S. 1878

At the request of Mr. AKAKA, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1878, a bill to amend the Nuclear Waste Policy Act of 1982 to prohibit the licensing of a permanent or interim nuclear waste storage facility outside the 50 States or the District of Columbia, and for other purposes.

SENATE JOINT RESOLUTION 52

At the request of Mr. KYL, the names of the Senator from Wyoming [Mr. SIMPSON], the Senator from Alaska [Mr. STEVENS], the Senator from Oklahoma [Mr. INHOFE], the Senator from Indiana [Mr. COATS], the Senator from North Carolina [Mr. HELMS], the Senator from Mississippi [Mr. LOTT], the Senator from Alabama [Mr. SHELBY], the Senator from Texas [Mrs. HUTCHISON], the Senator from Tennessee [Mr. FRIST], the Senator from Georgia [Mr. COVERDELL], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Ohio [Mr. DEWINE], the Senator from Iowa [Mr. GRASSLEY], the Senator from South Carolina [Mr. THURMOND], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Florida [Mr. MACK], and the Senator from Virginia [Mr. WARNER] were added as cosponsors of Senate Joint Resolution 52, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of victims of crimes.

AMENDMENT NO. 4090

At the request of Mr. WARNER, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of amendment No. 4090 proposed to S. 1745, an original bill to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENTS SUBMITTED

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

MCCAIN AMENDMENTS NOS. 4115–4116

(Ordered to lie on the table.)

Mr. MCCAIN submitted two amendments intended to be proposed by him to the bill (S. 1745) to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, for military construction, and for defense activities for the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

AMENDMENT NO. 4115

At the end of the amendment, add the following:

At the end of title XXVII, add the following:

SEC. 2706. PROHIBITION ON USE OF FUNDS FOR CERTAIN PROJECTS.

(A) PROHIBITION.—Notwithstanding any other provision of this Act, no funds authorized to be appropriated by this Act may be obligated or expended for the military construction project listed under subsection (b) until the Secretary of Defense certifies to Congress that the project is included in the current future-years defense program.

(b) COVERED PROJECTS.—Subsection (a) applies to the following military construction projects: Phase II of the Consolidated Education Center at Fort Campbell, Kentucky; and Phase III of The Western Kentucky Training Site.

AMENDMENT NO. 4116

At the end of subtitle F of title X, add the following:

SEC. . VALUATION OF DEFENSE ARTICLES TRANSFERRED TO ASSIST BOSNIA AND HERCEGOVINA.

Section 540 of the Foreign Operations, Export Financing, and Related Appropriations Act, 1996 (Public Law 104–107) is amended by adding at the end the following new subsection:

''(e) Notwithstanding any other provision of law, the value of each defense article transferred under this section shall not exceed the lowest value calculable for such article under section 7000.14–R of volume 15 of the Department of Defense Financial Management Regulations for Security Assistance Policy and Procedures, as in effect on the date of enactment of this Act, pursuant to section 644(m) of the Foreign Assistance Act of 1961.''.

GREGG AMENDMENT NO. 4117

(Ordered to lie on the table.)

Mr. GREGG submitted an amendment intended to proposed by him to the bill, S. 1745, supra; as follows:

At the appropriate place, insert:

SEC. . WRITTEN CONSENT REQUIRED TO USE UNION DUES AND OTHER MANDATORY EMPLOYEE FEES FOR POLITICAL ACTIVITIES.

(a) IN GENERAL.—Section 316(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by adding at the end the following new paragraph:

''(8)(A) No dues, fees, or other money required as a condition of membership in a labor organization or as a condition of employment shall be collected from an individual for use in activities described in subparagraph (A), (B), or (C) of paragraph (2) unless the individual has given prior written consent for such use.

''(B) Any consent granted by an individual under subparagraph (A) shall remain in effect until revoked and may be revoked in writing at any time.

''(C) This paragraph shall apply to activities described in paragraph (2)(A) only if the communications involved expressly advocate the election or defeat of any clearly identified candidate for elective public office.''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts collected more than 30 days after the date of the enactment of this Act.

THOMAS AMENDMENT NO. 4118

(Ordered to lie on the table.)

Mr. THOMAS submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

At the end of subtitle D of title XXXI, add the following:

SEC. 3161. REPORT ON DEPARTMENT OF ENERGY LIABILITY AT DEPARTMENT SUPERFUND SITES.

(a) STUDY.—The Secretary of Energy shall, using funds authorized to be appropriated to the Department of Energy by section 3102, carry out a study of the liability of the Department for damages for injury to, destruction of, or loss of natural resources under section 107(a)(4)(C) at each site controlled or operated by the Department that is or is anticipated to become subject to the provisions of that Act.

(b) CONDUCT OF STUDY.—(1) The Secretary shall carry out the study using personnel of the Department or by contract with an appropriate private entity.

(2) In determining the extent of Department liability for purposes of the study, the Secretary shall treat the Department as a private person liable for damages under section 107(f) of that Act (42 U.S.C. 9607(f)) and subject to suit by public trustees of natural resources under such section 107(f) for such damages.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a report on the study carried out under subsection (a) to the following committees:

(1) The Committees on Environment and Public Works and Armed Services and Energy and Natural Resources of the Senate.

(2) The Committees on Commerce and National Security and Resources of the House of Representatives.

WARNER AMENDMENT NO. 4119

(Ordered to lie on the table.)

Mr. WARNER submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

At the end of subtitle B of title I, add the following:

SEC. 113. PERMANENT AUTHORITY TO CARRY OUT ARMS INITIATIVE.

Section 193(a) of the Armament Retooling and Manufacturing Support Initiative Act of 1992 (subtitle H of title I of Public Law 102–484; 10 U.S.C. 2501 note) is amended by striking out ''During fiscal years 1993 through 1996, the Secretary'' and inserting in lieu thereof ''The Secretary''.

MCCAIN AMENDMENT NO. 4120

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

Strike out section 366 and insert in lieu thereof the following new section:

SEC. 366. DEPARTMENT OF DEFENSE SUPPORT FOR SPORTING EVENTS.

(a) SECURITY AND SAFETY ASSISTANCE.—At the request of a Federal, State, or local government agency responsible for providing law enforcement services, security services, or safety services, the Secretary of Defense may authorize the commander of a military installation or other facility of the Department of Defense or the commander of a specified or unified combatant command to provide assistance for the World Cup Soccer Games, the Goodwill Games, the Olympics, and any other civilian sporting event in support of essential security and safety at such event, but only if the Attorney General certifies that such assistance is necessary to meet essential security and safety needs.

(b) OTHER ASSISTANCE.—The Secretary may authorize a commander referred to in subsection (a) to provide assistance for a sporting event referred to in that subsection in support of other needs relating to such event, but only—

(1) to the extent that such needs cannot reasonably be met by a source other than the Department;

(2) to the extent that the provision of such assistance does not adversely affect the military preparedness of the Armed Forces; and

(3) if the organization requesting such assistance agrees to reimburse the Department for amounts expended by the Department in providing the assistance in accordance with the provisions of section 377 of title 10, United States Code, and other applicable provisions of law.

(c) INAPPLICABILITY TO CERTAIN EVENTS.—Subsections (a) and (b) do not apply to the following sporting events:

(1) Sporting events for which funds have been appropriated before the date of the enactment of this Act.

(2) The Special Olympics.

(3) The Paralympics.

(d) TERMS AND CONDITIONS.—The Secretary may require such terms and conditions in connection with the provision of assistance under this section as the Secretary considers necessary and appropriate to protect the interests of the United States.

(e) REPORT ON ASSISTANCE.—Not later than January 30 of each year following a year in which the Secretary provides assistance under this section, the Secretary shall submit to the congressional defense committees a report on the assistance provided. The report shall set forth—

(1) a description of the assistance provided;

(2) the amount expended by the Department in providing the assistance;

(3) if the assistance was provided under subsection (a), the certification of the Attorney General with respect to the assistance under that subsection; and

(4) if the assistance was provided under subsection (b)—

(A) an explanation why the assistance could not reasonably be met by a source other than the Department; and

(B) the amount the Department was reimbursed under that subsection.

(f) RELATIONSHIP TO OTHER LAWS.—Assistance provided under this section shall be subject to the provisions of sections 375 and 376 of title 10, United States Code.

GLENN AMENDMENTS NOS. 4121–4122

(Ordered to lie on the table.)

Mr. GLENN submitted two amendments intended to be proposed by him to the bill, S. 1745, supra; as follows:

AMENDMENT NO. 4121

At the end of subtitle D of title XXXI add the following:

SEC. 3161. WORKER HEALTH AND SAFETY IMPROVEMENTS AT THE DEFENSE NUCLEAR COMPLEX, MIAMISBURG, OHIO.

(a) WORKER HEALTH AND SAFETY ACTIVITIES.—(1) Of the funds authorized to be appropriated pursuant to section 3102(b), $6,200,000 shall be available to the Secretary of Energy to perform, in accordance with a settlement of *Levell et al.* v. *Monsanto Research Corp. et al.*, Case Number C–3–95–312 in the United States District Court for the Southern District of Ohio, activities to improve worker health and safety at the defense nuclear complex at Miamisburg, Ohio.

(2) Activities under paragraph (1) shall include the following:

(A) Completing the evaluation of pre-1989 internal dose assessments for workers who have received a lifetime dose greater than 20 REM.

(B) Installing state-of-the-art automated personnel contamination monitors at appropriate radiation control points and facility exits.

(C) Purchasing and installing an automated personnel access control system, and integrating the software for the system with a radiation work permit system.

(D) Upgrading the radiological records software.

(E) Immediately implementing a program that will characterize the radiological conditions of the site, buildings, and facilities before decontamination activities commence so that radiological hazards are clearly identified and the results of decontamination validated.

(F) Reviewing and improving the conduct and evaluation of continuous air monitoring practices and implementing a personal air sampling program as a means of preventing unnecessary internal exposure.

(G) Upgrading bioassay analytical procedures in order to ensure that contract laboratories are adequately selected and validated and quality control is assured.

(H) Implementing bioassay and internal dose calculation methods that are specific to the radiological hazards identified at the site.

(3)(A) The Secretary shall complete the activities referred to in paragraph (2)(A) not later than September 30, 1997.

(B) The Secretary shall ensure that the activities referred to in paragraph (2)(F) are completed not later than December 31, 1996.

(b) SAVINGS PROVISION.—Nothing in this section shall be construed as affecting applicable statutory or regulatory requirements relating to worker health and safety.

(c) SUPPLEMENT NOT SUPPLANT.—Nothing in this section shall prohibit the Secretary from obligating and expending additional funds under this title for the activities referred to in subsection (a)(2).

