

## AMENDMENT NO. 4112

At the request of Mr. HELMS the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of amendment No. 4112 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.

## AMENDMENT NO. 4367

At the request of Mr. NUNN the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of amendment No. 4367 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.

**SENATE RESOLUTION 275—TO EXPRESS THE SENSE OF THE SENATE CONCERNING AFGHANISTAN**

Mr. BROWN submitted the following resolution; which was referred to the Committee on Foreign Relations:

## S. RES. 275

Whereas, prior to 1979, Afghanistan was a peaceful, united country;

Whereas, the successful fight of the brave men and women of Afghanistan resisting the Soviet invasion and occupation of 1979–1989 was a significant element in the dissolution of the Soviet empire;

Whereas, the dissolution of the Soviet empire brought freedom to the nations of central and eastern Europe as well as to the nations of central Asia;

Whereas, although many years after the Soviet withdrawal, Afghanistan does not enjoy the peace it has earned;

Whereas, the United Nations can play a unique and important role in bringing an end to the conflict in Afghanistan;

Whereas, recent meetings between members of Congress and the representatives of the major Afghan factions indicate a significant desire on the part of all parties to achieve a peaceful resolution to the conflict in Afghanistan and the establishment of an effective government that represents the interests of the Afghan people;

Therefore, it is the sense of the Senate that—

(1) The courageous people of Afghanistan have earned the world's respect and support for their epic struggle against the forces of communism;

(2) Resolving the continuing conflict in Afghanistan and alleviating the accompanying humanitarian distress of the Afghan people should be a top priority of the United States;

(3) Outside interference and the provision of arms and military supplies to the warring parties should be halted;

(4) A unique moment in the Afghan civil war exists where all major factions are searching for a peaceful solution to the conflict;

(5) The United States should urge the United Nations to move quickly to appoint a special envoy to Afghanistan who will act

aggressively to assist the Afghans to achieve a solution to the conflict acceptable to the Afghan people;

(6) The United Nations should work to create the conditions for a continuing dialogue among the Afghan factions.

## AMENDMENTS SUBMITTED

**THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997**

## MCCAIN AMENDMENT NO. 4387

Mr. MCCAIN proposed an amendment 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 of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. . It is the sense of the Senate that, notwithstanding any other provision of law, in order to maximize the amount of equipment provided to the Government of Bosnia and Herzegovina under the authority contained in Section 540 of the Foreign Operations Act of 1996 (P.L. 104–107), the price of the transferred equipment shall not exceed the lowest level at which the same or similar equipment has been transferred to any other country under any other U.S. government program.

**FEINGOLD (AND KOHL)  
AMENDMENT NO. 4388**

Mr. FEINGOLD (for himself and Mr. KOHL) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 223. COST-BENEFIT ANALYSIS OF F/A-18E/F AIRCRAFT PROGRAM**

(a) REPORT ON PROGRAM.—Not later than March 30, 1997, the Secretary of Defense shall submit to the congressional defense committees a report on the F/A-18E/F aircraft program.

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

(1) A review of the F/A-18E/F aircraft program.

(2) An analysis and estimate of the production costs of the program for the total number of aircraft realistically expected to be procured at each of three annual production rates as follows:

(A) 18 aircraft.

(B) 24 aircraft.

(C) 36 aircraft.

(3) A comparison of the cost and benefits of the program with the costs and benefits of the F/A-18C/D aircraft program taking into account the operational combat effectiveness of the aircraft.

(c) LIMITATION ON USE OF FUNDS PENDING TRANSMITTAL OF REPORT.—No funds authorized to be appropriated by this Act may be obligated or expended for the procurement of F/A-18E/F aircraft before the date that is 90 days after the date on which the congressional defense committees receive the report required under subsection (a).

## EXON AMENDMENT NO. 4389

Mr. NUNN (for Mr. EXON) proposed an amendment 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 subsections (b) and (c), the Nebraska 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 Nebraska Air National Guard may not provide services under subsection (a) until the Nebraska Air National Guard and the authority enter into an agreement under which the authority reimburses the Nebraska Air National Guard for the cost of the services provided.

(c) CONDITIONS.—These services may only be provided to the extent that the provision of such services does not adversely affect the military preparedness of the Armed Forces.

## ROBB AMENDMENT NO. 4390

Mr. NUNN (for Mr. ROBB) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 1014. SENSE OF CONGRESS REGARDING AUTHORIZATION OF APPROPRIATION AND APPROPRIATION OF FUNDS FOR MILITARY EQUIPMENT NOT IDENTIFIED IN THE BUDGET REQUEST OF THE DEPARTMENT OF DEFENSE AND FOR CERTAIN MILITARY CONSTRUCTION.**

It is the sense of Congress that—

(1) to the maximum extent practicable, each House of Congress should consider the authorization of appropriation, and appropriation, of funds for the procurement of military equipment only if the procurement is included—

(A) in the budget request of the President for the Department of Defense; or

(B) in a supplemental request list provided to the congressional defense committees, upon request of such committees, by the Office of the Secretary of Defense, by the military departments, by the National Guard Bureau, or by the officials responsible for the administration of the Reserves;

(2) the recommendations for procurement in a defense authorization bill or a defense appropriations bill reported to the Senate or the House of Representatives which reflect a change from the budget request referred to in paragraph (1)(A) should be accompanied in the committee report relating to the bill by a justification of the national security interest addressed by the change;

(3) the recommendations for military construction projects in a defense authorization bill or a defense appropriations bill reported to the Senate or the House of Representatives which reflect a change from such a budget request should be accompanied by a justification in the committee report relating to the bill of the national security interest addressed by the change; and

(4) the recommendations for procurement of military equipment, or for military construction projects, in a conference report of the committee on conference to resolve the differences between the two Houses relating to a defense authorization bill or a defense appropriations bill which recommendations reflect a change from the original recommendation of the applicable committee to

either House should be accompanied by a justification in the statement of managers of the conference report of the national security interest addressed by the change.

**SARBANES AMENDMENT NO. 4391**

Mr. NUNN (for Mr. SARBANES) proposed an amendment to the bill, S. 1745, supra; as follows:

At the end of title XXI, add the following:  
**SEC. 2105. PLAN FOR REPAIRS AND STABILIZATION OF THE HISTORIC DISTRICT AT THE FOREST GLEN ANNEX OF WALTER REED MEDICAL CENTER, MARYLAND.**

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a comprehensive plan for basic repairs and stabilization measures throughout the historic district at the Forest Glen Annex at Walter Reed Army Medical Center, Maryland, together with funding options for the implementation of the plan.

**BINGAMAN (AND DOMENICI)  
AMENDMENT NO. 4392**

Mr. NUNN (for Mr. BINGAMAN, for himself and Mr. DOMENICI) proposed an amendment to the bill, S. 1745, supra; as follows:

At the appropriate place, insert the following:

**SEC. . MODIFICATION OF BOUNDARIES OF WHITE SANDS NATIONAL MONUMENT AND WHITE SANDS MISSILE RANGE.**

(a) **PURPOSE.**—The purpose of this section is to effect an exchange between the Secretary of the Interior and the Secretary of the Army of administrative jurisdiction over the lands described in subsection (c) in order to facilitate administration of the White Sands National Monument and the White Sands Missile Range.

(b) **DEFINITIONS.**—In this section:

(1) **MISSILE RANGE.**—The term “missile range” means the White Sands Missile Range, New Mexico, administered by the Secretary of the Army.

(2) **MONUMENT.**—The term “monument” means the White Sands National Monument, New Mexico, established by Proclamation No. 2025 (16 U.S.C. 431 note) and administered by the Secretary of the Interior.

(c) **EXCHANGE OF JURISDICTION.**—The lands exchanged under this Act are the lands generally depicted on the map entitled “White Sands National Monument, Boundary Proposal”, numbered 142/80,061 and dated January 1944, comprising—

(1) approximately 2,524 acres of land within the monument that is under the jurisdiction of the Secretary of the Army, which are transferred to the Secretary of the Interior;

(2) approximately 5,758 acres of land within the missile range abutting the monument, which are transferred to the Secretary of the Interior; and

(3) approximately 4,277 acres of land within the monument abutting the missile range, which are transferred to the Secretary of the Army.

(d) **BOUNDARY MODIFICATION.**—The boundary of the monument is modified to include the land transferred to the Secretary of the Interior and exclude the land transferred to the Secretary of the Army by subsection (c). The boundary of the missile range is modified accordingly.

(e) **ADMINISTRATION.**—1

(1) **MONUMENT.**—The Secretary of the Interior shall administer the lands transferred to the Secretary of the Interior by subsection (c) in accordance with laws (including regulations) applicable to the monument.

(2) **MISSILE RANGE.**—The Secretary of the Army shall administer the lands transferred to the Secretary of the Army by subsection (c) as part of the missile range.

(3) **AIRSPACE.**—The Secretary of the Army shall maintain control of the airspace above the lands transferred to the Secretary of the Army by subsection (c) as part of the missile range.

(f) **PUBLIC AVAILABILITY OF MAP.**—The Secretary of the Interior and the Secretary of the Army shall prepare, and the Secretary of the Interior shall keep on file for public inspection in the headquarters of the monument, a map showing the boundary of the monument as modified by this Act.

