

AMENDMENTS SUBMITTED

EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS FOR THE DEPARTMENT OF DEFENSE TO PRESERVE AND ENHANCE MILITARY READINESS ACT OF 1995

BOND (AND OTHERS) AMENDMENT NO. 332

Mr. BOND (for himself, Mrs. FEINSTEIN, Ms. MIKULSKI, and Mrs. HUTCHISON) proposed an amendment to amendment No. 330 proposed by Mr. BUMPERS to the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes; as follows:

In lieu of the matter proposed to be added, add the following:

SEC. . (a) Notwithstanding any other provision of law, no funds appropriated by this Act, or otherwise appropriated or made available by any other Act, may be utilized for purposes of entering into the agreement described in subsection (b) until the President certifies to Congress that—

(1) Russia has agreed not to sell nuclear reactor components to Iran; or

(2) the issue of the sale by Russia of such components to Iran has been resolved in a manner that is consistent with—

(A) the national security objectives of the United States; and

(B) the concerns of the United States with respect to nonproliferation in the Middle East.

(b) The agreement referred to in subsection (a) is an agreement known as the Agreement on the Exchange of Equipment, Technology, and Materials between the United States Government and the Government of the Russian Federation, or any department or agency of that government (including the Russian Ministry of Atomic Energy), that the United States Government proposes to enter into under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153).

BUMPERS AMENDMENT NO. 333

Mr. BUMPERS proposed an amendment to the bill H.R. 889 supra; as follows:

At the appropriate place in Chapter VII of Title II of the bill add the following:

"INDEPENDENT AGENCIES

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION NATIONAL AERONAUTICAL FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, for construction of wind tunnels, \$400,000,000 are rescinded."

BOXER (AND OTHERS) AMENDMENT NO. 334

Mrs. BOXER (for herself, Mr. DODD, Mr. BRADLEY, and Mr. DORGAN), proposed an amendment to the bill H.R. 889, supra; as follows:

On page 25, between lines 4 and 5, insert the following:

SEC. 110. It is the sense of the Senate that—

(1) Congress should enact legislation that terminates the entitlement to pay and allowances for each member of the Armed Forces who is sentenced by a court-martial to confinement and either a dishonorable discharge, bad-conduct discharge, or dismissal;

(2) the legislation should provide for restoration of the entitlement if the sentence to confinement and punitive discharge or dismissal, as the case may be, is disapproved or set aside; and

(3) the legislation should include authority for the establishment of a program that provides transitional benefits for spouses and other dependents of a member of the Armed Forces receiving such a sentence.

MCCAIN (AND BRADLEY) AMENDMENT NO. 335

Mr. MCCAIN (for himself and Mr. BRADLEY) proposed an amendment to the bill H.R. 889, supra; as follows:

On page 25, between lines 4 and 5, insert the following:

SEC. 110. RESCISSION OF FUNDS FOR CERTAIN MILITARY CONSTRUCTION PROJECTS.

(a) CONDITIONAL RESCISSION OF FUNDS FOR CERTAIN MILITARY PROJECTS.—(1)(A) Notwithstanding any other provision of law and subject to paragraphs (2) and (3), of the funds provided in the Military Construction Appropriations Act, 1995 (Public Law 103-307; 108 Stat. 1659), the following funds are hereby rescinded from the following accounts in the specified amounts:

Military Construction, Army, \$11,554,000.
Military Construction, Air Force, \$6,500,000.

Military Construction, Army National Guard, \$1,800,000.

(B) Rescissions under this paragraph are for projects at military installations that were recommended for closure by the Secretary of Defense in the recommendations submitted by the Secretary to the Defense Base Closure and Realignment Commission on March 1, 1995, under the base closure Act.

(2) A rescission of funds under paragraph (1) shall not occur with respect to a project covered by that paragraph if the Secretary certifies to Congress that—

(A) the military installation at which the project is proposed will not be subject to closure or realignment as a result of the 1995 round of the base closure process; or

(B) if the installation will be subject to realignment under that round of the process, the project is for a function or activity that will not be transferred from the installation as a result of the realignment.

