretary shall take such

action as is necessary to ensure that a broad range of the supplies and services acquired by the Department of Defense are included in the test program.

(B) Notwithstanding section 34(b) of the Office of Federal Procurement Policy Act (41 U.S.C. 430(b)), the Secretary of Defense may not make inapplicable to subcontracts which include ocean transportation services the requirements of section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1241(b)), or section 2631 of title 10, United States Code, under either a contract for the procurement of commercial items or a subcontract for the procurement of commercial items.

AMENDMENT NO. 2182

On page 305, beginning on line 1, strike all through line 10 and insert in lieu thereof the following:

SEC. 802. PROCUREMENT NOTICE POSTING THRESHOLDS AND SUBCONTRACTS FOR OCEAN TRANSPORTATION SERVICES.

The Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.) is amended—

(1) in section 18(a)(1)(B) by—

(A) striking out ''subsection (f)—'' and all that follows through the end of the subparagraph and inserting in lieu thereof ''subsection (b); and''; and

(B) inserting after ''property or services'' the following: ''for a price expected to exceed $10,000, but not to exceed $25,000,''; and

(2) in section 34(b) by adding at the end thereof the following new paragraph:

''(5) Nothing in this subsection shall be construed to make inapplicable to subcontracts which include ocean transportation services the requirements of section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1241(b)) or section 2631 of title 10, United States Code, under either a contract for the procurement of commercial items or a subcontract for the procurement of commercial items.''.

THURMOND AMENDMENT NO. 2183

(Ordered to lie on the table.)

Mr. THURMOND submitted an amendment intended to be proposed by him to the bill, S. 1026, supra; as follows:

At the appropriate place, insert:

( ) DEFENSIVE USE OF LANDMINES.—Nothwithstanding any other provision of law, United States military personnel may use antipersonnel landmines for defensive purposes, consistent with U.S. military interests and which reflect the practice adopted by western military forces.

SMITH AMENDMENT NO. 2184

(Ordered to lie on the table.)

Mr. SMITH submitted an amendment intended to be proposed by him to the bill, S. 1026, supra; as follows:

On page 468, strike lines 16 through 24 and insert the following: The requirements of subparagraph (B) shall not apply in any case in which the transfer of the property occurs or has occurred by means of a lease, without regard to whether the lessee has agreed to purchase the property or whether the duration of the lease is longer than 55 years. In the case of a lease entered into after September 30, 1995, with respect to real property located at an installation approved for closure or realignment under a base closure law, the agency leasing the property, in consultation with the Administrator, shall determine before leasing the property that the property is suitable for lease, that the uses contemplated for the lease are consistent with protection of human health and the environment, and that there are adequate assurances that the United States will take all remedial action referred to in subparagraph (B) that has not been taken on the date of the lease.''.

CAMPBELL AMENDMENT NO. 2185

(Ordered to lie on the table.)

Mr. CAMPBELL submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 304, between lines 8 and 9, insert the following:

SEC. 744. REPORT ON EFFECT OF CLOSURE OF FITZSIMONS ARMY MEDICAL CENTER, COLORADO, ON PROVISION OF CARE TO MILITARY PERSONNEL AND DEPENDENTS EXPERIENCING HEALTH DIFFICULTIES ASSOCIATED WITH PERSIAN GULF SYNDROME.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that—

(1) assesses the effects of the closure of Fitzsimons Army Medical Center, Colorado, on the capability of the Department of Defense to provide appropriate and adequate health care to members and former members of the Armed Forces and their dependents who suffer from undiagnosed illnesses (or combination of illnesses) as a result of service in the Armed Forces in the Southwest Asia theater of operations during the Persian Gulf War; and

(2) describes the plans of the Secretary of Defense and the Secretary of the Army to ensure that adequate and appropriate health care is available to such members, former members, and their dependents, for such illnesses.

HELMS AMENDMENT NO. 2186.

(Ordered to lie on the table.)

Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 403, after line 16, add the following:

SEC. 1095. SENSE OF SENATE ON MIDWAY ISLANDS.

(a) FINDINGS.—The Senate makes the following findings:

(1) September 2, 1995, marks the 50th anniversary of the United States victory over Japan in World War II.

(2) The Battle of Midway proved to be the turning point in the war in the Pacific, as United States Navy forces inflicted such severe losses on the Imperial Japanese Navy during the battle that the Imperial Japanese Navy never again took the offensive against United States or allied forces.

(3) During the Battle of Midway, an outnumbered force of the United States Navy, consisting of 29 ships and other units of the Armed Forces under the command of Admiral Nimitz and Admiral Spruance, out-maneuvered and out-fought 350 ships of the Imperial Japanese Navy.

(4) It is in the public interest to erect a memorial to the Battle of Midway that is suitable to express the enduring gratitude of the American people for victory in the battle and to inspire future generations of Americans with the heroism and sacrifice of the members of the Armed Forces who achieved that victory.

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

(1) the Midway Islands and the surrounding seas deserve to be memorialized;

(2) the historical structures related to the Battle of Midway should be maintained, in accordance with the National Historic Preservation Act, and subject to the availability of appropriations for that purpose.

(3) appropriate access to the Midway Islands by survivors of the Battle of Midway, their families, and other visitors should be provided in a manner that ensures the public health and safety on the Midway Islands and the conservation and natural resources of those islands in accordance with existing Federal law.

LOTT AMENDMENT NO. 2187

(Ordered to lie on the table.)

Mr. LOTT submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 202, line 16, insert ''or upgrade'' after ''award''.

THURMOND AMENDMENT NO. 2188

(Ordered to lie on the table.)

Mr. THURMOND submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 114, beginning on line 9, strike out **"READY RESERVE COMPONENT OF THE READY RESERVE FLEET."** and insert in lieu thereof **"THE NATIONAL DEFENSE RESERVE FLEET.".**

On page 114, beginning on line 20, strike out ''of the Ready Reserve component''

HEFLIN (AND SHELBY) AMENDMENT NO. 2189

(Ordered to lie on the table.)

Mr. HEFLIN (for himself and Mr. SHELBY) submitted an amendment intended to be proposed by them to the bill, S. 1026, supra, as follows:

On page 58, line 13, insert '', except that Minuteman boosters may not be used as part of a national missile defense architecture'' before the period at the end.

HELMS AMENDMENT NO. 2190

(Ordered to lie on the table.)

Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

Beginning on page 359, strike out lines 20 and 21, and insert in lieu thereof the following:

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

HEFLIN (AND SHELBY) AMENDMENT NO. 2191

(Ordered to lie on the table.)

Mr. HEFLIN (for himself and Mr. SHELBY) submitted an amendment intended to be proposed by them to the bill, S. 1026, supra, as follows:

On page 69, between lines 9 and 10, insert the following:

SEC. 242. BALLISTIC MISSILE DEFENSE TECHNOLOGY CENTER.

(a) ESTABLISHMENT.—The Director of the Ballistic Missile Defense Organization shall establish a Ballistic Missile Defense Technology Center within the Space and Strategic Defense Command of the Army.

(b) MISSION.—The missions of the Center are as follows:

(1) To maximize common application of ballistic missile defense component technology programs, target test programs, functional analysis and phenomenology investigations.

(2) To store data from the missile defense technology programs of the Armed Forces using computer facilities of the Missile Defense Data Center.

(c) TECHNOLOGY PROGRAM COORDINATION WITH CENTER.—The Secretary of Defense, acting through the Director of the Ballistic Missile Defense Organization, shall require the head of each element or activity of the Department of Defense beginning a new missile defense program referred to in subsection (b)(1) to first coordinate the program with the Ballistic Missile Defense Technology Center in order to prevent duplication of effort.

PRESSLER AMENDMENT NO. 2192

(Ordered to lie on the table.)

Mr. PRESSLER submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 343, after line 24, insert the following:

SEC. 1036. ESTABLISHMENT OF JUNIOR R.O.T.C. UNITS IN INDIAN RESERVATION SCHOOLS.

It is the sense of Congress that the Secretary of Defense should ensure that secondary educational institutions on Indian reservations are afforded a full opportunity along with other secondary educational institutions to be selected as locations for establishment of new Junior Reserve Officers' Training Corps units.

HELMS AMENDMENT NO. 2193

(Ordered to lie on the table.)

Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 348, beginning on line 23, strike out ''to Congress'' and insert in lieu thereof the following: ''to the Committees on Armed Services and on Foreign Relations of the Senate and the Committees on National Security and on International Relations of the House of Representatives''.

On page 368, line 7, after ''defense committees'' insert the following: '', the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives''.

COHEN AMENDMENT NO. 2194

(Ordered to lie on the table.)

Mr. COHEN submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 334, strike out lines 6 through 15.

On page 334, line 16, strike out ''(d)'' and insert in lieu thereof ''(c)''.

On page 334, line 19, strike out ''(e)'' and insert in lieu thereof ''(d)''.

THURMOND AMENDMENTS NOS. 2195–2196

(Ordered to lie on the table.)

Mr. THURMOND submitted two amendments intended to be proposed by him to the bill, S. 1026, supra, as follows:

AMENDMENT NO. 2195

On page 313, between lines 8 and 9, insert the following:

SEC. 815. COST AND PRICING DATA.