(g) **WAIVER OF LIMITATION UNDER PRIOR LAW.**—Notwithstanding section 303(b)(1) of the National Parks and Recreation Act of 1978 (92 Stat. 3476), land or an interest in land that was deleted from the monument by section 301(19) of the Act (92 Stat. 3476) may be exchanged for land owned by the State of New Mexico within the boundaries of any unit of the National Park System in the State of New Mexico, may be transferred to the jurisdiction of any other Federal agency without monetary consideration, or may be administered as public land, as the Secretary considers appropriate.

**SEC. . BANDELIER NATIONAL MONUMENT.**

(a) **FINDINGS AND PURPOSE.**—

(1) **FINDINGS.**—Congress finds that—

(A) under the provisions of a special use permit, sewage lagoons for Bandelier National Monument, established by Proclamation No. 1322 (16 U.S.C. 431 note) (referred to in this section as the “monument”) are located on land administered by the Secretary of Energy that is adjacent to the monument; and

(B) modification of the boundary of the monument to include the land on which the sewage lagoons are situated—

(i) would facilitate administration of both the monument and the adjacent land that would remain under the administrative jurisdiction of the Secretary of Energy; and

(ii) can be accomplished at no cost.

(2) **PURPOSE.**—The purpose of this section is to modify the boundary between the monument and adjacent Department of Energy land to facilitate management of the monument and Department of Energy land.

(b) **BOUNDARY MODIFICATION.**—

(1) **TRANSFER OF ADMINISTRATIVE JURISDICTION.**—There is transferred from the Secretary of Energy to the Secretary of the Interior administrative jurisdiction over the land comprising approximately 4.47 acres depicted on the map entitled “Boundary Map, Bandelier National Monument”, No. 315/80,051, dated March 1995.

(2) **BOUNDARY MODIFICATION.**—The boundary of the monument is modified to include the land transferred by paragraph (1).

(3) **PUBLIC AVAILABILITY OF MAP.**—The map described in paragraph (1) shall be on file and available for public inspection in the Lands Office at the Southwest System Support Office of the National Park Service, Santa Fe, New Mexico, and in the Superintendent’s Office of Bandelier National Monument.

**SMITH AMENDMENT NO. 4393**

Mr. MCCAIN (for Mr. SMITH) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 125. RADAR MODERNIZATION.**

Funds appropriated for the Navy for fiscal years before fiscal year 1997 may not be used for development and procurement of the Pulse Doppler Upgrade modification to the AN/SPS-48E radar system.

**JOHNSTON (AND MURKOWSKI)  
AMENDMENT NO. 4394**

Mr. NUNN (for Mr. JOHNSTON, for himself and Mr. MURKOWSKI) proposed an amendment to the bill, S. 1745, supra; as follows:

At the appropriate place, insert:

**“SEC. . FOREIGN ENVIRONMENTAL TECHNOLOGY.**

“Section 2536(b) of title 10, United States Code is amended to read as follows:

“(b) **WAIVER AUTHORITY.**—(1) The Secretary concerned may waive the application of subsection (a) to a contract award if—

“(A) the Secretary concerned determines that the waiver is essential to the national security interests of the United States; or

“(B) in the case of a Department of Energy contract awarded for environmental restoration, remediation, or waste management at a Department of Energy facility—

“(i) the Secretary determines that the waiver will advance the environmental restoration, remediation, or waste management objectives of the Department of Energy and will not harm the national security interests of the United States; and

“(ii) the entity to which the contract is awarded is controlled by a foreign government with which the Secretary is authorized to exchange Restricted Data under section 144(c) of the Atomic Energy Act of 1954 (42 U.S.C. 2164(c)).

“(2) The Secretary of Energy shall notify the appropriate committees of Congress of any decision to grant a waiver under paragraph (1)(B). The contract may be executed only after the end of the 45-day period beginning on the date the notification is received by the committees.

**DOMENICI AMENDMENTS NOS.  
4395–4396**

Mr. MCCAIN (for Mr. DOMENICI) proposed two amendments to the bill, S. 1745, supra; as follows:

**AMENDMENT NO. 4395**

In section 103(3), strike out “\$5,880,519,000” and insert in lieu thereof “5,889,519,000”.

**AMENDMENT NO. 4396**

In section 201(3), strike out “\$14,788,356,000” and insert in lieu thereof “\$14,791,356,000”.

**HEFLIN (AND SHELBY)  
AMENDMENT NO. 4397**

Mr. NUNN (for Mr. HEFLIN, for himself and Mr. SHELBY) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 113. BRADLEY TOW 2 TEST PROGRAM SETS.**

Of the funds authorized to be appropriated under section 101(3) of the National Defense Authorization Act for Fiscal Year 1996 (110 Stat. 204), \$6,000,000 is available for the procurement of Bradley TOW 2 Test Program sets.

**EXON AMENDMENT NO. 4398**

Mr. NUNN (for Mr. EXON) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 223. NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM**

(a) Of the amount authorized to be appropriated under section 201(3), \$29,024,000 is

available for the National Polar-Orbiting Operational Environmental Satellite System (Space) program (PE 0603434F).

(b) Of the amount authorized to be appropriated under section 201(3), \$212,895,000 is available for the Intercontinental Ballistic Missile—EMD program (PE 06048514F).

#### GLENN AMENDMENT NO. 4399

Mr. NUNN (for Mr. GLENN) proposed an amendment to the bill, S. 1745, supra; as follows:

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

#### SEC. . STUDY ON WORKER PROTECTION AT THE MOUND FACILITY.

(a) Not later than March 15, 1997, the Secretary of Energy shall report to the defense committees of the Congress regarding the status of projects and programs to improve worker safety and health at the Mound Facility in Miamisburg, Ohio.

(b) The report shall include the following:  
(1) The status of actions completed in fiscal year 1996.

(2) The status of actions completed or proposed to be completed in fiscal years 1997 and 1998.

(3) A description of the fiscal year 1998 budget request for Mound worker safety and health protection.

(4) An accounting of expenditures for worker safety and health at Mound by year from fiscal year 1994 through and including fiscal year 1996.

#### THURMOND AMENDMENT NO. 4400

Mr. MCCAIN (for Mr. THURMOND) proposed an amendment to the bill, S. 1745, supra; as follows:

At the end of title XI add the following:

#### Subtitle B—Defense Intelligence Personnel

##### SEC. 1131. SHORT TITLE.

This subtitle may be cited as the "Department of Defense Civilian Intelligence Personnel Reform Act of 1996".

##### SEC. 1132. CIVILIAN INTELLIGENCE PERSONNEL MANAGEMENT.

Section 1590 of title 10, United States Code, is amended to read as follows:

#### § 1590. Management of civilian intelligence personnel of the Department of Defense

(a) GENERAL PERSONNEL MANAGEMENT AUTHORITY.—The Secretary of Defense may, without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees—

“(1) establish—

“(A) as positions in the excepted service, such defense intelligence component positions (including Intelligence Senior Level positions) as the Secretary determines necessary to carry out the intelligence functions of the defense intelligence components, but not to exceed in number the number of the defense intelligence component positions established as of January 1, 1996; and

“(B) such Intelligence Senior Executive Service positions as the Secretary determines necessary to carry out functions referred to in subparagraph (B);

“(2) appoint individuals to such positions (after taking into consideration the availability of preference eligibles for appointment to such positions); and

“(3) fix the compensation of such individuals for service in such positions.

“(b) BASIC PAY.—(1)(A) Subject to subparagraph (B) and paragraph (2), the Secretary of Defense shall fix the rates of basic pay for positions established under subsection (a) in relation to the rates of basic pay provided in

subpart D of part III of title 5 for positions subject to that subpart which have corresponding levels of duties and responsibilities.

“(B) Except as otherwise provided by law, no rate of basic pay fixed under subparagraph (A) for a position established under subsection (a) may exceed—

“(i) in the case of an Intelligence Senior Executive Service position, the maximum rate provided in section 5382 of title 5;

“(ii) in the case of an Intelligence Senior Level position, the maximum rate provided in section 5382 of title 5; and

“(iii) in the case of any other defense intelligence component position, the maximum rate provided in section 5306(e) of title 5.

“(2) The Secretary of Defense may, consistent with section 5341 of title 5, adopt such provisions of that title as provide for prevailing rate systems of basic pay and may apply those provisions to positions for civilian employees in or under which the Department of Defense may employ individuals described by section 5342(a)(2)(A) of such title.

“(c) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—(1) Employees in defense intelligence component positions may be paid additional compensation, including benefits, incentives, and allowances, in accordance with this subsection if, and to the extent, authorized in regulations prescribed by the Secretary of Defense.

“(2) Additional compensation under this subsection shall be consistent with, and not in excess of the levels authorized for, comparable positions authorized by title 5.

“(3)(A) Employees in defense intelligence component positions, if citizens or nationals of the United States, may be paid an allowance while stationed outside the continental United States or in Alaska.

“(B) Subject to subparagraph (C), allowances under subparagraph (A) shall be based on—

“(i) living costs substantially higher than in the District of Columbia;

“(ii) conditions of environment which differ substantially from conditions of environment in the continental United States and warrant an allowance as a recruitment incentive; or

“(iii) both of the factors described in clauses (i) and (ii).

“(C) An allowance under subparagraph (A) may not exceed an allowance authorized to be paid by section 5941(a) of title 5 for employees whose rates of basic pay are fixed by statute.

“(d) INTELLIGENCE SENIOR EXECUTIVE SERVICE.—(1) The Secretary of Defense may establish an Intelligence Senior Executive Service for defense intelligence component positions established pursuant to subsection (a) that are equivalent to Senior Executive Service positions.

