without. But it is a partnership. And it was carefully crafted, and I think wonderfully done. And I am hopeful when we have this debate—there will be debate—there will be amendments on the Republican side and amendments on the Democratic side to craft this bill over the next week.

I think there will be a great debate here about the direction this country is going to take and the future of the role of Government in solving people's problems.

Actually, one of the more innovative proposals that is in the leader's bill—also in other bills here—is to allow community groups to be the welfare agency, allow churches and community organizations and nonprofits who work in those neighborhoods to actually be the conduit agency to help and provide support for the poor in those neighborhoods—a radical concept of getting the government completely out and going to the people who care most, the neighbors, the pastors, the community activists. It is a wonderful concept. It is a breath of fresh air in what seems to be a hopeless cycle of dependency that we created in this Federal Government welfare policy. It is dramatic reform.

You will hear, I am sure, some say, well, it does not go far enough, not radical enough, does not change enough. And I am sure you will hear many come to the floor and tell us how we are going to destroy neighborhoods and create mass homelessness and starve millions of children and, you know, the sky will fall. You will hear it from both sides. Usually, when that is the case, you get a pretty good feel you have a good bill because you have not satisfied the far extremes of either side.

What we have done is taken a responsible approach, one I am very proud to be associated with. And before we got this debate underway, I wanted to congratulate the leader in his ability to forge this compromise, which I truly believe will get overwhelming support on the Republican side and get substantial support on the Democratic side of the aisle. Because I know there are many on that side of the aisle who see the problems in the current system and see this as a responsible remedy to that problem.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. I know we are going to start this, but I want to thank the junior Senator from Pennsylvania, who comes from the House, who did a lot of work on the House side putting together welfare reform. And we have been fortunate on this side of the aisle to have Senator SANTORUM's daily, hourly assistance on a very important piece of legislation, bringing people together with diverse views. It is not easy. It is all about leadership. And I congratulate and commend the Senator from Pennsylvania for his extraordinary effort. And because of that, largely because of that, I might add, I will be introducing the bill here following disposition of a number of amendments by our colleagues in reference to the DOD bill.

I thank the Senator from Pennsylvania.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

The Senate continued with the consideration of the bill.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. I will be assisting the distinguished chairman of the Armed Services Committee at the request of the ranking member, Senator NUNN. He is in negotiations at the present time. He asked that, until he is available, I assist the distinguished chairman. So I will be scrutinizing the amendments as they are reported. I think most of them are cleared. We will have no problems.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 2252

(Purpose: To amend the provision relating to authority to lease property requiring environmental remediation)

Mr. THURMOND. Mr. President, on behalf of Senator SMITH, I offer an amendment which perfects section 120(h)(3) by clarifying that section 120(h)(3) of the Comprehensive Environmental Response Compensation and Liability Act of 1980 does not apply to long-term leases at military bases undergoing hazardous waste remedial action.

Mr. President, I believe this amendment has been cleared by the other side.

Mr. FORD. Mr. President, the minority side has no objections to this amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. SMITH, proposes an amendment numbered 2252.

Mr. THURMOND. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 468, strike lines 16 through 24 and insert the following:

''The requirements of subparagraph (B) shall not apply in any case in which the transfer of the property occurs or has occurred by means of a lease, without regard to whether the lessee has agreed to purchase the property or whether the duration of the lease is longer than 55 years. In the case of a lease entered into after September 30, 1995, with respect to real property located at an installation approved for closure or realignment under a base closure law, the agency leasing the property, in consultation with the Administrator, shall determine before leasing the property that the property is suitable for lease, that the uses contemplated for the lease are consistent with protection of human health and the environment, and that there are adequate assurances that the United States will take all remedial action referred to in subparagraph (B) that has not been taken on the date of the lease.''.

Mr. SMITH. Mr. President, during the Armed Services Committee consideration of S. 1026, Senator MCCAIN and I introduced language to amend section 120(h)(3) of the Comprehensive Environmental Response Compensation and Liability Act of 1980 [CERCLA], otherwise known as Superfund, to allow for the use of long-term leases at former military bases undergoing hazardous waste remedial action.

The need for this language grew out of a lawsuit filed by the Conservation Law Foundation [CLF] and the town of Newington, NH, which charged that the Air Force had violated Superfund section 120(h) by transferring contaminated parcels at Pease Air Force Base via long-term lease without an approved remedial design. In a decision dated August 29, 1994, Judge Martin Loughlin of the U.S. District Court for the District of New Hampshire, held that the Air Force's actions to provide long-term leases to the State of New Hampshire were a violation of CERCLA. Not only has this decision placed a cloud over redevelopment efforts at Pease, but more important, it has helped to hinder the expedited redevelopment of facilities across the Nation that are being closed under the Base Closure and Realignment Act.

The language that was included in section 2824 of S. 1026 was intended to modify section 120(h)(3) of Superfund to provide that the Department of Defense may enter into long-term or other leases while any phase of the cleanup is ongoing. The amendment that I am offering today clarifies the language included in section 2824 to provide that not only are existing leases appropriate, but future leases may be entered into after consultation between the EPA and DOD. I have worked closely with Senators CHAFEE, BAUCUS, and LAUTENBERG, as well as the Department of Defense and the Department of the Air force, in developing this language, and I believe that it has been cleared by both sides.

This amendment will not only eliminate a significant obstacle to the expedited redevelopment of these bases, but it will give the Department of Defense more flexibility and creativity in placing these facilities back into productive use.

Again, I thank my colleague for working with me to adopt this important measure.

Mr. THURMOND. Mr. President, I urge the Senate adopt this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2252) was agreed to.

Mr. FORD. I move to reconsider the vote.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2253

(Purpose: To require a cost-benefit analysis of various options for reorganization of the Army ROTC program and to delay reorganization pending submission of a report on the results of the analysis to Congress)

Mr. FORD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD] proposes an amendment numbered 2253.

Mr. FORD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. 560. DELAY IN REORGANIZATION OF ARMY ROTC REGIONAL HEADQUARTERS STRUCTURE.

(a) DELAY.—The Secretary of the Army may not take any action to reorganize the regional headquarters and basic camp structure of the Reserve Officers Training Corps program of the Army until six months after the date on which the report required by subsection (d) is submitted.

(b) COST-BENEFIT ANALYSIS.—The Secretary of the Army shall conduct a comparative cost-benefit analysis of various options for the reorganization of the regional headquarters and basic camp structure of the Army ROTC program. As part of such analysis, the Secretary shall measure each reorganization option considered against a common set of criteria.

(c) SELECTION OF REORGANIZATION OPTION FOR IMPLEMENTATION.—Based on the findings resulting from the cost-benefit analysis under subsection (b) and such other factors as the Secretary consider appropriate, the Secretary shall select one reorganization option for implementation. The Secretary may select an option for implementation only if the Secretary finds that the cost-benefit analysis and other factors considered clearly demonstrate that such option, better than any other option considered—

(1) provides the structure to meet projected mission requirements;

(2) achieves the most significant personnel and cost savings;

(3) uses existing basic and advanced camp facilities to the maximum extent possible;

(4) minimizes additional military construction costs; and

(5) makes maximum use of the reserve components to support basic and advanced camp operations, thereby minimizing the effect of those operations on active duty units.

(d) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report describing the reorganization option selected under subsection (c). The report shall include the results of the cost-benefit analysis under subsection (b) and a detailed rationale for the reorganization option selected.

Mr. FORD. This amendment would prohibit the Army from reorganizing regional headquarters of the ROTC Program until 6 months after they submit studies justifying the reorganizational cost-benefit.

I urge its acceptance.

Mr. THURMOND. Mr. President, it was cleared on this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2253) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote.

Mr. THURMOND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2254

(Purpose: To require a report on the effect of the closure of Fitzsimons Army Medical Center on the capability of the Department of Defense to provide appropriate health care to veterans of the Persian Gulf War and their families suffering from illnesses associated with their service during that conflict)

Mr. THURMOND. Mr. President, on behalf of Senator CAMPBELL, I offer an amendment which will require a report on the effect of the closure of Fitzsimons Army Medical Center on the capability of the Department of Defense to provide appropriate health care to Persian Gulf war veterans suffering from illness associated with that conflict.

Mr. President, I believe this amendment has been cleared by the other side.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. CAMPBELL, proposes an amendment numbered 2254.

Mr. THURMOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 304, between lines 8 and 9, insert the following:

SEC. 744. REPORT ON EFFECT OF CLOSURE OF FITZSIMONS ARMY MEDICAL CENTER, COLORADO, ON PROVISION OF CARE TO MILITARY PERSONNEL AND DEPENDENTS EXPERIENCING HEALTH DIFFICULTIES ASSOCIATED WITH PERSIAN GULF SYNDROME

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that—

(1) assesses the effects of the closure of Fitzsimons Army Medical Center, Colorado, on the capability of the Department of Defense to provide appropriate and adequate health care to members and former members of the Armed Forces and their dependents who suffer from undiagnosed illnesses (or combination of illnesses) as a result of service in the Armed Forces in the Southwest Asia theater of operations during the Persian Gulf War; and

(2) describes the plans of the Secretary of Defense and the Secretary of the Army to ensure that adequate and appropriate health care is available to such members, former members, and their dependents for such illnesses.

Mr. CAMPBELL. Mr. President, this amendment requires the Secretary of Defense to complete a report on the effect of the closure of Fitzsimons Army Medical Center on gulf war veterans and their families who suffer from health problems associated with Persian Gulf syndrome. That report must also tell Congress how the Defense Department and the Army plan to provide effective testing and treatment of those people.

Mr. President, last summer I held a field hearing out in Colorado on the subject of gulf war illnesses. That experience proved to me that the Persian Gulf syndrome is real and serious. Veterans complained of respiratory illnesses, muscle and joint aches, and fatigue, as well as a series of psychological symptoms. One family I know in Colorado watched their son go from a robust, strong, and vigorous young man to a thin, weak, and depressed gulf war vet as a result of unexplained health problems stemming from his Persian Gulf service.

Many of these vets, and their families, relied on Fitzsimons for testing and treatment. Fitzsimons is 1 of 15 regional medical centers for conducting evaluations of Persian Gulf war illnesses. Last October, Fitzsimons opened the Persian Gulf War Service Center to diagnose and treat gulf war vets. In addition, Fitzsimons set up a Persian Gulf war hotline to get information and make appointments.

It is hard to underestimate the importance of Fitzsimons to the regional effort in support of gulf war vets. Fitzsimons provides initial evaluations for vets in its immediate area, as well as assisted other medical facilities that could not handle the extra workload. Fitzsimons is responsible for all gulf war cases that require more extensive evaluations and treatment. Fitzsimons organizes quarterly regional conferences on Persian Gulf war illness issues. The Fitzsimons hotline continues to generate three or four new referrals every day.

We are going to lose all those services when Fitzsimons closes. I say when it closes, because I am sure that Congress will vote to accept the BRAC recommendations, with or without my support. I want to make sure that the Defense Department and the Army do not ignore these gulf war vets, and do not try to sweep their health problems under the rug.

Congress needs to know the DOD's plans to care for these people, and that is why I proposed this amendment. I appreciate the help from my colleagues on the Armed Services Committee on both sides of the aisle, and I thank them for agreeing to accept this amendment.

Mr. THURMOND. Mr. President, I congratulate Senator CAMPBELL on his amendment to require the Department of Defense to provide a report on the impact the closure of the Fitzsimons Army Medical Center will have on the treatment of Persian Gulf veterans suffering from illness associated with service in that conflict. The amendment will ensure that the Department

of Defense makes appropriate arrangements for care for these veterans and their families.

I support the amendment and urge its adoption.

Mr. THURMOND. Mr. President, I urge that the Senate adopt the amendment.

Mr. FORD. Mr. President, we have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2254) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2255

(Purpose: To state the sense of the Senate on the Director of Operational Test and Evaluation)

Mr. FORD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD], for Mr. PRYOR, proposes an amendment numbered 2255.

Mr. FORD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. 242. SENSE OF SENATE ON THE DIRECTOR OF OPERATIONAL TEST AND EVALUATION.

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

(1) The Office of the Director of Operational Test and Evaluation of the Department of Defense was created by Congress to provide an independent validation and verification on the suitability and effectiveness of new weapons, and to ensure that the United States military departments acquire weapons that are proven in an operational environment before they are produced and used in combat.

(2) The office is currently making significant contributions to the process by which the Department of Defense acquires new weapons by providing vital insights on operational weapons tests to be used in this acquisition process.

(3) The office provides vital services to Congress in providing an independent certification on the performance of new weapons that have been operationally tested.

(4) A provision of H.R. 1530, an Act entitled ''An Act to authorize appropriations for fiscal year 1996 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'', agreed to by the House of Representatives on June 15, 1995, contains a provision that could substantially diminish the authority and responsibilities of the office and perhaps cause the elimination of the office and its functions.