AMENDMENT NO. 4122

At the end of subtitle D of title XXXI add the following:

SEC. 3161. WORKER HEALTH AND SAFETY PROTECTION.

(a) SAFETY COMPLIANCE REVIEW AND ACCOUNTABILITY.—Consistent with authority to seek or impose penalties for violations of regulations relating to nuclear safety under section 223 or 234A, respectively, of the Atomic Energy Act of 1954 (42 U.S.C. 2273, 2282a), the Secretary shall review contractor and subcontractor compliance with the nuclear safety-related regulations referred to in subsection (b) at each Department of Energy defense nuclear facility covered by the regulations.

(b) NUCLEAR SAFETY-RELATED REGULATIONS COVERED.—The regulations with which compliance is to be reviewed under this section are as follows:

(1) The nuclear safety management regulations set forth in part 830 of title 10 of the Code of Federal Regulations (as amended, if amended).

(2) The occupational radiation protection regulations set forth in part 835 of title 10 of the Code of Federal Regulations (as amended, if amended).

(c) REPORTING REQUIREMENTS.—(1) Subject to paragraph (2), the Secretary shall include in the annual report submitted to Congress pursuant to section 170(p) of the Atomic Energy Act of 1954 (42 U.S.C. 2210(p)) a report on contractor and subcontractor compliance with the nuclear safety-related regulations referred to in subsection (b). The report shall include the following matters:

(A) A list of facilities evaluated and a discussion of progress made in meeting the compliance review requirement set forth in subsection (a).

(B) A list of noncompliance events and violations identified in the compliance review.

(C) A list of actions taken under sections 223 and 234A of the Atomic Energy Act of 1954 and the nuclear safety-related regulations.

(D) Improvements in public safety and worker protection that have been required by the Secretary on the basis of the results of the compliance review.

(E) A description of the effectiveness of compliance review.

(2)(A) The first annual report under paragraph (1) shall be included in the annual report that is required by section 170(p) of the Atomic Energy Act of 1954 to be submitted to Congress not later than April 1, 1997.

(B) No report is required under paragraph (1) after all defense nuclear facilities covered by the regulations referred to in subsection (a) have undergone compliance review pursuant to this section.

(d) PERSONNEL.—The Secretary shall ensure that the number of qualified personnel used to carry out the compliance review under this section is sufficient for achieving effective results. Only Federal employees may be used to carry out a compliance review activity under this section.

(e) REGULATIONS.—Effective 18 months after the date of the enactment of this Act, violations of regulations prescribed by the Secretary to protect contractor and subcontractor employees from non-nuclear hazards at Department of Energy defense nuclear facilities shall be punishable under sections 223 and 234A of the Atomic Energy Act of 1954 (42 U.S.C. 2282a and 42 U.S.C. 2273).

GORTON AMENDMENT NO. 4123

(Ordered to lie on the table.)

Mr. GORTON submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

At the end of title XXVI of the bill, insert the following:

SEC. 2602. FUNDING FOR CONSTRUCTION AND IMPROVEMENT OF RESERVE CENTERS IN THE STATE OF WASHINGTON.

(a) FUNDING.—Notwithstanding any other provision of law, of the funds appropriated under the heading ''MILITARY CONSTRUCTION, NAVAL RESERVE'' in the Military Construction Appropriations Act, 1995 (Public Law 103–307; 108 Stat. 1661), that are available for the construction of a Naval Reserve center in Seattle, Washington—

(1) $5,200,000 shall be available for the construction of an Army Reserve Center at Fort Lawton, Washington, of which $700,000 may be used for program and design activities relating to such construction;

(2) $4,200,000 shall be available for the construction of an addition to the Naval Reserve Center in Tacoma, Washington;

(3) $500,000 shall be available for unspecified minor construction at Naval Reserve facilities in the State of Washington; and

(4) $500,000 shall be available for program and design activities with respect to improvements at Naval Reserve facilities in the State of Washington.

(b) MODIFICATION OF LAND CONVEYANCE AUTHORITY.—Paragraph (2) of section 127(d) of the Military Construction Appropriations Act, 1995 (Public Law 103–337; 108 Stat. 1666), is amended to read as follows:

''(2) Before commencing construction of a facility to be the replacement facility for the Naval Reserve Center under paragraph (1), the Secretary shall comply with the requirements of the National Environmental Policy Act (42 U.S.C. 4321 et seq.) with respect to such facility.''.

CHAFEE AMENDMENTS NOS. 4124–4125

(Ordered to lie on the table.)

Mr. CHAFEE submitted two amendments intended to be proposed by him to the bill, S. 1745, supra; as follows:

AMENDMENT NO. 4124

In the table in section 2201(a), insert after the item relating to Camp Lejeune Marine Corps Base, North Carolina, the following new item:

Rhode Island	Naval Undersea Warfare Center.	$8,900,000

Strike out the amount set forth as the total amount at the end of the table in section 2201(a) and insert in lieu thereof ''$515,952,000''.

In section 2205(a), in the matter preceding paragraph (1), strike out ''$2,040,093,000'' and insert in lieu thereof ''$2,048,993,000''.

In section 2205(a)(1), strike out ''$507,052,000'' and insert in lieu thereof ''$515,952,000''.

AMENDMENT NO. 4125

At the end of title VIII, add the following:

SEC. 810. PILOT PROGRAM FOR TRANSFER OF DEFENSE TECHNOLOGY INFORMATION TO PRIVATE INDUSTRY.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program to demonstrate online transfers of information on defense technologies to businesses in the private sector through an interactive data network involving institutions of higher education.

(a) COMPUTERIZED DATA BASE OF DEFENSE TECHNOLOGIES.—(1) Under the pilot program, the Secretary shall enter into an agreement with the head of an institution of higher education that provides for such institution—

(A) to develop and maintain a computerized data base of information on defense technologies;

(B) to make such information available online to—

(i) businesses; and

(ii) other institutions of higher education entering into partnerships with the Secretary under subsection (c).

(2) The online accessibility may be established by means of any of, or any combination of, the following:

(A) Digital teleconferencing.

(B) International Signal Digital Network lines.

(C) Direct modem hookup.

(e) PARTNERSHIP NETWORK.—Under the pilot program, the head of the institution with which the Secretary enters into an agreement under subsection (b) may, with the concurrence of the Secretary, enter into agreements with the heads of other institutions of higher education having strong business education programs to provide for the institutions of higher education entering into such agreements—

(1) to establish interactive computer links with the data base developed and maintained under subsection (b); and

(2) to assist the Secretary in making information on defense technologies available online to the broadest practicable number, types, and sizes of businesses.

(d) DEFENSE TECHNOLOGIES COVERED.—(1) The Secretary shall designate the technologies to be covered by the pilot program from among the existing and experimental technologies that the Secretary determines—

(A) are useful in meeting Department of Defense needs; and

(B) should be made available under the pilot program to facilitate the satisfaction of such needs by private sector sources.

(2) Technologies covered by the program should include technologies useful for defense purposes that can also be used for nondefense purposes (without or without modification).

(e) DEFINITIONS.—In this section:

(1) The term ''defense technology'' means a technology designated by the Secretary of Defense under subsection (d).

(2) The term ''partnership'' means an agreement entered into under subsection (c).

(f) TERMINATION OF PILOT PROGRAM.—The pilot program shall terminate one year after the Secretary enters into an agreement under subsection (b).

(g) AUTHORIZATION OF APPROPRIATIONS.—(1) Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 1997 for the pilot program in the amount of $2,300,000.

(2) The amount authorized to be appropriated under paragraph (1) is in addition to the amounts authorized to be appropriated under other provisions of this Act.

GRASSLEY AMENDMENT NO. 4126

(Ordered to lie on the table.)

Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

At the end of section 218(a) add the following: ''The report shall include—

''(1) a comparison of—

''(A) the results of the review, with

''(B) the results of the last independent estimate of production costs of the program that was prepared by the Cost Analysis Improvement Group in July 1991; and

''(2) a description of any major changes in programmatic assumptions that have occurred since the estimate referred to in paragraph (1)(B) was made, including any major change in assumptions regarding the program schedule, the quantity of aircraft to be developed and acquired, and the annual rates of production, together with an assessment of the effects of such changes on the program.''.

DASCHLE AMENDMENT NO. 4127

(Ordered to lie on the table.)

Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

In section 2601(1), strike out ''$79,628,000'' and insert in lieu thereof ''$84,228,000''.

LIEBERMAN (AND OTHERS) AMENDMENT NO. 4128

(Ordered to lie on the table.)

Mr. LIEBERMAN (for himself, Mr. COATS, Mr. ROBB, Mr. MCCAIN, Mr. NUNN, Mr. INHOFE, Mr. KEMPTHORNE, Mr. WARNER, Mrs. HUTCHISON, Mr. SANTORUM, Mr. MURKOWSKI, Mr. FORD, and Mr. BOND) submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

At the end of title X, add the following:

Subtitle G—Review of Armed Forces Force Structures

SEC. 1081. SHORT TITLE.

This subtitle may be cited as the ''Armed Forces Force Structures Review Act of 1996''.

SEC. 1082. FINDINGS.

Congress makes the following findings:

(1) Since the collapse of the Soviet Union in 1991, the United States has conducted two substantial assessments of the force structure of the Armed Forces necessary to meet United States defense requirements.

(2) The assessment by the Bush Administration (known as the ''Base Force'' assessment) and the assessment by the Clinton Administration (known as the ''Bottom-Up Review'') were intended to reassess the force structure of the Armed Forces in light of the changing realities of the post-Cold War world.

(3) Both assessments served an important purpose in focusing attention on the need to reevaluate the military posture of the United States, but the pace of global change necessitates a new, comprehensive assessment of the defense strategy of the United States and the force structure of the Armed Forces required to meet the threats to the United States in the 21st century.

(4) The Bottom-Up Review has been criticized on several points, including—

(A) the assumptions underlying the strategy of planning to fight and win two nearly simultaneous major regional conflicts;

(B) the force levels recommended to carry out that strategy; and

(C) the funding proposed for such recommended force levels.

(5) In response to the recommendations of the Commission on Roles and Missions of the Armed Forces, the Secretary of Defense endorsed the concept of conducting a quadrennial review of the defense program at the beginning of each newly elected Presidential administration, and the Secretary intends to complete the first such review in 1997.

(6) The review is to involve a comprehensive examination of defense strategy, the force structure of the active, guard, and reserve components, force modernization plans, infrastructure, and other elements of the defense program and policies in order to determine and express the defense strategy of the United States and to establish a revised defense program through the year 2005.

