

Madam President, an important aspect of the Army's effort to incorporate digital technology into its divisions is the unprecedented cooperation between the Army and the contractor community. This cooperation extended to the exercise at the National Training Center. During my visit I toured what the Army calls the Central Technical Support Facility, a facility jointly manned by Army personnel and contractor personnel. The Army established this unique organization to act as an enabler for rapid integration of software and hardware systems through interaction of soldiers, contractors, and program managers. Any problems identified by the soldier-users of the tactical internet and digital systems were immediately dealt with by hardware and software engineers at the Central Technical Support Facility. In some cases, their solutions resulted in design changes which were immediately incorporated into the experiment, shaving months or years off the normal time-lines for the testing and acquisition process. Senior Army officials believe this concept is a prototype which holds great potential for changing the way users and contractors interact in the future. I share the Army's interest in further development of this arrangement.

I have inevitably been asked who won the 2-week exercise—was it the EXFOR with its new technology, or was it the OPFOR who lacked the newer technology but had a tremendous home-field advantage with its intimate knowledge of the terrain and long experience of fighting together? The answer to that question is not nearly as important as the answer to the question of how effective were the various new technologies used by the EXFOR.

The answer to both will have to wait for the results of the comprehensive after-action review that is being conducted by the Army. My own discussions during my visit left me with the overall impression that this digitization technology can be a tremendously powerful tool for the Army. UAV's—unmanned aerial vehicles—were a great force multiplier, as were the latest generation night vision equipment and the situational awareness technology. The Apache Longbow helicopter, the new Javelin antitank weapon and the Paladin howitzer were all combat systems available to the EXFOR which gave them a clear advantage over the OPFOR, and these systems were made even more effective by UAV's and other systems that provided real-time targeting data.

In some significant instances, the NTC exercise did not reflect the full potential of some new technologies that are already reaching the deployed forces. For example, the M1A2 tank is in such short supply at this time that the Army is fielding this system only with the early deploying combat forces. The EXFOR was using M1A1 tanks with internally mounted computer terminals to provide situational awareness. Although these internally mounted terminals are a great help,

they are not a long-term solution and do not adequately represent the target acquisition and situational awareness capability of the embedded information warfare systems fielded with the M1A2.

The technologies that the Army is testing under their advanced warfighting experiments are not without bugs and problems. Some echelons of command, for example, were reluctant to rely on the real-time situational awareness reported digitally over the EXFOR's tactical internet and preferred instead to rely on traditional acetate maps and voice communications. With much of the technology still in development, this reliance on traditional methods of command and control was understandable, and some backup capability to the tactical internet will need to be retained in the future. In general, though, much of the technology that I saw on display during the exercise can be incorporated into systems that will significantly improve the survivability and lethality of our Army combat forces. The commander of the OPFOR brigade acknowledged that his brigade had been tested more than usual by the EXFOR brigade. He also said that he would not like to fight the EXFOR brigade after they had a year to train with their new equipment.

There is an old saying that knowledge is power. The advanced warfighting experiment at the National Training Center demonstrated that knowledge is also military power—particularly the knowledge of the battlefield that comes from the tremendous situational awareness available through the digital technology of information warfare. No amount of technology is going to change the basic requirement for Army combat forces to be able to close with and destroy the enemy. But the information dominance that the Army is developing through the Force XXI effort can be a tremendous force multiplier.

Earlier this year General Shalikashvili told the Armed Services Committee that the Defense Department will have to change the way it does business. "Where possible," General Shalikashvili stated, "we will also have to trim personnel end strength especially where technological changes such as improved weapons systems afford us the possibility to consider fewer and smaller units." The technology of information warfare tested at the National Training Center last month is a good example of technology that may in fact allow a smaller force to have the same or even greater lethality and combat effectiveness as the forces we have today.