“(2) The Secretary of Defense shall prescribe regulations for the Intelligence Senior Executive Service which are consistent with the requirements set forth in sections 3131, 3132(a)(2), 3396(c), 3592, 3595(a), 5384, and 6304 of title 5, subsections (a), (b), and (c) of section 7543 of such title (except that any hearing or appeal to which a member of the Intelligence Senior Executive Service is entitled shall be held or decided pursuant to the regulations), and subchapter II of chapter 43 of such title. To the extent that the Secretary determines it practicable to apply to members of, or applicants for, the Intelligence Senior Executive Service other provisions of title 5 that apply to members of, or applicants for, the Senior Executive Service, the Secretary shall also prescribe regulations to implement those sections with respect to the Intelligence Senior Executive Service.

“(e) AWARD OF RANK TO MEMBERS OF THE INTELLIGENCE SENIOR EXECUTIVE SERVICE.—

The President, based on the recommendations of the Secretary of Defense, may award a rank referred to in section 4507 of title 5 to members of the Intelligence Senior Executive Service whose positions may be established pursuant to this section. The awarding of such rank shall be made in a manner consistent with the provisions of that section.

“(f) INTELLIGENCE SENIOR LEVEL POSITIONS.—The Secretary of Defense may, in accordance with regulations prescribed by the Secretary, designate as an Intelligence Senior Level position any defense intelligence component position that, as determined by the Secretary—

“(1) is classifiable above grade GS-15 of the General Schedule;

“(2) does not satisfy functional or program management criteria for being designated an Intelligence Senior Executive Service position; and

“(3) has no more than minimal supervisory responsibilities.

“(g) TIME LIMITED APPOINTMENTS.—(1) The Secretary of Defense may, in regulations, authorize appointing officials to make time limited appointments to defense intelligence component positions specified in the regulations.

“(2) The Secretary of Defense shall review each time limited appointment in a defense intelligence component position at the end of the first year of the period of the appointment and determine whether the appointment should be continued for the remainder of the period. The continuation of a time limited appointment after the first year shall be subject to the approval of the Secretary.

“(3) An employee serving in a defense intelligence component position pursuant to a time limited appointment is not eligible for a permanent appointment to an Intelligence Senior Executive Service position (including a position in which serving) unless selected for the permanent appointment on a competitive basis.

“(4) In this subsection, the term ‘time limited appointment’ means an appointment (subject to the condition in paragraph (2)) for a period not to exceed two years.

“(h) TERMINATION OF CIVILIAN INTELLIGENCE EMPLOYEES.—(1) Notwithstanding any other provision of law, the Secretary of Defense may terminate the employment of any employee in a defense intelligence component position if the Secretary—

“(A) considers such action to be in the interests of the United States; and

“(B) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security.

“(2) A decision by the Secretary of Defense to terminate the employment of an employee under this subsection is final and may not be appealed or reviewed outside the Department of Defense.

“(3) The Secretary of Defense shall promptly notify the Committee on National Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate whenever the Secretary terminates the employment of any employee under the authority of this subsection.

“(4) Any termination of employment under this subsection shall not affect the right of the employee involved to seek or accept employment with any other department or agency of the United States if that employee is declared eligible for such employment by the Director of the Office of Personnel Management.

“(5) The authority of the Secretary of Defense under this subsection may be delegated only to the Deputy Secretary of Defense and the head of a defense intelligence component (with respect to employees of that component). An action to terminate employment of such an employee by any such official may be appealed to the Secretary of Defense.

“(i) **REDUCTIONS AND OTHER ADJUSTMENTS IN FORCE.**—(1) The Secretary of Defense, in consultation with the Director of the Office of Personnel Management, shall prescribe regulations for the separation of employees in defense intelligence component positions, including members of the Intelligence Senior Executive Service and employees in Intelligence Senior Level positions, in a reduction in force or other adjustment in force. The regulations shall apply to such a reduction in force or other adjustment in force notwithstanding sections 3501(b) and 3502 of title 5.

“(2) The regulations shall give effect to—

“(A) tenure of employment;

“(B) military preference, subject to sections 3501(a)(3) and 3502(b) of title 5;

“(C) the veteran's preference under section 3502(b) of title 5;

“(D) performance; and

“(E) length of service computed in accordance with the second sentence of section 3502(a) of title 5.

“(2) The regulations relating to removal from the Intelligence Senior Executive Service in a reduction in force or other adjustment in force shall be consistent with section 3595(a) of title 5.

“(3)(A) The regulations shall provide a right of appeal regarding a personnel action under the regulations. The appeal shall be determined within the Department of Defense. An appeal determined at the highest level provided in the regulations shall be final and not subject to review outside the Department of Defense. A personnel action covered by the regulations is not subject to any other provision of law that provides appellate rights or procedures.

“(B) Notwithstanding subparagraph (A), a preference eligible referred to in section 7511(a)(1)(B) of title 5 may appeal to the Merit Systems Protection Board any personnel action taken under the regulations. Section 7701 of title 5 shall apply to any such appeal.

“(j) **APPLICABILITY OF MERIT SYSTEM PRINCIPLES.**—Section 2301 of title 5 shall apply to the exercise of authority under this section.

“(k) **COLLECTIVE BARGAINING AGREEMENTS.**—Nothing in this section may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an agency or office that is a successor to an agency or office covered by the agreement before the succession.

“(l) **NOTIFICATION OF CONGRESS.**—At least 60 days before the effective date of regulations prescribed to carry out this section, the Secretary of Defense shall submit the regulations to the Committee on National Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate.

“(m) **DEFINITIONS.**—In this section:

“(1) The term ‘defense intelligence component position’ means a position of civilian employment as an intelligence officer or employee of a defense intelligence component.

“(2) The term ‘defense intelligence components’ means each of the following components of the Department of Defense:

“(A) The National Security Agency.

“(B) The Defense Intelligence Agency.

“(C) The Central Imagery Office.

“(D) Any component of a military department that performs intelligence functions

and is designated as a defense intelligence component by the Secretary of Defense.

“(E) Any other component of the Department of Defense that performs intelligence functions and is designated as a defense intelligence component by the Secretary of Defense.

“(F) Any successor to a component listed in, or designated pursuant to, this paragraph.

“(3) The term ‘Intelligence Senior Level position’ means a defense intelligence component position designated as an Intelligence Senior Level position pursuant to subsection (f).

“(4) The term ‘excepted service’ has the meaning given such term in section 2103 of title 5.

“(5) The term ‘preference eligible’ has the meaning given such term in section 2108(3) of title 5.

“(6) The term ‘Senior Executive Service position’ has the meaning given such term in section 3132(a)(2) of title 5.

“(7) The term ‘collective bargaining agreement’ has the meaning given such term in section 7103(8) of title 5.”

#### **SEC. 1133. REPEALS.**

(a) **DEFENSE INTELLIGENCE SENIOR EXECUTIVE SERVICE.**—Sections 1601, 1603, and 1604 of title 10, United States Code, are repealed.

(b) **NATIONAL SECURITY AGENCY PERSONNEL MANAGEMENT AUTHORITIES.**—(1) Sections 2 and 4 of the National Security Agency Act of 1959 (50 U.S.C. 402 note) are repealed.

(2) Section 303 of the Internal Security Act of 1950 (50 U.S.C. 833) is repealed.

#### **SEC. 1134. CLERICAL AMENDMENTS.**

(a) **AMENDED SECTION HEADING.**—The item relating to section 1590 in the table of sections at the beginning of chapter 81 of title 10, United States Code, is amended to read as follows:

“1590. Management of civilian intelligence personnel of the Department of Defense.”

(b) **REPEALED SECTIONS.**—The table of sections at the beginning of chapter 83 of title 10, United States Code, is amended by striking out the items relating to sections 1601, 1603, and 1604.

### **COHEN (AND LEVIN) AMENDMENT NO. 4401**

Mr. MCCAIN (for Mr. COHEN, for himself and Mr. LEVIN) proposed an amendment to the bill, S. 1745, supra; as follows:

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 TRANSITION 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 States 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”;

(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)”;

(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)”;

(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)”;

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

“(2) Notwithstanding any limitation of this subchapter, in promulgating regulations under paragraph (1) of this subsection, the Administrator of General Services shall include a provision authorizing the head of an agency or his designee to waive any limitation of this subchapter or in any implementing regulation for any employee relocating to or from a remote or isolated location who would otherwise suffer hardship.

“(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”;

(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”;

(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.

#### LEVIN AMENDMENT NO. 4402

Mr. NUNN (for Mr. LEVIN) proposed an amendment to the bill, S. 1745, supra; as follows:

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

#### SEC. . TEST PROGRAMS FOR MODERNIZATION-THROUGH-SPARES.

Not later than 60 days after the date of enactment of this Act, the Secretary of the Army shall report to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives on the steps he has taken to ensure that each program included in the Army's modernization-through-spares program is conducted in accordance with—

(1) the competition requirements in section 2304 of title 10;

(2) the core logistics requirements in section 2464 of title 10; and

(3) the public-private competition requirements in section 2469 of title 10; and

(4) requirements relating to contract bundling and spare parts breakout in sections 15(a) and 15(1) of the Small Business Act (15 U.S.C. 644) and implementing regulations in the Defense FAR Supplement.