(A) ARMED SERVICE PROCUREMENTS.—Section 2306a(d)(2)(A)(i) of title 10, United States Code, is amended by striking out ''and the procurement is not covered by an exception in subsection (b),'' and inserting in lieu thereof ''and the offeror or contractor requests to be exempted from the requirement for submission of cost or pricing data pursuant to this subsection,''.

(b) CIVILIAN AGENCY PROCUREMENTS.—Section 304A(d)(2)(A)(i) of the Federal Property and Administrative services Act of 1949 (41 U.S.C. 254b(d)(2)(A)(i)) is amended by striking out ''and the procurement is not covered by an exception in subsection (b),'' and inserting in lieu thereof ''and the offeror or contractor requests to be exempted from the requirement for submission of cost or pricing data pursuant to this subsection,''.

SEC. 816. PROCUREMENT NOTICE TECHNICAL AMENDMENTS.

Section 18(c)(1)(E) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(c)(1)(E)) is amended by inserting after ''requirements contract'' the following: '', a task order contract, or a delivery order contract''.

SEC. 817. REPEAL OF DUPLICATIVE AUTHORITY FOR SIMPLIFIED ACQUISITION PURCHASES.

Section 31 of the Office of Federal Procurement Policy Act (41 U.S.C. 427) is amended—

(1) by striking out subsections (a), (b), and (c);

(2) by redesignating subsections (d), (e), and (f) as (a), (b), and (c), respectively;

(3) in subsection (b), as so redesignated, by striking out ''provided the Federal Acquisition Regulation pursuant to this section'' each place it appears and inserting in lieu thereof ''contained in the Federal Acquisition Regulation''; and

(4) by adding at the end the following:

''(d) PROCEDURES DEFINED.—The simplified acquisition procedures referred to in this section are the simplified acquisition procedures that are provided in the Federal Acquisition Regulation pursuant to section 2304(g) of title 10, United States Code, and section 303(g) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)).''.

SEC. 818. MICRO-PURCHASES WITHOUT COMPETITIVE QUOTATIONS.

Section 32(d) of the Office of Federal Procurement Policy Act (41 U.S.C. 428) is amended by striking out ''the contracting officer'' and inserting in lieu thereof ''an employee of an executive agency or a member of the Armed Forces of the United States authorized to do so''.

AMENDMENT NO. 2196

On page 381, beginning on line 5, strike out ''(a)'' and all that follows through ''ACTIVITIES.—'' on line 6.

On page 381, strike out lines 13 through 16.

On page 403, strike out lines 5 through 16.

LOTT AMENDMENT NO. 2197

(Ordered to lie on the table.)

Mr. LOTT submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

Beginning on page 20, line 24, strike out ''reviewed'' and all that follows through page 21, line 2, and insert in lieu thereof ''qualified for operational use and platform certifications have been completed for full qualification of an alternative composite rocket motor and propellant.''.

SHELBY AMENDMENT NO. 2198

(Ordered to lie on the table.)

Mr. SHELBY submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

(a) On page 32, before line 20, Section 201 (4) is amended by adding the following new subsection:

(C) 475,470,000 is authorized for Other Theater Missile Defense, of which up to $25,000,000 may be made available for the operation of the Battlefield Integration Center.

DOLE AMENDMENT NO. 2199

(Ordered to lie on the table.)

Mr. DOLE submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 31, after line 22, insert the following:

SEC. 133. JOINT PRIMARY AIRCRAFT TRAINING SYSTEM PROGRAM.

Of the amount authorized to be appropriated under section 103(1), $54,968,000 shall be available for the Joint Primary Aircraft Training System program for procurement of up to eight aircraft.

DOMENICI (AND INOUYE) AMENDMENT NO. 2201

(Ordered to lie on the table.)

Mr. DOMENICI (for himself and Mr. INOUYE) submitted an amendment intended to be proposed by them to the bill, S. 1026, supra, as follows:

On page , strike lines through , and insert in lieu thereof and renumber accordingly: ''(1) $45.896 million for the Army EAC Communications.

DOMENICI AMENDMENT NO. 2202

(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page , strike lines through , and insert in lieu thereof and renumber accordingly: ''(1) $20 million for the excimer laser.

WARNER AMENDMENT NO. 2203

(Ordered to lie on the table.)

Mr. WARNER submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

At the appropriate place add the following:

SECTION 1. DESIGNATION OF NATIONAL MARITIME CENTER.

The NAUTICUS building, located at one Waterside Drive, Norfolk, Virginia, shall be known and designated as the ''National Maritime Center''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the ''National Maritime Center''.

MCCAIN AMENDMENT NO. 2204

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 468, below line 24, add the following:

SEC. 2825. IMPROVEMENT OF BASE CLOSURE AND REALIGNMENT PROCESS.

(a) APPLICABILITY.—Subparagraph (A) of section 2905(b)(7) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking out ''Determinations of the use to assist the homeless of buildings and property located at installations approved for closure under this part'' and inserting in lieu thereof ''Procedures for

the disposal of buildings and property located at installations approved for closure or realignment under this part''.

(b) REDEVELOPMENT AUTHORITIES.—Subparagraph (B) of such section is amended by adding at the end the following:

''(iii) The chief executive officer of the State in which an installation covered by this paragraph is located may assist in resolving any disputes among citizens or groups of citizens as to the individuals and groups constituting the redevelopment authority for the installation.''.

(c) AGREEMENTS UNDER REDEVELOPMENT PLANS.—Subparagraph (F)(ii)(I) of such section is amended in the second sentence by striking out ''the approval of the redevelopment plan by the Secretary of Housing and Urban Development under subparagraph (H) or (J)'' and inserting in lieu thereof ''the decision regarding the disposal of the buildings and property covered by the agreements by the Secretary of Defense under subparagraph (K) or (L)''.

(d) REVISION OF REDEVELOPMENT PLANS.—Subparagraph (I) of such section is amended by inserting ''the Secretary of Defense and'' before ''the Secretary of Housing and Urban Development'' each place it appears.

(e) DISPOSAL OF BUILDINGS AND PROPERTY.—(1) Subparagraph (K) of such section is amended to read as follows:

''(K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination of the Secretary of Housing and Urban Development that a redevelopment plan for an installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense shall dispose of the buildings and property at the installation.

''(ii) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

''(iii) The Secretary shall dispose of buildings and property under clause (i) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) In preparing the record of decision or other decision document, the Secretary shall give substantial deference to the redevelopment plan concerned.

''(iv) The disposal under clause (i) of buildings and property to assist the homeless shall be without consideration.

''(v) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) and subchapter II of chapter 471 of title 49, United States Code, the applicant and use proposed in the request shall be determined to be eligible for the public benefit conveyance under the eligibility criteria set forth in such section or such subchapter. The determination of such eligibility should be made before the redevelopment plan concerned under subparagraph (G) ''.

(2) Subparagraph (L) of such section is amended by striking out clauses (iii) and (iv) and inserting in lieu thereof the following new clauses (iii) and (iv):

''(iii) Not later than 90 days after the date of the receipt of a revised plan for an installation under subparagraph (J), the Secretary of Housing and Urban Development shall—

''(I) notify the Secretary of Defense and the redevelopment authority concerned of the buildings and property at an installation under clause (i)(IV) that the Secretary of Housing and Urban Development determines are suitable for use to assist the homeless; and

''(II) notify the Secretary of Defense of the extent to which the revised plan meets the criteria set forth in subparagraph (H)(i).

''(iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect to an installation under clause (iii), the Secretary of Defense shall, after consultation with the Secretary of Housing and Urban Development and redevelopment authority concerned, dispose of buildings and property at the installation.

''(II) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

''(III) The Secretary shall dispose of buildings and property under subclause (I) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) In preparing the record of decision or other decision document, the Secretary shall give deference to the redevelopment plan concerned.

''(IV) The disposal under subclause (I) of buildings and property to assist the homeless shall be without consideration.

''(V) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) and subchapter II of chapter 471 of title 49, United States Code, the applicant and use proposed in the request shall be determined to be eligible for the public benefit conveyance under the eligibility criteria set forth in such section or such subchapter. The determination of such eligibility should be made before the redevelopment plan concerned under subparagraph (G) ''.

(f) CONFORMING AMENDMENT.—Subparagraph (M)(i) of such section is amended by inserting ''or (L)'' after ''subparagraph (K)''.

(g) CLARIFICATION OF PARTICIPANTS IN PROCESS.—Such section is further amended by adding at the end the following:

''(P) For purposes of this paragraph, the term 'other interested parties', in the case of an installation, includes any parties eligible for the conveyance of property of the installation under section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) or subchapter II of chapter 471 of title 49, United States Code, whether or not the parties assist the homeless.''.

(h) TECHNICAL AMENDMENTS.—Section 2910 of such Act is amended—

(1) by designating the paragraph (10) added by section 2(b) of the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (Public Law 103–421; 108 Stat. 4352) as paragraph (11); and

(2) in such paragraph, as so designated, by striking out ''section 501(h)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(h)(4))'' and inserting in lieu thereof ''section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(i)(4))''.