Madam President, I want to congratulate General Reimer, the Army Chief of Staff and his predecessor Gen. Gordon Sullivan; Gen. William Hartzog, the commander of the Army's Training and Doctrine Command; and Maj. Gen. Paul Kern, the commander of the 4th Infantry Division for their vision and determination to make information technology a force multiplier for the Army of the future. I also want

to congratulate the thousands of soldiers, Department of the Army civilians, and civilian contractors responsible for their contributions to this important effort.

The job, however, is not complete. There are a number of challenges that must be addressed before the decision is made to expand this technology throughout the Army, including questions of cost; the integration of new technology into existing systems; the impact of this technology on the Army's organizational structure and doctrine, and on the tactics, techniques and procedures to execute this doctrine; the impact on the training base; and the impact on personnel systems, including leader development.

Madam President, the Armed Services Committee will look closely at the results and lessons learned from the advanced warfighting experiment in the coming weeks and months. I look forward to working with the Army and with my colleagues on the Armed Services Committee to bring the best of this experiment to the rest of the Army in a timely manner.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC 1501. A communication from the Director of the U.S. Arms Control and Disarmament Agency, transmitting, a draft of proposed legislation entitled "The Chemical Weapons Convention Implementation Act of 1997"; to the Committee on Foreign Relations.

EC 1502. A communication from the Chairman of the Board of the African Development Foundation, transmitting, a draft of proposed legislation to authorize appropriations for the African Development Foundation; to the Committee on Foreign Relations.

EC 1503. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of voluntary contributions to international organizations for the period October 1, 1995 through March 31, 1996; to the Committee on Foreign Relations.

EC 1504. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of

international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC 1505. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC 1506. A communication from the General Counsel of the Department of Treasury, transmitting, a draft of proposed legislation to authorize appropriations to pay for the U.S. capital subscription as part of the eighth general capital increase of the Inter-American Development Bank; to the Committee on Foreign Relations.

EC 1507. A communication from the General Counsel of the Department of Treasury, transmitting, a draft of proposed legislation to authorize the U.S. participation in and appropriations for the U.S. contribution to the sixth replenishment of the resources of the Asian Development Bank; to the Committee on Foreign Relations.

EC 1508. A communication from the General Counsel of the Department of Treasury, transmitting, a draft of proposed legislation to authorize consent to and authorize appropriations for a U.S. contribution to the Interest Subsidy Account of the successor to the Enhanced Structural Adjustment Facility of the International Monetary Fund; to the Committee on Foreign Relations.

EC 1509. A communication from the General Counsel of the Department of Treasury, transmitting, a draft of proposed legislation to authorize the U.S. participation in and appropriations for the U.S. contribution to the eleventh replenishment of the resources of the International Development Association; to the Committee on Foreign Relations.

EC 1510. A communication from the General Counsel of the Department of Treasury, transmitting, a draft of proposed legislation to authorize the U.S. participation in an increase in authorized capital stock of the European Bank for Reconstruction and Development, and to authorize appropriations to pay for the increase in the U.S. capital subscription; to the Committee on Foreign Relations.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. JEFFORDS, from the Committee on Labor and Human Resources: Alexis M. Herman, of Alabama, to Secretary of Labor.

(The above nomination was reported with the recommendation that she be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SANTORUM (for himself and Mr. COVERDELL):

S. 563. A bill to limit the civil liability of business entities that donate equipment to nonprofit organizations; to the Committee on the Judiciary.

S. 564. A bill to limit the civil liability of business entities providing use of facilities to nonprofit organizations; to the Committee on the Judiciary.

S. 565. A bill to limit the civil liability of business entities that make available to a nonprofit organization the use of a motor vehicle or aircraft; to the Committee on the Judiciary.

S. 566. A bill to limit the civil liability of business entities that provide facility tours; to the Committee on the Judiciary.

By Mr. SMITH of New Hampshire:

S. 567. A bill to permit revocation by members of the clergy of their exemption from Social Security coverage; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. MACK, Mr. KENNEDY, Mr. D'AMATO, and Mr. MOYNIHAN):

S. 568. A bill to make a technical correction to title 28, United States Code, relating to jurisdiction for lawsuits against terrorist states; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Mr. CAMPBELL, Mr. DOMENICI, and Mr. DORGAN):

S. 569. A bill to amend the Indian Child Welfare Act of 1978, and for other purposes; to the Committee on Indian Affairs.