(7) In order to ensure that the force structure of the Armed Forces is adequate to meet the challenges to the national security interests of the United States in the 21st century, to assist the Secretary of Defense in conducting the review referred to in paragraph (5), and to assess the appropriate force structure of the Armed Forces through the year 2010 and beyond (if practicable), it is important to provide for the conduct of an independent, non-partisan review of the force structure that is more comprehensive than prior assessments of the force structure, extends beyond the quadrennial defense review, and explores innovative and forward-thinking in ways of meeting such challenges.

SEC. 1083. QUADRENNIAL DEFENSE REVIEW.

(a) REQUIREMENT IN 1997.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall complete in 1997 a review of the defense program of the United States intended to satisfy the requirements for a Quadrennial Defense Review as identified in the recommendations of the Commission on Roles and Missions of the Armed Forces. The review shall include a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, and other elements of the defense program and policies with a view toward determining and expressing the defense strategy of the United States and establishing a revised defense program through the year 2005.

(b) INVOLVEMENT OF NATIONAL DEFENSE PANEL.—(1) The Secretary shall apprise the National Defense Panel established under section 1084, on an on-going basis, of the work undertaken in the conduct of the review.

(2) Not later than March 14, 1997, the Chairman of the National Defense Panel shall submit to the Secretary the panel's assessment of work undertaken in the conduct of the review as of that date and shall include in the assessment the recommendations of the panel for improvements to the review, including recommendations for additional matters to be covered in the review.

(c) ASSESSMENTS OF REVIEW.—Upon completion of the review, the Chairman of the Joint Chiefs of Staff and the Chairman of the National Defense Panel shall each prepare and submit to the Secretary such chairman's assessment of the review in time for the inclusion of the assessment in its entirety in the report under subsection (d).

(d) REPORT.—Not later than May 15, 1997, 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 comprehensive report on the review. The report shall include the following:

(1) The results of the review, including a comprehensive discussion of the defense strategy of the United States and the force structure best suited to implement the strategy.

(2) The threats examined for purposes of the review and the scenarios developed in the examination of such threats.

(3) The assumptions used in the review, including assumptions relating to the cooperation of allies and mission-sharing, levels of acceptable risk, warning times, and intensity and duration of conflict.

(4) The effect on the force structure of preparations for and participation in peace operations and military operations other than war.

(5) The effect on the force structure of the utilization by the Armed Forces of technologies anticipated to be available by the year 2005, including precision guided munitions, stealth, night vision, digitization, and communications, and the changes in doctrine and operational concepts that would result from the utilization of such technologies.

(6) The manpower and sustainment policies required under the defense strategy to support engagement in conflicts lasting more than 120 days.

(7) The anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge such roles and missions.

(8) The appropriate ratio of combat forces to support forces (commonly referred to as the ''tooth-to-tail'' ratio) under the defense strategy, including, in particular, the appropriate number and size of headquarter units and Defense Agencies for that purpose.

(9) The air-lift and sea-lift capabilities required to support the defense strategy.

(10) The forward presence, pre-positioning, and other anticipatory deployments necessary under the defense strategy for conflict deterrence and adequate military response to anticipated conflicts.

(11) The extent to which resources must be shifted among two or more theaters under the defense strategy in the event of conflict in such theaters.

(12) The advisability of revisions to the Unified Command Plan as a result of the defense strategy.

SEC. 1084. NATIONAL DEFENSE PANEL.

(a) ESTABLISHMENT.—Not later than December 1, 1996, the Secretary of Defense shall establish a non-partisan, independent panel to be known as the National Defense Panel (in this section referred to as the ''Panel''). The Panel shall have the duties set forth in this section.

(b) MEMBERSHIP.—The Panel shall be composed of a chairman and eight other individuals appointed by the Secretary, in consultation with the Chairman and ranking member of the Committee on Armed Services of the Senate and the Chairman and ranking member of the Committee on National Security of the House of Representatives, from among individuals in the private sector who are recognized experts in matters relating to the national security of the United States.

(c) DUTIES.—The Panel shall—

(1) conduct and submit to the Secretary the assessment of the review under section 1083 that is required by subsection (b)(2) of that section;

(2) conduct and submit to the Secretary the comprehensive assessment of the review that is required by subsection (c) of that section upon completion of the review; and

(3) conduct the assessment of alternative force structures for the Armed Forces required under subsection (d).

(d) ALTERNATIVE FORCE STRUCTURE ASSESSMENT.—(1) The Panel shall submit to the Secretary an independent assessment of a variety of possible force structures of the Armed Forces through the year 2010 and beyond, including the force structure identified in the report on the review under section 1083(d). The purpose of the assessment is to develop proposals for an ''above the line'' force structure of the Armed Forces and to provide the Secretary and Congress recommendations regarding the optimal force structure to meet anticipated threats to the national security of the United States through the time covered by the assessment.

(2) In conducting the assessment, the Panel shall examine a variety of potential threats (including near-term threats and long-term threats) to the national security interests of the United States, including the following:

(A) Conventional threats across a spectrum of conflicts.

(B) The proliferation of weapons of mass destruction and the means of delivering such weapons, and the illicit transfer of technology relating to such weapons.

(C) The vulnerability of United States technology to non-traditional threats, including information warfare.

(D) Domestic and international terrorism.

(E) The emergence of a major challenger having military capabilities similar to those of the United States.

(F) Any other significant threat, or combination of threats, identified by the Panel.

(3) For purposes of the assessment, the Panel shall develop a variety of scenarios requiring a military response by the Armed Forces, including the following:

(A) Scenarios developed in light of the threats examined under paragraph (2).

(B) Scenarios developed in light of a continuum of conflicts ranging from a conflict of lesser magnitude than the conflict described in the Bottom-Up Review to a conflict of greater magnitude than the conflict so described.

(4) As part of the assessment, the Panel shall also—

(A) develop recommendations regarding a variety of force structures for the Armed Forces that permit the forward deployment of sufficient land- and sea-based forces to provide an effective deterrent to conflict and to permit a military response by the United States to the scenarios developed under paragraph (3);

(B) to the extent practicable, estimate the funding required by fiscal year, in constant fiscal year 1997 dollars, to organize, equip, and support the forces contemplated under the force structures assessed in the assessment; and

(C) comment on each of the matters also to be included by the Secretary in the report required by section 1083(d).

(e) REPORT.—(1) Not later than December 1, 1997, the Panel shall submit to the Secretary a report setting forth the activities, findings and recommendations of the Panel under subsection (d), including any recommendations for legislation that the Panel considers appropriate.

(2) Not later than December 15, 1997, the Secretary shall, after consultation with the Chairman of the Joint Chiefs of Staff, submit to the committees referred to in subsection (b)(1) a copy of the report under paragraph (1), together with the Secretary's comments on the report.

(f) INFORMATION FROM FEDERAL AGENCIES.—The Panel may secure directly from the Department of Defense and any of its components and from any other Federal department and agency such information as the Panel considers necessary to carry out its duties under this section. The head of the department or agency concerned shall ensure that information requested by the Panel under this subsection is promptly provided.

(g) PERSONNEL MATTERS.—(1) Each member of the Panel shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Panel.

(2) The members of the Panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Panel.

(3)(A) The chairman of the Panel may, without regard to the civil service laws and regulations, appoint and terminate an executive director, and a staff of not more than four additional individuals, if the Panel determines that an executive director and staff are necessary in order for the Panel to perform its duties effectively. The employment of an executive director shall be subject to confirmation by the Panel.

(B) The chairman may fix the compensation of the executive director without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) Any Federal Government employee may be detailed to the Panel without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege. The Secretary shall ensure that sufficient personnel are detailed to the Panel to enable the Panel to carry out its duties effectively.

(5) To the maximum extent practicable, the members and employees of the Panel shall travel on military aircraft, military ships, military vehicles, or other military conveyances when travel is necessary in the performance of a duty of the Panel, except that no such aircraft, ship, vehicle, or other conveyance may be scheduled primarily for the transportation of any such member or employee when the cost of commercial transportation is less expensive.

(h) ADMINISTRATIVE PROVISIONS.—(1) The Panel may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(2) The Secretary shall furnish the Panel any administrative and support services requested by the Panel.

(3) The Panel may accept, use, and dispose of gifts or donations of services or property.

(i) PAYMENT OF PANEL EXPENSES.—The compensation, travel expenses, and per diem allowances of members and employees of the Panel shall be paid out of funds available to

the Department of Defense for the payment of compensation, travel allowances, and per diem allowances, respectively, of civilian employees of the Department. The other expenses of the Panel shall be paid out of funds available to the Department for the payment of similar expenses incurred by the Department.

(j) TERMINATION.—The Panel shall terminate 30 days after the date on which the Panel submits its report to the Secretary under subsection (e).

SEC. 1085. POSTPONEMENT OF DEADLINES.

In the event that the election of President of the United States in 1996 results in a change in administrations, each deadline set forth in this subtitle shall be postponed by 3 months.

SEC. 1086. DEFINITIONS.

In this subtitle:

(1) The term ''`above the line' force structure of the Armed Forces'' means a force structure (including numbers, strengths, and composition and major items of equipment) for the Armed Forces at the following unit levels:

(A) In the case of the Army, the division.

(B) In the case of the Navy, the battle group.

(C) In the case of the Air Force, the wing.

(D) In the case of the Marine Corps, the expeditionary force.

(E) In the case of special operations forces of the Army, Navy, or Air Force, the major operating unit.

(F) In the case of the strategic forces, the ballistic missile submarine fleet, the heavy bomber force, and the intercontinental ballistic missile force.

(2) The term ''Commission on Roles and Missions of the Armed Forces'' means the Commission on Roles and Missions of the Armed Forces established by subtitle E of title IX of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1738; 10 U.S.C. 111 note).

(3) The term ''military operation other than war'' means any operation other than war that requires the utilization of the military capabilities of the Armed Forces, including peace operations, humanitarian assistance operations and activities, counter-terrorism operations and activities, disaster relief activities, and counter-drug operations and activities.

(4) The term ''peace operations'' means military operations in support of diplomatic efforts to reach long-term political settlements of conflicts and includes peacekeeping operations and peace enforcement operations.

PRYOR (AND OTHERS) AMENDMENT NO. 4129

(Ordered to lie on the table.)

Mr. PRYOR (for himself, Mr. CHAFEE, Mr. BROWN, Mr. BRYAN, Mr. LEAHY, and Mr. DORGAN) submitted an amendment intended to be proposed by them to the bill, S. 1745, supra; as follows:

At the end of subtitle F of title X add the following:

SEC. 1072. EQUITABLE TREATMENT FOR THE GENERIC DRUG INDUSTRY.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the generic drug industry should be provided equitable relief in the same manner as other industries are provided with such relief under the patent transitional provisions of section 154(c) of title 35, United States Code, as amended by section 532 of the Uruguay Round Agreements Act of 1994 (Public Law 103–465; 108 Stat. 4983).