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

(1) the authority and responsibilities of the Office of the Director of Operational Test and Evaluation of the Department of Defense should not be diminished or eliminated; and

(2) the conferees on H.R. 1530, an Act entitled ''An Act to authorize appropriations for fiscal year 1996 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'' should not propose to Congress a conference report on that Act that would either diminish or eliminate the Office of the Director of Operational Test and Evaluation or its functions.

Mr. FORD. Mr. President, this is a sense of the Senate that the Senate should not recede to the House provision that would abolish DOD Director of Operational Test and Evaluations.

I believe it has been cleared on the other side.

●Mr. PRYOR. Mr. President, I rise today to offer an amendment with my friend the Senator from Delaware, Senator ROTH, that would express the sense of the Senate regarding the function of operational weapons testing in the U.S. Department of Defense.

In 1983, Senator ROTH and I passed legislation in Congress creating the Office of the Director, Operational Test and Evaluation in the Pentagon. This office was designed to be an independent and objective voice in the acquisition process, making sure that new weapons were tested in strong, realistic operational conditions before they were built and sent into combat.

Before the creation of this office, the tests on new weapons overseen strictly by those who were responsible for the development and production of these systems. Their strong financial and emotional attachment to the weapons being tested often compromised the integrity of the entire military acquisition process, and led to the fielding of weapons that simply did not work.

So the independent operational testing office was created to eliminate the practice where ''the students were grading their own exams.'' Since its creation, this office has worked hard to restore integrity and objectivity to DOD procurement. Our operational testers currently provide valuable information on the reliability and effectiveness of new weapons being developed and produced.

Mr. President, I was shocked to learn that the House version of the DOD authorization bill for fiscal year 1996 contained a provision to eliminate the Office of the Director of Operational Test and Evaluation and its important testing oversight function. The House legislation is dangerously misguided. In their apparent effort to streamline the Office of the Secretary of Defense, the House National Defense Committee has attempted to eliminate this important office and the responsibility of operationally testing new weapons.

I am pleased that the Senate Armed Services Committee's bill does not contain a similar provision. However, I am fully aware that this issue must still be resolved in the House/Senate conference on this particular legislation. As a result, Senator ROTH and I, as coauthors of the legislation creating the testing office, feel strongly that the U.S. Senate must respond strongly to the provisions passed by our friends in the House of Representatives.

I thank the distinguished chairman of the Armed Services Committee, Senator THURMOND, and the ranking member, Senator NUNN, for accepting this amendment.●

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2255) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President, I have to go to the telephone. I am going to ask the able Senator from Idaho to take over in my place.

The PRESIDING OFFICER. The Senator from Idaho.

AMENDMENT NO. 2256

(Purpose: To revise the authority relating to awards for service during the Vietnam era in order to authorize upgrades of awards)

Mr. KEMPTHORNE. Mr. President, on behalf of Senator LOTT, I offer an amendment which would allow the Secretary of Defense or service secretary to award appropriate decorations to Vietnam veterans. I believe this amendment has been cleared by the other side.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. LOTT, proposes an amendment numbered 2256.

On page 202, line 16, insert ''or upgrade'' after ''award''.

Mr. FORD. Mr. President, this side has no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2256) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2257

Mr. FORD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD], for Mr. NUNN, proposes an amendment numbered 2257.

Mr. FORD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. . AUTHORIZING THE AMOUNTS REQUESTED IN THE BUDGET FOR JUNIOR ROTC.

(a) There is hereby authorized to be appropriated $12,295,000 to fully fund the budget request for the Junior Reserve Officer Training Corps programs of the Army, Navy, Air Force, and Marine Corps. Such amount is in addition to the amount otherwise available for such programs under section 301.

(b) The amount authorized to be appropriated by section 101(4) is hereby reduced by $12,295,000.

Mr. MCCAIN. Mr. President, I support the amendment to provide an additional $12.2 million to the Junior ROTC Program. This will provide a level of funding equal to that requested by the administration. While I believe that the JROTC Program is of value to local communities, I continue to be concerned that its growth in funding will displace higher priority military programs during this era of declining defense budgets. I believe that the Department of Defense and Congress need to carefully scrutinize the growth of this program. Although current authority allows the JROTC Program to expand to as many as 3,500 schools, I believe that this would place an undue burden on the defense budget and therefore will seek to reduce this level of authority in future years. I urge the Department to exercise restraint when drafting its fiscal year 1997 budget request and not seek a growth in this program.

Mr. NUNN. Mr. President, I send to the desk an amendment that would fully fund the Department of Defense budget request for Junior ROTC. The bill as reported, would freeze the program at the fiscal year 1995 level of funding, which would have the effect of precluding the Department's planned expansion to an additional 435 schools, covering approximately 30,000 students.

Junior ROTC is a nationwide partnership program between the military services and high schools which emphasizes self-discipline, citizenship, personal responsibility, and sound work habits. It features classroom instruction, extracurricular activities, and summer camp. The program has received strong support from high school faculties, community leaders, and parents.

Junior ROTC makes an enormous contribution to our nation, both in terms of the impact on military recruiting and the impact on the individuals and communities who benefit from this outstanding program.

In the early nineties, the program was substantially expanded as a result of an initiative by Gen. Colin Powell and President Bush to address the issues of citizenship and self-esteem among at-risk teens in the wake of the LA riots.

President Bush said that JROTC is ''a great program that boosts high school completion rates, reduces drug use, raises self-esteem, and gets these kids firmly on the right track.''

General Powell said:

With its emphasis on self-discipline, personal responsibility, values, citizenship, and saying NO to drugs, JROTC provides America's youth with positive incentives to stay in high school and graduate. * * * I believe immediate expansion of the JROTC program is the best opportunity for the Department of Defense to make a positive impact on the Nation's youth.

The present members of the Joint Chiefs of Staff strongly support the program, and I ask unanimous request that a letter dated August 3, 1995, signed by all of the Chiefs be printed in the RECORD, and I urge the adoption of the amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE CHAIRMAN,
JOINT CHIEFS OF STAFF,
Washington, DC, August 3, 1995.

Hon. STROM THURMOND,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We are concerned about the recent Committee markup that would freeze funding for the Junior Reserve Officers' Training Corps (JROTC) Program at the FY 1995 levels—an action that would deny 435 high schools the opportunity many have sought for years, the chance to host a JROTC unit. This program has an 80-year track record of success and historically has enjoyed strong bipartisan support by the Congress. We hope that the Senate could adopt appropriate modifications to the Committee's Bill (S. 1026).

The current expansion of the program was initiated by then-Chairman Colin Powell, who recognized that JROTC offers young people an opportunity to improve their sense of responsibility, self-esteem, and citizenship, while offering an alternative to drugs and violence. The program also influences youth to stay in high school and graduate—something we in uniform have long endorsed. Moreover, with a per-student cost of about $500 annually, JROTC is a modest investment in today's youth.

Recognizing such benefits, President Bush proposed, and the Congress supported expansion of the program from 1,600 units to 3,500. Under that authority, the Department currently is executing the fourth installment of a 5-year expansion that is slated to add 284 units during the next school year, plus 151 the following year. The Committee's Bill would truncate that planned growth.

Frankly, there would be enormous challenges associated with changing direction. Contracts for the soon-to-start 284 schools largely have been accomplished, and faculty hiring substantially is completed. Funding is committed, and JROTC contracts with school districts generally require a 1-year notice before a Military Department unilaterally may terminate a unit. Nearly 70 percent of instructors for the new units are hired and are in the process of relocating. Millions of dollars for instructional materials, uniforms, equipment and supplies are in-place or on-order—the start date for classes is only a few weeks away! A display of affected schools, by state, is attached.

We remain sensitive to the competing demands and choices that must be made under tight budgets. Nonetheless, the Services always have prioritized JROTC into their funding plans, because we are so frequently reminded of the contributions JROTC makes to America and to its youth. We hope that the Senate can accord similar priority, and amend the Committee's Bill to permit currently planned unit activations to continue.

Sincerely,

John M. Shalikashvili, Chairman of the Joint Chiefs of Staff; Dennis J. Reimer, General, U.S. Army Chief of Staff; C.C. Krulak, General, U.S. Marine Corps Commandant; W.A. Owens, Vice Chairman of the Joint Chiefs of Staff; J.M. Boorda, Admiral, U.S. Navy Chief of Naval Operations; Ronald H. Fogleman, General, U.S. Air Force Chief of Staff.

Mr. FORD. Mr. President, the bill as reported would freeze the program at the fiscal year 1995 level of funding for the Junior ROTC. I believe it has been cleared on the other side.

Mr. KEMPTHORNE. We have cleared this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2257) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KEMPTHORNE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2258

Mr. FORD. Mr. President, I send an amendment to the desk on behalf of Senator NUNN and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD], for Mr. NUNN, proposes an amendment numbered 2258.

Mr. FORD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 109, strike out lines 1 and 2 and insert the following in lieu thereof: by inserting ''of the reserve components and of the combat support and combat service support elements of the regular components'' after ''resources''.

On page 109, strike out line 11 and all that follows through line 2 on page 110.

On page 110, in line 3, redesignate subsection (d) as subsection (c).

On page 403, insert the following between line 16 and line 17:

SEC. 1095. EXTENSION OF PILOT OUTREACH PROGRAM.

Section 1045(d) of the National Defense Authorization Act for Fiscal Year 1993 is amended by striking out ''three'' and inserting ''five'' in lieu thereof.

Mr. NUNN. Mr. President, this amendment clarifies the authorities concerning the Civil-Military Cooperative Action Program and that would extend the pilot program for reducing the demand for illegal drugs.

On a bipartisan basis, Congress established the Civil-Military Cooperative Action Program (10 U.S.C. 410) in the National Defense Authorization Act for fiscal year 1993. The purpose was to build upon the longstanding tradition of the Armed Forces—acting as good neighbors on a local level—in applying military resources to assist in worthy

civic projects when they would not be competing with the private sector.

The statute required DOD to develop a coordinated program so that DOD could insure that such programs were consistent with national policy of protecting military readiness and avoiding competition with the private sector; DOD could share information among commands about useful ways to provide such assistance; and DOD could coordinate requests for assistance to avoid duplication among DOD activities and between DOD and other Federal agencies.

The statute requires DOD to establish a ''Civil-Military Cooperative Action Program'' to ''use the skills, capabilities, and resources to the Armed Forces to assist civilian efforts to meet the domestic needs of the United States.'' It further requires DOD to establish advisory councils on the regional, State, or local level, as appropriate, comprised of representatives from business, civic, and social service organizations, and Federal, State, and local agencies. The advisory councils provide recommendations on projects and program guidance. In addition, DOD is required to issue regulations governing the types of assistance, and guidance to assure nonduplication of public service and noncompetition with the private sector.

The Civil-Military Cooperative Action Program builds upon a longstanding tradition of military commanders serving as good neighbors—coordinating training activities and providing assistance to local communities to help with worthy civic projects. The statutory program is designed to ensure that these efforts are conducted in accordance with national goals—that is, they must be consistent with readiness and there must be no competition with the private sector or other public activities.

At a time when we are providing over $250 billion in funding for defense—and when defense is the only segment of the Government receiving a substantial budget increase—it is no time to tell our communities that the military cannot or will not provide assistance consistent with military readiness and training.

The civil-military cooperation cannot and should not be a military mission. But there is no reason why the Armed Forces cannot conduct training—particularly in terms of the activities of support troops—in a manner that can have incidental benefits to civilian society.

A good example is medical screening. When troops go on cold weather training in Alaska, why shouldn't the medics assist medically underserved communities with screening and basic medical supplies—particularly when the shelf-life of those supplies will expire if not used?

The bill as reported by the committee makes a number of useful changes in the current statutory authority to emphasize military readiness, but several improvements are needed in the language recommended by the committee.

The bill as reported would restrict the program to the reserve components. My amendment would make it clear that the program also applies to the combat support and combat service support elements of active duty regular components.

The bill as reported would eliminate Federal agencies labor unions from participation in the advisory councils. The advisory councils were designed to bring together business, civic, and government leaders to ensure that there is no private sector competition and no duplication of services offered by other public agencies. We should not exclude Federal agencies and labor unions from the process since that could lead to unnecessary duplication of Federal and private sector services.

My amendment does not affect the provision of the bill providing that the management of the program should not be located under the Assistant Secretary of Defense for Reserve Affairs. Since the program clearly applies to the active and the reserve components, oversight should be provided by the Under Secretary of Defense for Personnel and Readiness. It is my expectation that the expertise and experience of those who have been responsible for the program to date would be relied upon by the Under Secretary in his oversight of this program.

My amendment also extends for 2 years the pilot outreach program to reduce demand for illegal drugs, authorized by section 1045 of the National Defense Authorization Act for Fiscal Year 1995. The pilot program has been reviewed by the Rand Corp. and has generally received good reviews. There has been insufficient opportunity at this point, however, to determine the long-term effectiveness of the program, so a 2-year extension of the pilot is warranted.