#### STEVENS AMENDMENT NO. 4403

Mr. MCCAIN (for Mr. STEVENS) proposed an amendment to the bill, S. 1745, supra; as follows:

In the table in section 2401(a), strike out “\$18,000,000” in the amount column in the item relating to Elmendorf Air Force Base, Alaska, and insert in lieu thereof “\$21,000,000”.

Strike out the amount set forth as the total amount at the end of the table in section 2401(a) and insert in lieu thereof “\$530,590,000”.

In section 2406(a), in the matter preceding paragraph (1), strike out “\$3,421,366,000” and insert in lieu thereof “\$3,424,366,000”.

In section 2406(a)(1), strike out “\$364,487,000” and insert in lieu thereof “\$367,487,000”.

#### DOMENICI AMENDMENT NO. 4404

Mr. MCCAIN (for Mr. DOMENICI) proposed an amendment to the bill, S. 1745, supra; as follows:

In the table in section 2101(a), insert after the item relating to Fort Polk, Louisiana, the following new item:

New Mex- ico.	White Sands Missile Range.	\$10,000,000
------------------	-------------------------------	--------------

Strike out the amount set forth as the total amount at the end of the table in section 2101(a) and insert in lieu thereof "\$366,450,000".

In section 2104(a), in the matter preceding paragraph (1), strike out "\$1,894,297,000" and insert in lieu thereof "\$1,904,297,000".

In section 2104(a)(1), strike out "\$356,450,000" and insert in lieu thereof "\$366,450,000".

**CHAFEE (AND WARNER)  
AMENDMENT NO. 4405**

Mr. MCCAIN (for Mr. CHAFEE, for himself and Mr. WARNER) proposed an amendment to the bill, S. 1745, supra; as follows:

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 Is- land.	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".

**SMITH AMENDMENT NO. 4406**

Mr. MCCAIN (for Mr. SMITH) proposed an amendment to the bill, S. 1745, supra; as follows:

**SEC. . SENSE OF THE SENATE CONCERNING USS  
LCS 102 (LSSL 102).**

It is the Sense of the Senate that the Secretary of Defense should use existing authorities in law to seek the expeditious return upon completion of service, of the former USS LCS 102 (LSSL 102) from the Government of Thailand in order for the ship to be transferred to the United States Shipbuilding Museum in Quincy, Massachusetts.

**ROBB AMENDMENT NO. 4407**

Mr. NUNN (for Mr. ROBB) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 908. MATTERS TO BE CONSIDERED IN NEXT  
ASSESSMENT OF CURRENT MIS-  
SIONS, RESPONSIBILITIES, AND  
FORCE STRUCTURE OF THE UNIFIED  
COMBATANT COMMANDS.**

The Chairman of the Joint Chiefs of Staff shall consider, as part of the next periodic review of the missions, responsibilities, and force structure of the unified combatant commands under section 161(b) of title 10, United States Code, the following matters:

(1) For each Area of Responsibility of the regional unified combatant commands—

(A) the foremost threats to United States or allied securities in the near- and long-term;

(B) the total area of ocean and total area of land encompassed; and

(C) the number of countries and total populations encompassed.

(2) Whether any one Area of Responsibility encompasses a disproportionately high or

low share of threats, mission requirements, land or ocean area, number of countries, or population.

(3) The other factors used to establish the current Areas of Responsibility.

(4) Whether any of the factors addressed under paragraph (3) account for any apparent imbalances indicated in the response to paragraph (2).

(5) Whether, in light of recent reductions in the overall force structure of the Armed Forces, the United States could better execute its warfighting plans with fewer unified combatant commands, including—

(A) a total of five or fewer commands, all of which are regional;

(B) an eastward-oriented command, a westward-oriented command, a central command; or

(C) a purely functional command structure, involving (for example) a first theater command, a second theater command, a logistics command, a special contingencies command, and a strategic command.

(6) Whether any missions, staff, facilities, equipment, training programs, or other assets or activities of the unified combatant commands are redundant.

(7) Whether warfighting requirements are adequate to justify the current functional commands.

(8) Whether the exclusion of Russia from a specific Area of Responsibility presents any difficulties for the unified combatant commands with respect to contingency planning for that area and its periphery.

(9) Whether the current geographic boundary between the Central Command and the European Command through the Middle East could create command conflicts in the context of fighting a major regional conflict in the Middle East.

**LEVIN AMENDMENT NO. 4408**

Mr. NUNN (for Mr. LEVIN) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 223. SEAMLESS HIGH OFF-CHIP  
CONNECTIVITY.**

Of the amount authorized to be appropriated by this Act, \$7,000,000 shall be available for the Defense Advanced Research Projects Agency for research and development on Seamless High Off-Chip Connectivity (SHOCC) under the materials and electronic technology program (PE 0602712E).

**SMITH AMENDMENT NO. 4409**

Mr. MCCAIN (for Mr. SMITH) proposed an amendment to the bill, S. 1745, supra; as follows:

Beginning on page 90, strike line 1 and all that follows through page 91, line 17, and insert the following:

**SEC. 346. AUTHORITY TO TRANSFER CONTAMINATED FEDERAL PROPERTY BEFORE COMPLETION OF REQUIRED REMEDIAL ACTIONS.**

(a) IN GENERAL.—Section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)) is amended—

(1) by redesignating subparagraph (A) as clause (i) and clauses (i), (ii), and (iii) of that subparagraph as subclauses (I), (II), and (III), respectively;

(2) by striking "After the last day" and inserting the following:

"(A) IN GENERAL.—After the last day";

(3) by redesignating subparagraph (B) as clause (ii) and clauses (i) and (ii) of that subparagraph as subclauses (I) and (II), respectively;

(4) by redesignating subparagraph (C) as clause (iii);

(5) by striking "For purposes of subparagraph (B)(i)" and inserting the following:

"(B) COVENANT REQUIREMENTS.—For purposes of subparagraphs (A)(ii)(I) and (C)(iii)";

(6) in subparagraph (B), as designated by paragraph (5), by striking "subparagraph (B)" each place it appears and inserting "subparagraph (A)(ii)"; and

(7) by adding at the end the following:

"(C) DEFERRAL.—

"(i) IN GENERAL.—The Administrator (in the case of real property at a Federal facility that is listed on the National Priorities List) or the Governor of the State in which the facility is located (in the case of real property at a Federal facility not listed on the National Priorities List) may defer the requirement of subparagraph (A)(ii)(I) with respect to the property if the Administrator or the Governor, as the case may be, determines that—

"(I) the property is suitable for transfer for the use intended by the transferee;

"(II) the deed or other agreement proposed to govern the transfer between the United States and the transferee of the property contains the assurances set forth in clause (ii); and

"(III) the Federal agency requesting deferral has provided notice, by publication in a newspaper of general circulation in the vicinity of the property, of the proposed transfer and of the opportunity for the public to submit, within a period of not less than 30 days after the date of the notice, written comments on the finding by the agency that the property is suitable for transfer.

"(ii) REMEDIAL ACTION ASSURANCES.—With regard to a release or threatened release of a hazardous substance for which a Federal agency is potentially responsible under this section, the deed or other agreement proposed to govern the transfer shall contain assurances that—

"(I) provide for any necessary restrictions to ensure the protection of human health and the environment;

"(II) provide that there will be restrictions on use necessary to ensure required remedial investigations, remedial actions, and oversight activities will not be disrupted;

"(III) provide that all appropriate remedial action will be taken and identify the schedules for investigation and completion of all necessary remedial action; and

"(IV) provide that the Federal agency responsible for the property subject to transfer will submit a budget request to the Director of the Office of Management and Budget that adequately addresses schedules, subject to congressional authorizations and appropriations.

"(iii) WARRANTY.—When all remedial action necessary to protect human health and the environment with respect to any substance remaining on the property on the date of transfer has been taken, the United States shall execute and deliver to the transferee an appropriate document containing a warranty that all such remedial action has been completed, and the making of the warranty shall be considered to satisfy the requirement of subparagraph (A)(ii)(I).

"(iv) FEDERAL RESPONSIBILITY.—A deferral under this subparagraph shall not increase, diminish, or affect in any manner any rights or obligations of a Federal agency with respect to a property transferred under this subparagraph."

(b) CONTINUED APPLICATION OF STATE LAW.—The first sentence of section 120(a)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(a)(4)) is amended by inserting "or facilities that are the subject of a deferral under subsection (h)(3)(C)" after "United States".

GLENN (AND HELMS) AMENDMENT  
NO. 4410

Mr. NUNN (for Mr. GLENN, for himself and Mr. HELMS) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 1072. STRENGTHENING CERTAIN SANCTIONS AGAINST NUCLEAR PROLIFERATION ACTIVITIES.**

(A) IN GENERAL.—Section 2(b)(4) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(4)) is amended—

(1) by inserting after “any country has willfully aided or abetted” the following: “, or any person has knowingly aided or abetted,”;

(2) by striking “or countries” and inserting “, countries, person, or persons”;

(3) by inserting after “United States exports to such country” the following: “or, in the case of any such person, give approval to guarantee, insure, or extend credit, or participate in the extension of credit in support of, exports to or by any such person for a 12-month period.”;

(4) by inserting “(A)” immediately after “(4)”;

(5) by inserting after “United States exports to such country” the second place it appears the following: “, except as provided in subparagraph (B).”;

(6) by adding at the end the following:

“(B) In the case of any country or person aiding or abetting a non-nuclear-weapon state as described in subparagraph (A), the prohibition on financing by the Bank contained in the second sentence of that subparagraph shall not apply to the country or person, as the case may be, if the President determines and certifies in writing to the Congress that—

“(i) reliable information indicates that the country or person with respect to which the determination is made has ceased to aid or abet any non-nuclear-weapon state to acquire any nuclear explosive device or to acquire unsafeguarded special nuclear material; and

“(ii) the President has received reliable assurances from the country or person that such country or person will not, in the future, aid or abet any non-nuclear-weapon state in its efforts to acquire any nuclear explosive device or any unsafeguarded special nuclear material.

