(3) The United States, France, Russia, and Great Britain have observed a moratorium on nuclear testing since 1992.

(4) A resumption of testing by the Republic of France could result in the disintegration of the current testing moratorium in the renewal of underground testing by other nuclear weapon states.

(5) A resumption of nuclear testing by the Republic of France raises serious environmental and health concerns.

(6) The United Nations Conference on Disarmament presently is meeting in Geneva, Switzerland, for the purpose of negotiating a Comprehensive Nuclear Test Ban Treaty, which would halt permanently the practice of conducting nuclear test explosions.

(7) Continued underground weapons testing by the Republic of France and the People's Republic of China undermines the efforts of the international community to conclude a CTBT by 1996, a goal endorsed by 175 nations at the recently completed NPT Extension and Review Conference (the conference for the extension and review of the Nuclear Nonproliferation Treaty).

Therefore, ''It is the sense of the Senate that the Republic of France and the People's Republic of China should abide by the current international moratorium on nuclear test explosions and refrain from conducting underground nuclear tests in advance of the Comprehensive Test Ban Treaty.''

That is the end of the resolution adopted here in the Senate before we went out on recess, Mr. President. As I am sure my colleagues know, the People's Republic of China has gone ahead during this last month and conducted one additional underground test in contravention of the sentiments expressed in this resolution. The Republic of France is now contemplating and intending, as I understand it, to proceed with eight additional nuclear test explosions over the next several months.

I believe it is very important that the Senate is on record as being opposed to these nuclear explosions. And I felt it was important to call to the attention of Members of the Senate and the public that this was unanimously agreed to by the Senate as part of this Defense appropriations bill, which will be finally voted by the Senate at 5 this afternoon.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2125 WITHDRAWN

Mr. THURMOND. Mr. President, on behalf of Senator BROWN, I ask unanimous consent that amendment No. 2125, relating to Pakistan, be withdrawn.

The PRESIDING OFFICER (Mr. BURNS). Is there objection?

Without objection, it is so ordered.

So the amendment (No. 2125) was withdrawn.

CRUSADER/LP

Mr. SHELBY. Mr. President, I wish to engage the distinguished Senator from Virginia, the chairman of the Subcommittee on AirLand Forces, in a brief colloquy regarding the Army's Crusader program. Senator WARNER, I note that the committee has fully supported the Army's priority development of the Advanced Field Artillery System, Crusader program and I commend the committee for its action. However, I am concerned by the actions of the House National Security Committee relative to the liquid propellant [LP] gun aspect of the Crusader program. I have been led to believe that the Army recognized the performance advantages of the LP gun and that the Army in recognition of those performance enhancements accepted the risks associated with LP development. Am I correct in that understanding?

Mr. WARNER. The Senator is correct. The range and volume of fire advantages of LP would greatly increase the performance and capabilities of the Army's field artillery.

Mr. SHELBY. I am concerned that the House has written several pages of bill language which would legislate noncontractual performance goals which might add schedule risk and might jeopardize the schedule flexibility critical to the successful management of any development effort. I am also concerned that the House position appears to prejudge the failure of the LP gun while not adequately considering the risk nor providing comparable oversight for the Army's backup technology, unicharge.

Mr. WARNER. The committee staff has reviewed the Army's Crusader program and LP development in detail. LP development is receiving intensive management by both the contractor and the Army. I understand the Senator's concern that the House position legislating performance goals and decision schedules might exceed the oversight needs of this program. I do believe, however, that we should maintain adequate congressional oversight over both LP and unicharge development as it affects this important Army program. I would point out that the Army is just completing the first year of an 8½ year development program for the Crusader. We are pushing the limits of technology in an entirely new area with the research and development of liquid propellant for Crusader. I believe that the potential advantages of LP justify the risks associated with its development. We will continue to watch this program carefully. We expect that the development of LP will be successful and that the Crusader will be produced and fielded on schedule. If, on the other hand, the technology challenges are too difficult, and LP simply doesn't work, then we won't buy it. However, in the meantime, I believe we should allow the Army's developmental efforts to proceed.

Mr. KENNEDY. If the Senator would yield, I would point out that the Navy has a requirement to improve its naval surface fire support and has a cooperative agreement with the Army to monitor and leverage off of the liquid propellant gun development. The successful development of LP offers great opportunities for the Navy in this important area and in as much as the House legislation serves as a detriment to that effort, I would be happy to work to resolve this issue in conference.