(3) A certification under paragraph (2) shall be effective only if—

(A) the Secretary submits the certification together with the approval and recommendations transmitted to Congress by the President in 1995 under paragraph (2) or (4) section 2903(e) of the base closure Act; or

(B) the base closure process in 1995 is terminated pursuant to paragraph (5) of that section.

(b) ADDITIONAL RESCISSIONS RELATING TO BASE CLOSURE PROCESS.—Notwithstanding any other provision of law, funds provided in the Military Construction Appropriations Act, 1995 for a military construction project are hereby rescinded if—

(1) the project is located at an installation that the President recommends for closure in 1995 under section 2903(e) of the base closure Act; or

(2) the project is located at an installation that the President recommends for realignment in 1995 under such section and the function or activity with which the project is associated will be transferred from the installation as a result of the realignment.

(c) DEFINITION.—In the section, the term "base closure Act" means 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).

HUTCHISON (AND OTHERS) AMENDMENT NO. 336

Mrs. HUTCHISON (for herself, Mr. GORTON, Mr. DOMENICI, Mr. GRAMM, and Mr. PRESSLER) proposed an amendment to the bill H.R. 889, supra; as follows:

On page 28, between lines 14 and 15, insert the following:

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103-332—

(1) \$1,500,000 are rescinded from the amounts available for making determinations whether a species is a threatened or endangered species and whether habitat is critical habitat under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(2) none of the remaining funds appropriated under that heading may be made available for making a final determination that a species is threatened or endangered or that habitat constitutes critical habitat (except a final determination that a species previously determined to be endangered is no longer endangered but continues to be threatened).

To the extent that the Endangered Species Act of 1973 has been interpreted or applied in any court order (including an order approving a settlement between the parties to a civil action) to require the making of a determination respecting any number of species or habitats by a date certain, that Act shall not be applied to require that the determination be made by that date if the making of the determination is made impracticable by the rescission made by the preceding sentence.

LEAHY (AND JEFFORDS) AMENDMENT NO. 337

Mr. LEAHY (for himself and Mr. JEFFORDS) proposed an amendment to the bill H.R. 889, supra; as follows:

At the appropriate place, insert the following new title:

TITLE —MISCELLANEOUS

SEC. 01.—Notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation for the vessel L.R. BEATTIE, United States official number 904161.

ROTH (AND OTHERS) AMENDMENT NO. 338

Mr. ROTH (for himself, Mr. GLENN, Mr. HELMS, Mr. LEVIN, Mr. MCCAIN, Mr. NUNN, Mr. DORGAN, and Mr. PELL) proposed an amendment to the bill, H.R. 889, supra; as follows:

At the appropriate point, insert the following:

The Senate finds that the Treaty on the Non-Proliferation of Nuclear Weapons, hereinafter referred to as the NPT, is the cornerstone of the global nuclear non-proliferation regime;

That, with more than 170 parties, the NPT enjoys the widest adherence of any arms control agreement in history;

That the NPT sets the fundamental legal and political framework for prohibiting all forms of nuclear nonproliferation;

That the NPT provides the fundamental legal and political foundation for the efforts through which the nuclear arms race was brought to an end and the world's nuclear arsenals are being reduced as quickly, safely and securely as possible.

That the NPT spells out only three extension options: indefinite extension, extension for a fixed period, or extension for fixed periods;

That any temporary or conditional extension of the NPT would require a dangerously slow and unpredictable process of re-ratification that would cripple the NPT.

That it is the policy of the President of the United States to seek indefinite and unconditional extension of the NPT;

Now, therefore, it is the sense of the Senate that:

(1) indefinite and unconditional extension of the NPT would strengthen the global nuclear non-proliferation regime;

(2) indefinite and unconditional extension of the NPT is in the interest of the United States because it would enhance international peace and security;

(3) the President of the United States has the full support of the Senate in seeking the indefinite and unconditional extension of the NPT;

(4) all parties to the NPT should vote to extend the NPT unconditionally and indefinitely; and

(5) parties opposing indefinite and unconditional extension of the NPT are acting against their own interest, the interest of the United States and the interest of all the peoples of the world by placing the nuclear non-proliferation regime and global security at risk.