Mr. President, I note that the Department of Defense appropriations bill for fiscal year 1995, as reported by the Appropriations Committee, fully funds the administration's request for the Civil-Military Cooperative Action Program and the related Challenge and Starbase Programs. That funding is fully consistent with the continuing authority provided by the Armed Services Committee for these important programs.

Mr. MCCAIN. Mr. President, I support the amendment to allow the Department of Defense to continue the Pilot Outreach Program another 2 years. I further support the perfecting language regarding the Civil Military Cooperation Program. I believe that these programs can be of great value, however, I am concerned when scarce defense dollars are earmarked for these programs that do not significantly enhance national security. I note with approval that this will not be the case in this situation. I urge the Department of Defense to refrain from requesting funds for these programs in the future since there are so many more pressing military requirements that continue to go unfunded. It is my hope that these programs will continue to provide valuable services to local communities using funds that are more appropriate to their mission.

Mr. FORD. Mr. President, this clarifies the authority concerning the Civil Military Cooperative Action Program.

Mr. KEMPTHORNE. Mr. President, this amendment has been cleared.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2258) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KEMPTHORNE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2259

(Purpose: To amend section 381 to make the National Defense Sealift Fund available for expenses of the entire National Defense Reserve Fleet)

Mr. KEMPTHORNE. Mr. President, on behalf of Senator THURMOND, I offer an amendment which would perfect a provision included in the bill that makes certain changes in funding for the Ready Reserve component of the National Defense Reserve Fleet. Based on consultation with the Office of the Secretary of Defense and Navy, this amendment would extend the authority to include the entire National Defense Reserve Fleet.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. THURMOND, proposes an amendment numbered 2259.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 114, beginning on line 9, strike out **"READY RESERVE COMPONENT OF THE READY RESERVE FLEET."** and insert in lieu thereof **"THE NATIONAL DEFENSE RESERVE FLEET.".**

On page 114, beginning on line 20, strike out ''of the Ready Reserve component''

Mr. KEMPTHORNE. I believe this amendment has been cleared by the other side.

Mr. FORD. Mr. President, we have no objection to this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2259) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2260

(Purpose: To authorize a land conveyance, Radar Bomb Scoring Site, Forsyth, Montana)

Mr. KEMPTHORNE. Mr. President, on behalf of Senators MCCAIN and GLENN, the chairman and ranking member of the Readiness Subcommittee, I offer an amendment which would convey approximately 58 acres comprising radar bomb scoring site, Forsyth, MT, to the city of Forsyth, MT.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. MCCAIN, for himself and Mr. GLENN, proposes an amendment numbered 2260.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 487, below line 24, add the following:

SEC. 2838. LAND CONVEYANCE, RADAR BOMB SCORING SITE, FORSYTH, MONTANA.

(A) AUTHORITY TO CONVEY.—The Secretary of the Air Force may convey, without consideration, to the City of Forsyth, Montana (in this section referred to as the ''City''), all right, title, and interest of the United States in and to the parcel of property (including any improvements, thereon) consisting of approximately 58 acres located in Forsyth, Montana, which has served as a support complex and recreational facilities for the Radar Bomb Scoring Site, Forsyth, Montana.

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

(1) utilize the property and recreational facilities conveyed under that subsection for housing and recreation purposes; or

(2) enter into an agreement with an appropriate public or private entity to lease such property and facilities to that entity for such purposes.

(c) REVERSION.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being utilized in accordance with paragraph (1) or paragraph (2) of subsection (b), all right, title, and interest in and to the conveyed property, including any improvements thereon, shall revert to the United States and the United States shall have the right of immediate entry onto the property.

(d) 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 such survey shall be borne by the City.

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

Mr. MCCAIN. Mr. President, I join Senator GLENN, my colleague, the ranking member on the Readiness Subcommittee, in offering an amendment that the subcommittee considered during the markup of the authorization bill.

The amendment authorizes the Secretary of the Air Force to convey 58 acres of property located at the Radar Bomb Scoring Site, Forsyth, MT, to the city of Forsyth, MT. The Air Force is planning to vacate the property and declare it excess to its needs. By authorizing the conveyance of the property to the city of Forsyth, we will meet a housing need for the elderly and provide a recreation area for the community.

Although we considered the amendment during the markup of this bill, the subcommittee had not received the appropriate General Services Administration [GSA] screen certifying that no other Federal agency had a need for the property. The subcommittee therefore agreed to defer action on the conveyance until the GSA cleared the property for disposal. We now have that clearance and are prepared to recommend to the Senate to accept the amendment.

Mr. President, Senator GLENN and I believe the GSA screen is an essential step toward maximizing the use of our Federal resources. We have already submitted all the land conveyances contained in the House bill to the GSA for review and will apply the same criteria to those conveyances as we have to this amendment.

I thank Senator GLENN for his cooperation and urge the adoption of the amendment.

Mr. GLENN. Mr. President, the amendment offered by Senator MCCAIN and myself concerns a land issue which the Readiness Subcommittee considered during its markup proceedings.

The amendment authorizes the Secretary of the Air Force to convey 58 acres of property located at the Radar Bomb Scoring Site, Forsyth, MT, to the city of Forsyth, MT. The Air Force plans to vacate the few housing facilities and to declare the property excess to its needs. In receiving the property, the city of Forsyth must continue to use the facilities for housing purposes. The city of Forsyth has a justified need for these facilities to house the elderly in the community.

The subcommittee recognized the local community's needs and the Air Force's desire to vacate and dispose of the property. However, the members of the Readiness Subcommittee chairman agreed to defer action on the proposal until the General Services Administration [GSA] completed an expedited screening of the property to determine if any Federal agencies had an interest in the property.

Requiring GSA to screen the property is in keeping with my concern that we should not give away property without protecting the interests of the Federal Government.

On July 11, GSA reported back to the subcommittee that no Federal interests in the property were expressed. In addition at Senator MCCAIN's and my request GSA made a preliminary valuation of the property. GSA estimates that the property is worth $700,000.

In keeping with the subcommittee's agreement, Senator MCCAIN and I urge the adoption of the amendment.

Mr. BURNS. Mr. President, I rise today in support of the amendment to the defense authorization bill which would transfer land at the Air Force Complex at Forsyth, MT, to the community.

This amendment makes sense. The Air Force will be releasing this facility in the near future and the community will benefit greatly by acquiring this property. It is a win-win situation for the Air Force and the community.

The city of Forsyth has met all necessary requirements and the conveyance is noncontroversial. They will use the property for affordable housing for retirees, assist the hospital and nursing home in their expansion plans, and assure that the facility is cared for and improved rather than allowed to deteriorate.

This is clearly a positive solution and provides the highest and best use for the property. The community of Forsyth should be commended for their tireless work on this project.

I yield the floor.

Mr. KEMPTHORNE. Mr. President, this has been cleared by the other side.

Mr. FORD. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2260) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2261

(Purpose: To authorize a land conveyance, Radar Bomb Scoring Site, Powell, Wyoming)

Mr. KEMPTHORNE. Mr. President, on behalf of Senators MCCAIN and GLENN, the chairman and ranking members of the Readiness Subcommittee, I offer an amendment which conveys approximately 24 acres comprising the radar bomb scoring site, Powell, WY, to the northwest board of trustees, Powell, WY.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. MCCAIN, for himself and Mr. GLENN, proposes an amendment numbered 2261.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 487, below line 24, add the following:

SEC. 2838. LAND CONVEYANCE, RADAR BOMB SCORING SITE, POWELL, WYOMING.

(a) AUTHORITY TO CONVEY.—The Secretary of the Air Force may convey, without consideration to the Northwest College Board of Trustees (in this section referred to as the ''Board''), all right, title, and interest of the United States in and to a parcel of real property (including any improvements thereon) consisting of approximately 24 acres located

in Powell, Wyoming, which has served as the location of a support complex, recreational facilities, and housing facilities for the Radar Bomb Scoring Site, Powell, Wyoming.

(b) CONDITION OF CONVEYANCE.—The conveyance authorized under subsection (a) shall be subject to the condition that the Board use the property conveyed under that subsection for housing and recreation purposes and for such other purposes as the Secretary and the Board jointly determine appropriate.

(c) REVERSIONARY INTEREST.—During the 5-year period beginning on the date that the Secretary makes the conveyance authorized under subsection (a), if the Secretary determines that the conveyed property is not being used in accordance with subsection (b), all right, title, and interest in and to the conveyed property, including any improvements thereon, shall revert to the United States and the United States shall have the right of immediate entry onto the property.

(d) 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 Board.

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

Mr. MCCAIN. Mr. President, Senator GLENN and I are offering an amendment to convey approximately 24 acres comprising the radar bomb scoring site, Powell, WY, to the Northwest College Board of Trustees. This conveyance like the one in the previous amendment has been screened by the GSA for other Federal use and declared to be excess to the Government.

I recommend the adoption of the amendment.

Mr. GLENN. Mr. President, the amendment offered by Senator MCCAIN and myself concerns a land issue which the Readiness Subcommittee considered during its markup proceedings.

The amendment authorizes the Secretary of the Air Force to convey 24 acres of property located at the radar bomb scoring site, Powell, WY, to the Northwest College in Powell, WY. The Air Force plans to vacate the facilities as early as August 1995. In receiving the property, the college must continue to use the facilities for housing purposes and recreational purposes. The college has a justified need for these facilities to house and support students at the college. The Northwest College Task Force, which includes several members of the Wyoming Legislature and the Powell Chamber of Commerce, and the Air Force support this proposal.

The subcommittee recognized the college's needs and the Air Force's desire to vacate and dispose of the property. However, the members of the Readiness Subcommittee Chairman agreed to defer action on the proposal until the General Services Administration [GSA] completed an expedited screening of the property to determine if any Federal agencies had an interest in the property.

Requiring GSA to screen the property is in keeping with my concern that we should not give away property without protecting the interests of the Federal Government.

On July 11, GSA reported back to the subcommittee that no Federal interests in the property were expressed. In keeping with the subcommittee's agreement, Senator MCCAIN and I urge the adoption of the amendment.

Mr. THURMOND. I want to compliment Senator MCCAIN and Senator GLENN, the chairman and ranking member of the Readiness Subcommittee, for their work on this amendment and their continuing efforts to ensure that Federal property is properly screened for use by other Federal agencies before it is conveyed to the private sector.

Mr. President, I understand that both these bomb scoring sites at Powell, WY, and Forsyth, MT, have been screened by the General Services Administration for potential use by other Federal agencies and that there is no interest. Therefore, I support the amendment and the transfer to the local government entities for use to improve housing, education, and recreation.

Mr. SIMPSON. Mr. President, I would simply like to add my strong support for this bill and in particular, for the provision relating to the land conveyance of the former Air Force radar bomb scoring site near Powell, WY.

This provision properly authorizes the Secretary of the Air Force to convey, without consideration, to the Northwest College Board of Trustees, all right, title, and interest of the United States—in and to—the parcel of real property consisting of approximately 24 acres located in Powell, WY.

This parcel also includes facilities such as a commissary and post exchange, as well as housing facilities that the Northwest College will most surely put to good use almost immediately.

The Northwest College Task Force, several members of the Wyoming Legislature and the Powell Chamber of Commerce have all endorsed the re-use proposal submitted by the Northwest College. Northwest College will use the facilities to help to alleviate their acute student housing shortage and for other educational and classroom purposes.

Mr. President, I sat on the Northwest College Board for 8 years and I can certainly attest to the fact that this is a great community college. One of the best.

This transfer of Air Force property will be well noted and greatly appreciated by the community of Powell, WY and the college, as they face continued growth into the 21st century.

I would like to offer my deepest thanks to Senator THURMOND, Senator BURNS, and Senator NUNN for their efforts—as well as their fine staff representatives—in this endeavor. They have all been so supportive of the Wyoming delegation's efforts regarding this provision, and I do greatly appreciate that. Thank you, Mr. President.

Mr. KEMPTHORNE. Mr. President, this has been cleared by the other side.

Mr. FORD. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2261) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2262

(Purpose: To express the sense of Congress regarding establishment of Junior Reserve Officers' Training Corps units in schools on Indian reservations)

Mr. KEMPTHORNE. Mr. President, on behalf of Senator PRESSLER, I offer an amendment which expresses the sense of the Senate that Indian reservations receive full consideration in selection of future JROTC sites.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. PRESSLER, proposes an amendment numbered 2262.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 343, after line 24, insert the following:

SEC. 1036. ESTABLISHMENT OF JUNIOR R.O.T.C. UNITS IN INDIAN RESERVATION SCHOOLS.

It is the sense of Congress that the Secretary of Defense should ensure that secondary educational institutions on Indian reservations are afforded a full opportunity along with other secondary educational institutions to be selected as locations for establishment of new Junior Reserve Officers' Training Corps units.

Mr. PRESSLER. Mr. President, I rise to offer a sense-of-the-Senate amendment which states that as the Junior Reserve Officers Training Corps [JROTC] programs expands in the future, the Department of Defense will seek to expand JROTC opportunities in schools on Indian reservations that seek to participate in the JROTC program. Unfortunately, only six of the Nation's 3,500 schools currently participating in the JROTC program are located on Indian reservations.