(b) APPROVAL OF APPLICATIONS OF GENERIC DRUGS.—For purposes of acceptance and consideration by the Secretary of Health and Human Services of an application under subsections (b), (c), and (j) of section 505, and subsections (b), (c), and (n) of section 512, of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355 (b), (c), and (j), and 360b (b), (c), and (n)), the expiration date of a patent that is the subject of a certification under section 505(b)(2)(A) (ii), or (iv), section 505(j)(2)(A)(vii) (II), (III), or (IV), or section 512(n)(1)(H) (ii), (iii), or (iv) of such Act, respectively, made in an application submitted prior to June 8, 1995, or in an application submitted on or after that date in which the applicant certifies that substantial investment was made prior to June 8, 1995, shall be deemed to be the date on which such patent would have expired under the law in effect on the day preceding December 8, 1994.

(c) MARKETING GENERIC DRUGS.—The remedies of section 271(e)(4) of title 35, United States Code, shall not apply to acts—

(1) that were commenced, or for which a substantial investment was made, prior to June 8, 1995; and

(2) that became infringing by reason of section 154(c)(1) of such title, as amended by section 532 of the Uruguay Round Agreements Act (Public Law 103–465; 108 Stat. 4983).

(d) EQUITABLE REMUNERATION.—For acts described in subsection (c), equitable remuneration of the type described in section 154(c)(3) of title 35, United States Code, as amended by section 532 of the Uruguay Round Agreements Act (Public Law 103–465; 108 Stat. 4983) shall be awarded to a patentee only if there has been—

(1) the commercial manufacture, use, offer to sell, or sale, within the United States of an approved drug that is the subject of an application described in subsection (b); or

(2) the importation by the applicant into the United States of an approved drug or of active ingredient used in an approved drug that is the subject of an application described in subsection (b).

(e) APPLICABILITY.—The provisions of this section shall govern—

(1) the approval or the effective date of approval of applications under section 505(b)(2), 505(j), 507, or 512(n), of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355 (b)(2) and (j), 357, 360b(n)) submitted on or after the date of enactment of this Act; and

(2) the approval or effective date of approval of all pending applications that have not received final approval as of the date of enactment of this Act.

DORGAN AMENDMENT NO. 4130

(Ordered to lie on the table.)

Mr. DORGAN submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

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

SEC. . SENSE OF THE SENATE ON MILITARY HONORS AT FUNERALS.

(a) FINDINGS.—The Senate finds that—

(1) in an April 24, 1996 incident in Grand Forks, North Dakota, a security specialist at Grand Forks Air Force Base shot his former girlfriend to death and then was killed by Grand Forks police when he turned his weapon on them;

(2) on April 29, at the request of his family, the airman was buried with military honors in the National Cemetery at Biloxi, Mississippi, at a cost to the taxpayer of $5,468;

(3) relevant law (10 USC 1482) appears to give the Service Secretaries discretion to deny honors to a deceased servicemember;

(4) the relevant regulation (Department of Defense Directive 1300.15, September 30, 1985) appears to give no discretion to deny honors: the Directive states that ''For a member who dies while on active duty . . . there shall be'' honors such as pallbearers, a firing party, and a bugler; and

(5) paying final tribute on behalf of a grateful nation to those who have served it honorably is important to respect the deceased, to show esteem for military service, to comfort the grieving and to display military professionalism, but the use of military honors at the funeral of someone undeserving of them not only wastes taxpayer dollars but also lowers the morale and impugns the high reputation of our nation's military.

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

(1) the Secretary of Defense should promulgate a regulation clarifying that a Service Secretary has the discretion to deny military honors for the burial of a deceased service member if the Secretary determines beyond a reasonable doubt that the service member, had he or she lived, would have been successfully convicted of murder in an American military or civilian court; and

(2) the Service Secretary concerned should make such a determination only within 72 hours of the service member's death, and should communicate that determination to the service member's family as swiftly as possible.

EXON (AND OTHERS) AMENDMENT NO. 4131

(Ordered to lie on the table.)

Mr. EXON (for himself, Mr. KOHL, Mr. BINGAMAN, Mr. DORGAN, and Mr. WELLSTONE) submitted an amendment intended to be proposed by them to the bill, S. 1745, supra; as follows:

After section 3, insert the following:

SEC. 4. GENERAL LIMITATION.

Notwithstanding any other provision of this Act, the total amount authorized to be appropriated for fiscal year 1997 under the provisions to this Act is $263,362,000,000.

EXON AMENDMENT NO. 4132

(Ordered to lie on the table.)

Mr. EXON submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

At the end of subtitle E of title III, add the following:

SEC. 368. AUTHORITY OF AIR NATIONAL GUARD TO PROVIDE CERTAIN SERVICES AT LINCOLN MUNICIPAL AIRPORT, LINCOLN, NEBRASKA

(a) AUTHORITY.—Subject to subsection (b), the Air National Guard may provide fire protection services and rescue services relating to aircraft at Lincoln Municipal Airport, Lincoln, Nebraska, on behalf of the Lincoln Municipal Airport Authority, Lincoln, Nebraska.

(b) AGREEMENT.—The Air National Guard may not provide services under subsection (a) until the Air National Guard and the authority enter into an agreement under which the authority reimburses the Air National Guard for the cost of the services provided.

GLENN AMENDMENT NO. 4133

(Ordered to lie on the table.)

Mr. GLENN submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

On page 330, strike out lines 9 through 24.

On pages 331 and 332, strike out lines 1 through 24.

On pages 333, 334, 335 and 336, strike out lines 1 through 25.

On page 337, strike out lines 1 through 24.
On pages 338 and 339, strike out lines 1 through 25.
On page 340, strike out lines 1 through 6.
On page 340, line 7, strike out ''Sec. 1122.'' and insert in lieu thereof ''Sec. 1121.''

DORGAN AMENDMENT NO. 4134

(Ordered to lie on the table.)

Mr. DORGAN submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

On page 398, after line 23, add the following:

SEC. 2828. LAND CONVEYANCE, WILLIAM LANGER JEWEL BEARING PLANT, ROLLA, NORTH DAKOTA.

(A) AUTHORITY TO CONVEY.—The Administrator of General Services may convey, without consideration, to the Job Development Authority of the City of Rolla, North Dakota (in this section referred to as the ''Authority''), all right, title, and interest of the United States in and to a parcel of real property, with improvements thereon and all associated personal property, consisting of approximately 9.77 acres and comprising the William Langer Jewel Bearing Plant in Rolla, North Dakota.

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

(1) use the real and personal property and improvements conveyed under that subsection for economic development relating to the jewel bearing plant;

(2) enter into an agreement with an appropriate public or private entity or person to lease such property and improvements to that entity or person for such economic development; or

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

(c) PREFERENCE FOR DOMESTIC DISPOSAL OF JEWEL BEARINGS.—(1) In offering to enter into agreements pursuant to any provision of law for the disposal of jewel bearings from the National Defense Stockpile, the President shall give a right of first refusal on all such offers to the Authority or to the appropriate public or private entity or person with which the Authority enters into an agreement under subsection (b).

(2) 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)).

(d) AVAILABILITY OF FUNDS FOR MAINTENANCE AND CONVEYANCE OF PLANT.—Notwithstanding any other provision of law, funds available in fiscal year 1995 for the maintenance of the William Langer Jewel Bearing Plant in Public Law 103–335 shall be available for the maintenance of that plant in fiscal year 1996, pending conveyance, and for the conveyance of that plant under this section.

(e) 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 the survey shall be borne by the Administrator.

(f) ADDITIONAL TERMS AND CONDITIONS.—The 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.

HEFLIN AMENDMENTS NOS. 4135–4140

(Ordered to lie on the table.)

Mr. HEFLIN submitted six amendments intended to be proposed by him to the bill, S. 1745, supra; as follows:

AMENDMENT NO. 4135

At the end of subtitle C of title II, add the following:

SEC. 237. DESIGNATION OF THE ARMY AS LEAD SERVICE IN THE NATIONAL MISSILE DEFENSE JOINT PROGRAM OFFICE FOR INITIAL DEPLOYMENT PHASE OF NATIONAL MISSILE DEFENSE PROGRAM.

The Director of the Ballistic Missile Defense Organization shall designate the Army as the lead service in the National Missile Defense Joint Program Office for the initial deployment phase of the national missile defense program.

AMENDMENT NO. 4136

In section 1102(a)(2), strike out ''during fiscal year 1997''.

AMENDMENT NO. 4137

At the end of subtitle B of title I, add the following:

SEC. 113. TYPE CLASSIFICATION OF ELECTRO OPTIC AUGMENTATION (EOA) SYSTEM.

(a) REQUIREMENT.—The Secretary of the Army shall type classify the Electro Optic Augmentation (EOA) system.

(b) FUNDING.—Of the amounts authorized to be appropriated for the Army by this division, $100,000 shall be made available to the Armored Systems Modernization Program manager for the type classification required by subsection (a).

AMENDMENT NO. 4138

At the end of subtitle B of title I, add the following:

SEC. 113. BRADLEY TOW 2 TEST PROGRAM SETS.

Notwithstanding any other provision of law, the funds appropriated pursuant to the authorization of appropriations in section 101(3) of the National Defense Authorization Act for Fiscal Year 1996 (110 Stat. 204) and available for the procurement of Armored Gun System Test Program sets shall be made available instead for the procurement of Bradley TOW 2 Test Program sets.

AMENDMENT NO. 4139

In section 330, in the matter preceeding paragraph (1), insert '', the Letterkenny Army Depot,'' after ''Sacramento Air Logistics Center''.

AMENDMENT NO. 4140

At the end of subtitle C of title I, add the following:

SEC. 125. PROCUREMENT OF MAIN FEED PUMP TURBINES FOR THE CONSTELLATION (CV–64).

(a) INCREASED AUTHORIZATION.—The amount authorized to be appropriated by section 102(4) is hereby increased by $4,200,000.

(b) AUTHORITY TO PROCURE.—Of the amount authorized to be appropriated by section 102(4), as increased by subsection (a), $4,200,000 shall be available for the procurement of main feed pump turbines for the Constellation (CV–64).

COHEN AMENDMENTS NOS. 4141–4143

(Ordered to lie on the table.)