“(C) For purposes of subparagraphs (A) and (B)—

“(ii) the term ‘country’ has the meaning given to ‘foreign state’ in section 1603(a) of title 28, United States Code;

“(ii) the term ‘knowingly’ is used within the meaning of the term ‘knowing’ in section 104 of the Foreign Corrupt Practices Act; and

“(iii) the term ‘person’ means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise, and any successor of any such entity.”.

(b) EFFECTIVE DATE.—(1) The amendments made by paragraphs (1) through (5) of subsection (a) shall apply to persons, and the amendment made by subsection (a)(6), shall apply to countries and persons, aiding or abetting non-nuclear weapon states on or after June 29, 1994.

(2) Nothing in this section or the amendments made by this section shall apply to obligations undertaken pursuant to guarantees, insurance, and the extension of credits (and participation in the extension of credits) made before the date of enactment of this Act.

CHAFEE AMENDMENT NO. 4411

Mr. MCCAIN (for Mr. CHAFEE) proposed an amendment to the bill, S. 1745, supra; as follows:

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 Small Business Development Centers of institutions of higher education.

(b) COMPUTERIZED DATA BASE OF DEFENSE TECHNOLOGIES.—(1) Under the pilot program, the Secretary shall enter into an agreement with the head of an eligible 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.

(c) PARTNERSHIP NETWORK.—Under the pilot program, the Secretary shall seek to enter into agreements with the heads of several eligible 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) ELIGIBLE INSTITUTIONS.—For the purposes of this section an institution of higher education is eligible to enter into an agreement under subsection (b) or (c) if the institution has a Small Business Development Center.

(e) 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 non-defense purposes (with or without modification).

(f) DEFINITIONS.—In this section:

(1) The term “Small Business Development Center” means a small business development center established pursuant to section 21 of the Small Business Act (15 U.S.C. 648).

(2) The term “defense technology” means a technology designated by the Secretary of Defense under subsection (d).

(3) The term “partnership” means an agreement entered into under section (c).

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

(h) AUTHORIZATION OF APPROPRIATIONS.—Of the amount authorized to be appropriated under section 201(4) for university research initiatives \$3000000 is available for the pilot program.

THURMOND (AND NUNN)  
AMENDMENT NO. 4412

Mr. MCCAIN (for Mr. THURMOND, for himself and Mr. NUNN) proposed an amendment to the bill S. 1745 supra; as follows:

In section 216, strike out the section heading and insert in lieu therefore the following:  
**SEC. 216. TIER III MINUS UNMANNED AERIAL VEHICLE.**

In section 3131(e), in the matter preceding paragraph (1), strike out “section 3101” and insert in lieu thereof “section 3101(b)(1)”.

In section 3131(e)(1), strike out “and” after the semicolon.

In section 3131(e)(2), strike out the period at the end and insert in lieu thereof “; and”.

At the end of section 3131(e), add the following:

(3) not more than \$100,000,000 shall be available for other tritium production research activities.

In section 3132(a), strike out “requirement for tritium for” and insert in lieu thereof “tritium requirements for”.

In section 3136(a), in the matter preceding paragraph (1), strike out “section 3102” and insert in lieu thereof “section 3102(b)”.

In section 3136(a)(1), strike out “\$43,000,000” and insert in lieu thereof “\$65,700,000”.

In section 3136(a)(2), strike out “\$15,000,000” and insert in lieu thereof “\$80,000,000”.

In section 3136(a)(2), strike out “stainless steel” and insert in lieu thereof “non-aluminum clad”.

BROWN AMENDMENT NO. 4413

Mr. BROWN proposed an amendment to the bill, S. 1745, supra; as follows:

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 is a potential threat to the 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.

(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 thought to 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 thought to 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 weapon 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 could result, and an estimate of the value of property that could 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.

LEVIN AMENDMENT NO. 4414

Mr. LEVIN proposed an amendment to the bill, S. 1745, supra; as follows:

At the end of title I add the following:

Subtitle E—Reserve Components

SEC. 141. RESERVE COMPONENT EQUIPMENT.

(a) APPLICABILITY OF MODERNIZATION PRIORITIES.—The selection of equipment to be procured for a reserve component with funds authorized to be appropriated under section 105 shall be made in accordance with the highest priorities established for the modernization of that reserve component.

(b) REPORTS.—(1) Not later than December 1, 1996, each officer referred to in paragraph (2) shall submit to the congressional defense committees an assessment of the modernization priorities established for the reserve component or reserve components for which that officer is responsible.

(2) The officers required to submit a report under paragraph (1) are as follows:

(A) The Chief of the National Guard Bureau.

(B) The Chief of Army Reserve.

(C) The Chief of Air Force Reserve.

(D) The Director of Naval Reserve.

(E) The Commanding General, Marine Forces Reserve.

Title	FY 1997		Authorization				Appropriation				Hollow SASC	Hollow HNCS
	Qty.	Cost	SASC change		HNCS change		SAC change		HAC change			
			Qty.	Cost	Qty.	Cost	Qty.	Cost	Qty.	Cost		
<b>NATIONAL GUARD AND RESERVE EQUIPMENT</b>												
<b>RESERVE EQUIPMENT</b>												
<b>ARMY RESERVE</b>												
Miscellaneous equipment			35,000		10,000			110,000		10,000		
25 ton trucks			15,000								15,000	
New procurement 2 5/5 ton trucks					15,000					15,000		
Tactical truck SLEP 2 5 ton					15,000					15,000		
Tactical truck SLEP 5 ton					10,000							10,000
Heavy truck modernization			30,000								30,000	
HEMTT bridge trans					4,000					9,000		
Dump trucks 20 tons					2,000					10,000		
Water purification units					2,000					4,000		
Portable lighting systems w/trailers					4,000					4,000		
Automatic building machines					5,000					3,000		2,000
HMMWV maintenance trucks			10,000		2,000					6,000	4,000	
All-terrain forklift 10 ton					4,000					4,000		
All-terrain crane 20 ton					4,000					4,000		
Hydraulic excavator					3,000					3,000		
HEMTT wrecker					3,000					7,000		
Mk-19 grenade launcher					3,000					3,000		
Steam cleaner					2,000					2,000		
Coolant purification system					2,000							2,000
Small arms simulator					1,000					1,000		
High mobility trailer					1,000							1,000
Unit level logistics system					2,000					2,000		
SINGGARS					2,000							2,000
Palletized load system					4,000							4,000
Palletized trailers					2,000					2,000		
HEMTT cargo chassis					4,000					4,000		
ANGRS-231										2,000		
Laser leveling system										3,000		
<b>Subtotal—Army Reserve</b>			<b>90,000</b>		<b>106,000</b>			<b>110,000</b>		<b>113,000</b>	<b>49,000</b>	<b>21,000</b>
<b>NAVY RESERVE</b>												
Miscellaneous Equipment			16,000		10,000			30,000		5,000		
F/A 18 Upgrades			24,000								24,000	
C-9 Replacement Aircraft					4	160,000			4	160,000		
MUW Van System Upgrades						10,000						10,000
Night Vision Goggles						2,000						2,000
C-9 Mods						3,000						3,000
P-3C Simulator Upgrade						2,000						2,000
Magic Lantern Spares						5,000				5,000		
P-3 Modernization										72,000		
<b>Subtotal—Navy Reserve</b>			<b>40,000</b>		<b>192,000</b>			<b>30,000</b>		<b>242,000</b>	<b>24,000</b>	<b>17,000</b>
<b>MARINE CORPS RESERVE</b>												
Miscellaneous Equipment			10,000		10,000			40,000		10,000		
LAV Improvements					2,000					2,000		
CH-53E			50,000		2	64,000			2	64,000		
AAV7A1 Modifications					2,000					2,000		
Night Vision Equipment					1,000					1,000		
Common End User Computers					4,000					4,000		
Fork Lifts					4,000					1,000		
M1A1 Tank Mod Kits										5,000		
AN/TPS-59										11,000		
<b>Subtotal—Marine Corps Reserve</b>			<b>60,000</b>		<b>83,000</b>			<b>40,000</b>		<b>100,000</b>		
<b>AIR FORCE RESERVE</b>												
Miscellaneous Equipment			10,000		10,000			50,000		10,000		
C-20G			30,000								30,000	
F-16 Avionics Upgrades					5,000					5,000		
Night Vision Devices					3,000					3,000		
A-10 Avionics Upgrades					7,000					7,000		
C-130 Avionics Upgrades					7,000					7,000		
HC-130P Tanker Conversion					3,000					3,000		
C-130 Modular Airborne Firefighting System					1,000					1,000		
F-16 Weapons Pylon Upgrades					1,000					1,000		
KC-135R Engine Kits					104,000					96,000		8,000
KC-135 Radar Replacement					5,000					5,000		
B-52 Avionics Upgrades					1,000					1,000		