The JROTC program helps our young people acquire the skills that will serve them the remainder of their lives. To achieve this goal, the JROTC curriculum includes such topics as American citizenship, history, self-discipline, goal-setting, ethics, responsibility, and integrity. In short, the JROTC program helps motivate young men and women to become better American citizens. I believe the JROTC program is a valuable addition to any high school's educational curriculum.

Many challenges face native American youth today. Too many Indian children grow up without having the opportunities or options available to help them achieve their full potential. Native American youth too often enter adulthood without the necessary skills to contribute to their local communities. As a result, they are unable to reap the benefits or meet all the responsibilities of parenthood, citizenship, and employment.

Today's native American youth hold within them the key to the future of native American communities. In their heads, hands, and hearts are the tools to a better life for them, their family, and their community. As their elected representatives, we can help prepare these young people for more productive lives by expanding the learning opportunities available to them. The JROTC program is one option that if made more available on native American reservations, could make a big contribution to young people seeking to make a difference for themselves. I thank the chairman and ranking member of the Armed Services Committee for their cooperation with this amendment. I intend to work with Secretary Perry and the other leaders of our Armed Forces in determining how we can achieve the goal of a greater JROTC presence on native American reservations. I urge my colleagues to join me in supporting this amendment.

Mr. MCCAIN. Mr. President, I support this amendment expressing the sense of the Senate that secondary educational institutions on Indian reservations be afforded full and equal opportunity to be selected as locations for establishment of new Junior Reserve Officers' Training Corps units.

Mr. KEMPTHORNE. Mr. President, I believe this amendment has been cleared with the other side.

Mr. FORD. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2262) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2263

(Purpose: To make certain that the Committee on Foreign Relations receives certain reports from the Department of Defense)

Mr. KEMPTHORNE. Mr. President, on behalf of Senator HELMS, I offer an amendment which would make certain that the Foreign Relations Committee receives certain reports from the Department of Defense.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. HELMS, proposes an amendment numbered 2263.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 348, beginning on line 23, strike out ''to Congress'' and insert in lieu thereof the following: ''to the Committee on Armed Services and on Foreign Relations of the Senate and the Committees on National Security and on International Relations of the House of Representatives''.

On page 368, line 7, after ''defense committees'' insert the following: '', the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives''.

Mr. KEMPTHORNE. Mr. President, I believe this amendment has been cleared with the other side.

Mr. FORD. Mr. President, we have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2263) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2264

(Purpose: To amend section 1012 to strike out a waiver of congressional notification requirements for transfers of certain vessels to certain foreign countries)

Mr. KEMPTHORNE. Mr. President, on behalf of Senator COHEN, I offer an amendment that would amend section 1012 of the bill. Section 1012 authorized the transfer of several ships to certain foreign countries under the authority of 10 USC 7307(b)(1). It contained a waiver of the requirements contained in the Arms Export Control Act and the Foreign Assistance Act to formally notify certain congressional committees of the terms of transfer. While inclusion of this waiver reflected an established practice of several years duration, these committees have now reaffirmed their preference for formal notification. This amendment would acknowledge their request and delete the waiver of reporting requirements from section 1012.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. COHEN, proposes an amendment numbered 2264.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 334, strike out lines 6 through 15.

On page 334, line 16, strike out ''(d)'' and insert in lieu thereof ''(c)''.

On page 334, line 19, strike out ''(e)'' and insert in lieu thereof ''(d)''.

Mr. KEMPTHORNE. Mr. President, I believe this has been cleared with the other side.

Mr. FORD. Mr. President, we have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2264) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2265

(Purpose: To require reports on arms export control and military assistance)

Mr. FORD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD], for Mr. PRYOR, proposes an amendment numbered 2265.

Mr. FORD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 371, below line 21, add the following:

SEC. 1062. REPORTS ON ARMS EXPORT CONTROL AND MILITARY ASSISTANCE.

(a) REPORTS BY SECRETARY OF STATE.—Not later than 180 days after the date of the enactment of this Act and every year thereafter until 1998, the Secretary of State shall submit to Congress a report setting forth—

(1) an organizational plan to include those firms on the Department of State licensing watch-lists that—

(A) engage in the exportation of potentially sensitive or dual-use technologies; and

(B) have been identified or tracked by similar systems maintained by the Department of Defense, Department of Commerce, or the United States Customs Service; and

(2) further measures to be taken to strengthen United States export-control mechanisms.

(b) REPORTS BY INSPECTOR GENERAL.—(1) Not later than 180 days after the date of the enactment of this Act and 1 year thereafter, the Inspector General of the Department of State and the Foreign Service shall submit to Congress a report on the evaluation by the Inspector General of the effectiveness of the watch-list screening process at the Department of State during the preceding year. The report shall be submitted in both a classified and unclassified version.

(2) Each report under paragraph (1) shall—

(A) set forth the number of licenses granted to parties on the watch-list;

(B) set forth the number of end-use checks performed by the Department;

(C) assess the screening process used by the Department in granting a license when applicant is on a watch-list; and

(D) assess the extent to which the watch-list contains all relevant information and parties required by statute or regulation.

(c) ANNUAL MILITARY ASSISTANCE REPORT.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting after section 654 the following new section:

''SEC. 655 ANNUAL MILITARY ASSISTANCE REPORT.

''(a) IN GENERAL.—Not later than February 1 of 1996 and 1997, the President shall transmit to Congress an annual report for the fiscal year ending the previous September 30,

showing the aggregate dollar value and quantity of defense articles (including excess defense articles) and defense services, and of military education and training, furnished by the United States to each foreign country and international organization, by category, specifying whether they were furnished by grant under chapter 2 or chapter 5 of part II of this Act or by sale under chapter 2 of the Arms Control Export Control Act or authorized by commercial sale license under section 38 of that Act.

''(b) ADDITIONAL CONTENTS OF REPORTS.—Each report shall also include the total amount of military items of non-United States manufacture being imported into the United States. The report should contain the country of origin, the type of item being imported, and the total amount of items.''.

Mr. FORD. Mr. President, this requires the Secretary of State and the State Department IG to make various reports on weapons exports. I believe it has been cleared on the other side.

Mr. KEMPTHORNE. Mr. President, this has been cleared.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2266) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KEMPTHORNE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2266

(Purpose: To make miscellaneous amendments to provisions of law enacted in the Federal Acquisition Streamlining Act of 1994)

Mr. KEMPTHORNE. Mr. President, I send an amendment to the desk on behalf of Senator THURMOND which makes clarifying changes in the Federal Acquisition Streamlining Act and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. THURMOND, proposes an amendment numbered 2266.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 313, between lines 8 and 9, insert the following:

SEC. 815. COST AND PRICING DATA.

(a) ARMED SERVICES PROCUREMENTS—Section 2306a(d)(2)(A)(i) of title 10, United States Code, is amended by striking out ''and the procurement is not covered by an exception in subsection (b),'' and inserting in lieu thereof ''and the offeror or contractor requests to be exempted from the requirement for submission of cost or pricing data pursuant to this subsection,''.

(b) CIVILIAN AGENCY PROCUREMENTS.—Section 304a(d)(2)(A)(i) of the Federal Property and Administration Services Act of 1949 (41 U.S.C. 254b(d)(2)(A)(i)) is amended by striking out ''and procurement is not covered by an exception in subsection (b),'' and inserting in lieu thereof ''and the offeror or contractor requests to be exempted from the requirement for submission of cost or pricing data pursuant to this subsection,''.

SEC. 816. PROCUREMENT NOTICE TECHNICAL AMENDMENTS.

Section 18(c)(1)(E) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(c)(1)(E)) is amended by inserting after ''requirements contract'' the following: '', a task order contract, or a delivery order contract''.

SEC. 817. REPEAL OF DUPLICATIVE AUTHORITY FOR SIMPLIFIED ACQUISITION PURCHASES.

Section 31 of the Office of Federal Procurement Policy Act (41 U.S.C. 427) is amended—

(1) by striking out subsections (a), (b), and (c);

(2) by redesignating subsections (d), (e), and (f) as (a), (b), and (c), respectively;

(3) in subsection (b), as so redesignated, by striking out ''provided in the Federal Acquisition Regulation pursuant to this section'' each place it appears and inserting in lieu thereof ''contained in the Federal Acquisition Regulation''; and

(4) by adding at the end the following:

''(d) PROCEDURES DEFINED.—The simplified acquisition procedures referred to in this section are the simplified acquisition procedures that are provided in the Federal Acquisition Regulation pursuant to section 2304(g) of title 10, United States Code, and section 303(g) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)).''.

SEC. 818. MICRO-PURCHASES WITHOUT COMPETITIVE QUOTATIONS.

Section 32(d) of the Office of Federal Procurement Policy Act (41 U.S.C. 428) is amended by striking out ''the contracting officer'' and inserting in lieu thereof ''an employee of an executive agency or a member of the Armed Forces of the United States authorized to do so''.

Mr. THURMOND. Mr. President, this is an amendment containing a series of clarifying changes to the Federal Acquisition Streamlining Act of 1994. These are part of a number of changes that the administration has asked us to make to the legislation in light of experience with implementation of the new law. The Members of the Senate will note that title 8 of the defense authorization bill contains a number of these relatively minor changes to title 10 of the United States Code to advance the streamlining of the acquisition process. The changes in my amendment would affect other parts of the United States Code that are not solely within our committee's jurisdiction. This amendment has been coordinated with the Committees on Governmental Affairs and Small Business. It has been cleared on both sides. I ask that the amendment be agreed to.

Mr. KEMPTHORNE. I believe this has been cleared by the other side.

Mr. FORD. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2266) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2267

(Purpose: To strike out provisions that amend title 38, United States Code, relating to veterans' benefits)

Mr. KEMPTHORNE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. THURMOND, proposes an amendment numbered 2267.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 381, beginning on line 5, strike out ''(a)'' and all that follows through ''ACTIVITIES.—'' on line 6.

On page 381, strike out lines 13 through 16.

On page 403, strike out lines 5 through 16.

Mr. THURMOND. Mr. President, this amendment clarifies how we will deal with three issues with which the Armed Services Committee shares an interest with the Veterans' Affairs Committee.

Our bill includes three provisions which are of interest to the Department of Defense and the Department of Veterans' Affairs. I am pleased that Senator SIMPSON, chairman of the Veterans' Affairs Committee, and I have been able to agree on how our two Committees will work together to ensure the needs of both Departments are accommodated.

This amendment strikes section 1094, ''Extension of the Vietnam Era,'' and section 1075(b) which would eliminate a joint DOD–DVA report which the Veterans' Affairs Committee would like to retain. I have been assured that the Veterans Affairs' will work in their legislation to extend the Vietnam era as requested by the Army.

As for the joint DOD–DVA report, the Armed Services Committee eliminated a large number of unneeded or outdated reporting requirements. It was not our intention to eliminate any report for which there is a valid requirement. I agree to retain this DOD–DVA health care sharing report.

The Veterans Affairs' Committee also has an interest in section 644 which makes the maximum coverage under the servicemen's group life insurance plan automatic. The change in the amount of coverage automatically available to those who elect to participate in the servicemen's group life insurance plan is important to the Department of Defense and contributes to improved quality of life for service members and their families. I have worked closely with the distinguished chairman of the Veterans' Affairs Committee to develop this legislation. I am pleased that we have been able to make this change in a cooperative manner.

I thank Senator SIMPSON, the chairman, and Senator ROCKEFELLER, the ranking member, of the Veterans' Affairs Committee for their assistance as

we addressed these issues of mutual interest. Together we have been able to move forward with legislation which is beneficial to active and reserve military personnel and veterans.

I understand this amendment has been agreed to on both sides and I urge its adoption.

Mr. KEMPTHORNE. Mr. President, I believe this has been cleared.

Mr. FORD. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2267) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2268

(Purpose: To establish and maintain a Battlefield Integration Center for the integration of missile defense warfighting pillars)

Mr. KEMPTHORNE. Mr. President, I send an amendment to the desk on behalf of Senators SHELBY and HEFLIN and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. SHELBY and Mr. HEFLIN, proposes an amendment numbered 2268.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(a) On page 32, before line 20, section 201(4) is amended by adding the following new subsection:

(c) 475,470,000 is authorized for Other Theater Missile Defense, of which up to $25,000,000 may be made available for the operation of the Battlefield Integration Center.

Mr. SHELBY. Mr. President, the Army's Space and Strategic Defense Command has created a promising concept for the integration of the pillars of missile defense. Currently, there are no integrated warfighting scenario simulations available for a comprehensive integration of active defense, passive defense, attack operations and battlefield management. SSDC proposes to make fully operational a battlefield integration center to provide this virtually needed service. Certainly, the gulf war demonstrated that missile defense is not simply missile intercept.