Mr. COHEN submitted three amendments intended to be proposed by him to the bill, S. 1745, supra; as follows:

AMENDMENT NO. 4141

At the end of subtitle F of title X add the following:

SEC. 1072. INFORMATION TECHNOLOGY MANAGEMENT AMENDMENTS.

(a) REFORMS INDEPENDENT OF PAPERWORK REDUCTION LAW.—Title LI of the Information Technology Management Reform Act of 1996 (Public Law 104–106; 110 Stat. 680) is amended—

(1) by striking out sections 5111 and 5121 (40 U.S.C. 1411 and 1421);

(2) in section 5112(a), by striking out ''in fulfilling the responsibilities under section 3504(h) of title 44, United States Code'';

(3) in section 5113(a), by striking out ''in fulfilling the responsibilities assigned under section 3504(h) of title 44, United States Code'';

(4) in section 5122(a), by striking out ''In fulfilling the responsibilities assigned under section 3506(h) of title 44, United States Code, the'' and inserting in lieu thereof ''The''; and

(5) in section 5123(a), by striking out ''In fulfilling the responsibilities under section 3506(h) of title 44, United States Code, the'' and inserting in lieu thereof ''The''.

(b) NATIONAL SECURITY SYSTEMS.—Sections 5141 of the Information Technology Management Reform Act (110 Stat. 689) is amended by striking subsections (a) and (b) and inserting ''Notwithstanding any other provision of law, systems to which this title applies include national security systems.''

(c) RELATIONSHIP TO OTHER LAWS.—Section 5703 of the Information Technology Management Reform Act of 1996 (110 Stat. 703) is amended—

(1) by striking out subsection (b); and

(2) in subsection (a), by striking out ''(a) RELATIONSHIP TO TITLE 44, UNITED STATES CODE.—''.

AMENDMENT NO. 4142

At the end of subtitle F of title X add the following:

SEC. 1072. INFORMATION TECHNOLOGY MANAGEMENT AMENDMENTS.

(a) REPORTING OF SIGNIFICANT DEVIATIONS FROM COST, PERFORMANCE, AND SCHEDULE GOALS.—Section 5127 of the Information Technology Management Reform Act of 1996 (division E of Public Law 104–106; 110 Stat. 687; 40 U.S.C. 1427) is amended—

(1) by striking out ''The head of an executive agency'' and inserting in lieu thereof ''(a) IN GENERAL.—Except in the case of a national security system program, the head of an executive agency''; and

(2) by adding at the end the following:

''(b) SEPARATE REPORTING FOR NATIONAL SECURITY SYSTEMS.—The head of each executive agency shall submit to Congress an annual report that identifies each major information technology acquisition program for acquisition of a national security system for that agency, and each phase or increment of such a program, that has significantly deviated during the year covered by the report from the cost, performance, or schedule goals established for the program.

''(c) NATIONAL SECURITY SYSTEM DEFINED.—In this section, the term 'national security system' has the meaning given such term in section 5142.''.

(b) APPLICABILITY OF MANAGEMENT REFORMS TO NATIONAL SECURITY SYSTEMS.—Section 5141(b) of the Information Technology Management Reform Act of 1996 (110 Stat. 689; 40 U.S.C. 1451(b)) is amended—

(1) in paragraph (1), by striking out ''and 5126'' and inserting in lieu thereof ''5126, and 5127'';

(2) by striking out paragraph (2) and inserting in lieu thereof the following:

''(2) CAPITAL PLANNING AND INVESTMENT CONTROL.—(A) National security systems shall be subject to sections 5112(c) and 5122 (other than subsection (b)(4) of section 5122).

''(B) To the maximum extent practicable, the heads of executive agencies shall apply the other provisions of section 5112 and section 5122(b)(4) to national security systems.''; and

(3) in paragraph (3)—

(A) in subparagraph (A), by inserting ''maximum'' before ''extent practicable''; and

(B) in subparagraph (B) by striking out ''section 5113(b)(5) except for subparagraph (B)(iv) of that section'' and inserting in lieu thereof ''paragraphs (1), (2), and (5) of section 5113(b), except for paragraph (5)(B)(iv)''.

(c) RELATIONSHIP TO OTHER LAWS.—Section 5703 of the Information Technology Management Reform Act of 1996 (110 Stat. 703) is amended—

(1) by striking out subsection (b); and

(2) in subsection (a), by striking out ''(a) RELATIONSHIP TO TITLE 44, UNITED STATES CODE.—''.

AMENDMENT NO. 4143

At the end of division A add the following new title:

TITLE XIII—FEDERAL EMPLOYEE TRAVEL REFORM

SEC. 1301. SHORT TITLE.

This title may be cited as the ''Travel Reform and Savings Act of 1996''.

Subtitle A—Relocation Benefits

SEC. 1311. MODIFICATION OF ALLOWANCE FOR SEEKING PERMANENT RESIDENCE QUARTERS.

Section 5724a of title 5, United States Code, is amended to read as follows:

''§ 5724a. Relocation expenses of employees transferred or reemployed

''(a) An agency shall pay to or on behalf of an employee who transfers in the interest of the Government, a per diem allowance or the actual subsistence expenses, or a combination thereof, of the immediate family of the employee for en route travel of the immediate family between the employee's old and new official stations.

''(b)(1) An agency may pay to or on behalf of an employee who transfers in the interest of the Government between official stations located within the United States—

''(A) the expenses of transportation, and either a per diem allowance or the actual subsistence expenses, or a combination thereof, of the employee and the employee's spouse for travel to seek permanent residence quarters at a new official station; or

''(B) the expenses of transportation, and an amount for subsistence expenses in lieu of a per diem allowance or the actual subsistence expenses or a combination thereof, authorized in subparagraph (A) of this paragraph.

''(2) Expenses authorized under this subsection may be allowed only for one round trip in connection with each change of station of the employee.''.

SEC. 1312. MODIFICATION OF TEMPORARY QUARTERS SUBSISTENCE EXPENSES ALLOWANCE.

Section 5724a of title 5, United States Code, is further amended by adding at the end the following new subsection:

''(c)(1) An agency may pay to or on behalf of an employee who transfers in the interest of the Government—

''(A) actual subsistence expenses of the employee and the employee's immediate family for a period of up to 60 days while occupying temporary quarters when the new official station is located within the United States as defined in subsection (d) of this section; or

''(B) an amount for subsistence expenses instead of the actual subsistence expenses authorized in subparagraph (A) of this paragraph.

''(2) The period authorized in paragraph (1) of this subsection for payment of expenses for residence in temporary quarters may be extended up to an additional 60 days if the head of the agency concerned or the designee of such head of the agency determines that there are compelling reasons for the continued occupancy of temporary quarters.

''(3) The regulations implementing paragraph (1)(A) shall prescribe daily rates and amounts for subsistence expenses per individual.''.

SEC. 1313. MODIFICATION OF RESIDENCE TRANSACTION EXPENSES ALLOWANCE.

(a) EXPENSES OF SALE.—Section 5724a of title 5, United States Code, is further amended by adding at the end the following new subsection:

''(d)(1) An agency shall pay to or on behalf of an employee who transfers in the interest of the Government, expenses of the sale of the residence (or the settlement of an unexpired lease) of the employee at the old official station and purchase of a residence at the new official station that are required to be paid by the employee, when the old and new official stations are located within the United States.

''(2) An agency shall pay to or on behalf of an employee who transfers in the interest of the Government from a post of duty located outside the United States to an official station within the United States (other than the official station within the United States from which the employee was transferred when assigned to the foreign tour of duty)—

''(A) expenses required to be paid by the employee of the sale of the residence (or the settlement of an unexpired lease) of the employee at the old official station from which the employee was transferred when the employee was assigned to the post of duty located outside the United States; and

''(B) expenses required to be paid by the employee of the purchase of a residence at the new official station within the United States.

''(3) Reimbursement of expenses under paragraph (2) of this subsection shall not be allowed for any sale (or settlement of an unexpired lease) or purchase transaction that occurs prior to official notification that the employee's return to the United States would be to an official station other than the official station from which the employee was transferred when assigned to the post of duty outside the United States.

''(4) Reimbursement for brokerage fees on the sale of the residence and other expenses under this subsection may not exceed those customarily charged in the locality where the residence is located.

''(5) Reimbursement may not be made under this subsection for losses incurred by the employee on the sale of the residence.

''(6) This subsection applies regardless of whether title to the residence or the unexpired lease is—

''(A) in the name of the employee alone;

''(B) in the joint names of the employee and a member of the employee's immediate family; or

''(C) in the name of a member of the employee's immediate family alone.

''(7)(A) In connection with the sale of the residence at the old official station, reimbursement under this subsection shall not exceed 10 percent of the sale price.

''(B) In connection with the purchase of a residence at the new official station, reimbursement under this subsection shall not exceed 5 percent of the purchase price.

''(8) For purposes of this subsection, the term 'United States' means the several States of the United States, the District of Columbia, the territories and possessions of the United States, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the areas and installations in the Republic of Panama made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979).''.

(b) RELOCATION SERVICES.—Section 5724c of title 5, United State Code, is amended to read as follows:

''§ 5724c. Relocation services

''Under regulations prescribed under section 5737, each agency may enter into contracts to provide relocation services to agencies and employees for the purpose of carrying out this subchapter. An agency may pay a fee for such services. Such services include arranging for the purchase of a transferred employee's residence.''.

SEC. 1314. AUTHORITY TO PAY FOR PROPERTY MANAGEMENT SERVICES.

Section 5724a of title 5, United States Code, is further amended—

(1) in subsection (d) (as added by section 1313 of this title)—

(A) by redesignating paragraph (8) as paragraph (9); and

(B) by inserting after paragraph (7) the following new paragraph:

''(8) An agency may pay to or on behalf of an employee who transfers in the interest of the Government, expenses of property management services when the agency determines that such transfer is advantageous and cost-effective to the Government, instead of expenses under paragraph (2) or (3) of this subsection, for sale of the employee's residence.''; and

(2) by adding at the end the following new subsection:

''(e) An agency may pay to or on behalf of an employee who transfers in the interest of the Government, the expenses of property management services when the employee transfers to a post of duty outside the United States as defined in subsection (d) of this section. Such payment shall terminate upon return of the employee to an official station within the United States as defined in subsection (d) of this section.''.

SEC. 1315. AUTHORITY TO TRANSPORT A PRIVATELY OWNED MOTOR VEHICLE WITHIN THE CONTINENTAL UNITED STATES.