By Mr. NICKLES (for himself, Mr. BREAUX, Mr. MACK, Mr. BAUCUS, Mr. D'AMATO, Mr. BOND, Mr. DEWINE, Mr. COCHRAN, Mr. ENZI, Mr. HAGEL, and Mr. THOMAS):

S. 570. A bill to amend the Internal Revenue Code of 1986 to exempt certain small businesses from the mandatory electronic fund transfer system; to the Committee on Finance.

By Mr. REID:

S. 571. A bill to establish a uniform poll closing time throughout the continental United States for Presidential general elections; to the Committee on Rules and Administration.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WYDEN (for himself, Mr. REID, Mr. WELLSTONE, Mr. MURKOWSKI, and Mr. BRYAN):

S. Res. 71. A bill to ensure that the Senate is in compliance with the Congressional Accountability Act with respect to permitting a disabled individual access to the Senate floor when that access is required to allow the disabled individual to discharge his or her official duties; to the Committee on Rules and Administration.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANTORUM (for himself and Mr. COVERDELL):

S. 563. A bill to limit the civil liability of business entities that donate equipment to nonprofit organizations; to the Committee on the Judiciary.

S. 564. A bill to limit the civil liability of business entities providing use of facilities to nonprofit organizations; to the Committee on the Judiciary.

S. 565. A bill to limit the civil liability of business entities that make available to a nonprofit organization the use of a motor vehicle or aircraft; to the Committee on the Judiciary.

S. 566. A bill to limit the civil liability of business entities that provide facility tours; to the Committee on the Judiciary.

#### LEGISLATION TO LIMIT CIVIL LIABILITY OF BUSINESS

● Mr. SANTORUM. Mr. President, I introduce four related pieces of legislation all aimed at increasing donations of goods and services to charities. Collectively called the charity empowerment project, I urge my colleagues to consider cosponsoring these bills.

Over the past 30 years, courts have consistently expanded what constitutes tortious conduct. Regrettably, fault is often not a factor when deciding who should compensate an individual for damages incurred. This has had an impact on charitable giving. Today, individuals and businesses are wary of giving goods, services, and time to charities for fear of frivolous lawsuits.

The charity empowerment project is designed to free up resources for charities by providing legal protections for donors. Generally, these bills raise the tort liability standard for donors, whereby they are liable only in cases of gross negligence, hence eliminating strict liability and returning to a fault based legal standard. By allowing businesses to once again become good Samaritans, I look forward to seeing a massive increase in the donation of goods and services to charities.

Specifically, I am introducing four bills each of which accomplishes one of the following four objectives: First, to limit the civil liability of business entities that donate equipment to nonprofit organizations; second, to limit the civil liability of business entities that provide use of their facilities to nonprofit organizations; third, to limit the civil liability of business entities that provide facility tours; and fourth, to limit the civil liability of business entities that make available to nonprofit organizations the use of motor vehicles or aircraft.

Clearly, where an organization is grossly negligent when providing goods or the use of its facilities to charity, that organization should be fully liable for injuries caused. These bills merely require this to be the standard in cases arising from certain donations to charities.

Last autumn, the Good Samaritan Food Donation Act was passed into law. This law now protects donors of foodstuffs to charities from liability except in cases where the donor was grossly negligent in making the donation. I was proud to join Senator BOND in his successful efforts to pass this act. The bills I introduce today draw from my successful work with Senator BOND last year. Each of these bills is modeled on the legal framework of the Good Samaritan Food Donation Act. I hope my distinguished colleagues who supported the Food Donation Act will help further these efforts by supporting the charity empowerment project.

Mr. President, I wish to note additional efforts by my colleagues to enhance charitable giving. Senator COVERDELL and Senator ASHCROFT have recently introduced legislation which