Instead, comprehensive missile defense involves a myriad of activities ranging from the preparation of civilian populations for attack to the active suppression of an enemy's missile capabilities. Without coordination between these elements, we cannot maximize our missile defense capabilities. Increased coordination and integrated battlefield simulations will allow us to fully utilize these capabilities and create far more effective and comprehensive missile defense plans.

In addition, the integration and coordination offered by the BIC is not a distant technology. The computing and communications hardware is already in place that will allow the BIC to create missile defense plans for actual theater and regional conflicts involving U.S. forces. The BIC will instantaneously allow U.S. commanders to download and receive comprehensive missile defense battle plans based upon the existing ground conditions.

The BIC is a cost-effective, immediately available resource that will fill a large void in our missile defense system and I thank the Senate for its support.

Mr. KEMPTHORNE. Mr. President, this would authorize funds for the Battlefield Integration Center, which is very important for our theater defense program.

This has been cleared on both sides.

Mr. FORD. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2268) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2269

(Purpose: To clarify the use of existing technologies under the requirements relating to national missile defense system architecture)

Mr. FORD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD], for Mr. HEFLIN and Mr. SHELBY, proposes an amendment numbered 2269.

Mr. FORD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 58, line 13, insert '', except that Minuteman boosters may not be used as part of a National Missile Defense architecture'' before the period at the end.

Mr. HEFLIN. Mr. President, this is an amendment which would prevent the use of Minuteman missile boosters as part of an NMD architecture. The reason for this amendment is the clear fact that using these boosters in this fashion would be a clear violation of the START I Treaty.

The START I Treaty is the true centerpiece of modern arms control. I am confident that no member of this body supports abandoning this treaty, so I hope this amendment will enjoy the full support of the Senate.

Mr. FORD. Mr. President, this amendment would prevent the use of Minuteman missile boosters as part of the NMD architecture.

I understand it has been cleared.

Mr. KEMPTHORNE. This amendment has been cleared.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2269) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote.

Mr. KEMPTHORNE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2270

(Purpose: To require the Director of the Ballistic Missile Defense Organization to establish a Ballistic Missile Defense Technology Center within the Space and Strategic Defense Command of the Army)

Mr. FORD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD], for Mr. SHELBY and Mr. HEFLIN, proposes an amendment numbered 2270.

Mr. FORD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. 242. BALLISTIC MISSILE DEFENSE TECHNOLOGY CENTER.

(a) ESTABLISHMENT.—The Director of the Ballistic Missile Defense Organization shall establish a Ballistic Missile Defense Technology Center within the Space and Strategic Defense Command of the Army.

(b) MISSION.—The missions of the Center are as follows:

(1) To maximize common application of ballistic missile defense component technology programs, target test programs, functional analysis and phenomenology investigations.

(2) To store data from the missile defense technology programs of the Armed Forces using computer facilities of the Missile Defense Data Center.

(c) TECHNOLOGY PROGRAM COORDINATION WITH CENTER.—The Secretary of Defense, acting through the Director of the Ballistic Missile Defense Organization, shall require the head of each element or activity of the Department of Defense beginning a new missile defense program referred to in subsection (b)(1) to first coordinate the program with the Ballistic Missile Defense Technology Center in order to prevent duplication of effort.

Mr. HEFLIN. Mr. President, the purpose of this amendment, creating a Ballistic Missile Defense Technology Center, is to improve the efficiency of the BMD technology program, in the face of a shrinking technology budget. With the increased emphasis on acquisition of theater missile defense systems, clearly justified by the imminent and expanding theater missile threat, the BMD technology budget has been squeezed to the point that built-in technical obsolescence of emerging BMD systems is a serious possibility. In effect, we are eating our seed corn.

This amendment recognizes that because the BMD technology budget is dangerously close to an inadequate level, it is critically important that the dollars that are available are spent wisely. We must be vigilant to avoid

duplication of effort and waste of funds on technologies of questionable priority. With all three services, and other agencies, spending BMD technology dollars on related areas of technology, the opportunities for duplication are clearly evident. Further screening and coordination of candidate technology tasks is urgently needed to assure that scarce technology funds are properly allocated.

The U.S. Army Space and Strategic Command, an organization that has been at the forefront of BMD research and development for 40 years, is the ideal center for carrying out the necessary screening and coordination of BMD technology. Acting as executive agent to the BMD office, this organization can bring an unparalleled record of technical experience and performance excellence to this challenging coordination function. In the current BMD technology program, this organization is immersed in all of the critical BMD technologies and it has a core of engineers and scientists that can immediately assume a coordination role. It constitutes a ''smart buyer'' of BMD technology, proven over time, and it can contribute immensely to a more efficient utilization of the technology budget.

Mr. FORD. Mr. President, this amendment establishes a ballistic missile defense technology center within the strategic defense command of the army.

This has been cleared.

Mr. KEMPTHORNE. It has been cleared.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2270) was agreed to.

Mr. FORD. I move to reconsider the vote.

Mr. KEMPTHORNE. I move to lay that on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2271

(Purpose: To revise Section 1055 concerning military cooperation from a United States Policy to a sense of the Congress)

Mr. KEMPTHORNE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. HELMS, proposes an amendment numbered 2271.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Beginning on page 359, strike out lines 20 and 21, and insert in lieu thereof the following:

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

Mr. KEMPTHORNE. I believe this has been cleared with the other side.

Mr. FORD. It has been cleared.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2271) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2272

(Purpose: To revise and improve the base closure and realignment process)

Mr. KEMPTHORNE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. MCCAIN and Mrs. FEINSTEIN, proposes an amendment numbered 2272.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. 2825. IMPROVEMENT OF BASE CLOSURE AND REALIGNMENT PROCESS.

(a) APPLICABILITY.—Subparagraph (A) of section 2905(b)(7) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking out ''Determinations of the use to assist the homeless of buildings and property located at installations approved for closure under this part'' and inserting in lieu thereof ''Procedures for the disposal of buildings and property located at installations approved for closure or realignment under this part''.

(b) REDEVELOPMENT AUTHORITIES.—Subparagraph (B) of such section is amended by adding at the end the following:

''(iii) The chief executive officer of the State in which an installation covered by this paragraph is located may assist in resolving any disputes among citizens or groups of citizens as to the individuals and groups constituting the redevelopment authority for the installation.''.

(c) AGREEMENTS UNDER REDEVELOPMENT PLANS.—Subparagraph (F)(ii)(I) of such section is amended in the second sentence by striking out ''the approval of the redevelopment plan by the Secretary of Housing and Urban Development under subparagraph (H) or (J)'' and inserting in lieu thereof ''the decision regarding the disposal of the buildings and property covered by the agreements by the Secretary of Defense under subparagraph (K) or (L)''.

(d) REVISION OF REDEVELOPMENT PLANS.—Subparagraph (I) of such section is amended by inserting ''the Secretary of Defense and'' before ''the Secretary of Housing and Urban Development'' each place it appears.

(e) DISPOSAL OF BUILDINGS AND PROPERTY.—(1) Subparagraph (K) of such section is amended to read as follows:

''(K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination of the Secretary of Housing and Urban Development that a redevelopment plan for an installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense shall dispose of the buildings and property at the installation.

''(ii) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

''(iii) The Secretary shall dispose of buildings and property under clause (i) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) In preparing the record of decision or other decision document, the Secretary shall give substantial deference to the redevelopment plan concerned.

''(iv) The disposal under clause (i) of buildings and property to assist the homeless shall be without consideration.

''(v) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) and subchapter II of chapter 471 of title 49, United States Code, the applicant and use proposed in the request shall be determined to be eligible for the public benefit conveyance under the eligibility criteria set forth in such section or such subchapter. The determination of such eligibility should be made before the redevelopment plan concerned under subparagraph (G) ''.

(2) Subparagraph (L) of such section is amended by striking out clauses (iii) and (iv) and inserting in lieu thereof the following new clauses (iii) and (iv):

''(iii) Not later than 90 days after the date of the receipt of a revised plan for an installation under subparagraph (J), the Secretary of Housing and Urban Development shall—

''(I) notify the Secretary of Defense and the redevelopment authority concerned of the buildings and property at an installation under clause (i)(IV) that the Secretary of Housing and Urban Development determines are suitable for use to assist the homeless; and

''(II) notify the Secretary of Defense of the extent to which the revised plan meets the criteria set forth in subparagraph (H)(i).

''(iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect to an installation under clause (iii), the Secretary of Defense shall, after consultation with the Secretary of Housing and Urban Development and redevelopment authority concerned, dispose of buildings and property at the installation.

''(II) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

''(III) The Secretary shall dispose of buildings and property under subclause (I) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) In preparing the record of decision or other decision document, the Secretary shall give deference to the redevelopment plan concerned.

''(IV) The disposal under subclause (I) of buildings and property to assist the homeless shall be without consideration.

''(V) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 203(k) of the Federal Property and Administrative

Services Act of 1949 (40 U.S.C. 484(k)) and subchapter II of chapter 471 of title 49, United States Code, the applicant and use proposed in the request shall be determined to be eligible for the public benefit conveyance under the eligibility criteria set forth in such section or such subchapter. The determination of such eligibility should be made before the redevelopment plan concerned under subparagraph (G) ''.

(f) CONFORMING AMENDMENT.—Subparagraph (M)(i) of such section is amended by inserting ''or (L)'' after ''subparagraph (K)''.

(g) CLARIFICATION OF PARTICIPANTS IN PROCESS.—Such section is further amended by adding at the end the following:

''(P) For purposes of this paragraph, the term 'other interested parties', in the case of an installation, includes any parties eligible for the conveyance of property of the installation under section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) or subchapter II of chapter 471 of title 49, United States Code, whether or not the parties assist the homeless.''.

(h) TECHNICAL AMENDMENTS.—Section 2910 of such Act is amended—

(1) by designating the paragraph (10) added by section 2(b) of the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (Public Law 103–421; 108 Stat. 4352) as paragraph (11); and

(2) in such paragraph, as so designated, by striking out ''section 501(h)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(h)(4))'' and inserting in lieu thereof ''section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(i)(4))''.

SEC. 2826. EXERCISE OF AUTHORITY DELEGATED BY THE ADMINISTRATOR OF GENERAL SERVICES.

Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A)—

(A) by striking out ''Subject to subparagraph (C)'' in the matter preceding clause (i) and inserting in lieu thereof ''Subject to subparagraph (B)''; and

(B) by striking out ''in effect on the date of the enactment of this Act'' each place it appears in clauses (i) and (ii);

(2) by striking out subparagraphs (B) and (C) and inserting in lieu thereof the following new subparagraph (B):

''(B) The Secretary may, with the concurrence of the Administrator of General Services—

''(i) prescribe general policies and methods for utilizing excess property and disposing of surplus property pursuant to the authority delegated under paragraph (1); and

''(ii) issue regulations relating to such policies and methods which regulations supersede the regulations referred to in subparagraph (A) with respect to that authority.''; and

(3) by redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively.

SEC. 2827. LEASE BACK OF PROPERTY DISPOSED FROM INSTALLATIONS APPROVED FOR CLOSURE OR REALIGNMENT.

(a) AUTHORITY.—Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(2) by inserting after subparagraph (B) the following new subparagraph (C):

''(C)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this part (including property at an installation approved for realignment which property will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, all or a significant portion of the property transferred under this subparagraph to the Secretary or to the head of another department or agency of the Federal Government. Subparagraph (B) shall apply to a transfer under this subparagraph.

''(ii) A lease under clause (i) shall be for a term of not to exceed 50 years, but may provide for options for renewal or extension of the term by the department or agency concerned.

''(iii) A lease under clause (i) may not require rental payments by the United States.

''(iv) A lease under clause (i) shall include a provision specifying that if the department or agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may, upon approval by the redevelopment authority concerned, be satisfied by the same or another department or agency of the Federal Government using the property for a use similar to the use under the lease.''.

(b) USE OF FUNDS TO IMPROVE LEASED PROPERTY.—Notwithstanding any other provision of law, a department or agency of the Federal Government that enters into a lease of property under section 2905(b)(4)(C) of the such Act, as amended by subsection (a), may use funds appropriated or otherwise available to the department or agency for such purpose to improve the leased property.

SEC. 2828. PROCEEDS OF LEASES AT INSTALLATIONS APPROVED FOR CLOSURE OR REALIGNMENT.

(a) INTERIM LEASES.—Section 2667(d) of title 10, United States Code, is amended—

(1) in paragraph (1)(A)—

(A) by striking out ''and'' at the end of clause (i);

(B) by striking out the period at the end of clause (ii) and inserting in lieu thereof ''; and''; and

(C) by adding at the end the following:

''(iii) money rentals referred to in paragraph (5).''; and

(2) by adding at the end the following:

''(5) Money rentals received by the United States under subsection (f) shall be deposited in the Department of Defense Base Closure Account 1990 established under section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).''.