(a) IN GENERAL.—Section 5727 of title 5, United States Code, is amended—

(1) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively;

(2) by inserting after subsection (b) the following new subsection:

''(c) Under regulations prescribed under section 5737, the privately owned motor vehicle or vehicles of an employee, including a new appointee or a student trainee for whom travel and transportation expenses are authorized under section 5723, may be transported at Government expense to a new official station of the employee when the agency determines that such transport is advantageous and cost-effective to the Government.''; and

(3) in subsection (e) (as so redesignated), by striking ''subsection (b) of this section'' and by inserting ''subsection (b) or (c) of this section''.

(b) AVAILABILITY OF APPROPRIATIONS.—(1) Section 5722(a) of title 5, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the expenses of transporting a privately owned motor vehicle to the extent authorized under section 5727(c).''.

(2) Section 5723(a) of title 5, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (1);

(B) by inserting ''and'' after the semicolon at the end of paragraph (2); and

(C) by adding at the end the following:

''(3) the expenses of transporting a privately owned motor vehicle to the extent authorized under section 5727(c);''.

SEC. 1316. AUTHORITY TO PAY LIMITED RELOCATION ALLOWANCES TO AN EMPLOYEE WHO IS PERFORMING AN EXTENDED ASSIGNMENT.

(a) IN GENERAL.—Subchapter II of chapter 57 of title 5, United States Code, is amended by adding at the end the following new section:

''§ 5736. Relocation expenses of an employee who is performing an extended assignment

''(a) Under regulations prescribed under section 5737, an agency may pay to or on behalf of an employee assigned from the employee's official station to a duty station for a period of no less than 6 months and no greater than 30 months, the following expenses in lieu of payment of expenses authorized under subchapter I of this chapter:

''(1) Travel expenses to and from the assignment location in accordance with section 5724.

''(2) Transportation expenses of the immediate family and household goods and personal effects to and from the assignment location in accordance with section 5724.

''(3) A per diem allowance for the employee's immediate family to and from the assignment location in accordance with section 5724a(a).

''(4) Travel and transportation expenses of the employee and spouse to seek residence quarters at the assignment location in accordance with section 5724a(b).

''(5) Subsistence expenses of the employee and the employee's immediate family while occupying temporary quarters upon commencement and termination of the assignment in accordance with section 5724a(c).

''(6) An amount, in accordance with section 5724a(g), to be used by the employee for miscellaneous expenses.

''(7) The expenses of transporting a privately owned motor vehicle or vehicles to the assignment location in accordance with section 5727.

''(8) An allowance as authorized under section 5724b of this title for Federal, State, and local income taxes incurred on reimbursement of expenses paid under this section or on services provided in kind under this section.

''(9) Expenses of nontemporary storage of household goods and personal effects as defined in section 5726(a). The weight of the household goods and personal effects stored under this subsection, together with the weight of property transported under section 5724(a), may not exceed the total maximum weight which could be transported in accordance with section 5724(a).

''(10) Expenses of property management services.

''(b) An agency shall not make payment under this section to or on behalf of the employee for expenses incurred after termination of the temporary assignment.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5735 the following new item:

''5736. Relocation expenses of an employee who is performing an extended assignment.''.

SEC. 1317. AUTHORITY TO PAY A HOME MARKETING INCENTIVE.

(a) IN GENERAL.—Subchapter IV of chapter 57 of title 5, United States Code, is amended by adding at the end the following new section:

''§ 5756. Home marketing incentive payment

''(a) Under such regulations as the Administrator of General Services may prescribe, an agency may pay to an employee who transfers in the interest of the Government an amount, not to exceed a maximum payment amount established by the Administrator in consultation with the Director of the Office of Management and Budget, to encourage the employee to aggressively market the employee's residence at the old official station when—

''(1) the residence is entered into a program established under a contract in accordance with section 5724c of this chapter, to arrange for the purchase of the residence;

''(2) the employee finds a buyer who completes the purchase of the residence through the program; and

''(3) the sale of the residence to the individual results in a reduced cost to the Government.

''(b) For fiscal years 1997 and 1998, the Administrator shall establish a maximum payment amount of 5 percent of the sales price of the residence.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting at the end the following:

''5756. Home marketing incentive payment.''.

SEC. 1318. CONFORMING AMENDMENTS.

(a) AMENDMENTS TO TITLE 5, UNITED STATES CODE.—(1) Section 5724a of title 5, United States Code, is further amended by adding at the end the following new subsections:

''(g)(1) Subject to paragraph (2), an employee who is reimbursed under subsections (a) through (f) of this section or section 5724(a) of this title is entitled to an amount for miscellaneous expenses—

''(A) not to exceed 2 weeks' basic pay, if such employee has an immediate family; or

''(B) not to exceed 1 week's basic pay, if such employee does not have an immediate family.

''(2) Amounts paid under paragraph (1) may not exceed amounts determined at the maximum rate payable for a position at GS–13 of the General Schedule.

''(h) A former employee separated by reason of reduction in force or transfer of function who within 1 year after the separation is reemployed by a nontemporary appointment at a different geographical location from that where the separation occurred, may be allowed and paid the expenses authorized by sections 5724, 5725, 5726(b), and 5727 of this title, and may receive the benefits authorized by subsections (a) through (g) of this section, in the same manner as though such employee had been transferred in the interest of the Government without a break in service to the location of reemployment from the location where separated.

''(i) Payments for subsistence expenses, including amounts in lieu of per diem or actual subsistence expenses or a combination thereof, authorized under this section shall not exceed the maximum payment allowed under regulations which implement section 5702 of this title.

''(j) Subsections (a), (b), and (c) shall be implemented under regulations issued under section 5737.''.

(2) Section 3375 of title 5, United States Code, is amended—

(A) in subsection (a)(3), by striking ''section 5724a(a)(1) of this title'' and inserting ''section 5724a(a) of this title'';

(B) in subsection (a)(4), by striking ''section 5724a(a)(3) of this title'' and inserting ''section 5724a(c) of this title''; and

(C) in subsection (a)(5), by striking ''section 5724a(b) of this title'' and inserting ''section 5724a(g) of this title''.

(3) Section 5724(e) of title 5, United States Code, is amended by striking ''section 5724a(a), (b) of this title'' and inserting ''section 5724a(a) through (g) of this title''.

(b) MISCELLANEOUS.—(1) Section 707 of title 38, United States Code, is amended—

(A) in subsection (a)(6), by striking ''Section 5724a(a)(3)'' and inserting ''Section 5724a(c)''; and

(B) in subsection (a)(7), by striking ''Section 5724a(a)(4)'' and inserting ''section 5724a(d)''.

(2) Section 501 of the Public Health Service Act (42 U.S.C. 290aa) is amended—

(A) in subsection (g)(2)(A), by striking ''5724a(a)(1)'' and inserting ''5724a(a)''; and

(B) in subsection (g)(2)(A), by striking ''5724a(a)(3)'' and inserting ''5724a(c)''.

(3) Section 925 of the Public Health Service Act (42 U.S.C. 299c–4) is amended—

(A) in subsection (f)(2)(A), by striking ''5724a(a)(1)'' and inserting ''5724a(a)''; and

(B) in subsection (f)(2)(A), by striking ''5724a(a)(3)'' and inserting ''5724a(c)''.

Subtitle B—Miscellaneous Provisions

SEC. 1331. REPEAL OF THE LONG-DISTANCE TELEPHONE CALL CERTIFICATION REQUIREMENT.

Section 1348 of title 31, United States Code, is amended—

(1) by striking the last sentence of subsection (a)(2);

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

SEC. 1332. TRANSFER OF AUTHORITY TO ISSUE REGULATIONS.

(a) IN GENERAL.—Subchapter II of chapter 57 of title 5, United States Code, is further amended by adding at the end the following new section:

''§ 5737. Regulations

''(a) Except as specifically provided in this subchapter, the Administrator of General Services shall prescribe regulations necessary for the administration of this subchapter.

''(b) The Administrator of General Services shall prescribe regulations necessary for the implementation of section 5724b of this subchapter in consultation with the Secretary of the Treasury.

''(c) The Secretary of Defense shall prescribe regulations necessary for the implementation of section 5735 of this subchapter.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is further amended by inserting after the item relating to section 5736 the following new item:

''5737. Regulations.''.

(c) CONFORMING AMENDMENTS.—(1) Section 5722 of title 5, United States Code, is amended by striking ''Under such regulations as the President may prescribe'', and inserting ''Under regulations prescribed under section 5737 of this title''.

(2) Section 5723 of title 5, United States Code, is amended by striking ''Under such regulations as the President may prescribe'', and inserting ''Under regulations prescribed under section 5737 of this title''.

(3) Section 5724 of title 5, United States Code, is amended—

(A) in subsections (a) through (c), by striking ''Under such regulations as the President may prescribe'' each place it appears and inserting ''Under regulations prescribed under section 5737 of this title'';

(B) in subsections (c) and (e), by striking ''under regulations prescribed by the President'' and inserting ''under regulations prescribed under section 5737 of this title''; and

(C) in subsection (f), by striking ''under the regulations of the President'' and inserting ''under regulations prescribed under section 5737 of this title''.

(4) Section 5724b of title 5, United States Code, is amended by striking ''Under such regulations as the President may prescribe'' and inserting ''Under regulations prescribed under section 5737 of this title''.

(5) Section 5726 of title 5, United States Code, is amended—

(A) in subsection (a), by striking ''as the President may by regulation authorize'' and inserting ''as authorized under regulations prescribed under section 5737 of this title''; and

(B) in subsections (b) and (c), by striking ''Under such regulations as the President may prescribe'' each place it appears and inserting ''under regulations prescribed under section 5737 of this title''.

(6) Section 5727(b) of title 5, United States Code, is amended by striking ''Under such regulations as the President may prescribe'' and inserting ''Under regulations prescribed under section 5737 of this title''.

(7) Section 5728 of title 5, United States Code, is amended in subsections (a), (b), and (c)(1), by striking ''Under such regulations as the President may prescribe'' each place it appears and inserting ''Under regulations prescribed under section 5737 of this title''.

(8) Section 5729 of title 5, United States Code, is amended in subsections (a) and (b), by striking ''Under such regulations as the President may prescribe'' each place it appears and inserting ''Under regulations prescribed under section 5737 of this title''.

(9) Section 5731 of title 5, United States Code, is amended by striking ''in accordance with regulations prescribed by the President'' and inserting ''in accordance with regulations prescribed under section 5737 of this title''.

SEC. 1333. REPORT ON ASSESSMENT OF COST SAVINGS.

No later than 1 year after the effective date of the final regulations issued under section 1334(b), the General Accounting Office shall submit a report to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform and Oversight of the House of Representatives on an assessment of the cost savings to Federal travel administration resulting from statutory and regulatory changes under this Act.

