

(b) The Secretary shall ensure that a disbursement in excess of the threshold amount applicable under subsection (a) is not divided into multiple disbursements of less than that amount for the purpose of avoiding the applicability of such subsection to that disbursement.

(c) The Secretary of Defense may waive a requirement for advance matching of a disbursement of the Department of Defense with a particular obligation in the case of (1) a disbursement involving deployed forces, (2) a disbursement for an operation in a war declared by Congress or a national emergency declared by the President or Congress, or (3) a disbursement under any other circumstances for which the waiver is necessary in the national security interests of the United States, as determined by the Secretary and certified by the Secretary to the congressional defense committees.

(d) This section shall not be construed to limit the authority of the Secretary of Defense to require that a disbursement not in excess of the amount applicable under subsection (a) be matched to a particular obligation before the disbursement is made.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

EXON AMENDMENTS NOS. 2364-2369

(Ordered to lie on the table.)

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

AMENDMENT NO. 2364

On page 557, between liens 9 and 10, insert the following:

SEC. 3144. TRANSPORTATION AND STORAGE OF SPENT NAVAL NUCLEAR FUEL AT IDAHO NATIONAL ENGINEERING LABORATORY.

(a) REQUIREMENT.—Notwithstanding any other provision of law, the Secretary of Energy and the Secretary of the Navy shall—

(1) transport to Idaho National Engineering Laboratory, Idaho, such spent nuclear fuel from naval reactors as the Secretary of the Navy determines appropriate in order to protect the national security interests of the United States; and

(2) store at the laboratory the spent nuclear fuel transported to the laboratory under paragraph (1).

(b) STANDARDS.—The Secretary of the Navy shall determine the spent nuclear fuel to be transported to the Idaho National Engineering Laboratory under subsection (a), and the manner of the transportation of such spent nuclear fuel, in accordance with standards and practices utilized by the Secretary in shipping spent nuclear fuel from naval reactors to the laboratory before the date of the enactment of this Act.

(c) TERMINATION OF TRANSPORTATION AND STORAGE.—The Secretary of Energy and the Secretary of the Navy shall continue the transportation and storage of spent nuclear fuel at the Idaho National Engineering Laboratory under subsection (a) until the date of the issuance by a United States court of appeals of a final ruling in—

(1) any litigation challenging the environmental impact statement issued by the Department of Energy and the Department of the Navy in April 1995 regarding the management of spent nuclear fuel from naval reactors; or

(2) any litigation challenging the record of decision issued by the Department of Energy on June 1, 1995, regarding the management of spent nuclear fuel from naval reactors.

(d) DEFINITION.—In this section, the term “spent naval fuel” has the meaning given such term in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23)).

AMENDMENT NO. 2365

On page 331, strike out line 21 and all that follows through page 333, line 3.

AMENDMENT NO. 2366

On page 39, strike out line 22 and all that follows through page 40, line 6, and insert in lieu thereof the following:

(a) FUNDING.—Of the funds authorized to be appropriated to the Department of Defense under section 201(4), \$114,500,000 shall be available for the Counterproliferation Support Program, of which \$6,300,000 shall be available for research and development of technologies for Special Operations Command (SOCOM) counterproliferation activities.

AMENDMENT NO. 2367

On page 567, strike out line 22 and all that follows through page 568, line 20.

AMENDMENT NO. 2368

On page 548, between lines 20 and 21, insert the following into Section 3135:

(c) LIMITATIONS.—Nothing in this Act shall be construed as an authorization to conduct a nuclear weapon test as defined in Section 507 of Public Law 102-377. Furthermore, nothing in this Act shall be construed as amending or repealing the requirements of Section 507 of Public Law 102-377.

AMENDMENT NO. 2369

On page 53, between lines 14 and 15, insert the following into Section 233:

(7) pursue the deployment of a national missile defense system that will not jeopardize the successful implementation of the START I Treaty and the successful ratification and implementation of the START II Treaty.