(b) DEPOSIT IN 1990 ACCOUNT.—Section 2906(a)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (C)—

(A) by striking out ''transfer or disposal'' and inserting in lieu thereof ''transfer, lease, or other disposal''; and

(B) by striking out ''and'' at the end;

(2) in subparagraph (D)—

(A) by striking out ''transfer or disposal'' and inserting in lieu thereof ''transfer, lease, or other disposal''; and

(B) by striking out the period at the end and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following:

''(E) money rentals received by the United States under section 2667(f) of title 10, United States Code.''.

Mr. MCCAIN. Mr. President, the base realignment and closure process has been a necessary evil we have all had to endure in order to reduce military infrastructure to a size appropriate for our smaller, post-cold war military. While most of us have supported the spirit of this measure, few would insist that improvements to the process are unnecessary.

Earlier this year I offered S. 803 in hopes of dramatically streamlining the process and accelerating the economic recovery time of affected communities. I withdrew this amendment at the urging of the Department of Defense, in order to allow the Department time to complete and promulgate regulations they were in the process of designing to accomplish similar goals. I am pleased to say that their work had been fruitful.

The amendment we now offer seeks to address those issues that remain problematic; some for the Department of Defense and others for communities directly affected by base closures.

The most common complaints arising from communities participating in, and affected by, surplus military base disposal include: lack of equity for all parties participating in the process, and, extensive lapses of time between closure decision and ultimate reuse.

The latter of these two issues seems to be adequately addressed by the Department of Defense's new regulations, as we had hoped for. It appears that DOD's plan offers a realistic approach to the process that allows for flexibility where the process requires it and strict time-lines where they are appropriate. The former issue, equity among parties interested in reusing former military property, is dealt with in the amendment we now offer.

Through the first three rounds of base closure, be have witnessed how difficult it is to dispose of excess military real estate. While the BRAC process was not created to provide disproportionate benefits to specific groups of individuals, it became apparent quite early that this was in fact an unintended consequence.

Our amendment would put an end to these practices. This legislation levels the playing field by limiting opportunities to acquire property to those that exist by working with the recognized Local Redevelopment Authority.

We have the opportunity to alleviate many significant concerns held by communities that will undergo change as a result of the 1995 BRAC round. This amendment is simple. This amendment improves a process that is greatly in need of improvement. This amendment provides a desperately needed solution; we cannot fail to act.

Mrs. FEINSTEIN. Mr. President, I rise to support the amendment offered by the Senator from Arizona [Mr. MCCAIN] which would improve the base closure process by giving more control to the local community in reuse and redevelopment decisions. I am happy to be an original cosponsor of this amendment.

Last year I helped draft legislation that exempts military bases from the McKinney Homeless Assistance Act. This legislation, the Base Closure Community Redevelopment and Homeless

Assistance Act of 1994, passed Congress and was signed into law by the President last October.

Under the new legislation, instead of being given the right of first refusal to base property, homeless assistance providers were given a seat at the reuse table with the local redevelopment authority. After a reuse plan is developed on the local level, the Secretary of Housing and Urban Development would review the plan to ensure that the needs of the homeless were met. After the HUD Secretary's approval, the Secretary of Defense would dispose of the buildings and property at the closing base.

While the new law is a substantial improvement over the old base closure and reuse law as well as the McKinney Act provisions, I think more should be done to empower communities, put base reuse decisions in the hands of local officials, and remove a Federal mandate.

The McCain/Feinstein amendment amends the new law by requiring the Secretary of Defense to simply consult with the Secretary of HUD over the reuse plan that is development by the redeveloped authority; it removes HUD's veto power over the reuse plan.

Homeless assistance providers would still be guaranteed a seat at the reuse table, and redevelopment authorities would still be required to accept expressions of interest for base property by homeless assistance groups and other interested parties. In addition, the Secretary of HUD would still review the final reuse plan to ascertain if the needs of the homeless have been met, and have the ability to consult with the redevelopment authority.

However, instead of the Secretary of HUD approving or disapproving the reuse plan, the Secretary of Defense would make the final decision. The Secretary of Defense would simply consult with the Secretary of HUD before making any property disposal decisions. Furthermore, the local redevelopment plan—developed by the local community and local elected officials—would be given deference by the Secretary of Defense.

I believe this amendment would substantially improve last year's Base Closure Community Redevelopment and Homeless Assistance Act. Yet, this amendment does not go as far as the House of Representative's version of the Defense Authorization Act, which contains an amendment offered by Representatives BILBRAY and MOLINARI.

The Bilbray-Molinari amendment would completely repeal the Base Closure Community Redevelopment and Homeless Assistance Act and exempt all military bases from the McKinney Act.

In addition to disrupting the base reuse process, the Bilbray-Molinari amendment would prevent homeless assistance providers from acquiring base property at no cost—even when communities want to transfer property for homeless use—and would not guarantee that they have a seat at the reuse table.

The McCain-Feinstein amendment still guarantees that homeless assistance providers will have an opportunity to acquire base property, but it puts base reuse decisions in the hands of local officials who know what is best for their communities.

This amendment also contains some other provisions that will assist in the base closure and reuse process. These include:

Base realignments: This provision would make a technical amendment to the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 by including base realignments, in addition to base closures. Current law requires the Secretary of Defense to dispose of base property in accordance with the sometimes outdated Federal Property and Administrative Services Act regulations. This provision allows the Secretary, in consultation with GSA, to prescribe general policies and methods for utilizing excess property and disposing of surplus property which are unique to base closure situations.

Lease back of base closure property: This provision would allow base closure property, that is still needed by the Department of Defense or another Federal agency, to be transferred to a local redevelopment authority provided that the LRA leases back the property to DOD or the Federal agency on favorable terms, that is: long term lease, nominal rent. This provision is needed to improve the planning and redevelopment of base closure property by providing local communities with certainty over the future use and availability of the property should the DOD or Federal occupant vacate.

Leasing proceeds: This provision would require that leasing proceeds for property at closing or realigning bases be deposited into the BRAC account, rather than a special Treasury account. This would treat leasing proceeds in the same fashion as sale proceeds from BRAC property. It would make additional funds available to base closure and environmental cleanup activities, thus speeding transfer of property to the local community and, thus, economic redevelopment of a closing base.

The McCain-Feinstein amendment makes various changes to existing law to improve the base closure and reuse process, and speed economic redevelopment of closing military bases. I urge my colleagues support of this amendment.

I ask unanimous consent that a letter from the U.S. Conference of Mayors in support of this amendment be placed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE UNITED STATES
CONFERENCE OF MAYORS,
Washington, DC, August 3, 1995.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR FEINSTEIN: At our June 1995 meeting, The U.S. Conference of Mayors adopted the attached resolution on ''A National Action Plan on Military Base Closings.'' I would draw your attention to item 6. This was adopted in response to the House passed Molinari amendment to the 1996 Defense Authorization Bill which would repeal the 1994 BRAC and Homeless Assistance Act.

The U.S. Conference of Mayors believes that local governments which do not desire transfer for homeless services should not be subject to HUD approval of their reuse plans. However, we support the ability of the federal government to transfer property under existing law provisions, at no cost to the local community or the homeless provider, if so desired by the local government.

As the mayor of a city with a naval facility on the 1991 BRAC closure list, I am concerned about the House amendment which would deny us the ability to implement the homeless provisions of our local reuse plan.

In Seattle, our adopted reuse plan has a substantial homeless component of which we are proud and anxious to implement, as it will greatly add to our services to assist homeless people in becoming self-sufficient. Without the property transfer positions nullified in the Molinari amendment, our critical homeless component is seriously jeopardized.

Therefore, I urge you to provide for local flexibility and control while not eliminating the homeless property transfer provisions for local governments desiring such transfer.

Sincerely,

NORMAN B. RICE,
Mayor of Seattle, President.

Mr. GLENN. Mr. President, we have agreed to accept the amendment by Senators MCCAIN and FEINSTEIN which aims to revise and improve the base closure and realignment process. This is certainly not the first time that we have tried to improve this process. In 1993, under President Clinton's leadership, we passed significant revisions to the BRAC process which were aimed to give local, impacted communities a greater say in their own future. Those provisions were aimed to help speed up the process by which communities can initiate economic development efforts to move forward. Again last year another effort was made to revise the BRAC property disposal process. This effort resulted in legislation which quickened the property disposal process, with particular regard to addressing the needs of the homeless.

While I believe that the amendment before us addresses some legitimate problems in the current BRAC process, for example it gives DOD the authority to utilize recent regulations promulgated by GSA, I am concerned about some particular areas. Overall, my greatest concern is that we have not given the existing process a chance to work. Only last month did DOD issue its regulations, developed after extensive interagency and public comment, which implement the 1993 and 1994 BRAC legislation I just mentioned. Communities are having a difficult enough time coping with the closure of

their particular base without trying to determine which set of regulations, or which property disposal process, they need to operate under. Should this legislation result in another rewrite of the implementing regulation, it will translate directly into further delays for the communities.

I am also concerned about the leaseback provisions of this legislation. I am concerned that the Federal Government's interest be fully protected in the cases where it retains a presence at a closing base. I recognize the need for communities to have assurances that future Federal use of these facilities is compatible with their own reuse plan. However, we must protect all taxpayers' interest as well. With regard to this provision as we proceed to conference with the House, I intend to seek the comments of the General Services Administration to ensure that appropriate controls are in place for future leasing.

Another concern is whether the Secretary of Housing and Urban Development has the necessary authority to provide their comments to the local redevelopment plan—and ensure that these comments are addressed. This provision is particularly important with regards to the concerns of the homeless.

Mr. President, as we proceed to conference, I look forward to obtaining additional comments of the relevant officials in the Department of Defense, the Department of Housing and Urban Development, as well as the General Services Administration regarding these provisions.

Mr. THURMOND. Mr. President, as a Member representing a State that is experiencing the realities of base closure, I welcome any effort to expedite the closure process and protect the redevelopment plan developed by the communities. This is a good step in that direction. It strengthens the Secretary of Defense's authority to review the base reuse plan and whether or not it has given appropriate consideration to the needs of the homeless or other interested party.

Mr. President, I especially support the provision of this amendment which allows the military departments to convey base closure property to local redevelopment authorities, if the property is still required by the department or another Federal agency, as long as the needed property will be leased back for a 50-year renewable lease at no cost. The change satisfies both the Department of Defense or other Federal need for available property, while at the same time providing the local community with certainty over future use of the property should the Federal agency leave. It also provides the local community with the ownership it often needs to redevelop the base to make needed infrastructure improvements. The permissive authority of this legislation is designed to be used infrequently and primarily for small parcels or individual buildings which are surrounded by property which will be conveyed to the local community.

Mr. President, this legislation will be of great benefit to Charleston, SC, and other communities throughout the Nation. I support the amendment and urge its adoption.

Mr. FORD. This has been cleared on both sides.

Mr. KEMPTHORNE. Yes, this has been cleared.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2272) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2273

(Purpose: To improve the provision relating to restoration advisory boards)

Mr. FORD. Mr. President, I send an amendment to the desk ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD], for Mr. KOHL, proposes an amendment numbered 2273.

Mr. FORD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 89, strike out lines 13 through 22 and insert in lieu thereof the following:

''(2) The commander of an installation may obtain technical assistance under paragraph (1) for a technical review committee or restoration advisory board only if—

''(A) the technical review committee or restoration advisory board demonstrates that the Federal, State, and local agencies responsible for overseeing environmental restoration at the installation, and available Department of Defense personnel, do not have the technical expertise necessary for achieving the objective for which the technical assistance is to be obtained;

''(B) the technical assistance is likely to contribute to the efficiency, effectiveness, or timeliness of environmental restoration activities at the installation; and

''(C) the technical assistance is likely to contribute to community acceptance of environmental restoration activities at the installation.''.

On page 90, line 20, strike out ''until'' and insert in lieu thereof ''after March 1, 1996, unless''.

Mr. KOHL. Mr. President, my amendment seeks to improve the provisions relating to restoration advisory boards by helping them to acquire independent technical assistance. These boards are a crucial way of getting the community around a Defense Department cleanup site involved in the process. For these local groups to feel confident that the Department of Defense is adequately cleaning up these sites, they may need to rely on outside sources of information and analysis. Many times communities are unwilling to accept the Government's claim that they have done the job adequately, and want an external source to help them consider the data. The provisions in this amendment will make sure that they have access to the administrative and independent technical support they seek.

I ask unanimous consent that a letter I received from Gary Vest, Acting Deputy Under Secretary of Defense for Environmental Security be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE
UNDER SECRETARY OF DEFENSE,
Washington, DC, August 3, 1995.

Hon. HERBERT KOHL,
United States Senate, Washington, DC.

DEAR SENATOR KOHL: The purpose of this letter is to respond to your July 27, 1995, letter to the Deputy Under Secretary of Defense (Environmental Security) concerning Section 323 of S. 1026, the FY 1996 Department of Defense Authorization Bill. Responses to the five questions in your letter are provided in the Enclosure.