Title	FY 1997		Authorization				Appropriation				Hollow SASC	Hollow HNSC	
	Qty.	Cost	SASC change		HNSC change		SAC change		HAC change				
			Qty.	Cost	Qty.	Cost	Qty.	Cost	Qty.	Cost			
Non-aircrew Training Systems							1,000				1,000		
EPLRS/SADL											8,000		
Subtotal—Air Force Reserve				40,000			148,000		50,000		148,000	30,000	8,000
Subtotal—Reserves				230,000			529,000		230,000		603,000	103,000	46,000
NATIONAL GUARD EQUIPMENT													
ARMY NATIONAL GUARD													
Miscellaneous Equipment				52,000			10,000		125,400		10,000		
MLRS				30,000								30,000	
Combat and Support Systems				23,000								23,000	
Tactical Trucks and Trailers				42,000								42,000	
Communications Electronics				13,000								13,000	
Logistics Service Support				10,000								10,000	
Night Vision Equipment				14,000			3,000				10,000	4,000	
Chem/Bio Defense Equipment				2,000								2,000	
Aircraft Equipment				21,000								21,000	
Infrastructure Equipment				17,000								17,000	
New Procurement Tactical Truck 5 Ton							4,000				4,000		
SLEP 2.5 Ton							15,000				15,000		
SLEP 5 Ton							4,000				4,000		
Crashworthy Internal Fuel Cells							5,000				5,000		
Small Arms Simulators							5,000						5,000
AH-1 Bore-sight device							3,000				3,000		
Coolant Purification System							3,000				3,000		
Avenger I-COFT Simulator							4,000				4,000		
D7 Bulldozer w/Ripper							2,000						2,000
Water Purification Unit							1,000				1,000		
FADEC							10,000				10,000		
Digital System Test and Training Seminar							3,000				3,000		
Automatic Building Machines							3,000				1,000		2,000
AH-1 C-Nite							2,000				2,000		
Dump Trucks 20 Ton							3,000				3,000		
C-23 Sherpa Enhancement Program							28,000						28,000
Helicopter Simulators (ARMS)							5,000				15,000		
Dragon Modifications							2,000				2,000		
Vibration System Management Systems							3,000				3,000		
Distance Learning Equipment											29,000		
Laser Leveling Equipment											5,000		
Automatic Identification Technology											7,000		
Subtotal—Army National Guard				224,000			118,000		125,400		139,000	162,000	37,000
AIR NATIONAL GUARD													
Miscellaneous Equipment				10,000					40,000		5,000		
Sead Mission Upgrade												11,400	
F-16 HTS							10,000				10,000		
C-130J					284,400	2	105,000			2	105,000	179,400	
Theater Deployable Communications							17,000						17,000
C-26B							5,000						5,000
Automatic Building Machines							3,000				2,000		1,000
F-16 Improved Avionics Intermediate Shop							15,000				15,000		
AN/TLO-32 Tadar Decoys							3,000				3,000		
C-130 Upgrades											5,000		
EPLRS / SADL											17,000		
Modular Medical Trauma Unit											4,000		
Subtotal—Air National Guard				305,800			158,000		40,000		166,000	190,800	23,000
Subtotal—National Guard				529,800			276,000		165,400		305,000	352,800	60,000
DOD													
MISC EQUIPMENT (Guard & Reserve Aircraft)													
C-130J									284,400				
C-9 Replacement Aircraft									80,000				
Miscellaneous													
Subtotal—Misc Equipment (Aircraft)									364,400				
Total, National Guard and Reserve Equipment				759,800			805,000		759,800		908,000	455,800	108,000

CONRAD (AND DORGAN)  
AMENDMENT NO. 4415

Mr. CONRAD (for himself and Mr. DORGAN) proposed an amendment to the bill, S. 1745, supra; as follows:

At the end of section 1062, add the following:

(d) RETENTION OF B-52H AIRCRAFT ON ACTIVE STATUS.—(1) The Secretary of the Air Force shall maintain in active status (including the performance of standard maintenance and upgrades) the current fleet of B-52H bomber aircraft.

(2) For purposes of carrying out upgrades of B-52H bomber aircraft during fiscal year 1997, the Secretary shall treat the entire current fleet of such aircraft as aircraft expected to be maintained in active status during the five-year period beginning on October 1, 1996.

BROWN (AND OTHERS)  
AMENDMENT NO. 4416

Mr. McCAIN (for Mr. BROWN, for himself, Mr. McCAIN, Mr. SIMON, Mr. SANTORUM, Mr. ROTH, Ms. MIKULSKI, Mrs. HUTCHISON, Mr. BRADLEY, Mrs. KASSEBAUM, Mr. COHEN, Mr. LEVIN, and Mr. LIEBERMAN) proposed an amendment to amendment No. 4367 proposed by Mr. NUNN to the bill, S. 1745, supra; as follows:

Strike all after page 1, line 3, and insert in lieu thereof the following:

(a) Not later than December 1, 1996, the President shall transmit a report on NATO enlargement to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on National Security and the Committee on International Relations of the House of Representatives. The report shall contain a comprehensive discussion of the following:

(1) Geopolitical and financial costs and benefits, including financial savings, associated with:

(A) enlargement of NATO;

(B) further delays in the process of NATO enlargement; and

(C) a failure to enlarge NATO.

(2) Additional NATO and U.S. military expenditures requested by prospective NATO members to facilitate their admission into NATO;

(3) Modifications necessary in NATO's military strategy and force structure required by the inclusion of new members and steps necessary to integrate new members, including the role of nuclear and conventional capabilities, reinforcement, force deployments, repositioning of equipment, mobility, and headquarter locations;

(4) The relationship between NATO enlargement and transatlantic stability and security;

(5) The state of military preparedness and interoperability of Central and Eastern European nations as it relates to the responsibilities of NATO membership and additional security costs or benefits that may accrue to the United States from NATO enlargement;

(6) The state of democracy and free market development as it affects the preparedness of Central and Eastern European nations for the responsibilities of NATO membership, including civilian control of the military, the rule of law, human rights, and parliamentary oversight;

(7) The state of relations between prospective NATO members and their neighbors, steps taken by prospective members to reduce tensions, and mechanisms for the peaceful resolution of border disputes;

(8) The commitment of prospective NATO members to the principles of the North Atlantic Treaty and the security of the North Atlantic area;

(9) The effect of NATO enlargement on the political, economic and security conditions of European Partnership for Peace nations not among the first new NATO members;

(10) The relationship between NATO enlargement and EU enlargement and the costs and benefits of both;

(11) The relationship between NATO enlargement and treaties relevant to U.S. and European security, such as the Conventional Armed Forces in Europe Treaty; and

(12) The anticipated impact both of NATO enlargement and further delays of NATO enlargement on Russian foreign and defense policies and the costs and benefits of a security relationship between NATO and Russia.

(b) **INDEPENDENT ASSESSMENT.**—Not later than 15 days after enactment of this Act, the Majority Leader of the Senate and the Speaker of the House of Representatives shall appoint a chairman and two other members and the Minority Leaders of the Senate and House of Representatives shall appoint two members to serve on a bipartisan review group of non-governmental experts to conduct an independent assessment of NATO enlargement, including a comprehensive review of the issues in (a) 1 through 12 above. The report of the review group shall be completed no later than December 1, 1996. The Secretary of Defense shall furnish the review group administrative and support services requested by the review group. The expenses of the review group shall be paid out of funds available for the payment of similar expenses incurred by the Department of Defense.

(c) Nothing in this section should be interpreted or construed to affect the implementation of the NATO Participation Act of 1994, as amended (P.L. 103-447), or any other program or activity which facilitates or assists prospective NATO members.

#### JEFFORDS (AND PELL) AMENDMENT NO 4417

Mr. JEFFORDS (for himself and Mr. PELL) proposed an amendment to amendment No. 4112 proposed by Mr. FORD to the bill, S. 1745, supra; as follows:

On page 1, strike line 6 through line 2 on page 2, and insert the following: 7703(a) is amended—

(1) by striking “2000 and such number equals or exceeds 15” and inserting “1000 or such number equals or exceeds 10”; and

(2) by inserting “, except that notwithstanding any other provision of this title the Secretary shall not make a payment computed under this paragraph for a child described in subparagraph (F) or (G) or paragraph (1) who is associated with Federal

property used for Department of Defense activities unless funds for such payment are made available to the Secretary from funds available to the Secretary of Defense” before the period.

#### STEVENS AMENDMENT NO. 4418

Mr. WARNER (for Mr. STEVENS) proposed an amendment to the bill, S. 1745, supra; as follows:

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

#### SEC. 1072. FACILITY FOR MILITARY DEPENDENT CHILDREN WITH DISABILITIES, LACKLAND AIR FORCE BASE, TEXAS.

(a) **FUNDING.**—Of the amounts authorized to be appropriated by this Act for the Department of the Air Force, \$2,000,000 may be available for the construction at Lackland Air Force Base, Texas, of a facility (and supporting infrastructure) to provide comprehensive care and rehabilitation services to children with disabilities who are dependents of members of the Armed Forces.

(b) **TRANSFER OF FUNDS.**—Subject to subsection (c), the Secretary of the Air Force may grant the funds available under subsection (a) to the Children’s Association for Maximum Potential (CAMP) for use by the association to defray the costs of designing and constructing the facility referred to in subsection (a).

(c) **LEASE OF FACILITY.**—The Secretary may not make a grant of funds under subsection (b) until the Secretary and the association enter into an agreement under which the Secretary leases to the association the facility to be constructed using the funds.