STEVENS AMENDMENTS NOS. 2370-2371

(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. 2370

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

SEC. . SUBCONTRACTS FOR OCEAN TRANSPORTATION SERVICES.

Notwithstanding any other provision of law, funds authorized under this Act shall not be used prior to May 1, 1996 to implement regulations under section 34(b) of the Office of Federal Procurement Policy Act (41 U.S.C. 430(b)) which include either section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1241(b)) or section 2631 of title 10, United States Code, on any list promulgated under such section.

AMENDMENT NO. 2371

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.

(a) PROCUREMENT NOTICE POSTING THRESHOLDS.—Section 18(a)(1)(B) of the Office of Federal Procurement Policy Act (41 U.S.C. 416 (a)(1)(B)) is amended—

(1) by striking out “subsection (f)—” and all that follows through the end of the sub-

paragraph and inserting in lieu thereof “subsection (b); and”; and

(2) by inserting after “property or services” the following: “for a price expected to exceed \$10,000, but not to exceed \$25,000.”.

(b) SUBCONTRACTS FOR OCEAN TRANSPORTATION SERVICES.—Notwithstanding any other provision of law, neither section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1241(b)) nor section 2631 of title 10, United States Code, shall be included prior to May 1, 1996 on any list promulgated under section 34(b) of the Office of Federal Procurement Policy Act (41 U.S.C. 430(b)).

THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

MCCAIN (AND DODD) AMENDMENT NO. 2372

Mr. MCCAIN (for himself and Mr. DODD) proposed an amendment to the bill, S. 1087, supra; as follows:

On page 82, between lines 11 and 12, insert the following:

SEC. 8087. (a) Except as provided in subsection (b), the total amount obligated or expended for procurement of the SSN-21, SSN-22, and SSN-23 Seawolf class submarines may not exceed \$7,223,695,000.

(b) The amount of the limitation set forth in subsection (a) is increased after fiscal year 1995 by the following amounts:

(1) The amounts of outfitting costs and postdelivery costs incurred for the submarines referred to in such subsection.

(2) The amounts of increases in costs attributable to economic inflation after fiscal year 1995.

(3) The amounts of increases in costs attributable to compliance with changes in Federal, State, or local laws enacted after fiscal year 1995.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

LEVIN AMENDMENT NO. 2373

(Ordered to lie on the table.)

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

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

“SEC. . BUDGETING AND ACCOUNTING FOR OVERHEAD.

“(a) The Secretary shall include in the budget justification submitted each year to the Committees on Appropriations of both Houses of Congress—

“(1) amounts requested for overhead expenses;

“(2) the appropriation accounts from which the amounts are to be paid; and

“(3) a description of the efforts taken by the Department to reduce overhead expenses in the preceding fiscal year.

“(b) For the purpose of this section, the term “overhead expenses” includes costs incurred for the following:

“(1) travel and transportation of civilian personnel;

“(2) transportation of things (other than military equipment);

“(3) rental payments, communications expenses (not including expenses for the development, acquisition, maintenance and operation of military command, control and communications systems), utilities and miscellaneous charges;

“(4) printing and reproduction;
 “(5)(A) services not directly related to the development, acquisition, maintenance and operation of military equipment or the operations of troops in the field;
 “(B) purchase of goods other than military equipment;
 “(C) acquisition of capital assets other than military equipment; and
 “(6) storage of inventory.”

MCCAIN (AND DODD) AMENDMENT NO. 2374

Mr. MCCAIN (for himself and Mr. DODD) proposed an amendment to the bill, S. 1087, supra; as follows:

On page 71, between lines 11 and 12, insert the following: “Shipbuilding and Conversion, Navy, 1991/1995”, \$13,570,000.

THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

MCCAIN AMENDMENT NO. 2375

Mr. MCCAIN proposed an amendment to the bill, S. 1087, supra; as follows:

On page 82, between lines 11 and 12, insert the following:

SEC. 8087. (a) Funds available to the Department of Defense for fiscal year 1996 may not be obligated or expended for a program or activity referred to in subsection (b) except to the extent that appropriations are specifically authorized for such program or activity in an Act other than an appropriations Act.