SEC. 2826. EXERCISE OF AUTHORITY DELEGATED BY THE ADMINISTRATOR OF GENERAL SERVICES.

Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A)—

(A) by striking out ''Subject to subparagraph (C)'' in the matter preceding clause (i) and inserting in lieu thereof ''Subject to subparagraph (B)''; and

(B) by striking out ''in effect on the date of the enactment of this Act'' each place it appears in clauses (i) and (ii);

(2) by striking out subparagraphs (B) and (C) and inserting in lieu thereof the following new subparagraph (B):

''(B) The Secretary may, with the concurrence of the Administrator of General Services—

''(i) prescribe general policies and methods for utilizing excess property and disposing of surplus property pursuant to the authority delegated under paragraph (1); and

''(ii) issue regulations relating to such policies and methods which regulations supersede the regulations referred to in subparagraph (A) with respect to that authority.''; and

(3) by redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively.

SEC. 2827. LEASE BACK OF PROPERTY DISPOSED FROM INSTALLATIONS APPROVED FOR CLOSURE OR REALIGNMENT.

(a) AUTHORITY.—Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(2) by inserting after subparagraph (B) the following new subparagraph (C):

''(C)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this part (including property at an installation approved for realignment which property will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, all or a significant portion of the property transferred under this subparagraph to the Secretary or to the head of another department or agency of the Federal Government. Subparagraph (B) shall apply to a transfer under this subparagraph.

''(ii) A lease under clause (i) shall be for a term of not to exceed 50 years, but may provide for options for renewal or extension of the term by the department or agency concerned.

''(iii) A lease under clause (i) may not require rental payments by the United States.

''(iv) A lease under clause (i) shall include a provision specifying that if the department or agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may, upon approval by the redevelopment authority concerned, be satisfied by the same or another department or agency of the Federal Government using the property for a use similar to the use under the lease.''.

(b) USE OF FUNDS TO IMPROVE LEASED PROPERTY.—Notwithstanding any other provision of law, a department or agency of the Federal Government that enters into a lease of property under section 2905(b)(4)(C) of the such Act, as amended by subsection (a), may use funds appropriated or otherwise available to the department or agency for such purpose to improve the leased property.

SEC. 2828. PROCEEDS OF LEASES AT INSTALLATIONS APPROVED FOR CLOSURE OR REALIGNMENT.

(a) INTERIM LEASES.—Section 2667(d) of title 10, United States Code, is amended—

(1) in paragraph (1)(A)—

(A) by striking out ''and'' at the end of clause (i);

(B) by striking out the period at the end of clause (ii) and inserting in lieu thereof ''; and''; and

(C) by adding at the end the following:

''(iii) money rentals referred to in paragraph (5).''; and

(2) by adding at the end the following:

''(5) Money rentals received by the United States under subsection (f) shall be deposited in the Department of Defense Base Closure Account 1990 established under section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).''.

(b) DEPOSIT IN 1990 ACCOUNT.—Section 2906(a)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (C)—

(A) by striking out ''transfer or disposal'' and inserting in lieu thereof ''transfer, lease, or other disposal''; and

(B) by striking out ''and'' at the end;

(2) in subparagraph (D)—

(A) by striking out ''transfer or disposal'' and inserting in lieu thereof ''transfer, lease, or other disposal''; and

(B) by striking out the period at the end and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following:

''(E) money rentals received by the United States under section 2667(f) of title 10, United States Code.''.

THURMOND AMENDMENTS NOS. 2205–2206

(Ordered to lie on the table.)

Mr. THURMOND submitted two amendments intended to be proposed by him to the bill, S. 1026, supra, as follows:

AMENDMENT NO. 2205

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

SEC. . MODIFICATIONS TO THE ABM TREATY TO BE ENTERED INTO ONLY THROUGH TREATY MAKING POWER.

(a) REQUIREMENT FOR USE OF TREATY MAKING POWER.—The United States shall not be bound by any international agreement entered into by the President that would substantively modify the ABM Treaty unless the agreement is entered pursuant to the treaty making power of the President under the Constitution.

(b) SUBSTANTIVE MODIFICATION DEFINED.—A substantive modification to the ABM Treaty shall include, but not be limited to:

(1) any agreement that would place limitations on the performance parameters of a theater missile defense system, system upgrade, or system component, including but not limited to velocity limitations on interceptor missiles, limitations on the power or performance of sensor systems, and the ability of theater missile defense systems to exploit space-based or other external sensor data;

(2) any agreement that would place deployment or operational limitations on a theater missile defense system, system upgrade or system component, including numerical or geographical limitations;

(3) any agreement that would change the ABM Treaty from a bilateral treaty into a multi-lateral treaty.

AMENDMENT NO. 2206

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

SEC. . MODIFICATIONS TO THE ABM TREATY TO BE ENTERED INTO ONLY THROUGH TREATY MAKING POWER.

(a) REQUIREMENT FOR USE OF TREATY MAKING POWER.—The United States shall not be bound by any international agreement entered into by the President that would substantively modify the ABM Treaty unless the agreement is entered pursuant to the treaty making power of the President under the Constitution.

(b) SUBSTANTIVE MODIFICATION DEFINED.—A substantive modification to the ABM Treaty shall include, but not be limited to:

(1) any agreement that would place limitations on the performance parameters of a theater missile defense system, system upgrade, or system component, including but not limited to velocity limitations on interceptor missiles, limitations on the power or performance of sensor systems, and the ability of theater missile defense systems to exploit space-based or other external sensor data;

(2) any agreement that would place deployment or operational limitations on a theater missile defense system, system upgrade or system component, including numerical or geographical limitations;

(3) any agreement that would change the ABM Treaty from a bilateral treaty into a multi-lateral treaty.

(c) FINDING.—Congress finds that unless a missile defense or air defense system, system upgrade, or system component, including one that exploits data from space-based or other external sensors, is flight tested against a ballistic missile that exceeds a range of 3,500 kilometers or a velocity of 5 kilometers per second, such missile defense or air defense system, system upgrade, or system component has not, for purposes of the ABM Treaty been tested in an ABM mode nor been given capabilities to counter strategic ballistic missiles.

KYL AMENDMENT NO. 2207

(Ordered to lie on the table.)

Mr. KYL submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

On page 246, between lines 7 and 8, insert the following:

(c) ADDITIONAL LIMITATION ON USE OF FUNDS FOR COOPERATIVE THREAT REDUCTION.—(1) Of the amount available under section 301(18) for Cooperative Threat Reduction for dismantlement and destruction of chemical weapons, $104,000,000 may not be obligated or expended for that purpose until the President certifies to Congress the following:

(A) That the United States and Russia have completed a joint study evaluating the feasibility of the proposal of Russia to neutralize its chemical weapons.

(B) That Russia agrees to prepare a comprehensive plan to manage the dismantlement and destruction of the Russia chemical weapons stockpile,

(C) That Russia has resolved outstanding issues under the 1989 Wyoming Memorandum of Understanding and the 1990 Bilateral Destruction Agreement.

(3) In this section:

(A) The term ''1989 Wyoming Memorandum of Understanding'' means the Memorandum of Understanding between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding a Bilateral Verification Experiment and Data Exchange Related to Prohibition on Chemical Weapons, signed at Jackson Hole, Wyoming, on _____, 1989.

(B) The term ''1990 Bilateral Destruction Agreement'' means the Agreement between the United States of America and the Union of Soviet Socialist Republics on destruction and non-production of chemical weapons and on measures to facilitate the multilateral convention on banning chemical weapons signed at _____ on ___, 1990.

BROWN AMENDMENT NO. 2208

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to the bill, S. 1026, supra, as follows:

At the appropriate place in the bill add the following:

''SEC. . STUDY ON CHEMICAL WEAPONS STOCKPILE.

(a) STUDY.—(1) The Secretary of Defense shall conduct a study to assess the risk associated with transportation of the unitary stockpile, any portion of the stockpile to include drained agent from munition and munition, from one location to another within the continental United States. Also, the Secretary shall include a study of the assistance available to communities in the vicinity if the Department of Defense facilities co-located with continuing chemical stockpile and chemical demilitarization operations which facilities are subject to closure, realignment, or reutilization.

(2) The review shall include an analysis of—

(A) the results of the physical and chemical integrity report conducted by the Army on existing stockpile;

(B) a determination of the viability of transportation of any portion of the stockpile, to include drained agent from munitions and the munitions;

(C) the safety, cost-effectiveness, and public acceptability of transporting the stockpile, in its current configuration, or in alternative configurations;

(D) the economic effects of closure, realignment, or reutilization of the facilities referred to in paragraph (1) on the communities referred to in that paragraph; and

(E) the unique problems that such communities face with respect to the reuse of such facilities as a result of the operations referred to in paragraph (1).

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study carried out under subsection (a). The report shall include recommendations of the Secretary on methods for ensuring the expeditious and cost-effective transfer or lease of facilities referred to in paragraph (1) of subsection (a) to communities referred to in paragraph (1) for reuse by such communities.''