BAUCUS (AND OTHERS) AMENDMENT NO. 339

Mr. BAUCUS (for himself, Mr. BYRD, Mr. MCCONNELL, Mr. LEAHY, Mr. GRASSLEY, Mr. KERREY, Mr. PRESSLER, Mr. BURNS, Mr. HARKIN, Mr. SANTORUM, Mr. SIMPSON, Mr. LUGAR, Mr. PRYOR, and Mr. CONRAD) proposed an amendment to the bill H.R. 889, supra; as follows:

On page 25, between lines 4 and 5, insert the following:

SEC. 110. SENSE OF SENATE ON SOUTH KOREA TRADE BARRIERS TO UNITED STATES BEEF AND PORK.

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

(1) The United States has approximately 37,000 military personnel stationed in South Korea and spent over \$2,000,000,000 last year to preserve peace on the Korean peninsula.

(2) The United States Trade Representative has initiated a section 301 investigation against South Korea for its nontariff trade barriers on United States beef and pork.

(3) The barriers cited in the section 301 petition include government-mandated shelf-life requirements, lengthy inspection and customs procedures, and arbitrary testing requirements that effectively close the South Korean market to such beef and pork.

(4) United States trade and agriculture officials are in the process of negotiating with South Korea to open South Korea's market to United States beef and pork.

(5) The United States meat industry estimates that South Korea's nontariff trade barriers on United States beef and pork cost

United States businesses more than \$240,000,000 in lost revenue last year and could account for more than \$1,000,000,000 in lost revenue to such business by 1999 if South Korea's trade practices on such beef and pork are left unchanged.

(6) The United States beef and pork industries are a vital part of the United States economy, with operations in each of the 50 States.

(7) Per capita consumption of beef and pork in South Korea is currently twice that of such consumption in Japan. Given that the Japanese are currently the leading importers of United States beef and pork, South Korea holds the potential of becoming an unparalleled market for United States beef and pork.

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

(1) the security relationship between the United States and South Korea is essential to the security of the United States, South Korea, the Asia-Pacific region and the rest of the world;

(2) the efforts of the United States Trade Representative to open South Korea's market to United States beef and pork deserve support and commendation; and

(3) the United States Trade Representative should continue to insist upon the removal of South Korea's nontariff barriers to United States beef and pork.

BROWN (AND OTHERS) AMENDMENT NO. 340

Mr. BROWN (and Mr. GREGG, Mr. D'AMATO, Mr. MACK, and Mr. NICKLES) proposed an amendment to the bill, H.R. 889, supra; as follows:

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

TITLE ____—MEXICAN DEBT DISCLOSURE ACT OF 1995

SEC. ____01. SHORT TITLE.

This title may be cited as the "Mexican Debt Disclosure Act of 1995".

SEC. ____02. FINDINGS.

The Congress finds that—

(1) Mexico is an important neighbor and trading partner of the United States;

(2) on January 31, 1995, the President approved a program of assistance to Mexico, in the form of swap facilities and securities guarantees in the amount of \$20,000,000,000, using the Exchange Stabilization Fund;

(3) the program of assistance involves the participation of the Federal Reserve System, the International Monetary Fund, the Bank of International Settlements, the World Bank, the Inter-American Development Bank, the Bank of Canada, and several Latin American countries;

(4) the involvement of the Exchange Stabilization Fund and the Federal Reserve System means that United States taxpayer funds will be used in the assistance effort to Mexico;

(5) assistance provided by the International Monetary Fund, the World Bank, and the Inter-American Development Bank may require additional United States contributions of taxpayer funds to those entities;

(6) the immediate use of taxpayer funds and the potential requirement for additional future United States contributions of taxpayer funds necessitates congressional oversight of the disbursement of funds; and

(7) the efficacy of the assistance to Mexico is contingent on the pursuit of sound economic policy by the Government of Mexico.

SEC. ____03. REPORTS REQUIRED.

(a) REPORTS.—Not later than April 1, 1995, and every month thereafter, the President shall transmit a report to the appropriate

congressional committees concerning all United States Government loans, credits, and guarantees to, and short-term and long-term currency swaps with, Mexico.