(2)(A) The term of the lease under paragraph (1) may not be less than 25 years.

(B) As consideration for the lease of the facility, the association shall assume responsibility for the operation and maintenance of the facility, including the costs of such operation and maintenance.

(3) The Secretary may require such additional terms and conditions in connection with the lease as the Secretary considers appropriate to protect the interests of the United States.

#### FORD (AND BROWN) AMENDMENT NO. 4419

Mr. FORD (for himself and Mr. BROWN) proposed an amendment to the bill, S. 1745, supra; as follows:

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

#### SEC. 113. DEMILITARIZATION OF ASSEMBLED CHEMICAL MUNITIONS.

(a) **PILOT PROGRAM.**—The Secretary of Defense shall conduct a pilot program to identify and demonstrate feasible alternatives to incineration for the demilitarization of assembled chemical munitions.

(b) **PROGRAM REQUIREMENTS.**—(1) The Secretary of Defense shall designate an executive agent to carry out the pilot program required to be conducted under subsection (a).

(2) The executive agent shall—

(A) be an officer or executive of the United States Government;

(B) be accountable to the Secretary of Defense; and

(C) not be, or have been, in direct or immediate control of the chemical weapon stockpile demilitarization program established by 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) or the alternative disposal process program carried out under sections 174 and 175 of the National Defense Authorization Act for Fiscal year 1993 (Public Law 102-484; 50 U.S.C. 1521 note).

(3) The executive agent may—

(A) carry out the pilot program directly;

(B) enter into a contract with a private entity to carry out the pilot program; or

(C) transfer funds to another department or agency of the Federal Government in order to provide for such department or agency to carry out the pilot program.

(4) A department or agency that carries out the pilot program under paragraph (3)(C) may not, for purposes of the pilot program, contract with or competitively select the organization within the Army that exercises direct or immediate management control over either program referred to in paragraph (2)(C).

(5) The pilot program shall terminate not later than September 30, 2000.

(c) **ANNUAL REPORT.**—Not later than December 15 of each year in which the Secretary carries out the pilot program, the Secretary shall submit to Congress a report on the activities under the pilot program during the preceding fiscal year.

(d) **EVALUATION AND REPORT.**—Not later than December 31, 2000, the Secretary of Defense shall—

(1) evaluate each demilitarization alternative identified and demonstrated under the pilot program to determine whether that alternative—

(A) is as safe and cost efficient as incineration for disposing of assembled chemical munitions; and

(B) meets the requirements of section 1412 of the Department of Defense Authorization Act, 1986; and

(2) submit to Congress a report containing the evaluation.

(e) **LIMITATION ON LONG LEAD CONTRACTING.**—(1) Notwithstanding any other provision of law and except as provided in paragraph (2), the Secretary may not enter into any contract for the purchase of long lead materials considered to be baseline incineration specific materials for the construction of an incinerator at any site in Kentucky or Colorado within one year of the date of enactment of this act or, thereafter, until the executive agent designated for the pilot program submits an application for such permits as are necessary under the law of the State of Kentucky or the law of the State of Colorado, as the case may be, for the construction at that site of a plant for demilitarization of assembled chemical munitions by means of an alternative to incineration.

(2) Provided, however, the Secretary may enter into a contract described in paragraph (1) beginning 60 days after the date on which the Secretary submits to Congress—

(A) the report required by subsection (d)(2); and

(B) the certification of the executive agent that—

(i) there exists no alternative technology as safe and cost efficient as incineration for demilitarizing chemical munitions at non-bulk sites

(ii) that can meet the requirements of section 1412 of the Department of Defense Authorization Act, 1986.

(f) **ASSEMBLED CHEMICAL MUNITION DEFINED.**—For the purpose of this section, the term “assembled chemical munition” means an entire chemical munition, including component parts, chemical agent, propellant, and explosive.

(g) **FUNDING.**—(1) Of the amount authorized to be appropriated under section 107, \$60,000,000 shall be available for the pilot program under this section. Such funds may not be derived from funds to be made available under the chemical demilitarization program for the alternative technologies research and development program at bulk sites.

(2) Funds made available for the pilot program pursuant to paragraph (1) shall be made available to the executive agent for use for the pilot program.

## CONRAD AMENDMENT NO. 4420

Mr. CONRAD proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. . AIR FORCE NATIONAL MISSILE DEFENSE PLAN.**

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

(1) the Air Force proposal for a Minuteman based national missile defense system is an important national missile defense option and is worthy of serious consideration; and

(2) The Secretary of Defense should give Air Force national missile defense proposal full consideration.

(b) REPORT.—Not later than 120 days after the enactment of this act, the Secretary of Defense shall provide the Congressional Defense Committees a report on the following matters in relation to the Air Force National Missile Defense Proposal:

(1) The cost and operational effectiveness of a system that could be developed pursuant to the Air Forces' plan.

(2) The Arms Control implications of such system.

(3) Growth potential to meet future threats.

(4) The Secretary's recommendation for improvements to the Air Force's plan.

## SARBANES AMENDMENT NO. 4421

(Ordered to lie on the table.)

Mr. SARBANES 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. REPORTS ON PROVISION OF CERTAIN EMERGENCY SERVICES AT FORT MEADE, MARYLAND.**

(a) IMPROVEMENT OF FIRE PROTECTION AND EMERGENCY SERVICES.—The Secretary of Defense shall submit to Congress the results of a study on means of improving the provision of fire protection services and emergency services at Fort Meade, Maryland, in order to meet the requirements of the Department of Defense for such services at Fort Meade. The study shall address consolidation of the services concerned as a means of achieving the improvement.

(b) FACILITY FOR HAZMAT PROTECTION SERVICES FOR NSA.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on plans for the construction at Fort Meade of a facility adequate to provide fire protection services and hazardous materials protection services for the National Security Agency. The report shall address the funding required for the construction of the facility.

## WARNER AMENDMENT NO. 4422

Mr. WARNER proposed an amendment to amendment No. 4388 proposed by Mr. FEINGOLD to the bill, S. 1745, supra; as follows:

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

**SEC. 223. COST-BENEFIT ANALYSIS OF F/A-18E/F AIRCRAFT PROGRAM.**

(a) REPORT ON PROGRAM.—Not later than March 30, 1997, the Secretary of Defense shall submit to the congressional defense committees a report on the F/A-18E/F aircraft program.

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

(1) A review of the F/A-18E/F aircraft program.

(2) An analysis and estimate of the production costs of the program for the total number of aircraft realistically expected to be procured at each of three annual production rates as follows:

(A) 18 aircraft.

(B) 24 aircraft.

(C) 36 aircraft.

(3) A comparison of the costs and benefits of the program with the costs and benefits of the F/A-18C/D aircraft program taking into account the operational combat effectiveness of the aircraft.

(c) LIMITATION ON USE OF FUNDS PENDING TRANSMITTAL OF REPORT.—No more than 90 percent of the funds authorized to be appropriated by this Act may be obligated or expended for the procurement of F/A-18E/F aircraft before the date that is 30 days after the date on which the congressional defense committees receive the report required under subsection (a).

## DOMENICI AMENDMENT NO. 4423

Mr. MCCAIN (for Mr. DOMENICI) proposed an amendment to the bill, S. 1745, supra; as follows:

In section 201(4), strike out "\$9,662,542,000" and insert in lieu thereof "\$9,679,542,000".

**BUMPERS (AND PRYOR) AMENDMENT NO. 4424**

Mr. NUNN (for Mr. BUMPERS, for himself and Mr. PRYOR) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 2828. LAND CONVEYANCE, PINE BLUFF ARSENAL, ARKANSAS.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Economic Development Alliance of Jefferson County, Arkansas (in this section referred to as the "Alliance"), all right, title, and interest of the United States in and to a parcel of real property, together with any improvements thereon, consisting of approximately 1,500 acres and comprising a portion of the Pine Bluff Arsenal, Arkansas.

(b) REQUIREMENTS RELATING TO CONVEYANCE.—The Secretary may not carry out the conveyance of property authorized under subsection (a) until—

(1) the completion by the Secretary of any environmental restoration and remediation that is required with the respect to the property under applicable law;

(2) the Secretary secures all permits required under law applicable regarding the conduct of the proposed chemical demilitarization mission at the arsenal; and

(3) the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a certification that the conveyance will not adversely affect the ability of the Department of Defense to conduct that chemical demilitarization mission.

(c) CONDITIONS OF CONVEYANCE.—The conveyance authorized under subsection (a) shall be subject to the following conditions:

(1) That the Alliance agree not to carry out any activities on the property to be conveyed that interfere with the construction, operation, and decommissioning of the chemical demilitarization facility to be constructed at Pine Bluff Arsenal. If the Alliance fails to comply with its agreement in (1) the property conveyed under this section, all right, title and interest in and to the property shall revert to the United States

and the United States shall have immediate right of entry thereon.

(2) That the property be used during the 25-year period beginning on the date of the conveyance only as the site of the facility known as the "Bioplex", and for activities related thereto.

(d) COSTS OF CONVEYANCE.—The Alliance shall be responsible for any costs of the Army associated with the conveyance of property under this section, including administrative costs, the costs of an environmental baseline survey with respect to the property, and the cost of any protection services required by the Secretary in order to secure operations of the chemical demilitarization facility from activities on the property after the conveyance.