Your continued support and commitment to community participation and the Defense Department's restoration advisory board effort is deeply appreciated. If you need additional information, my staff point of contact for this matter is Ms. Marcia Read at (703) 697–9793.

Sincerely,

GARY D. VEST,
Acting Deputy Under Secretary of Defense (Environmental Security).

Enclosure.

QUESTIONS OF SENATOR HERBERT KOHL CONCERNING SECTION 323 OF S. 1026

Question 1. Will the language in Section 323 in any way obstruct the creation or continued operation of any restoration advisory boards? Do you have any legal opinions on this question?

Answer 1. Our legal opinion is that Section 323 would cause the Department of Defense (DoD) to suspend operation of existing restoration advisory boards (RABs) until regulations are promulgated, as there would be no available funding source to meet RAB administrative expenses.

Question 2. Is the language consistent with the regulatory promulgation the Defense Department has initiated to provide technical assistance to RABs?

Answer 2. The Department has not yet promulgated any regulations to provide technical assistance to RABs. The Department did publish a notice in the Federal Register requesting public comments on various options for providing technical assistance funding to RABs. The closing date to submit written comments was July 24, 1995, and we are currently evaluating the comments we received. We will propose a draft regulation later this year.

Question 3. Would this language preclude any RAB from receiving technical assistance if the RAB wants to receive technical assistance independent of the installation commander or the environmental contractor providing services to the installation?

Answer 3. We believe that the precondition outlined in subsection (e)(2) would effectively eliminate independent technical assistance for RABs. It appears that installation commanders would be unable to make the requisite finding regarding the absence of technical expertise without undermining the credibility of the installation's own technical expertise. We understand the existing authority to provide technical assistance was intended to provide RAB members the

means to procure independent, technical advice from a source outside of the Department, and that this authority was not predicated on a finding that the Department's technical experts were in any way deficient.

Question 4. Does the Defense Department support Section 323 as currently drafted?

Answer 4. The Department is reviewing Section 323 and is considering appealing the language.

Question 5. After taking into account administrative costs, would there be funds available for technical assistance for RABs under this provision?

Answer 5. It is difficult to estimate precisely how much of the $4 million would be strictly designated for technical assistance. However, with 200 RABs already in existence, $4 million may not be enough to meet even the administrative expenses that may be needed to effectively operate these RABs.

Mr. FORD. Mr. President, this clarifies language in the bill concerning environmental restoration advisory boards.

This has been cleared.

Mr. KEMPTHORNE. It has been cleared.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2273) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote.

Mr. KEMPTHORNE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2274

Mr. NUNN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for Mr. GLENN, proposes an amendment numbered 2274.

Mr. NUNN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 110, after line 19, insert the following:

SEC. 365 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID PROGRAMS

(a) GAO REPORT.—Not later than December 15, 1995, the Comptroller General of the United States shall provide to the Congressional defense Committees a report on—

(1) Existing funding mechanisms available to cover the costs associated with the Overseas Humanitarian, Disaster, and Civic Assistance activities through funds provided to the Department of State or the Agency for International Development, and

(2) if such mechanisms do not exist, actions necessary to institute such mechanisms, including any changes in existing law or regulations.

On page 70, in line 25, strike out ''$20,000,000'' and insert in lieu thereof ''$60,000,000''.

On page 70, after line 25, insert the following: The amount authorized to be appropriated by section 301(5) is hereby reduced by $40,000,000.

Mr. MCCAIN. Mr. President, I support this amendment to provide an additional $40 million for overseas humanitarian, disaster, and civic aid programs. Although I am concerned with any defense funds being earmarked for this non-defense mission, I note with approval that this is a significant reduction from the administration's requested level.

I further support the provision requiring the Comptroller General of the United States to report to the congressional defense committees any actions necessary to ensure that future funding for these activities is provided through the Department of State, the U.S. Agency for International Development or any successor agency. I think that it is important that the Federal Government provide funds for activities through appropriate sources. In this case, future international humanitarian and disaster assistance activities should be funded through those agencies which have primary responsibility for these operations. This amendment moves us toward this goal which will allow the American people better insight into how their tax dollars are spent.

I will continue to strive to eliminate nondefense spending from the DOD budget. I urge the administration to assist in these efforts by refraining from including such programs in the DOD budget request. The Department of Defense is a military organization and should dedicate its resources to those programs which make the greatest contribution to national security.

Mr. NUNN. Mr. President, I urge adoption of the amendment.

Mr. KEMPTHORNE. Mr. President, this amendment has been cleared.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2274) was agreed to.

Mr. NUNN. I move to reconsider the vote.

Mr. KEMPTHORNE. I move to lay that on the table.

The motion to lay on the table was agreed to.

Mr. NUNN. I thank the Senator from Kentucky for handling these amendments while I was upstairs doing some negotiation with Senators COHEN, WARNER, LEVIN, and others on the ABM matter. We will continue that negotiation. We will be discussing with the leaders and our colleagues some of the concepts we talked about. We will talk more about that on Monday.

I thank the Senator from Kentucky.

AMENDMENT NO. 2275

(Purpose: To state the sense of the Senate on the Midway Islands)

Mr. KEMPTHORNE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. HELMS, proposes an amendment numbered 2275.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 403, after line 16, add the following:

SEC. 1095. SENSE OF SENATE ON MIDWAY ISLANDS.

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

(1) September 2, 1995, marks the 50th anniversary of the United States victory over Japan in World War II.

(2) The Battle of Midway proved to be the turning point in the war in the Pacific, as United States Navy forces inflicted such severe losses on the Imperial Japanese Navy during the battle that the Imperial Japanese Navy never again took the offensive against United States or allied forces.

(3) During the Battle of Midway, an outnumbered force of the United States Navy, consisting of 29 ships and other units of the Armed Forces under the command of Admiral Nimitz and Admiral Spruance, out-maneuvered and out-fought 250 ships of the Imperial Japanese Navy.

(4) It is in the public interest to erect a memorial to the Battle of Midway that is suitable to express the enduring gratitude of the American people for victory in the battle and to inspire future generations of Americans with the heroism and sacrifice of the members of the Armed Forces who achieved that victory.

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

(1) the Midway Islands and the surrounding seas deserve to be memorialized;

(2) the historic structures related to the Battle of Midway should be maintained, in accordance with the National Historic Preservation Act, and subject to the availability of appropriations for that purpose.

(3) appropriate access to the Midway Islands by survivors of the Battle of Midway, their families, and other visitors should be provided in a manner that ensures the public health and safety on the Midway Islands and the conservation and natural resources of those islands in accordance with existing Federal law.

Mr. HELMS. Mr. President, historic victories such as Midway and Gettysburg and Yorktown and Normandy are remembered by memorializing the hallowed ground upon which American blood was shed. Historians rank the Battle of Midway as one of the most decisive naval battles of all time. The Midway Islands, and the surrounding seas where so many American lives were sacrificed, deserve to be memorialized as well, and that is what this amendment suggests.

Mr. President, victory at Midway was the turning point in the Pacific Theater. During the month of June 1942, a badly outnumbered American naval force, consisting of 29 ships and other units of the armed forces, under the overall command of Adm. Chester W. Nimitz, out-maneuvered and outfought 350 ships of the combined Japanese Imperial Fleet. The objectives of the Japanese high command were to occupy the Midway Islands and destroy the United States Pacific Fleet, but the forces under the command of Admiral Nimitz completely thwarted Japanese strategy.

The outcome of the conflict, Mr. President, was remarkable given the fact that U.S. forces were so badly outnumbered. The United States lost 163

aircraft compared to 286 Japanese aircraft. One American aircraft carrier, the *U.S.S. Yorktown*, and one Destroyer, the *U.S.S. Hamman*, were destroyed. On the other hand, the Japanese Imperial Navy lost five ships, four of the ships being the Imperial Navy's main aircraft carriers. Almost as devastating was the loss of most of the experienced Japanese pilots. At the end of the day, 307 Americans had lost their lives. The Japanese navy lost 2,500 men.

The heroism of many of the American servicemen at Midway often required the ultimate sacrifice. Many of the Marine pilots, flying worn out and inferior planes, did not live to celebrate the victory at Midway. All but five torpedo-plane pilots who attacked the Japanese aircraft carrier task force—without protective air cover—were shot down. These pilots undoubtedly knew they were flying to an all but certain death.

So severe was the damage inflicted on the Imperial Japanese Navy by American airmen and sailors, that Japan never again was able to take the offensive against the United States or Allied forces, and the rest, as they say, is history.

Mr. President, victory over the Japanese achieved, of course, by men and women from all the U.S. Armed Forces. Certainly at Midway, elements of each of the services—Navy, Marines, and U.S. Army Air Corps—were heavily engaged, closely coordinated, and paid a high price for their bravery. The Midway Islands should be memorialized to honor the courageous efforts of all the services when they were called upon to defend our Nation and its interests.

The sacrifice and heroism of these men should never be forgotten—it is vital that our sons and daughters never forget what their fathers and grandfathers sacrificed for freedom. The Battle of Midway should be memorialized for all time, on the Midway Islands, on behalf of a grateful Nation.

Mr. KEMPTHORNE. This has been cleared.

Mr. NUNN. Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2275) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote.

Mr. NUNN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KEMPTHORNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURNS). Without objection, it is so ordered.

AMENDMENT NO. 2276

(Purpose: To authorize the Secretary of the Navy to establish a crash attenuating seats acquisition program)

Mr. KEMPTHORNE. Mr. President, on behalf of Senators THURMOND, LOTT, and INHOFE, I offer an amendment to provide for crash attenuating seats in H–53E helicopters, a program which would make use of commercially developed seats to provide crash protection for passengers.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE] for Mr. THURMOND, Mr. LOTT, and Mr. INHOFE, proposes an amendment numbered 2276.

Mr. KEMPTHORNE. I ask unanimous consent further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 30, after the matter following line 24, insert the following:

SEC. 125. CRASH ATTENUATING SEATS ACQUISITION PROGRAM.

(a) PROGRAM AUTHORIZED.—The Secretary of the Navy may establish a program to procure for, and install in, H–53E military transport helicopters commercially developed, energy absorbing, crash attenuating seats that the Secretary determines are consistent with military specifications for seats for such helicopters.

(b) FUNDING.—To the extent provided in appropriations Acts, of the unobligated balance of amounts appropriated for the Legacy Resource Management Program pursuant to the authorization of appropriations in section 301(5) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2706), not more than $10,000,000 shall be available to the Secretary of the Navy, by transfer to the appropriate accounts, for carrying out the program authorized in subsection (a)

Mr. KEMPTHORNE. I believe this has been cleared.

Mr. NUNN. I urge adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2276) was agreed to.

Mr. KEMPTHORNE. I move to reconsider the vote.

Mr. NUNN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2277

Mr. KEMPTHORNE. On behalf of Senator SMITH, I offer an amendment that would express the sense of the Senate that the Secretary of Navy should name the LHD–7 the U.S.S. *Iwo Jima*, and name the LPD–17 and all future ships of the LPD–17 class after famous Marine Corps battles of famous Marine Corps heroes.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE] for Mr. SMITH, proposes an amendment numbered 2277.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate point in the bill, insert the following:

SEC. . NAMING AMPHIBIOUS SHIPS.

(a) FINDINGS.—The Senate finds that—

(1) This year is the fiftieth anniversary of the battle of Iwo Jima, one of the great victories in all of the Marine Corps' illustrious history.

(2) The Navy has recently retired the ship that honored that battle, the U.S.S. *Iwo Jima* (LPB–2), the first ship in a class of amphibious assault ships.

(3) This Act authorizes the LHD–7, the final ship of the *Wasp* class of amphibious assault ships that will replace the *Iwo Jima* class of ships.

(4) The Navy is planning to start building a new class of amphibious transport docks, now called the LPD–17 class. This Act also authorizes funds that will lead to procurement of these vessels.

(5) There has been some confusion in the rationale behind naming new naval vessels with traditional naming conventions frequently violated.

(6) Although there have been good and sufficient reasons to depart from naming conventions in the past, the rationale for such departures has not always been clear.

(b) SENSE OF THE SENATE.—In light of these findings, expressed in subsection (a), it is the sense of the Senate that the Secretary of the Navy should:

(1) Name the LHD–7 the U.S.S. *Iwo Jima*.

(2) Name the LPD–17 and all future ships of the LPD–17 class after famous Marine Corps battles or famous Marine Corps heros.

Mr. KEMPTHORNE. This amendment has been cleared.

Mr. NUNN. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2277) was agreed to.

Mr. KEMPTHORNE. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2278

(Purpose: To strike the limitation on contracting with the same contractor for construction of additional new sealift ships)

Mr. KEMPTHORNE. On behalf of Senators LOTT, COHEN, JOHNSTON, and BREAUX, I offer an amendment by Senator LOTT that would strike the provision of the bill that would impose certain limitations on the Secretary of the Navy on contracting with the same contractor for construction of additional new sealift ships.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE] for Mr. LOTT, Mr. COHEN, Mr. JOHNSTON, and Mr. BREAUX, proposes an amendment numbered 2278.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 115, strike out line 4 and all that follows through page 116, line 13.