THURMOND AMENDMENTS NOS. 2209–2211

(Ordered to lie on the table)

Mr. THURMOND submitted three amendments intended to be proposed by him to the bill, S. 1026, supra, as follows:

AMENDMENT NO. 2209

On page 137, after line 24, add the following:

SEC. 389. DEMONSTRATION PROJECT FOR REPAIR OF STEAM SYSTEMS AT MILITARY INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense shall carry out in fiscal year 1996 a demonstration project at a military installation designated by the Secretary in the National Capital region in order to determine the benefits to the Department of Defense of inspecting, maintaining, and repairing steam systems at military installations.

(2) In carrying out the project, the Secretary shall, without interruption in steam service to the installation, replace the defective steam traps at the installation with steam traps that are guaranteed by the manufacturer.

(b) PLAN AND REPORT.—(1) Not later than 60 days after the date of the enactment of

this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a plan for the project under subsection (a). The plan shall set forth—

(A) the installation designated as the location of the project;

(B) the scope of the project; and

(C) the estimated cost of the project.

(2) Upon completion of the project, the Secretary shall submit to the committees referred to in paragraph (1) a report on the project. The report shall—

(A) describe the cost savings to the Department that were achieved under the project;

(B) estimate the cost savings to the Department that would be achieved by carrying out similar activities with respect to steam systems at other installations; and

(C) include the recommendations of the Secretary for continuing and improving such activities.

(c) FUNDING.—The Secretary shall carry out the project under subsection (a) using funds available for the Federal energy management program.

AMENDMENT NO. 2210

On page 61, strike out lines 20 and 21, and insert in lieu thereof the following:

(1) the Senate should undertake a comprehensive review of

On page 62, line 2, strike out ''and''.

On page 62, strike out lines 2 through 7, and insert in lieu thereof the following:

(2) upon completion of the review, the Committee on Foreign Relations, in consultation with the Committee on Armed Services and other appropriate committees, should report its findings to the Senate.

On page 63, beginning on line 6, strike out ''any'' and all that follows through line 7, and insert in lieu thereof ''the Committee on Foreign Relations and''.

AMENDMENT NO. 2211

On page 61, strike out lines 20 and 21, and insert in lieu thereof the following:

(1) the Senate should undertake a comprehensive review of

On page 62, line 2, strike out ''and''.

On page 62, strike out lines 3 through 11, and insert in lieu thereof the following:

(2) upon completion of the review, the Committee on Foreign Relations, in consultation with the Committee on Armed Services and other appropriate committees, should report its findings to the Senate.

On page 63, beginning on line 6, strike out ''any'' and all that follows through line 7, and insert in lieu thereof ''the Committee on Foreign Relations and''.

McCAIN (AND GLENN) AMENDMENTS NOS. 2212–2213

(Ordered to lie on the table.)

Mr. MCCAIN (for himself and Mr. GLENN) submitted two amendments intended to be proposed by them to the bill, S. 1026, supra, as follows:

AMENDMENT NO. 2212

On page 487, below line 24, add the following:

SEC. 2838. LAND CONVEYANCE, RADAR BOMB SCORING SITE, POWELL, WYOMING.

(a) AUTHORITY TO CONVEY.—The Secretary of the Air Force may convey, without consideration, to the Northwest College Board of Trustees (in this section referred to as the ''Board''), all right, title, and interest of the United States in and to a parcel of real property (including any improvements thereon) consisting of approximately 24 acres located in Powell, Wyoming, which has served as the location of a support complex, recreational facilities, and housing facilities for the Radar Bomb Scoring Site, Powell, Wyoming.

(b) CONDITION OF CONVEYANCE.—The conveyance authorized under subsection (a) shall be subject to the condition that the Board use the property conveyed under that subsection for housing and recreation purposes and for such other purposes as the Secretary and the Board jointly determine appropriate.

(c) REVERSIONARY INTEREST.—During the 5-year period beginning on the date that the Secretary makes the conveyance authorized under subsection (a), if the Secretary determines that the conveyed property is not being used in accordance with subsection (b), all right, title, and interest in and to the conveyed property, including any improvements thereon, shall revert to the United States and the United States shall have the right of immediate entry onto the property.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under this section shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Board.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 2213

On page 487, below line 24, add the following:

SEC. 2838. LAND CONVEYANCE, RADAR BOMB SCORING SITE, FORSYTH, MONTANA.

(a) AUTHORITY TO CONVEY.—The Secretary of the Air Force may convey, without consideration, to the City of Forsyth, Montana (in this section referred to as the ''City''), all right, title, and interest of the United States in and to the parcel of property (including any improvements thereon) consisting of approximately 58 acres located in Forsyth, Montana, which has served as a support complex and recreational facilities for the Radar Bomb Scoring Site, Forsyth, Montana.

(b) CONDITION OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the condition that the City—

(1) utilize the property and recreational facilities conveyed under that subsection for housing and recreation purposes; or

(2) enter into an agreement with an appropriate public or private entity to lease such property and facilities to that entity for such purposes.

(c) REVERSION.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being utilized in accordance with paragraph (1) or paragraph (2) of subsection (b), all right, title, and interest in and to the conveyed property, including any improvements thereon, shall revert to the United States and the United States shall have the right of immediate entry onto the property.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under this section shall be determined by a survey satisfactory to the Secretary. The cost of such survey shall be borne by the City.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary determines appropriate to protect the interests of the United States.

KEMPTHORNE AMENDMENT NO. 2214

(Ordered to lie on the table.)

Mr. KEMPTHORNE submitted an amendment intended to be proposed by him to the bill, S. 1026, supra; as follows:

Insert at the appropriate place the following:

(a) SENSE OF THE SENATE.—The Department of Defense, the Department of Energy and the Governor of the State of Idaho should continue good faith negotiations for the purpose of reaching an agreement on the issue of spent nuclear fuel shipments from naval reactors.

(a) REPORT.—(1) Not later than September 1, 1995, the Secretary of Defense shall report in writing to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives on the status or outcome of the negotiations required under subsection (b).

(2) The report shall include the following matters:

(A) If an agreement is reached, the terms of the agreement, including the dates on which shipments of spent nuclear fuel from naval reactors will resume.

(B) If an agreement is not reached—

(i) The Secretary's evaluation of the issues remaining to be resolved before an agreement can be reached;

(ii) the likelihood that an agreement will be reached before October 1, 1995; and

(iii) the steps that must be taken to insure that the Navy can meet the national security requirements of the nation.

LEVIN AMENDMENTS NOS. 2215–2217

(Ordered to lie on the table.)

Mr. LEVIN submitted three amendments intended to be proposed by him to the bill, S. 1026, supra, as follows:

AMENDMENT NO. 2215

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

SEC. . The Senate finds that the Second Strategic Arms Reduction Treaty (START II agreement) was signed by President George Bush and Russian President Boris Yeltsin on January 3, 1993, and

a. FINDINGS.—

(1) the ratified START I agreement has already led to significant reductions in the number of nuclear warheads targeted on the United States; and

(2) the START II agreement, once ratified, will lead to further reductions of thousands of Russian nuclear warheads; and

(3) it is in the national security interest of the United States to have thousands of Russian missiles and warheads retired and dismantled; and

(4) the Joint Chiefs of Staff have given enthusiastic support for the START II agreement in testimony before the Congress, certifying that it will add to the safety and security of the United States; and

(5) the START II agreement helps to reduce the threat of nuclear war and advances the non-proliferation interests of the United States; and

(6) the full implementation of the START II agreement by the Russian Federation will greatly consolidate control and improve the security of the remaining warheads, reducing opportunities for unauthorized access or theft of these warheads; and

(7) the reduced nuclear forces for both countries will lead to major cost savings for the United States military; and

(8) by the year 2003, the United States will still maintain a robust deterrent force of 3,500 nuclear warheads; and

(9) the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their

Destruction (hereafter referred to as the ''Convention'') would establish a comprehensive ban on chemical weapons, and its negotiation has enjoyed strong, bipartisan Congressional support and the support of the last six administrations; and

(10) the Convention requires participating states to destroy their chemical arsenals and production facilities under international supervision, which would accelerate progress toward the disarmament of chemical weapons in a majority of the states believed to harbor them; and

(11) the Chairman of the Joint Chiefs of Staff, General John Shalikashvili, has testified in support of the ratification of the Convention and stated that United States military forces would deter and respond to chemical weapons threats with robust chemical defenses and overwhelming conventional forces; and

(12) the United States chemical industry assisted in crafting an effective verification protocol and testified in support of the Convention's ratification; and

(13) the United States intelligence agencies have testified that the Convention will provide new and important sources of information, through regular data exchanges and routine and challenge inspections, to improve the ability of the United States to assess the chemical weapons status in countries of concern; and

(14) the Convention will gradually isolate and automatically penalize states which refuse to join by preventing them from gaining access to dual-use chemicals and creating a basis for monitoring illegal diversions of those materials; and

(15) Russia has signed the Convention but has not yet ratified it, and there have been reports of continued Russian testing and production of chemical weapons; and

(16) the Convention will impose a legally binding obligation on Russia and other nations that process chemical weapons to cease offensive chemical weapons activities and to destroy their chemical weapons stockpiles and production facilities: Now, therefore, be it

(b) It is the sense of the Senate that the United States Senate—

(1) declares that it is in the national security interest of the United States to duly ratify and fully implement the deep cuts in strategic forces required by the START II arms reduction treaty negotiated by Presidents Ronald Reagan and George Bush, and Russian leaders Mikhail Gorbachev and Boris Yeltsin; and

(2) declares that the Senate should take up consideration of the START II Treaty and the Chemical Weapons Convention for advice and consent to ratification on a priority basis during the first session of the 104th Congress.