SEC. 1334. EFFECTIVE DATE; ISSUANCE OF REGULATIONS.

(a) EFFECTIVE DATE.—The amendments made by this title shall take effect upon the expiration of the 180-day period beginning on the date of the enactment of this Act.

(b) REGULATIONS.—The Administrator of General Services shall issue final regulations implementing the amendments made by this title by not later than the expiration of the period referred to in subsection (a).

Strike section 1114(b) of the bill.

BROWN AMENDMENTS NOS. 4144–4145

(Ordered to lie on the table.)

Mr. BROWN submitted two amendments intended to be proposed by him to the bill, S. 1745, supra; as follows:

AMENDMENT NO. 4144

At the end of subtitle C of title II add the following:

SEC. 237. ANNUAL REPORT ON THREAT OF ATTACK BY BALLISTIC MISSILES CARRYING NUCLEAR, CHEMICAL, OR BIOLOGICAL WARHEADS.

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

(1) The worldwide proliferation of ballistic missiles threatens United States national interests overseas and challenges United States defense planning.

(2) In the absence of a national missile defense, the United States remains vulnerable to long-range missile threats.

(3) Russia has a ground-based missile defense system deployed around Moscow.

(4) Several countries, including Iraq, Iran, and North Korea may soon be technologically capable of threatening the United States and Russia with ballistic missile attack.

(5) In order to protect all citizens in the 50 States by 2003, it is necessary that all possible actions be taken to enable America to deploy a missile defense system.

(b) REPORT REQUIRED.—(1) Each year, the President shall submit to Congress a report on the threats to the United States of attack by ballistic missiles carrying nuclear, biological, or chemical warheads.

(2) The President shall submit the first report not later than 180 days after the date of the enactment of this Act.

(c) CONTENT OF REPORT.—The report shall contain the following:

(1) A list of all countries that have nuclear, chemical, or biological weapons, the estimated numbers of such weapons that each country has, and the destructive potential of the weapons.

(2) A list of all countries that have ballistic missiles, the estimated number of such missiles that each country has, and an assessment of the ability of those countries to integrate their ballistic missile capabilities with their nuclear, chemical, or biological weapons technologies.

(3) A comparison of the United States civil defense capabilities with the civil defense capabilities of each country that has nuclear, chemical, or biological weapons and ballistic missiles capable of delivering such weapons.

(4) An estimate of the number of American fatalities and injuries that would result, and an estimate of the value of property that would be lost, from an attack on the United States by ballistic missiles carrying nuclear, chemical, or biological weapons if the United States were left undefended by a national missile defense system covering all 50 States.

(5) Assuming the use of any existing theater ballistic missile defense system for defense of the United States, a list of the States that would be left exposed to nuclear ballistic missile attacks and the criteria used to determine which States would be left exposed.

(6) The means by which the United States is preparing to defend itself against the potential threat of ballistic missile attacks by North Korea, Iran, Iraq, and other countries obtaining ballistic missiles capable of delivering nuclear, chemical, and biological weapons in the near future.

(7) For each country that is capable of attacking the United States with ballistic missiles carrying a nuclear, biological, or chemical weapon, a comparison of—

(A) the vulnerability of the United States to such an attack if theater missile defenses were used to defend against the attack; and

(B) the vulnerability of the United States to such an attack if a national missile defense were in place to defend against the attack.

AMENDMENT NO. 4145

At the end of subtitle B of title I, add the following:

SEC. 113. STUDY REGARDING NEUTRALIZATION OF THE CHEMICAL WEAPONS STOCKPILE.

(a) STUDY.—(1) The Secretary of Defense shall conduct a study to determine the cost of incineration of the current chemical munitions stockpile by building incinerators at each existing facility compared to the proposed cost of dismantling those same munitions, neutralizing them at each storage site and transporting the neutralized remains and all munitions parts to a centrally located incinerator within the United States for incineration.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of the Congress a report on the study carried out under subsection (a).

SMITH (AND GREGG) AMENDMENT NO. 4146

(Ordered to lie on the table.)

Mr. SMITH (for himself and Mr. GREGG) submitted an amendment intended to be proposed by them to the bill, S. 1745, supra; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2828. LAND CONVEYANCE, CRAFTS BROTHERS RESERVE TRAINING CENTER, MANCHESTER, NEW HAMPSHIRE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to Saint Anselm College, Manchester, New Hampshire, all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 3.5 acres and located on Rockland Avenue in Manchester, New Hampshire, the site of the Crafts Brothers Reserve Training Center.

(b) REQUIREMENT RELATING TO CONVEYANCE.—The Secretary may not make the conveyance authorized by subsection (a) until the Army Reserve units currently housed at the Crafts Brothers Reserve Training Center are relocated to the Joint Service Reserve Center to be constructed at the Manchester Airport, New Hampshire.

(c) 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.

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

(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.

BROWN (AND CAMPBELL) AMENDMENT NO. 4147

(Ordered to lie on the table.)

Mr. BROWN (for himself and Mr. CAMPBELL) submitted an amendment intended to be proposed by them to the bill, S. 1745, supra; as follows:

At the end of subtitle D of title III, add the following:

SEC. 352. SENSE OF SENATE REGARDING CLEANUP OF ROCKY MOUNTAIN ARSENAL, COLORADO.

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

(1) It is in the interest of the Department of Defense and the state of Colorado to restore the Rocky Mountain Arsenal to a standard which will allow the community's effective reuse of the property.

(2) In the 20 years since the installation restoration program began, the Army and Shell Oil Company have spent nearly $1 billion to study and control the environmental damage at Rocky Mountain Arsenal. The majority of the cost has been for studying the site and resolving disagreements.

(3) Totaling approximately $400 million, the Arsenal's study phase is the costliest in the history of DOD clean-up programs.

(4) The study phase costs at the Rocky Mountain Arsenal represent at least 16 percent of the Army's total study costs for approximately 1200 installations nationwide.

(5) The timely completion of environmental restoration at Rocky Mountain Arsenal will reduce extraneous costs associated with long-term projects.

(b) SENSE OF THE SENATE.—

It is the sense of the Senate that the Secretary of the Army should complete environmental restoration at the Rocky Mountain Arsenal in an expeditious manner and in conformity with the time schedule and commitments put forth by the Defense Department during negotiations with the state, subject to authorize appropriations and the budget process.

GLENN AMENDMENTS NOS. 4148–4149

(Ordered to lie on the table.)

Mr. GLENN submitted two amendments intended to be proposed by him to the bill, S. 1745, supra; as follows:

AMENDMENT NO. 4148

At the end of subtitle D of title XXXI add the following:

SEC. 3161. WORKER HEALTH AND SAFETY IMPROVEMENTS AT THE DEFENSE NUCLEAR COMPLEX, MIAMISBURG, OHIO.

(a) WORKER HEALTH AND SAFETY ACTIVITIES.—(1) Of the funds authorized to be appropriated pursuant to section 3102(b), $6,200,000 shall be available to the Secretary of Energy to perform, in accordance with a settlement of *Levell et al.* v. *Monsanto Research Corp. et al.,* Case Number C–3–95–312 in the United States District Court for the Southern District of Ohio, activities to improve worker health and safety at the defense nuclear complex at Miamisburg, Ohio.

(2) Activities under paragraph (1) shall include the following:

(A) Completing the evaluation of pre-1989 internal dose assessments for workers who have received a lifetime dose greater than 20 REM.

(B) Installing state-of-the-art automated personnel contamination monitors at appropriate radiation control points and facility exits.

(C) Purchasing and installing an automated personnel access control system, and integrating the software for the system with a radiation work permit system.

(D) Upgrading the radiological records software.

(E) Immediately implementing a program that will characterize the radiological conditions of the site, buildings, and facilities before decontamination activities commence so that radiological hazards are clearly identified and the results of decontamination validated.

(F) Reviewing and improving the conduct and evaluation of continuous air monitoring practices and implementing a personal air sampling program as a means of preventing unnecessary internal exposure.

(G) Upgrading bioassay analytical procedures in order to ensure that contract laboratories are adequately selected and validated and quality control is assured.

(H) Implementing bioassay and internal dose calculation methods that are specific to the radiological hazards identified at the site.

(3)(A) The Secretary shall complete the activities referred to in paragraph (2)(A) not later than September 30, 1997.

(B) The Secretary shall ensure that the activities referred to in paragraph (2)(F) are completed not later than December 31, 1996.

(b) SAVINGS PROVISION.—Nothing in this section shall be construed as affecting applicable statutory or regulatory requirements relating to worker health and safety.

(c) SUPPLEMENT NOT SUPPLANT.—Nothing in this section shall prohibit the Secretary from obligating and expending additional funds under this title for the activities referred to in subsection (a)(2).

AMENDMENT NO. 4149

At the end of subtitle D of title XXXI add the following:

SEC. 3161. WORKER HEALTH AND SAFETY PROTECTION.

(a) SAFETY COMPLIANCE REVIEW AND ACCOUNTABILITY.—Consistent with authority to seek or impose penalties for violations of regulations relating to nuclear safety under section 223 or 234A, respectively, of the Atomic Energy Act of 1954 (42 U.S.C. 2273, 2282a), the Secretary shall review contractor and subcontractor compliance with the nuclear safety-related regulations referred to in subsection (b) at each Department of Energy defense nuclear facility covered by the regulations.

(b) NUCLEAR SAFETY-RELATED REGULATIONS COVERED.—The regulations with which compliance is to be reviewed under this section are as follows:

(1) The nuclear safety management regulations set forth in part 830 of title 10 of the Code of Federal Regulations (as amended, if amended).

(2) The occupational radiation protection regulations set forth in part 835 of title 10 of the Code of Federal Regulations (as amended, if amended).

(c) REPORTING REQUIREMENTS.—(1) Subject to paragraph (2), the Secretary shall include in the annual report submitted to Congress pursuant to section 170(p) of the Atomic Energy Act of 1954 (42 U.S.C. 2210(p)) a report on contractor and subcontractor compliance with the nuclear safety-related regulations referred to in subsection (b). The report shall include the following matters:

(A) A list of facilities evaluated and discussion of progress made in meeting the compliance review requirement set forth in subsection (a).

(B) A list of noncompliance events and violations identified in the compliance review.

(C) A list of actions taken under sections 223 and 234A of the Atomic Energy Act of 1954 and the nuclear safety-related regulations.

(D) Improvements in public safety and worker protection that have been required by the Secretary on the basis of the results of the compliance review.

(E) A description of the effectiveness of compliance review.

(2)(A) The first annual report under paragraph (1) shall be included in the annual report that is required by section 170(p) of the Atomic Energy Act of 1954 to be submitted to Congress not later than April 1, 1997.