(e) REVERSIONARY INTERESTS.—If the Secretary determines at any time during the 25-year period referred to in subsection (c)(2) that the property conveyed under this section is not being used in accordance with that subsection, all right, title, and interest in and to the property shall revert to the United States and the United States shall have immediate right of entry thereon.

(f) SALE OF PROPERTY BY ALLIANCE.—If at any time during the 25-year period referred to in subsection (c)(2) the Alliance sells all or a portion of the property conveyed under this section, the Alliance shall pay the United States an amount equal to the lesser of—

(1) the amount of the sale of the property sold; or

(2) the fair market value of the property sold at the time of the sale, excluding the value of any improvements to the property sold that have been made by the Alliance.

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

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

## KYL AMENDMENT NO. 4425

Mr. MCCAIN (for Mr. KYL) proposed an amendment to the bill, S. 1745, supra; as follows:

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

**SEC. 223. SURGICAL STRIKE VEHICLE FOR USE AGAINST HARDENED AND DEEPLY BURIED TARGETS.**

Of the amount authorized to be appropriated by section 201(4) for counterproliferation support program \$3,000,000 shall be made available to the Air Combat Command for research and development into the near-term development of a capability to defeat hardened and deeply mined targets, including tunnels and deeply buried facilities for the production and storage of chemical, biological, and nuclear weapons and their delivery systems.

(1) Nothing in this section shall be construed as precluding the application of the requirements of the Competition in Contracting Act.

## PELL AMENDMENT NO. 4426

Mr. NUNN (for Mr. PELL) proposed an amendment to the bill, S. 1745, supra; as follows:

On page 54, between lines 22 and 23, insert the following:

"(c) NATIONAL COASTAL DATA CENTER.—(1) The Secretary of the Navy shall establish a

National Coastal Data Center at each of two educational institutions that are either well-established oceanographic institutes or graduate schools of oceanography. The Secretary shall select for the center one institution located at or near the east coast of the continental United States and one institution located at or near the west coast of the continental United States.

"(2) The purpose of the center is to collect, maintain, and make available for research and educational purposes information on coastal oceanographic phenomena.

"(3) The Secretary shall complete the establishment of the National Coastal Data Center not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 1997.

#### DOMENICI AMENDMENT NO. 4427

Mr. MCCAIN (for Mr. DOMENICI) proposed an amendment to the bill, S. 1745, supra; as follows:

In section 201(4), strike out "\$9,662,542,000" and insert in lieu thereof "\$9,682,542,000".

#### FEINSTEIN (AND BIDEN) AMENDMENT NO. 4428

Mr. NUNN (for Mrs. FEINSTEIN, for herself and Mr. BIDEN) proposed an amendment to the bill, S. 1745, supra; as follows:

At the appropriate place, insert the following:

#### SEC. . PROHIBITION ON THE DISTRIBUTION OF INFORMATION RELATING TO EXPLOSIVE MATERIALS FOR A CRIMINAL PURPOSE.

(a) UNLAWFUL CONDUCT.—Section 842 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(1) It shall be unlawful for any person to teach or demonstrate the making of explosive materials, or to distribute by any means information pertaining to, in whole or in part, the manufacture of explosive materials, if the person intends or knows, that such explosive materials or information will be used for, or in furtherance of, an activity that constitutes a Federal criminal offense or a criminal purpose affecting interstate commerce."

(b) PENALTY.—Section 844(a) of title 18, United States Code, is amended—

(1) by striking "(a) Any person" and inserting "(a)(1) Any person"; and

(2) by adding at the end the following:

"(2) Any person who violates subsection (1) of section 842 of this chapter shall be fined under this title, imprisoned not more than 20 years, or both."

#### SHELBY (AND OTHERS) AMENDMENT NO. 4429

Mr. MCCAIN (for Mr. SHELBY, for himself, Mr. FAIRCLOTH, Mr. BRYAN, Mr. DODD, and Mr. GRAMM) proposed an amendment to the bill, S. 1745, supra; as follows:

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

#### SEC. . EXEMPTION FOR SAVINGS INSTITUTIONS SERVING MILITARY PERSONNEL.

Section 10(m)(3)(F) of the Home Owners' Loan Act (12 U.S.C. 1467a(m)(3)(F)) is amended to read as follows:

"(F) EXEMPTION FOR SPECIALIZED SAVINGS ASSOCIATIONS SERVING CERTAIN MILITARY PERSONNEL.—Subparagraph (A) does not apply to a savings association subsidiary of a savings and loan holding company if not less than 90

percent of the customers of the savings and loan holding company and the subsidiaries and affiliates of such company are active or former officers in the United States military services or the widows, widowers, divorced spouses, or current or former dependents of such officers."

#### JOHNSTON AMENDMENT NO. 4430

Mr. NUNN (for Mr. JOHNSTON) proposed an amendment to the bill, S. 1745, supra; as follows:

On page 410, line 5, strike "\$2,000,000" and insert "\$5,000,000".

On page 410, line 10, strike "\$2,000,000" and insert "\$5,000,000".

On page 410, before line 14, add the following:

"(C) STUDY ON PERMANENT AUTHORIZATION FOR GENERAL PLANT PROJECTS.—Not later than February 1, 1997, the Secretary of Energy shall report to the appropriate congressional committees on the need for, and desirability of, a permanent authorization formula for defense and civilian general plant projects in the Department of Energy that includes periodic adjustments for inflation, including any legislative recommendations to enact such formula into permanent law. The report of the Secretary shall describe actions that would be taken by the Department to provide for cost control of general plant projects, taking into account the size and nature of such projects."

On page 413, line 25, strike "\$2,000,000" and insert "\$5,000,000".

#### HEFLIN (AND SHELBY) AMENDMENT NO. 4431

Mr. NUNN (for Mr. HEFLIN, for himself and Mr. SHELBY) proposed an amendment to the bill, S. 1745, supra; as follows:

At the end of subtitle A of title IX add the following:

#### SEC. 907. ACTIONS TO LIMIT ADVERSE EFFECTS OF ESTABLISHMENT OF NATIONAL MISSILE DEFENSE JOINT PROGRAM OFFICE ON PRIVATE SECTOR EMPLOYMENT.

The Director of the Ballistic Missile Defense Organization shall take such actions as are necessary in connection with the establishment of the National Missile Defense Joint Program Office to ensure that the establishment and execution of the new management structure will not include any planned reductions in Federal Government employees, or Federal Government contractors, supporting the national missile defense development program at any particular location outside the National Capitol Region (as defined in section 2674(f)(2) of Title 10, United States Code).

#### LOTT AMENDMENT NO. 4432

Mr. MCCAIN (for Mr. LOTT) proposed an amendment to the bill, S. 1745, supra; as follows:

At the appropriate place, insert the following:

#### SEC. . OCEANOGRAPHIC SHIP OPERATIONS AND DATA ANALYSIS.

(a) Of the funds provided by Section 301(2), an additional \$6,200,000 may be authorized for the reduction, storage, modeling and conversion of oceanographic data for use by the Navy, consistent with Navy's requirements.

(b) Such funds identified in (a) shall be in addition to such amounts already provided for this purpose in the budget request.

#### THURMOND AMENDMENT NO. 4433

Mr. LOTT (for Mr. THURMOND) proposed an amendment to the bill, S. 1745, supra; as follows:

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

#### SEC 237. EXTENSION OF PROHIBITION ON USE OF FUNDS TO IMPLEMENT AN INTERNATIONAL AGREEMENT CONCERNING THEATER MISSILE DEFENSE SYSTEMS.

Section 235(c) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106; 110 Stat. 232) is amended in the matter preceding paragraph (1) by inserting "or 1997" after "fiscal year 1996".

#### THE MOLLIE BEATTIE ALASKA WILDERNESS AREA ACT

#### MURKOWSKI (AND OTHERS) AMENDMENT NO. 4434

Mr. NICKLES (for Mr. MURKOWSKI, for himself, Mr. JEFFORDS, and Mr. GRAHAM) proposed an amendment to the bill (S. 1899) entitled the "Mollie Beattie Alaska Wilderness Area Act"; as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

"Section 702(3) of Public Law 96-487 is amended by striking 'Arctic National Wildlife Refuge Wilderness' and inserting 'Mollie Beattie Wilderness'. The Secretary of the Interior is authorized to place a monument in honor of Mollie Beattie's contributions to fish, wildlife, and waterfowl conservation and management at a suitable location that he designates within the Mollie Beattie Wilderness."

#### AUTHORITY FOR COMMITTEE TO MEET

##### COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Friday, June 28, 1996, at 9 a.m. to hold a hearing on White House access to FBI summaries.

#### ADDITIONAL STATEMENTS

##### REMEMBERING SGT. MICHAEL SEAN SMITH

● Mr. SANTORUM. Mr. President, I rise today to take a few minutes to remember an American soldier who lost his life while serving his country. This remembrance is appropriate given the Senate's consideration of the Department of Defense authorization bill this week. This bill sets priorities for defense spending over the course of the next fiscal year. Frequently, this annual debate becomes bogged down in a discussion of weapons systems and defense contracts. Seemingly lost in this debate are the very men and women who serve in our Armed Forces; soldiers like U.S. Army Sgt. Michael Sean Smith who have sacrificed their lives in the line of duty.

Mr. President I rise to pay tribute to Sergeant Smith. Sergeant Smith died March 12, 1991, while serving his country in the Persian Gulf war. Sergeant