AMENDMENT NO. 2216

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

SEC. . RESIDUAL VALUE REPORT.—The Secretary of Defense, in coordination with the Director of the Office of Management and Budget (OMB), shall submit to the Congressional defense committees status reports on the results of residual value negotiations between the United States and Germany, within 30 days of the receipt of such reports to the OMB.

The reports shall include the following information:

(1) The estimated residual value of U.S. capital value and improvements to facilities in Germany that the U.S. has turned over to Germany.

(2) The actual value obtained by the U.S. for each facility or installation turned over to the government of Germany.

(3) The reason(s) for any difference between the estimated and actual value obtained.

AMENDMENT NO. 2217

At the appropriate point in the bill, insert the following:

SEC. . Encouragement of use of leasing authority.

(a) IN GENERAL.—(1) Chapter 137 of title 10, United States Code, is amended by inserting after section 2316 the following new section:

''SEC. 2317. EQUIPMENT LEASING.

''The Secretary of Defense is authorized to use leasing in the acquisition of commercial vehicles when such leasing is practicable and efficient.''

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2317. Equipment Leasing.''

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall submit a report setting forth changes in legislation that would be required to facilitate the use of leases by the Department of Defense in the acquisition of equipment.

(c) PILOT PROGRAM.—The Secretary of the Army may conduct a pilot program for leasing of commercial vehicles as follows:

(1) Existing commercial utility cargo vehicles may be traded-in for credit against new replacement commercial utility cargo vehicle lease costs;

(2) Quantities of commercial utility cargo vehicles to be traded in and their value to be credited shall be subject to negotiations between the parties;

(3) New commercial utility cargo vehicle lease agreements may be executed with or without options to purchase at the end of each lease period;

(4) New commercial utility cargo vehicle lease periods may not exceed five years; and

(5) One year after the date of enactment of this Act, the Secretary of the Army shall submit a report setting forth the status of the pilot program.

(6) EXPIRATION OF AUTHORITY.—This section shall cease to be effective on September 30, 2000.

KENNEDY AMENDMENT NO. 2218

(Ordered to lie on the table.)

Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill, S. 1026, supra; as follows:

On page 30, following line 13, insert the following:

SEC. . REPORT ON AH–64D ENGINE UPGRADES.

(a) REPORT.—No later than February 1, 1996, the Secretary of the Army shall submit to Congress a report on plans to procure T700–701 engine upgrade kits for Army AH–64D helicopters.

The report shall include:

(1) a plan to provide for the upgrade of all Army AH–64D helicopters with T700–701 engine kits commencing in FY 1996.

(2) detailed timeline and funding requirements for the engine upgrade program described in (a)(1).

THURMOND AMENDMENTS NOS. 2219–2221

(Ordered to lie on the table.)

Mr. THURMOND submitted three amendments intended to be proposed by him to the bill, S. 1026, supra; as follows:

AMENDMENT NO. 2219

On page 403, between lines 16 and 17, insert the following:

SEC. 1095. NATIONAL SECURITY OBJECTIVES FOR CONGRESS.

It is the sense of Congress that Congress should take the actions necessary—

(1) to guarantee the national security of the United States and the status of the United States as the preeminent military power in the world by—

(A) enacting defense budgets that meet national security requirements;

(B) defining the defense budget priorities so as to ensure an appropriate balance of personnel, near-term readiness, and long-term readiness (modernization);

(C) establishing end strengths and effective recruiting and retention policies that ensure that the Armed Forces have high quality personnel in sufficient numbers at all grade levels;

(D) providing for buying the weapons and equipment needed to fight and win decisively with minimal risk to personnel;

(E) eliminating spending in defense authorizations and appropriations Acts that does not contribute directly to the national security of the United States;

(F) ensuring that the United States has an adequate, safe, and reliable nuclear weapons capability; and

(G) evaluating peacekeeping roles, policies, and operations and their impact on budgets, readiness, and national security;

(2) to protect the quality of life of members of the Armed Forces and their families by—

(A) providing equitable pay and benefits that protect against inflation; and

(B) restoring appropriate levels of funding for construction and maintenance of troop billets and family housing;

(3) to revitalize the near-term readiness of the Armed Forces by authorizing appropriations of funds in amounts that are adequate for—

(A) reducing the backlog in maintenance and repair of equipment;

(B) providing adequate training; and

(C) maintaining sufficient stocks of supplies, repair parts, fuels, and ammunition;

(4) to ensure United States military superiority by authorizing appropriations sufficient to provide for a more robust, progressive modernization program to provide required capabilities for the future; and

(5) to accelerate development and deployment of missile defense systems by—

(A) providing for the deployment of advanced land-based and sea-based theater missile defenses as soon as practicable;

(B) clarifying in law that the Anti-Ballistic Missile Treaty does not apply to modern theater missile defense systems;

(C) reassessing the value and validity of the Anti-Ballistic Missile Treaty to the national security of the United States; and

(D) accelerating the development, testing, and deployment of a national missile defense system that is highly effective against limited attacks of ballistic missiles.

AMENDMENT NO. 2220

At the appropriate place in the bill, add the following:

SEC. 125. CRASH ATTENUATING SEATS ACQUISITION PROGRAM.

(a) PROGRAM AUTHORIZED.—The Secretary of the Navy may establish a program to procure for, and install in, H–53E military transport helicopters commercially developed, energy absorbing, crash attenuating seats that the Secretary determines are consistent with military specifications for seats for such helicopters.

(b) FUNDING.—Of the unobligated balance of amounts appropriated for the Legacy Resource Management Program pursuant to the authorization of appropriations in section 301(5) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law

103–337; 108 Stat. 2706), not more than $10,000,000 shall be available to the Secretary of the Navy, to the extent provided in appropriate acts, by transfer to the appropriate accounts, for carrying out the program authorized in subsection (a).

AMENDMENT NO. 2221

At the appropriate place, insert:

SEC. . POLICY TO DEFEND ALL AMERICANS.

It is the policy of the United States to defend Alaska and Hawaii against the threat of limited ballistic missile attack.

COATS AMENDMENTS NOS. 2222–2226

(Ordered to lie on the table.)

Mr. COATS submitted five amendments intended to be proposed by him to the bill, S. 1026, supra, as follows:

AMENDMENT NO. 2222

At the appropriate place, insert:

SEC. 564. NOMINATIONS TO SERVICE ACADEMIES FROM COMMONWEALTH OF THE NORTHERN MARIANAS ISLANDS.

(a) MILITARY ACADEMY.—Section 4342(a) of title 10, United States Code, is amended by inserting after paragraph (9) the following new paragraph:

''(10) One cadet from the Commonwealth of the Northern Marianas Islands, nominated by the resident representative from the commonwealth.''.

(b) NAVAL ACADEMY.—Section 6954(a) of title 10, United States Code, is amended by inserting after paragraph (9) the following new paragraph:

''(10) One from the Commonwealth of the Northern Marianas Islands, nominated by the resident representative from the commonwealth.''.

(c) AIR FORCE ACADEMY.—Section 9342(a) of title 10, United States Code, is amended by inserting after paragraph (9) the following new paragraph:

''(10) One cadet from the Commonwealth of the Northern Marianas Islands, nominated by the resident representative from the commonwealth.''.

AMENDMENT NO. 2223

At the appropriate place, insert:

SEC. 560. REVISION AND CODIFICATION OF MILITARY FAMILY ACT AND MILITARY CHILD CARE ACT.

(a) IN GENERAL.—(1) Subtitle A of title 10, United States Code, is amended by inserting after chapter 87 the following new chapter:

''CHAPTER 88—MILITARY FAMILY PROGRAMS AND MILITARY CHILD CARE

''Subchapter Sec.
''I. Military Family Programs 1781
''II. Military Child Care 1791

''SUBCHAPTER I—MILITARY FAMILY PROGRAMS

''Sec.
''1781. Office of Family Policy.
''1782. Surveys of military families.
''1783. Family members serving on advisory committees.
''1784. Employment opportunities for military spouses.
''1785. Youth sponsorship program.
''1786. Dependent student travel within the United States.
''1787. Reporting of child abuse.

''§ 1781. Office of Family Policy

''(a) ESTABLISHMENT.—There is in the Office of the Secretary of Defense an Office of Family Policy (hereinafter in this section referred to as the 'Office'). The Office shall be under the Assistant Secretary of Defense for Force Management and Personnel.

''(b) DUTIES.—The Office—

''(1) shall coordinate programs and activities of the military departments to the extent that they relate to military families; and

''(2) shall make recommendations to the Secretaries of the military departments with respect to programs and policies regarding military families.

''(c) STAFF.—The Office shall have not less than five professional staff members.

