

“(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”.

GLENN (AND OTHERS)
AMENDMENT NO. 2384

(Ordered to lie on the table.)

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

On page 49, between lines 14 and 15, insert the following:

SEC. 224. JOINT SEISMIC PROGRAM AND GLOBAL SEISMIC NETWORK.

To the extent provided in appropriations Acts, \$9,500,000 of the unobligated balance of funds available to the Air Force for research, development, test, and evaluation for fiscal year 1995 for the Defense Support Program shall be available for continuation of the Joint Seismic Program and Global Seismic Network.

HARKIN (AND OTHERS)
AMENDMENT NO. 2385

(Order to lie on the table.)

Mr. HARKIN (for himself, Mr. SHELBY, Mr. CAMPBELL, Mr. ROBB, Mr. HEFLIN, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill, S. 1026, supra; as follows:

On page 72, between lines 18 and 19, insert the following:

SEC. 305. INCREASE IN FUNDING FOR THE CIVIL AIR PATROL.

(a) INCREASE.—(1) The amount of funds authorized to be appropriated by this Act for operation and maintenance of the Air Force for the Civil Air Patrol Corporation is hereby increased by \$5,000,000.

(2) The amount authorized to be appropriated for operation and maintenance for the Civil Air Patrol Corporation under paragraph (1) is in addition to any other funds authorized to be appropriated under this Act for that purpose.

(b) OFFSETTING REDUCTION.—The amount authorized to be appropriated under this Act for Air Force support of the Civil Air Patrol is hereby reduced by \$2,900,000. The amount of the reduction shall be allocated among funds authorized to be appropriated for Air Force personnel supporting the Civil Air Patrol and for Air Force operation and maintenance support for the Civil Air Patrol.

BROWN AMENDMENT NO. 2386

(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 agents from munitions and munitions, 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 expeditions 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."

JEFFORDS AMENDMENT NO. 2387

(Ordered to lie on the table.)

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

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

SEC. 389. FUNDING FOR CERTAIN IMPACT AID.

(a) IN GENERAL.—Of the funds authorized to be appropriated under this title, \$400,000,000 shall be available for carrying out programs of financial assistance to local educational agencies authorized by title VIII of the Elementary and Secondary Education Act of 1965, of which—

(1) \$340,000,000 shall be for payments under section 8003(b) of that Act;

(2) \$20,000,000 shall be for payments under section 8003(d) of that Act; and

(3) \$40,000,000 shall be for payments under section 8003(f) of that Act, which amount shall remain available until expended.

(b) LIMITATIONS ON AVAILABILITY OF FUNDS.—(1) Funds available under subsection (a) shall be used only for payments on behalf of children described in subparagraphs (A)(ii), (B), and (D) of section 8003(a)(1) of that Act.

(2) Such funds may not be used for payments under section 8003(d) of that Act.

(3) Such funds shall be governed by the provisions of title VIII of that Act.

(c) PAYMENT AMOUNTS.—(1) Payment amounts for local educational agencies shall be calculated by the Secretary of Education under the provisions of title VIII of that Act based on the total amounts provided to the Department of Education and the Department of Defense for Impact Aid.

(2) The Secretary of Defense shall distribute funds to local educational agencies based on calculations under paragraph (1).

PRYOR AMENDMENTS NOS. 2388–
2389

(Ordered to lie on the table.)

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

AMENDMENT No. 2388

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

SEC. 2825. INTERIM LEASES OF PROPERTY APPROVED FOR CLOSURE OR REALIGNMENT.

Section 2667(f) of title 10, United States Code, is amended by adding at the end the following:

"(4)(A) Notwithstanding the National Environmental Policy Act of 1969, the scope of any environmental impact analysis necessary to support an interim lease of property under this subsection shall be limited to the environmental consequences of activities authorized under any such lease proposal and the cumulative impacts of other past, present, and reasonably foreseeable future proposed leasehold, so long as the lease would not irreversibly alter the environment in a way that reasonable disposal alternatives would be precluded.

"(B) Interim leases entered into under this subsection that will not have a significant effect on the quality of the human environment shall, in consultation with the local redevelopment authority, be deemed not to prejudice the final property disposal decision, even though final property disposal may be delayed until completion of the interim lease term, unless authorized activities under the lease would irreversibly alter the environment in a way that reasonable disposal alternatives would be precluded."