(b) CONTENTS OF REPORTS.—The report described in subsection (a) shall include the following:

(1) A description of the current condition of the Mexican economy.

(2) Information regarding the implementation and the extent of wage, price, and credit controls in the Mexican economy.

(3) A complete documentation of Mexican taxation policy and any proposed changes to such policy.

(4) A description of specific actions taken by the Government of Mexico during the preceding month to further privatize the economy of Mexico.

(5) A list of planned or pending Mexican Government regulations affecting the Mexican private sector.

(6) A summary of consultations held between the Government of Mexico and the Department of the Treasury, the International Monetary Fund, or the Bank of International Settlements.

(7) A full description of the activities of the Mexican Central Bank, including the reserve positions of the Mexican Central Bank and data relating to the functioning of Mexican monetary policy.

(8) The amount of any funds disbursed from the Exchange Stabilization Fund pursuant to the approval of the President issued on January 31, 1995.

(9) A full disclosure of all financial transactions, both inside and outside of Mexico, made during the preceding month involving funds disbursed from the Exchange Stabilization Fund and the International Monetary Fund, including transactions between—

(A) individuals;

(B) partnerships;

(C) joint ventures; and

(D) corporations.

(10) An accounting of all outstanding United States Government loans, credits, and guarantees provided to the Government of Mexico, set forth by category of financing.

(11) A detailed list of all Federal Reserve currency swaps designed to support indebtedness of the Government of Mexico, and the cost or benefit to the United States Treasury from each such transaction.

(12) A description of any payments made during the preceding month by creditors of Mexican petroleum companies into the petroleum finance facility established to ensure repayment of United States loans or guarantees.

(13) A description of any disbursement during the preceding month by the United States Government from the petroleum finance facility.

(14) Once payments have been diverted from PEMEX to the United States Treasury through the petroleum finance facility, a description of the status of petroleum deliveries to those customers whose payments were diverted.

(15) A description of the current risk factors used in calculations concerning Mexican repayment of indebtedness.

(16) A statement of the progress the Government of Mexico has made in reforming its currency and establishing an independent central bank or currency board.

SEC. ____04. PRESIDENTIAL CERTIFICATION.

Notwithstanding any other provision of law, before extending any loan, credit, guarantee, or arrangement for a swap of currencies to Mexico through any United States Government monetary facility, the President shall certify to the appropriate congressional committees that—

(1) there is no projected cost to the United States from the proposed loan, credit, guarantee, or currency swap;

(2) all loans, credits, guarantees, and currency swaps are adequately collateralized to ensure that United States funds will be repaid;

(3) the Government of Mexico has undertaken effective efforts to establish an independent central bank or an independent currency control mechanism; and

(4) Mexico has in effect a significant economic reform effort.

SEC. 05. DEFINITION.

As used in this title, the term "appropriate congressional committees" means the Committees on Banking and Financial Services and International Relations of the House of Representatives and the Committees on Foreign Relations, and Banking, Housing, and Urban Affairs of the Senate.

D'AMATO AMENDMENT NO. 341

Mr. D'AMATO proposed an amendment to amendment No. 340 proposed by Mr. BROWN to the bill H.R. 889, supra; as follows:

Add at the end of the proposed amendment the following new section:

SEC. . REPORT ON ILLEGAL DRUG TRAFFICKING IN MEXICO.

The President shall transmit to the appropriate congressional committees no later than June 1, 1995 detailing the illegal drug trafficking to the United States from Mexico:

(1) A description of drug trafficking activities directed toward the United States;

(2) a description of allegations of corruption involving current or former officials of the Mexican government or ruling party, including the relatives and close associates of such officials; and

(3) the participation of United States financial institutions or foreign financial institutions operating in the United States in the movement of narcotics-related funds from Mexico.