''§ 1782. Surveys of military families

''(a) AUTHORITY.—The Secretary of Defense may conduct surveys of members of the armed forces on active duty or in an active status, members of the families of such members, and retired members of the armed forces to determine the effectiveness of Federal programs relating to military families and the need for new programs.

''(b) RESPONSES TO BE VOLUNTARY.—Responses to surveys conducted under this section shall be voluntary.

''(c) FEDERAL RECORDKEEPING REQUIREMENTS.—With respect to such surveys, family members of members of the armed forces and reserve and retired members of the armed forces shall be considered to be employees of the United States for purposes of section 3502(4)(A) of title 44.

''§ 1783. Family members serving on advisory committees

''A committee within the Department of Defense which advises or assists the Department in the performance of any function which affects members of military families and which includes members of military families in its membership shall not be considered an advisory committee under section 3(2) of the Federal Advisory Committee Act (5 U.S.C. App.) solely because of such membership.

''§ 1784. Employment opportunities for military spouses

''(a) AUTHORITY.—The President shall order such measures as the President considers necessary to increase employment opportunities for spouses of members of the armed forces. Such measures may include—

''(1) excepting, pursuant to section 3302 of title 5, from the competitive service positions in the Department of Defense located outside of the United States to provide employment opportunities for qualified spouses of members of the armed forces in the same geographical area as the permanent duty station of the members; and

''(2) providing preference in hiring for positions in nonappropriated fund activities to qualified spouses of members of the armed forces stationed in the same geographical area as the nonappropriated fund activity for positions in wage grade UA–8 and below and equivalent positions and for positions paid at hourly rates.

''(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations—

''(1) to implement such measures as the President orders under subsection (a);

''(2) to provide preference to qualified spouses of members of the armed forces in hiring for any civilian position in the Department of Defense if the spouse is among persons determined to be best qualified for the position and if the position is located in the same geographical area as the permanent duty station of the member;

''(3) to ensure that notice of any vacant position in the Department of Defense is provided in a manner reasonably designed to reach spouses of members of the armed forces whose permanent duty stations are in the same geographic area as the area in which the position is located; and

''(4) to ensure that the spouse of a member of the armed forces who applies for a vacant position in the Department of Defense shall, to the extent practicable, be considered for any such position located in the same geographic area as the permanent duty station of the member.

''(c) STATUS OF PREFERENCE ELIGIBLES.—Nothing in this section shall be construed to provide a spouse of a member of the armed forces with preference in hiring over an individual who is a preference eligible.

''§ 1785. Youth sponsorship program

''(a) REQUIREMENT.—The Secretary of Defense shall require that there be at each military installation a youth sponsorship program to facilitate the integration of dependent children of members of the armed forces into new surroundings when moving to that military installation as a result of a parent's permanent change of station.

''(b) DESCRIPTION OF PROGRAMS.—The program at each installation shall provide for involvement of dependent children of members presently stationed at the military installation and shall be directed primarily toward children in their preteen and teenage years.

''§ 1786. Dependent student travel within the United States

''Funds available to the Department of Defense for the travel and transportation of dependent students of members of the armed forces stationed overseas may be obligated for transportation allowances for travel within or between the contiguous States.

''§ 1787. Reporting of child abuse

''(a) IN GENERAL.—The Secretary of Defense shall request each State to provide for the reporting to the Secretary of any report the State receives of known or suspected instances of child abuse and neglect in which the person having care of the child is a member of the armed forces (or the spouse of the member).

''(b) DEFINITION.—In this section, the term 'child abuse and neglect' has the meaning provided in section 3(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5102).

''SUBCHAPTER II—MILITARY CHILD CARE

''Sec.
''1791. Funding for military child care.
''1792. Child care employees.
''1793. Parent fees.
''1794. Child abuse prevention and safety at facilities.
''1795. Parent partnerships with child development centers.
''1796. Subsidies for family home day care.
''1797. Early childhood education program.
''1798. Definitions.

''§ 1791. Funding for military child care

''It is the policy of Congress that the amount of appropriated funds available during a fiscal year for operating expenses for military child development centers and programs shall be not less than the amount of child care fee receipts that are estimated to be received by the Department of Defense during that fiscal year.

''§ 1792. Child care employees

''(a) REQUIRED TRAINING.—(1) The Secretary of Defense shall prescribe regulations implementing, a training program for child care employees. Those regulations shall apply uniformly among the military departments. Subject to paragraph (2), satisfactory completion of the training program shall be a condition of employment of any person as a child care employee.

''(2) Under those regulations, the Secretary shall require that each child care employee complete the training program not later than six months after the date on which the employee is employed as a child care employee.

''(3) The training program established under this subsection shall cover, at a minimum, training in the following:

''(A) Early childhood development.

''(B) Activities and disciplinary techniques appropriate to children of different ages.

''(C) Child abuse prevention and detection.

''(D) Cardiopulmonary resuscitation and other emergency medical procedures.

''(b) TRAINING AND CURRICULUM SPECIALISTS.—(1) The Secretary of Defense shall require that at least one employee at each military child development center be a specialist in training and curriculum development. The Secretary shall ensure that such employees have appropriate credentials and experience.

''(2) The duties of such employees shall include the following:

''(A) Special teaching activities at the center.

''(B) Daily oversight and instruction of other child care employees at the center.

''(C) Daily assistance in the preparation of lesson plans.

''(D) Assistance in the center's child abuse prevention and detection program.

''(E) Advising the director of the center on the performance of other child care employees.

''(3) Each employee referred to in paragraph (1) shall be an employee in a competitive service position.

''(c) COMPETITIVE RATES OF PAY.—For the purpose of providing military child development centers with a qualified and stable civilian workforce, employees at a military installation who are directly involved in providing child care and are paid from nonappropriated funds—

''(1) in the case of entry-level employees, shall be paid at rates of pay competitive with the rates of pay paid to other entry-level employees at that installation who are drawn from the same labor pool; and

''(2) in the case of other employees, shall be paid at rates of pay substantially equivalent to the rates of pay paid to other employees at that installation with similar training, seniority, and experience.

''(d) EMPLOYMENT PREFERENCE PROGRAM FOR MILITARY SPOUSES.—(1) The Secretary of Defense shall conduct a program under which qualified spouses of members of the armed forces shall be given a preference in hiring for the position of child care employee in a position paid from nonappropriated funds if the spouse is among persons determined to be best qualified for the position.

''(2) A spouse who is provided a preference under this subsection at a military child development center may not be precluded from obtaining another preference, in accordance with section 1794 of this title, in the same geographic area as the military child development center.

''(e) COMPETITIVE SERVICE POSITION DEFINED.—In this section, the term 'competitive service position' means a position in the competitive service, as defined in section 2102(a)(1) of title 5.

''§ 1793. Parent fees

''(a) IN GENERAL.—The Secretary of Defense shall prescribe regulations establishing fees to be charged parents for the attendance of children at military child development centers. Those regulations shall be uniform for the military departments and shall require that, in the case of children who attend the centers on a regular basis, the fees shall be based on family income.

''(b) LOCAL WAIVER AUTHORITY.—The Secretary of Defense may provide authority to installation commanders, on a case-by-case basis, to establish fees for attendance of children at child development centers at rates lower than those prescribed under subsection (a) if the rates prescribed under subsection (a) are not competitive with rates at local non-military child development centers.

''§ 1794. Child abuse prevention and safety at facilities

''(a) CHILD ABUSE TASK FORCE.—The Secretary of Defense shall maintain a special task force to respond to allegations of widespread child abuse at a military installation. The task force shall be composed of personnel from appropriate disciplines, including, where appropriate, medicine, psychology, and childhood development. In the case of such allegations, the task force shall provide assistance to the commander of the installation, and to parents at the installation, in helping them to deal with such allegations.

''(b) NATIONAL HOTLINE.—(1) The Secretary of Defense shall maintain a national telephone number for persons to use to report suspected child abuse or safety violations at a military child development center or family home day care site. The Secretary shall ensure that such reports may be made anonymously if so desired by the person making the report. The Secretary shall establish procedures for following up on complaints and information received over that number.

''(2) The Secretary shall publicize the existence of the number.

''(c) ASSISTANCE FROM LOCAL AUTHORITIES.—The Secretary of Defense shall prescribe regulations requiring that, in a case of allegations of child abuse at a military child development center or family home day care site, the commander of the military installation or the head of the task force established under subsection (a) shall seek the assistance of local child protective authorities if such assistance is available.

''(d) SAFETY REGULATIONS.—The Secretary of Defense shall prescribe regulations on safety and operating procedures at military child development centers. Those regulations shall apply uniformly among the military departments.

''(e) INSPECTIONS.—The Secretary of Defense shall require that each military child development center be inspected not less often than four times a year. Each such inspection shall be unannounced. At least one inspection a year shall be carried out by a representative of the installation served by the center, and one inspection a year shall be carried out by a representative of the major command under which that installation operates.

''(f) REMEDIES FOR VIOLATIONS.—(1) Except as provided in paragraph (2), any violation of a safety, health, or child welfare law or regulation (discovered at an inspection or otherwise) at a military child development center shall be remedied immediately.