AMENDMENT No. 2389

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

SEC. 242. TESTING OF THEATER MISSILE DEFENSE INTERCEPTORS.

(a) SENSE OF THE SENATE.—The Senate strongly supports the rapid development and deployment of a theater missile defense capability that protects American Service personnel in theaters around the world. The importance of developing and fielding an effective and suitable theater missile defense system on a timely basis is of paramount importance to the Senate. The complexity and unique requirements for the theater missile defense systems and the implication of any delays in fielding a theater missile defense capability strongly concern the Senate. Therefore, the Senate strongly desires to be informed on the progress of each theater missile defense acquisition program and its integration into a system that will effectively defend our forward deployed and expeditionary forces, friends and allies.

"(b) TESTING OF THEATER MISSILE DEFENSE INTERCEPTORS.—(1) The Secretary of Defense may not approve a theater missile defense interceptor program proceeding beyond the low-rate initial production acquisition stage until the Secretary certifies to the Congressional defense committees that such program has successfully completed initial operational test and evaluation, and is found to be a suitable and effective system.

"(2) In order to be certified under paragraph (b) as having been successfully completed, the initial operational test and evaluation conducted with respect to an interceptors program must have included flight tests—

"(A) that were conducted with multiple interceptors and multiple targets in the presence of realistic countermeasures; and

"(B) the results of which demonstrate the achievement by the interceptors of the baseline performance thresholds.

"(3) For purposes of this subsection, the baseline performance thresholds with respect to a program are the weapons systems performance thresholds specified in the baseline description for the system established (pursuant to section 2435(a)(1) if title 10, United States Code) before the program entered the engineering and manufacturing development stage.

"(4) The number of flight tests described in paragraph (2) that are required in order to make the certification under paragraph (1) shall be a number determined by the Director, Operational Test and Evaluation to be sufficient for the purposes of this section.

“(5) The Secretary may augment flight testing to demonstrate weapons system performance goals for purposes of the certification under paragraph (1) through the use of modeling and simulation that is validated by ground and flight testing.

“(6) The Director, Operational Test and Evaluation and Ballistic Missile Defense Organization shall include in their annual reports to Congress plans to adequately test theater missile defense interceptor programs throughout the acquisition process. As these theater missile defense systems progress through the acquisition process, the Director, Operational Test and Evaluation and Ballistic Missile Defense Organization shall include in their annual reports to Congress an assessment of how these programs satisfy planned test objectives.”

THE DEPARTMENT OF DEFENSE
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BINGAMAN (AND OTHERS)
AMENDMENT NO. 2390

Mr. BINGAMAN (for himself, Mr. LAUTENBERG, Mr. EXON, and Mr. KERREY) proposed an amendment to the bill, S. 1087, supra; as follows:

On page 81, strike out lines 16 through 23, and insert in lieu thereof the following:

SEC. 8082. (a) In addition to the amounts appropriated in title I for military personnel, funds are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for purposes and in amounts as follows:

(1) For military personnel, Army, an additional amount of \$9,800,000.

(2) For military personnel, Navy, an additional amount of \$39,400,000.

(3) For military personnel, Marine Corps, an additional amount of \$6,000,000.

(4) For military personnel, Air Force, an additional amount of \$61,200,000.

(5) For reserve personnel, Navy, an additional amount of \$2,700,000.

(b) In addition to the amounts appropriated in title II for operation and maintenance, funds are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for purposes and in amounts as follows:

(1) For operation and maintenance, Army, an additional amount of \$171,300,000.

(2) For operation and maintenance, Navy, an additional amount of \$210,400,000.

(3) For operation and maintenance, Marine Corps, an additional amount of \$3,000,000.

(4) For operation and maintenance, Air Force, an additional amount of \$645,100,000.

(5) For operation and maintenance, Defense-wide, an additional amount of \$25,800,000.

(6) For operation and maintenance, Navy Reserve, an additional amount of \$1,000,000.

(c) In addition to the amount appropriated in title VI under the heading “DEFENSE HEALTH PROGRAM”, funds are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law, an additional sum in the amount of \$7,400,000 for operation and maintenance.

(d)(1) The total amount appropriated in title III under the heading “SHIPBUILDING AND CONVERSION, NAVY” is hereby reduced by \$1,300,000,000.