Mr. KEMPTHORNE. I believe this has been cleared.

Mr. NUNN. This has been cleared with this side. I urge adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2278) was agreed to.

Mr. KEMPTHORNE. I move to reconsider the vote.

Mr. NUNN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. NUNN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk proceeded to call the roll.

Mr. NUNN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 2279

(Purpose: To revise section 1003, relating the Defense Modernization Account)

Mr. NUNN. Mr. President, on behalf of Senator GLENN, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for Mr. GLENN, proposes an amendment numbered 2279.

Mr. NUNN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Beginning on page 321, strike out line 15 and all that follows through page 325, line 18, and insert in lieu thereof the following:

''(b) CREDITS TO ACCOUNT.—(1) Under regulations prescribed by the Secretary of Defense, and upon a determination by the Secretary concerned of the availability and source of excess funds as described in subparagraph (A) or (B), the Secretary may transfer to the Defense Modernization Account during any fiscal year—

''(A) any amount of unexpired funds available to the Secretary for procurements that, as a result of economies, efficiencies, and other savings achieved in the procurements, are excess to the funding requirements of the procurements; and

''(B) any amount of unexpired funds available to the Secretary for support of installations and facilities that, as a result of economies, efficiencies, and other savings, are excess to the funding requirements for support of installations and facilities.

''(2) Funds referred to in paragraph (1) may not be transferred to the Defense Modernization Account by a Secretary concerned if—

''(A) the funds are necessary for programs, projects, and activities that, as determined by the Secretary, have a higher priority than the purposes for which the funds would be available if transferred to that account; or

''(B) the balance of funds in the account, after transfer of funds to the account would exceed $1,000,000,000.

''(3) Amounts credited to the Defense Modernization Account shall remain available for transfer until the end of the third fiscal year that follows the fiscal year in which the amounts are credited to the account.

''(4) The period of availability of funds for expenditure provided for in sections 1551 and 1552 of title 31 shall not be extended by transfer into the Defense Modernization Account.

''(c) ATTRIBUTION OF FUNDS.—The funds transferred to the Defense Modernization Account by a military department, Defense Agency, or other element of the Department of Defense shall be available in accordance with subsections (f) and (g) only for that military department, Defense Agency, or element.

''(d) USE OF FUNDS.—Funds available from the Defense Modernization Account pursuant to subsection (f) or (g) may be used only for the following purposes:

''(1) For increasing, subject to subsection (e), the quantity of items and services procured under a procurement program in order to achieve a more efficient production or delivery rate.

''(2) For research, development, test and evaluation and procurement necessary for modernization of an existing system or of a system being procured under an ongoing procurement program.

''(e) LIMITATIONS.—(1) Funds from the Defense Modernization Account may not be used to increase the quantity of an item or services procured under a particular procurement program to the extent that doing so would—

''(A) result in procurement of a total quantity of items or services in excess of—

''(i) a specific limitation provided in law on the quantity of the items or services that may be procured; or

''(ii) the requirement for the items or services as approved by the Joint Requirements Oversight Council and reported to Congress by the Secretary of Defense; or

''(B) result in an obligation or expenditure of funds in excess of a specific limitation provided in law on the amount that may be obligated or expended, respectively, for the procurement program.

''(2) Funds from the Defense Modernization Account may not be used for a purpose or program for which Congress has not authorized appropriations.

''(3) Funds may not be transferred from the Defense Modernization Account in any year for the purpose of—

''(A) making any expenditure for which there is no corresponding obligation; or

''(B) making any expenditure that would satisfy an unliquidated or unrecorded obligation arising in a prior fiscal year.

''(f) TRANSFER OF FUNDS.—(1) Funds in the Defense Modernization Account may be transferred in any fiscal year to appropriations available for use for purposes set forth in subsection (d).

''(2) Before funds in the Defense Modernization Account are transferred under paragraph (1), the Secretary concerned shall transmit to the congressional defense committees a notification of the amount and purpose of the proposed transfer.

''(3) The total amount of the transfers from the Defense Modernization Account may not exceed $500,000,000 in any fiscal year.

''(g) AVAILABILITY OF FUNDS FOR APPROPRIATION.—Funds in the Defense Modernization Account may be appropriated for purposes set forth in subsection (d) to the extent provided in Acts authorizing appropriations for the Department of the Defense.

''(h) SECRETARY TO ACT THROUGH COMPTROLLER.—In exercising authority under this section, the Secretary of Defense shall act through the Under Secretary of Defense (Comptroller), who shall be authorized to implement this section through the issuance of any necessary regulations, policies, and procedures after consultation with the General Counsel and Inspector General of the Department of Defense.

''(i) QUARTERLY REPORT.—Not later than 15 days after the end of each calendar quarter, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth the amount and source of each credit to the Defense Modernization Account during the quarter and the amount and purpose of each transfer from the account during the quarter.

''(j) DEFINITIONS.—In this section:

''(1) The term 'Secretary concerned' includes the Secretary of Defense.

''(2) The term 'unexpired funds' means funds appropriated for a definite period that remain available for obligation.

''(3) The term 'congressional defense committees' means—

''(A) the Committees on Armed Services and Appropriations of the Senate; and

''(B) the Committees on National Security and Appropriations of the House of Representatives.

''(4) The term 'appropriate committees of Congress' means—

''(A) the congressional defense committees;

''(B) the Committee on Governmental Affairs of the Senate; and

''(C) the Committee on Government Reform and Oversight of the House of Representatives.

''(k) INAPPLICABILITY TO COAST GUARD.—This section does not apply to the Coast Guard when it is not operating as a service in the Navy.''.

(2) The table of sections at the beginning of chapter 131 of such title is amended by adding at the end the following:

''2221. Defense Modernization Account.''.

(b) EFFECTIVE DATE.—Section 2221 of title 10, United States Code (as added by subsection (a)), shall take effect on October 1, 1995, and shall apply only to funds appropriated for fiscal years beginning on or after that date.

(c) EXPIRATION OF AUTHORITY AND ACCOUNT.—(1) The authority under section 2221(b) of title 10, United States Code (as added by subsection (a)), to transfer funds into the Defense Modernization Account shall terminate on October 1, 2003.

(2) Three years after the termination of transfer authority under paragraph (1), the Defense Modernization Account shall be closed and the remaining balance in the account shall be canceled and thereafter shall not be available for any purpose.

(3)(A) The Comptroller General of the United States shall conduct two reviews of the administration of the Defense Modernization Account. In each review, the Comptroller General shall assess the operations and benefits of the account.

(B) Not later than March 1, 2000, the Comptroller General shall—

(i) complete the first review; and

(ii) submit to the appropriate committees of Congress an initial report on the administration and benefits of the Defense Modernization Account.

(C) Not later than March 1, 2003, the Comptroller General shall—

(i) complete the second review; and

(ii) submit to the appropriate committees of Congress a final report on the administration and benefits of the Defense Modernization Account.

(D) Each report shall include any recommended legislation regarding the account that the Comptroller General considers appropriate.

(E) In this paragraph, the term ''appropriate committees of Congress'' has the

meaning given such term in section 2221(j)(4) of title 10, United States Code, as added by subsection (a).

Mr. NUNN. Mr. President, in the bill there is a provision, which I authored and the committee accepted, which would establish a defense modernization account for, really, the first time in my knowledge. That says to the various departments of the military—Army, Navy, Air Force, Marine Corps—that they can have a defense modernization account for any savings, including money they might otherwise feel compelled to spend at the end of the year to make sure they had fulfilled their budget expectations. That is where a lot of waste goes on in budgeting, and in the Government, is the urge and incentive we inadvertently create in Government to have all Government agencies, not just the Army, Navy, Air Force, and Marine Corps, to spend money at the end of the year so they look like they needed all the money they originally budgeted.

Much waste comes from that. So the provision in the bill I offered will establish a defense modernization account and say to each one of the services that they will be able to take any savings that they are able to accumulate during the year and put it in this modernization account. They will be able to use it, subject to the approval of the Congress. It has to come back through the Congress, either through direct appropriation or through an approval process that we go through here. It has to come back. But subject to that, this money will be able to be used where we need it most and that is in long-term modernization.

Senator GLENN has been for this proposal, but he had some concerns about it. This amendment would modify the defense modernization account to limit the total balance of the account, to limit the number of years the funds may remain in the account, to provide for additional oversight, and to sunset the account.

I agree to all of these proposed changes and I urge the adoption of the amendment.

Mr. KEMPTHORNE. Mr. President, this amendment has been cleared with our side.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 2279) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote.

Mr. NUNN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. NUNN. On this amendment I thank Senator GLENN, Senator GRASSLEY, and Senator ROTH. They were very helpful in developing these amendments and they will be having statements on this amendment on Monday.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I understand that concludes the action, is that correct, tonight? It concludes action on the amendments that have been cleared. We cleared about 25 amendments. We appreciate that very much. We hope to return to the DOD authorization bill on Monday. I know there are some negotiations going on with reference to a couple of areas.

If that is negotiated successfully, we hope to be back on the DOD bill late Monday afternoon, and wrap it up. I think in a couple of hours we can complete action on this bill. I know there are a few amendments out there that might require rollcall votes. If we reach the negotiation agreement, there could be at least one amendment that will require a vote, plus the others we did not complete last night. But I understand there will be very few amendments that we would have to deal with.

So, hopefully we can complete action on the DOD authorization bill on Monday. It is a very important bill. It takes a long time. Last year I think it was 6 days. It always takes a great deal of time because it is so involved and so complex. It involves the defense of our Nation, so it deserves a great deal of consideration and debate.

I thank the managers.

Mr. SMITH. Mr. President, yesterday during consideration of S. 1026, a statement by Senator ROTH was inadvertently left out of the statements that were made at the time Senator COHEN introduced his amendment entitled the Information Technology Management Reform Act of 1995. Mr. President, I ask unanimous consent that Senator ROTH's statement be printed in today's RECORD and that it be printed in the permanent RECORD for Friday, August 4, 1995, immediately following Senator COHEN's statement on the information technology amendment.

The PRESIDING OFFICER. Without objection it is so ordered.

INFORMATION TECHNOLOGY MANAGEMENT REFORM ACT OF 1995

● Mr. ROTH. Mr. President, the amendment just introduced by Senator COHEN, myself and others will make a big step toward reforming the way the Government buys and uses information technology. The Federal Government will spend $27 billion this year on information technology, and the GAO has reported to me that much of it will be wasted unless significant reforms are made. I want to congratulate Senator COHEN for his leadership in investigating the problems in the Government's acquisition of information technology. I also want to recognize Senator COHEN for the clarity of his vision and for his cooperation in working with me to develop this important amendment.

Mr. President, there is no disagreement about the compelling need for reform in this area. The heart of this issue is that the Federal Government is not using computers to fix its outdated management practices. In January, the GAO reported to me that Federal managers do not have the essential information needed to do their jobs, despite spending more than $200 billion over the last 12 years on computers. The problem is that far too often, agencies buy computers just to have one on each person's desk. The agencies buy computers like a junk food junkie buys bacon double cheese burgers and candy bars. There's lots of fat and sugar, but little healthy substance.

There is a more subtle issue here that needs to be highlighted. Modern organizations and management processes are required before computers can yield meaningful cost savings and capability improvements. If Government does not make the necessary structural and process changes, then the $27 billion in spending on computers will be for naught. All we will have achieved is inserting 1990's technology into a 1950's organization. We will have several hundred billion dollars of new computers but no corresponding increase in capability.

Mr. President, instead of helping to solve problems, the Government process for buying and managing computer technology has become the problem. Its reliance on a tangle of redtape and bureaucracy strangles every effort to streamline and modernize Government operations. We must shift the bureaucracy from reliance on overburdened procedures and reports that no one reads; we must focus on results.

Numerous reports have documented this fact. GAO, the General Services Administration, the Office of Management and Budget and others have all found that these computer buys are poorly planned, take far too long, cost too much money and all too often produce systems that simply don't work. Once delivered, these systems are managed using practices equally ineffective.

Mr. President, GAO reported to me last January that developments in reengineering and modern technology offer huge opportunities to reduce costs and improve services. Yet, the Federal sector has largely failed to seize upon the moment. For example, GAO has found that a veteran has to wait an average of 151 days, nearly 4 months, to get paid by the Veteran's Administration for an original compensation claim. After committing nearly $700 million for computers and equipment to fix this problem, the waiting time actually increased! It seems the agency failed to set performance goals for its new equipment and did not consider whether or not its claims process could be improved before being automated. By October 1994, claims processing time had gone up to 228 days. This is unbelievable and unconscionable!

In a separate report provided to me just this past Monday, GAO advises that eleven federal agencies have problems with information management or systems development that are serious enough to be listed as high risk programs. GAO explained that "[t]he major reason for these problems has