''(2) In the case of a violation that is not life threatening, the commander of the major command under which the installation concerned operates may waive the requirement that the violation be remedied immediately for a period of up to 90 days beginning on the date of the discovery of the violation. If the violation is not remedied as of the end of that 90-day period, the military child development center shall be closed until the violation is remedied. The Secretary of the military department concerned may waive the preceding sentence and authorize the center to remain open in a case in which the violation cannot reasonably be remedied within that 90-day period or in which major facility reconstruction is required.

''(3) If a military child development center is closed under paragraph (2), the Secretary of the military department concerned shall promptly submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report notifying those committees of the closing. The report shall include—

''(A) notice of the violation that resulted in the closing and the cost of remedying the violation; and

''(B) a statement of the reasons why the violation has not been remedied as of the time of the report.

''§ 1795. Parent partnerships with child development centers

''(a) PARENT BOARDS.—The Secretary of Defense shall require that there be established at each military child development center a board of parents, to be composed of parents of children attending the center. The board shall meet periodically with staff of the center and the commander of the installation served by the center for the purpose of discussing problems and concerns. The board, together with the staff of the center, shall be responsible for coordinating the parent participation program described in subsection (b).

''(b) PARENT PARTICIPATION PROGRAMS.—The Secretary of Defense shall require the establishment of a parent participation program at each military child development center. As part of such program, the Secretary of Defense may establish fees for attendance of children at such a center, in the case of parents who participate in the parent participation program at that center, at rates lower than the rates that otherwise apply.

''§ 1796. Subsidies for family home day care

''The Secretary of Defense may use appropriated funds available for military child care purposes to provide assistance to family home day care providers so that family home day care services can be provided to members of the armed forces at a cost comparable to the cost of services provided by military child development centers. The Secretary shall prescribe regulations for the provision of such assistance.

''§ 1797. Early childhood education program

''The Secretary of Defense shall require that all military child development centers meet standards of operation necessary for accreditation by an appropriate national early childhood programs accrediting body.

''§ 1798. Definitions

''In this subchapter:

''(1) The term 'military child development center' means a facility on a military installation (or on property under the jurisdiction of the commander of a military installation) at which child care services are provided for members of the armed forces or any other facility at which such child care services are provided that is operated by the Secretary of a military department.

''(2) The term 'family home day care' means home-based child care services that are provided for members of the armed forces by an individual who (A) is certified by the Secretary of the military department concerned as qualified to provide those services, and (B) provides those services on a regular basis for compensation.

''(3) The term 'child care employee' means a civilian employee of the Department of Defense who is employed to work in a military child development center (regardless of whether the employee is paid from appropriated funds or nonappropriated funds).

''(4) The term 'child care fee receipts' means those nonappropriated funds that are derived from fees paid by members of the armed forces for child care services provided at military child development centers.''.

(2) The tables of chapters at the beginning of subtitle A, and at the beginning of part II of subtitle A, of title 10, United States Code, are amended by inserting after the item relating to chapter 87 the following new item:

''88. Military Family Programs and Military Child Care ..... 1781''.

(b) REPORT ON FIVE-YEAR DEMAND FOR CHILD CARE.—(1) Not later than the date of the submission of the budget for fiscal year 1997 pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to Congress a report on the expected demand for child care by military and civilian personnel of the Department of Defense during fiscal years 1997 through 2001.

(2) The report shall include—

(A) a plan for meeting the expected child care demand identified in the report; and

(B) an estimate of the cost of implementing that plan.

(3) The report shall also include a description of methods for monitoring family home day care programs of the military departments.

(c) PLAN FOR IMPLEMENTATION OF ACCREDITATION REQUIREMENT.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a plan for carrying out the requirements of section 1787 of title 10, United States Code, as added by subsection (a). The plan shall be submitted not later than April 1, 1997.

(d) CONTINUATION OF DELEGATION OF AUTHORITY WITH RESPECT TO HIRING PREFERENCE FOR QUALIFIED MILITARY SPOUSES.—The provisions of Executive Order No. 12568, issued October 2, 1986 (10 U.S.C. 113 note), shall apply as if the reference in that Executive order to section 806(a)(2) of the Department of Defense Authorization Act of 1986 refers to section 1784 of title 10, United States Code, as added by subsection (a).

(e) CONFORMING AMENDMENT.—Effective October 1, 1995, section 1782(c) of title 10, United States Code, as added by subsection (a), is amended by striking out ''section 3502(4)(A) of title 44'' and inserting in lieu thereof ''section 3502(3)(A)(i) of title 44''.

(f) REPEALER.—The following provisions of law are repealed:

(1) The Military Family Act of 1985 (title VIII of Public Law 99–145; 10 U.S.C. 113 note).

(2) The Military Child Care Act of 1989 (title XV of Public Law 101–189; 10 U.S.C. 113 note).

SEC. 561. DISCHARGE OF MEMBERS OF THE ARMED FORCES WHO HAVE THE HIV–1 VIRUS.

(a) IN GENERAL.—(1) Section 1177 of title 10, United States Code, is amended to read as follows:

''§ 1177. Members infected with HIV–1 virus: mandatory discharge or retirement

''(a) MANDATORY SEPARATION.—A member of the armed forces who is HIV-positive shall be separated. Such separation shall be made on a date determined by the Secretary concerned, which shall be as soon as practicable after the date on which the determination is made that the member is HIV-positive and not later than the last day of the sixth month beginning after such date.

''(b) FORM OF SEPARATION.—If a member to be separated under this section is eligible to retire under any provision of law or to be transferred to the Fleet Reserve or Fleet Marine Corps Reserve, the member shall be so retired or so transferred. Otherwise, the member shall be discharged. The characterization of the service of the member shall be determined without regard to the determination that the member is HIV-positive.

''(c) DEFERRAL OF SEPARATION FOR MEMBERS IN 18-YEAR RETIREMENT SANCTUARY.—In the case of a member to be discharged under this section who on the date on which the member is to be discharged is within two years of qualifying for retirement under any provision of law, or of qualifying for transfer to the Fleet Reserve or Fleet Marine Corps Reserve under section 6330 of this title, the member may, as determined by the Secretary concerned, be retained on active duty until the member is qualified for retirement or transfer to the Fleet Reserve or Fleet Marine Corps Reserve, as the case may be, and then be so retired or transferred, unless the member is sooner retired or discharged under any other provision of law.

''(d) SEPARATION TO BE CONSIDERED INVOLUNTARY.—A separation under this section shall be considered to be an involuntary separation for purposes of any other provision of law.

''(e) COUNSELING ABOUT AVAILABLE MEDICAL CARE.—A member to be separated under this section shall be provided information, in writing, before such separation of the available medical care (through the Department of Veterans Affairs and otherwise) to treat the member's condition. Such information shall include identification of specific medical locations near the member's home of record or point of discharge at which the member may seek necessary medical care.

''(f) HIV-POSITIVE MEMBERS.—A member shall be considered to be HIV-positive for purposes of this section if there is serologic evidence that the member is infected with the virus known as Human Immunodeficiency Virus–1 (HIV–1), the virus most commonly associated with the acquired immune deficiency syndrome (AIDS) in the United States. Such serologic evidence shall be considered to exist if there is a reactive result given by an enzyme-linked immunosorbent assay (ELISA) serologic test that is confirmed by a reactive and diagnostic immunoelectrophoresis test (Western blot) on two separate samples. Any such serologic test must be one that is approved by the Food and Drug Administration.''.

(2) The item relating to such section in the table of sections at the beginning of chapter 59 of such title is amended to read as follows:

''1177. Members infected with HIV–1 virus: mandatory discharge or retirement.''.

(b) EFFECTIVE DATE.—Section 1177 of title 10, United States Code, as amended by subsection (a), applies with respect to members of the Armed Forces determined to be HIV-positive before, on, or after the date of the enactment of this Act. In the case of a member of the Armed Forces determined to be HIV-positive before such date, the deadline for separation of the member under subsection (a) of such section, as so amended, shall be determined from the date of the enactment of this Act (rather than from the date of such determination).

AMENDMENT NO. 2224

At the appropriate place add the following:

SEC. . ROTC ACCESS TO CAMPUSES.

(a) IN GENERAL.—Chapter 49, of title 10, United States Code, is amended by adding at the end the following new section:

''§ 983. Institutions of higher education that prohibit Senior ROTC units: denial of Department of Defense grants and contracts

''(a) DENIAL OF DEPARTMENT OF DEFENSE GRANTS AND CONTRACTS.—(1) No funds appropriated or otherwise available to the Department of Defense may be made obligated by contract or by grant (including a grant of funds to be available for student aid) to any institution of higher education that, as determined by the Secretary of Defense, has an anti-ROTC policy and at which, as determined by the Secretary would otherwise maintain or seek to establish a unit of the Senior Reserve Officer Training Corps or at which the Secretary would otherwise enroll or seek to enroll students for participation in a unit of the Senior Reserve Officer Training Corps at another nearby institution of higher education.

''(2) In the case of an institution of higher education that is ineligible for Department of Defense grants and contracts by reason of paragraph (1), the prohibition under that paragraph shall cease to apply to that institution upon a determination by the Secretary that the institution no longer has an anti-ROTC policy.