(B) No report is required under paragraph (1) after all defense nuclear facilities covered by the regulations referred to in subsection (a) have undergone compliance review pursuant to this section.

(d) PERSONNEL.—The Secretary shall ensure that the number of qualified personnel used to carry out the compliance review under this section is sufficient for achieving effective results. Only Federal employees may be used to carry out a compliance review activity under this section.

(e) REGULATIONS.—Effective 18 months after the date of the enactment of the Act, violations of regulations prescribed by the Secretary to protect contractor and subcontractor employees from non-nuclear hazards at Department of Energy defense nuclear facilities shall be punishable under section 223 and 234A of the Atomic Energy Act of 1954 (42 U.S.C. 2282a and 42 U.S.C. 2273).

DeWINE (AND GLENN) AMENDMENT NO. 4150

(Ordered to lie on the table.)

Mr. DEWINE (for himself and Mr. GLENN) submitted an amendment intended to be proposed by them to the bill, S. 1745, supra; as follows:

At the end of title XXVIII, add the following:

SEC. 2828. LAND CONVEYANCE, AIR FORCE PLANT NO. 85, COLUMBUS, OHIO.

(a) CONVEYANCE AUTHORIZED.—(1) Notwithstanding any other provision of law, the Secretary of the Air Force may instruct the Administrator of General Services to convey, without consideration, to the Columbus Municipal Airport Authority (in this section referred to as the ''Authority'') all right, title, and interest of the United States in and to a parcel of real property, together with improvements thereon, at Air Force Plant No. 85, Columbus, Ohio, consisting of approximately 240 acres that contains the land and buildings referred to as the ''airport parcel'' in the correspondence from the General Services Administration to the Authority dated April 30, 1996, and is located adjacent to the Port Columbus International Airport.

(2) If the Secretary does not have administrative jurisdiction over the parcel on the date of the enactment of this Act, the conveyance shall be made by the Federal official who has administrative jurisdiction over the parcel as of that date.

(b) REQUIREMENT FOR FEDERAL SCREENING.—The Federal official may not carry out the conveyance of property authorized in subsection (a) unless the Federal official determines, in consultation with the Administrator of General Services, that no department or agency of the Federal Government will accept the transfer of the property.

(c) CONDITION OF CONVEYANCE.—The conveyance required under subsection (a) shall be subject to the condition that the Authority use the conveyed property for public airport purposes.

(d) REVERSION.—If the Federal official making the conveyance under subsection (a) determines that any portion of the conveyed property is not being utilized in accordance with subsection (c), all right, title, and interest in and to such portion shall revert to the United States and the United States shall have immediate right of entry thereon.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Federal official making the conveyance. The cost of the survey shall be borne by the Authority.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Federal official making the conveyance of property under subsection (a) may require such additional terms and conditions in connection with the conveyance as much official considered appropriate to protect the interests of the United States.

LEAHY AMENDMENT NO. 4151

(Ordered to lie on the table.)

Mr. LEAHY submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

At the end of subtitle A of title II, add the following:

SEC. 204. FUNDS FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION RELATING TO HUMANITARIAN DEMINING TECHNOLOGIES.

Of the amounts authorized to be appropriated by section 201(4), $18,000,000 shall be

available for research, development, test, and evaluation activities relating to humanitarian demining technologies (PE0603120D), to be administered by the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

ROBB (AND WARNER) AMENDMENTS NOS. 4152–4153

(Ordered to lie on the table.)

Mr. ROBB (for himself and Mr. WARNER) submitted two amendments intended to be proposed by them to the bill, S. 1745, supra; as follows:

AMENDMENT NO. 4152

At the end of subtitle E of title X, add the following:

SEC. 1054. INFORMATION ON PROPOSED FUNDING FOR THE GUARD AND RESERVE COMPONENTS IN FUTURE-YEARS DEFENSE PROGRAMS.

(a) REQUIREMENT.—The Secretary of Defense shall specify in each future-years defense program submitted to Congress after the date of the enactment of this Act the estimated expenditures and proposed appropriations for the procurement of equipment and for military construction for each of the Guard and Reserve components.

(b) DEFINITION.—For purposes of this action, the term ''Guard and Reserve components'' means the following:

(1) The Army Reserve.

(2) The Army National Guard of the United States.

(3) The Naval Reserve.

(4) The Marine Corps Reserve.

(5) The Air Force Reserve.

(6) The Air National Guard of the United States.

AMENDMENT NO. 4153

Strike out subsection (a) of section 2821 and insert in lieu thereof the following new subsection (a):

(a) REQUIREMENT FOR SECRETARY OF INTERIOR TO TRANSFER CERTAIN SECTION 29 LANDS.—(1) Subject to paragraph (2), the Secretary of the Interior shall transfer to the Secretary of the Army administrative jurisdiction over the following lands located in section 29 of the National Park System at Arlington National Cemetery, Virginia:

(A) The lands known as the Arlington National Cemetery Interment Zone.

(B) All lands in the Robert E. Lee Memorial Preservation Zone, other than those lands in the Preservation Zone that the Secretary of the Interior determines must be retained because of the historical significance of such lands or for the maintenance of nearby lands or facilities.

(2)(A) The Secretary of the Interior may not make the transfer referred to in paragraph (1)(B) until 60 days after the date on which the Secretary submits to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives—

(i) a summary of the document entitled ''Cultural Landscape and Archaeological Study, Section 29, Arlington House, The Robert E. Lee Memorial'';

(ii) a summary of the environmental analysis required with respect to the transfer under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(iii) the proposal of the Secretary and the Secretary of the Army setting forth the lands to be transferred and the manner in which the Secretary of the Army will develop such lands after transfer.

(B) The Secretary of the Interior shall submit the information required under subparagraph (A) not later than October 31, 1997.

(3) The transfer of lands under paragraph (1) shall be carried out in accordance with the Interagency Agreement Between the Department of the Interior, the National Park Service, and the Department of the Army, dated February 22, 1995.

(4) The exact acreage and legal descriptions of the lands to be transferred under paragraph (1) shall be determined by surveys satisfactory to the Secretary of the Interior and the Secretary of the Army.

HELMS AMENDMENT NO. 4154

(Ordered to lie on the table.)

Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 1745, supra; as follows:

In section 1031(a), strike out ''The Secretary of Defense'' and insert in lieu thereof ''Subject to subsection (e), the Secretary of Defense''.

At the end of section 1031, add the following:

(e) LIMITATIONS.—(1) The Secretary may not obligate or expend funds to provide support under this section until 15 days after the date on which the Secretary submits to the committees referred to in paragraph (3) the certification described in paragraph (2).

(2) The certification referred to in paragraph (1) is a written certification of the following:

(A) That the provision of support under this section will not adversely affect the military preparedness of the United States Armed Forces.

(B) That the equipment and materiel provided as support will be used only by officials and employees of the Government of Mexico who have undergone a background check by the United States Government.

(C) That the Government of Mexico has certified to the Secretary that—

(i) the equipment and material provided as support will be used only by the officials and employees referred to in the subparagraph (B);

(ii) none of the equipment or materiel will be transferred (by sale, gift, or otherwise) to any person or entity not authorized by the United States to receive the equipment or materiel; and

(iii) the equipment and materiel will be used only for the purposes intended by the United States Government.

(D) That the Government of Mexico has implemented, to the satisfaction of the Secretary, a system that will provide an accounting and inventory of the equipment and materiel provided as support.

(E) That the departments, agencies, and instrumentalities of the Government of Mexico will grant United States Government personnel unrestricted access, on an unannounced basis, to any of the equipment or materiel provided as support, or to any of the records relating to such equipment or materiel.

(F) That the Government of Mexico will provide security with respect to the equipment and materiel provided as support that is equal to the security that the United States Government would provide with respect to such equipment and materiel.

(G) That the Government of Mexico will permit continuous supervision by United States Government personnel of the use by the Government of Mexico of the equipment and materiel provided as support.

(3) The committees referred to in this paragraph are the following:

(A) The Committees on Armed Services, Appropriations, and Foreign Relations of the Senate.

(B) The Committees on National Security, Appropriations, and International Relations of the House of Representatives.

THE SENATE CAMPAIGN FINANCE REFORM ACT OF 1996

HOLLINGS AMENDMENT NO. 4155

(Ordered to lie on the table.)

Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill (S. 1219) to reform the financing of Federal elections, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. PROPOSED AMENDMENT TO THE CONSTITUTION RELATIVE TO CONTRIBUTIONS AND EXPENDITURES INTENDED TO AFFECT ELECTIONS FOR FEDERAL, STATE, AND LOCAL OFFICE.

The following article is proposed as an amendment to the Constitution, which, when ratified by three-fourths of the legislatures, shall be valid, to all intents and purposes, as part of the Constitution:

''ARTICLE—

''SECTION. 1. Congress shall have power to set reasonable limits on expenditures made in support of or in opposition to the nomination or election of any person to Federal office.

''SECTION. 2. Each State shall have power to set reasonable limits on expenditures made in support of or in opposition to the nomination or election of any person to State office.

''SECTION. 3. Each local government of general jurisdiction shall have power to set reasonable limits on expenditures made in support of or in opposition to the nomination or election of any person to office in that government. No State shall have power to limit the power established by this section.

''SECTION. 4. Congress shall have power to implement and enforce this article by appropriate legislation.''.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

LIEBERMAN (AND OTHERS) AMENDMENT NO. 4156

Mr. LIEBERMAN (for himself, Mr. COATS, Mr. ROBB, Mr. MCCAIN, Mr. NUNN, Mr. INHOFE, Mr. KEMPTHORNE, Mr. WARNER, Mrs. HUTCHISON, Mr. SANTORUM, Mr. MURKOWSKI, Mr. LEVIN, Mr. FORD, Mr. BOND, Mr. THURMOND, Mr. MOYNIHAN, and Mr. HOLLINGS) proposed an amendment to the bill, S. 1745, supra; as follows:

AMENDMENT NO. 4156

At the end of title X, add the following:

Subtitle G—Review of Armed Forces Force Structures

SEC. 1081. SHORT TITLE.

This subtitle may be cited as the ''Armed Forces Force Structures Review Act of 1996''.

SEC. 1082. FINDINGS.

Congress makes the following findings:

(1) Since the collapse of the Soviet Union in 1991, the United States has conducted two substantial assessments of the force structure of the Armed Forces necessary to meet United States defense requirements.

(2) The assessment by the Bush Administration (known as the ''Base Force'' assessment) and the assessment by the Clinton Administration (known as the ''Bottom-Up Review'') were intended to reassess the force