(2) None of the funds appropriated in title III under the heading “SHIPBUILDING AND

CONVERSION, NAVY” may be obligated or expended for the LHD-1 amphibious assault ship program.

BROWN (AND OTHERS)
AMENDMENT NO. 2391

Mr. BROWN (for himself, Mr. SIMON, Mr. DOLE, Ms. MIKULSKI, Mr. SANTORUM, Mr. LIEBERMAN, Mr. ROTH, Mr. MCCAIN, Mr. MCCONNELL, Mr. WARNER, Mr. NICKLES, Mr. CRAIG, Mrs. HUTCHISON, Mr. INHOFE, Mr. DOMENICI, Mr. HELMS, Ms. MOSELEY-BRAUN, and Mr. D’AMATO) proposed an amendment to the bill, S. 1087, supra; as follows:

AMENDMENT NO. 2391

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

TITLE —NATO PARTICIPATION ACT
AMENDMENTS OF 1995

SEC. 01. SHORT TITLE.

This title may be cited as the “NATO Participation Act Amendments of 1995”.

SEC. 02. FINDINGS.

The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of their security ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose members have never contemplated the use of, or used, military force to expand the borders of its member states.

(5) While the immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats, such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting effective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and, as a result, no military action has occurred between two NATO member states since the inception of NATO in 1949.

(8) NATO is also an important diplomatic forum for the discussion of issues of concern to its member states and for the peaceful resolution of disputes.

(9) America’s security, freedom, and prosperity remain linked to the security of the countries of Europe.

(10) Any threat to the security of the newly emerging democracies in Central Europe would pose a security threat to the United States and its European allies.

(11) The admission to NATO of Central and East European countries that have been freed from Communist domination and that meet specific criteria for NATO membership would contribute to international peace and enhance the security of the region.

(12) A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

(13) Full integration of Central and East European countries into the North Atlantic

Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

(14) The expansion of NATO can create the stable environment needed to successfully complete the political and economic transformation envisioned by Eastern and Central European countries.

(15) In recognition that not all countries which have requested membership in NATO will necessarily qualify at the same pace, the date for membership of each country will vary.

(16) The provision of NATO transition assistance should include those countries most ready for closer ties with NATO, such as Poland, Hungary, the Czech Republic and Slovakia and should be designed to assist other countries meeting specified criteria of eligibility to move toward eventual NATO membership, including Lithuania, Latvia, Estonia, Ukraine, Romania, Bulgaria, and Slovenia.

(17) Lithuania, Latvia, and Estonia have made significant progress in preparing for NATO membership and should be given every consideration for inclusion in programs for NATO transition assistance.

SEC. 03. UNITED STATES POLICY.

It should be the policy of the United States—

(1) to join with the NATO allies of the United States to redefine the role of the NATO Alliance in the post-Cold War world;

(2) to actively assist European countries emerging from communist domination in their transition so that such countries may eventually qualify for NATO membership;

(3) to use the voice and vote of the United States to urge observer status in the North Atlantic Council for countries designated under section 203(d) of the NATO Participation Act of 1994 (as amended by this title) as eligible for NATO transition assistance; and

(4) to work to define the political and security relationship between an enlarged NATO and the Russian Federation.

SEC. 04. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.

(a) ESTABLISHMENT OF PROGRAM.—Subsection (a) of section 203 of the NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 1928 note) is amended to read as follows:

“(a) ESTABLISHMENT OF PROGRAM.—The President shall establish a program to assist countries designated under subsection (d) in the transition to full NATO membership.”

(b) ELIGIBLE COUNTRIES.—

(1) ELIGIBILITY.—Subsection (d) of section 203 of such Act is amended to read as follows:

“(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

“(1) SPECIFIC COUNTRIES.—The following countries are hereby designated for purposes of this title: Poland, Hungary, the Czech Republic, and Slovakia.

“(2) OTHER EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—In addition to the countries designated in paragraph (1), the President may designate other European countries emerging from Communist domination to receive assistance under the program established under subsection (a). The President may make such a designation in the case of any such country only if the President determines, and reports to the designated congressional committees, that such country—

“(A) has made significant progress toward establishing—

“(i) shared values and interests;

“(ii) democratic governments;

“(iii) free market economies;

“(iv) civilian control of the military, of the police, and of intelligence services;