''(b) NOTICE OF DETERMINATION.—Whenever the Secretary makes a determination under subsection (a) that an institution has an anti-ROTC policy, or that an institution previously determined to have an anti-ROTC policy no longer has such a policy, the Secretary—

''(1) shall transmit notice of that determination to the Secretary of Education and to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives; and

''(2) shall publish in the Federal Register notice of that determination and of the effect of that determination under subsection (a)(1) on the eligibility of that institution for Department of Defense grants and contracts.

''(c) SEMIANNUAL NOTICE IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register once every six months a list of each institution of higher education that is currently ineligible for Department of Defense grants and contracts by reason of a determination of the Secretary under subsection (a).

''(d) ANTI-ROTC POLICY.—In this section, the term 'anti-ROTC policy' means a policy or practice of an institution of higher education that—

''(1) prohibits, or in effect prevents, the Secretary of Defense from maintaining or establishing a unit of the Senior Reserve Officer Training Corps at that institution, or

''(2) prohibits, or in effect prevents, a student at the institution from enrolling in a unit of the Senior Reserve Officer Training Corps at another institution of higher education.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''983. Institutions of higher education that prohibit Senior ROTC units: denial of Department of Defense grants and contracts.''

AMENDMENT NO. 2225

At the appropriate place add the following:

( ) PROVISION GIVING PERMANENT STATUS TO EXECUTIVE ORDER RELATING TO NAVAL NUCLEAR PROPULSION PROGRAM.—Section 1634 of the Department of Defense Authorization, 1985 (Public Law 98–525; 98 Stat. 2649; 42 U.S.C. 7158 note), repealed.

AMENDMENT NO. 2225

At the appropriate place add the following:

SEC. . REPORT ON IMPROVED ACCESS TO MILITARY HEALTH CARE FOR COVERED BENEFICIARIES ENTITLED TO MEDICARE.

Not later than March 1, 1996, the Secretary of Defense shall submit to Congress a report evaluating the feasibility, costs, and consequences for the military health care system of improving access to the system for covered beneficiaries under chapter 55 of title 10, United States Code, who have limited access to military medical treatment facilities and are ineligible for the Civilian Health and Medical Program of the Uniformed Services under section 1086(d)(1) of such title. The alternatives the Secretary shall consider to improve access for such covered beneficiaries shall include—

(1) whether CHAMPUS should serve as a second payer for covered beneficiaries who are entitled to hospital insurance benefits

under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.); and

(2) whether such covered beneficiaries should be offered enrollment in the Federal Employees Health Benefits Program under chapter 89 of title 5. United States Code.

THE TREASURY-POSTAL SERVICE APPROPRIATIONS ACT

MIKULSKI AMENDMENT NO. 2227

Ms. MIKULSKI proposed an amendment to the bill H.R. 2020, supra, as follows:

At the end of the amendment add the following:

Notwithstanding the provisions of the preceding two sections, No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

The provision of section shall not apply where the life of the mother would be endangered if the fetus were carried to term, or that the pregnancy is the result of an act of rape or incest, or where the abortion is determined to be medically necessary.

FEINGOLD (AND OTHERS) AMENDMENT NO. 2228

Mr. FEINGOLD (for himself, Mr. MCCAIN, Mr. SANTORUM, and Mr. GRAMS) proposed an amendment to the bill H.R. 2020, supra, as follows:

On page 93, below line 13, insert the following:

''(c)(1) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality to employ, on or after January 1, 1996 in excess of a total of 2000 employees in the executive branch who are (i) employed in a position on the executive schedule under sections 5312 through 5316 of title 5, United States Code, (ii) a limited term appointee, limited emergency appointee, or noncareer appointee in the senior executive service as defined under section 3132 (a) (5), (6), and (7) of title 5, United States Code, respectively, or (iii) employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of past 213 of title 5 of the Code of Federal Regulations.

(2) Notwithstanding the provisions of subsection (c)(1) of this section, any actions required by such section shall be consistent with reduction in force procedures established under section 3502 of title 5, United States Code.''

D'AMATO (AND OTHERS) AMENDMENT NO. 2229

Mr. D'AMATO (for himself, Mr. DOLE, Mr. HOLLINGS, Mr. FAIRCLOTH, Mr. GRAMS, Mr. HELMS, Mr. MURKOWSKI, and Mr. DOMENICI) proposed an amendment to the bill H.R. 2020, supra, as follows:

At the appropriate place, insert the following new section:

Sec. . LIMITATION ON USE OF FUNDS FOR THE PROVISION OF CERTAIN FOREIGN ASSISTANCE.

(a) IN GENERAL.—Notwithstanding any other provision of law, none of the funds made available by this Act for the Department of the Treasury shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would permit the Secretary of the Treasury to make any loan or extension of credit under section 5302 of title 31, United States Code, with respect to a single foreign entity or government of a foreign country (including agencies or other entities of that government)—

(1) unless the President first certifies to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives that—

(A) there is no projected cost (as that term is defined in section 502 of the Federal Credit Reform Act of 1990) to the United States from the proposed loan or extension of credit; and

(B) any proposed obligation or expenditure of United States funds to or on behalf of the foreign government is adequately backed by an assured source of repayment to ensure that all United States funds will be repaid; and

(2) other than as provided by an Act of Congress, if that loan or extension of credit would result in expenditures and obligations, including contingent obligations, aggregating more than $1,000,000,000 with respect to that foreign country for more than 180 days during the 12 month period beginning on the date on which the first action is taken.

(b) WAIVER OF LIMITATIONS.—The President may exceed the dollar and time limitations in subsection (a)(2) if he certifies in writing to the Congress that a financial crisis in that foreign country poses a threat to vital United States economic interests or to the stability of the international financial system.

(c) EXPEDITED PROCEDURES FOR A RESOLUTION OF DISAPPROVAL.—A presidential certification pursuant to subsection (b) with respect to exceeding dollar or time limitations in subsection (a)(2) shall be considered as follows:

(1) REFERENCE TO COMMITTEES—All joint resolutions introduced in the Senate to disapprove the certification shall be referred to the Committee on Banking, Housing and Urban Affairs, and in the House of Representatives, to the appropriate committees.

(2) DISCHARGE OF COMMITTEES.—(A) If the committee of either House to which a resolution has been referred has not reported it at the end of 30 days after its introduction, it is in order to move either to discharge the committee from further consideration of the joint resolution or to discharge the committee from further consideration of any other resolution introduced with respect to the same matter, except no motion to discharge shall be in order after the committee has reported a joint resolution with respect to the same matter.

(B) A motion to discharge may be made only by an individual favoring the resolution, and is privileged in the Senate; and debate thereon shall be limited to not more than 1 hour, the time to be divided in the Senate equally between, and controlled by, the majority leader and the minority leader or their designees.

(3) FLOOR CONSIDERATION IN THE SENATE.—(A) A motion in the Senate to proceed to the consideration of a resolution shall be privileged.

(B) Debate in the Senate on a resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 4 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(C) Debate in the Senate on any debatable motion or appeal in connection with a resolution shall be limited to not more than 20 minutes, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(D) A motion in the Senate to further limit debate on a resolution, debatable motion, or appeal is not debatable. No amendment to, or motion to recommit, a resolution is in order in the Senate.

(4) In the case of a resolution, if prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same matter from the other House, then—

(A) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(B) the vote on final passage shall be on the resolution of the other House.

(5) For purposes of this subsection, the term ''joint resolution'' means only a joint resolution of the 2 Houses of Congress, the matter after the resolving clause of which is as follows: ''That the Congress disapproves the action of the President under section (b) of the Treasury and Post Office Appropriations Act for Fiscal Year 1996, notice of which was submitted to the Congress on .'', with the first blank space being filled with the appropriate section, and the second blank space being filled with the appropriate date.

(d) APPLICABILITY.—This section—

(1) shall not apply to any action taken as part of the program of assistance to Mexico announced by the President on January 31, 1995; and

(2) shall remain in effect through fiscal year 1996.

KEMPTHORNE (AND OTHERS) AMENDMENT NO. 2230

Mr. KEMPTHORNE (for himself, Mr. GLENN, and Mr. DORGAN) proposed an amendment to the bill H.R. 2020, Supra, as follows:

On page 29, line 12, strike out ''$55,907,000,'' and insert in lieu thereof ''$55,573,000,''.

On page 33, insert between lines 1 and 2 the following:

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SALARIES AND EXPENSES

For necessary expenses of the Advisory Commission on Intergovernmental Relations to carry out the provisions of title III of the Unfunded Mandates Reform Act of 1995 (Public Law 104–4), $334,000; Provided, that upon the completion of the Final Report required by such Title, no further federal funds shall be available for the Advisory Commission on Intergovernmental Relations.

THOMPSON (AND OTHERS) AMENDMENT NO. 2231

Mr. THOMPSON (for himself, Mr. DOMENICI, Mr. PRESSLER, Mrs. HUTCHISON, Mr. D'AMATO, Mr. ABRAHAM, Mr. DEWINE, Mr. ASHCROFT, Ms. SNOWE, Mr. MCCAIN, Mr. GRASSLEY, Mr. DOLE, Mr. THURMOND, Mr. INHOFE, Mr. SANTORUM,