MCCONNELL AMENDMENT NO. 342

Mr. INOUE (for Mr. MCCONNELL, for himself, Mr. LEAHY, Mr. DOLE, Mr. DASCHLE, Mr. SPECTER, Mr. INOUE, Mr. JEFFORDS, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mr. NUNN, and Mrs. FEINSTEIN) proposed an amendment to the bill, H.R. 889, supra; as follows:

On page 16, between lines 18 and 19, insert the following:

CHAPTER I

On page 25, between lines 4 and 5, insert the following:

CHAPTER II

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

DEBT RESTRUCTURING

DEBT RELIEF FOR JORDAN

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans to Jordan issued by the Export-Import Bank or by the Agency for International Development or by the Department of Defense, or for the cost of modifying: (1) concessional loans authorized under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, and (2) credits owed by Jordan to

the Commodity Credit Corporation, as a result of the Corporation's status as a guarantor of credits in connection with export sales to Jordan; as authorized under subsection (a) under the heading, "Debt Relief for Jordan", in title VI of Public Law 103-306, \$275,000,000, to remain available until September 30, 1996: *Provided*, That not more than \$50,000,000 of the funds appropriated by this paragraph may be obligated prior to October 1, 1995.

MCCONNELL AMENDMENT NO. 343

Mr. INOUE (for Mr. MCCONNELL) proposed an amendment to the bill, H.R. 889, supra; as follows:

On page 26, at the end of line 23, add the following:

Of the funds appropriated in Public Law 103-316, \$3,000,000 is hereby authorized for appropriation to the Corps of Engineers to initiate and complete remedial measures to prevent slope instability at Hickman Bluff, Kentucky.

PRESSLER (AND OTHERS) AMENDMENT NO. 344

Mr. INOUE (for Mr. PRESSLER for himself, Mr. HARKIN, Mr. CONRAD, and Mr. DASCHLE) proposed an amendment to the bill, H.R. 889, supra; as follows:

On page 30, line 8, strike the dollar figure "\$120,000,000" and insert in lieu thereof the dollar figure "\$126,608,000".

On page 30, strike line 14 through line 18.

BROWN AMENDMENT NO. 345

Mr. INOUE (for Mr. BROWN) proposed an amendment to the bill, H.R. 889, supra; as follows:

At the appropriate place in the bill, add the following new section—

"SEC. . NATIONAL TEST FACILITY.

It is the sense of the Senate that the National Test Facility provides important support to strategic and theater missile defense in the following areas:

(a) United States-United Kingdom defense planning;

(b) the PATRIOT and THAAD programs;

(c) computer support for the Advanced Research Center; and

(d) technical assistance to theater missile defense;

and fiscal year 1995 funding should be maintained to ensure retention of these priority functions.

FEINSTEIN AMENDMENT NO. 346

Mr. INOUE (for Mrs. FEINSTEIN) proposed an amendment to the bill, H.R. 889, supra; as follows:

On page 25, between lines 4 and 5, insert the following new section:

SEC. 110. (a) In determining the amount of funds available for obligation from the Environmental Restoration, Defense, account in fiscal year 1995 for environmental restoration at the military installations described in subsection (b), the Secretary of Defense shall not take into account the rescission from the account set forth in section 106.

(b) Subsection (a) applies to military installations that the Secretary recommends for closure or realignment in 1995 under section 29023(c) of the Defense Base Closure and Realignment Act of 1990 (subtitle A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, March 16, at 9:30 a.m., in SR-332, to discuss taxpayers' stake in Federal farm policy.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, March 16, 1995, to conduct a hearing on the Iran Sanctions Act, S. 277.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet for a classified briefing during the session of the Senate on Thursday, March 16, 1995, at 2 p.m.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session on Thursday, March 16, 1995, at 9:30 a.m., to hold an oversight hearing on the Architect of the Capitol.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts of the Committee of the Judiciary, be authorized to hold a business meeting during the session of the Senate on Thursday, March 16, 1995, at 10 a.m., to consider S. 343, regulatory reform.

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

SUBCOMMITTEE ON PERSONNEL

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet at 2 p.m. on Thursday, March 16, 1995, in open session, to receive testimony regarding the Department of Defense Manpower, Personnel, and Compensation Programs in review of the defense authorization request for fiscal year 1996 and the Future Years Defense Program.

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