(b) Subsection 9a) applies to the following programs and activities:

(1) Environmental remediation at National Presto Industries, Inc., Eau Claire, Wisconsin.

(2) Transfer of federally owned educational facilities on military installations to local education agencies.

(3) Activities at the Marine and Environmental Research and Training Station.

(4) Support for Coast Guard activities from the Defense Business Operations Fund.

(5) Contributions to the Kaho’olawe Island Restoration Trust Fund.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

STEVENS AMENDMENT NO. 2376

(Ordered to lie on the table.)

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

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

SEC. . SUBCONTRACTS FOR OCEAN TRANSPORTATION SERVICES.

No funds are authorized in this Act to implement regulations under section 34(b) of the Office of Federal Procurement Policy Act (41 U.S.C. 430(b)) which list either section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1241(b)) or section 2631 of title 10, United States Code, prior to May 1, 1996.

THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

DORGAN AMENDMENT NO. 2377

Mr. DORGAN proposed an amendment to the bill, S. 1087, supra; as follows:

On page 29, beginning on line 12, strike out “\$9,196,784,000, to remain available for obligation until September 30, 1997.”, and insert in lieu thereof “\$8,896,784,000, to remain available for obligation until September 30, 1997: *Provided*, That, of the amount appropriated under this heading, not more than \$357,900,000 shall be available for national missile defense.”.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

HELMS AMENDMENT NO. 2378

(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 422, in the table preceding line 1, in the matter relating to the Special Operations Command at Fort Bragg, North Carolina, strike out “\$8,100,000” in the amount column and insert in lieu thereof “\$9,400,000”.

On page 424, line 22, increase the amount by \$1,300,000.

On page 424, line 25, increase the amount by \$1,300,000.

DOLE AMENDMENT NO. 2379

(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.

LOTT AMENDMENT NO. 2380

(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 certification have been completed for full qualification of an alternative composite rocket motor and propellant.”.

ROBB AMENDMENT NO. 2381

(Ordered to lie on the table.)

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

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

SEC. 389. REPORT ON PRIVATE PERFORMANCE OF CERTAIN FUNCTIONS PERFORMED BY MILITARY AIRCRAFT.

(a) REPORT REQUIRED.—Not later than May 1, 1996, the Secretary of Defense shall submit to Congress a report on the feasibility, including the costs and benefits, of using private sources for satisfying, in whole or in part, the requirements of the Department of Defense for VIP transportation by air, airlift for other personnel and for cargo, in-flight refueling of aircraft, and performance of

such other military aircraft functions as the Secretary considers appropriate to discuss in the report.

(b) CONTENT OF REPORT.—The report shall include a discussion of the following:

(1) Contracting for the performance of the functions referred to in subsection (a).

(2) Converting to private ownership and operation the Department of Defense VIP air fleets, personnel and cargo aircraft, and in-flight refueling aircraft, and other Department of Defense aircraft.

(3) The wartime requirements for the various VIP and transport fleets.

(4) The assumptions used in the cost-benefit analysis.

(5) The effect on military personnel and facilities of using private sources, as described in paragraphs (1) and (2), for the purposes described in subsection (a).

WARNER (AND OTHERS) AMENDMENT NO. 2382

(Ordered to lie on the table.)

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

On page 570, between lines 10 and 11, insert the following:

SEC. 3168. SENSE OF SENATE ON NEGOTIATIONS REGARDING SHIPMENTS OF SPENT NUCLEAR FUEL FROM NAVAL REACTORS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of Defense, the Secretary 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 shipments of spent nuclear fuel from naval reactors.

(b) REPORT.—(1) Not later than September 1, 1995, 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 written report on the status or outcome of the negotiations urged under subsection (a).

(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 United States.

THURMOND AMENDMENT NO. 2383

(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 69, line 25, decrease the amount by \$10,000,000.

On page 70, line 5, strike out “\$1,472,947,000” and insert in lieu thereof “\$1,482,947,000”.