Mr. SHELBY. I want to thank the Senator from Virginia and the Senator from Massachusetts for their understanding of this matter and for their commitment to work to resolve this in conference.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. THURMOND. Mr. President, I rise now to urge Senators who have amendments to the Defense authorization bill to come to the floor and take up their amendments. We are supposed to pass this bill today. If they wait until this afternoon, then they are all stacked in at the last minute and it is going to be very difficult to handle.

I urge them to come on out. We have been here all morning starting at 10 o'clock, and we have approved a few things. But there is a lot more to be done. I want them to come and take up the amendments and let us get them acted on one way or the other.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. EXON. Mr. President, I would like to say we are making good progress, working back and forth on both sides. I think with a little cooperation here and a little cooperation there, this whole proposition might move much more expeditiously than we had earlier anticipated.

I thank my friend and colleague from South Carolina for his usual good cooperation, and we are going to be working very hard the rest of the day to try to eliminate any and all barriers to cut down the time dramatically and probably come to a resolution, hopefully, on the authorization and the appropriations bills early this evening, and I

emphasize the word ''early'' this evening, which I think would be good news for all.

AMENDMENT NO. 2429

(Purpose: To amend the hydronuclear provisions of S. 1026)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for himself and Mr. BINGAMAN, proposes an amendment numbered 2429.

The amendment is as follows:

Notwithstanding any other provision of the Act, the provision dealing with hydronuclear experiments is qualified in the following respect:

(c) LIMITATIONS.—Nothing in this Act shall be construed as an authorization to conduct hydronuclear tests. Furthermore, nothing in this Act shall be construed as amending or repealing the requirements of Section 507 of Public Law 102–377.

The PRESIDING OFFICER. Without objection, the preceding amendments are set aside.

The Senator from Nebraska is recognized.

Mr. EXON. Mr. President, this is a matter that myself, Senator HATFIELD, and many other Senators have put in a great deal of time and effort on. I think this is a compromise amendment that has a chance of being accepted on both sides. Therefore, we have set aside the hour and a half, if I remember the figures correctly, that we agreed to in the unanimous-consent request. In any event, at the present time I yield such time as is assigned to me in the unanimous-consent agreement for the following remarks.

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

Mr. EXON. Mr. President, before the August recess, a number of amendments to the Defense authorization bill were debated at length. One of these was an amendment proposed by myself, Senator HATFIELD, and nine other Senators to delete the $50 million add-on to the bill for hydronuclear weapons testing. While that amendment failed, I strongly feel that the Senate should revisit the issue in a different form so that it may be clarified in light of President Clinton's recent decision to forgo such tests.

Therefore, Mr. President, I would emphasize that the amendment that I have just offered and has just been read by the clerk is an amendment that I believe goes a long way in clarifying the situation for all concerned. And I firmly believe that it is simply a restatement, a punctuation mark, if you will, with the wording that was agreed to on matters in this regard in the Defense authorization bill as it came out of the Armed Services Committee.

The Defense authorization in its present form contains section 3135, a provision authorizing $50 million for preparation for the commencement of hydronuclear tests. As my colleagues may know, the United States has been negotiating a comprehensive test ban treaty with the world's nuclear powers for the past 2 years. President Clinton's August 11 announcement to push for an international agreement by 1996 that would prohibit these types of nuclear detonations was an important development toward the goal of halting the spread of nuclear weapons around the world.

I was particularly encouraged yet this morning to learn that the French President has now indicated a signal to cut dramatically short the full-scale underground nuclear testing that the French Government had proposed in the South Pacific. Things are coming together perhaps so that we can have a meeting of the minds.

After over 1,100—and I emphasize 1,100—nuclear tests conducted by the United States over 50 years, the U.S. nuclear stockpile is the safest and most reliable on Earth. Computer simulation backed up with the data from these tests, not additional detonations, can maintain this high degree of confidence in the future. But a nonnuclear nation looking to obtain superpower status in the form of a nuclear bomb is unlikely to develop such a capability without the means to test these unproven weapons. A truly comprehensive and verifiable test ban treaty will be an effective tool at closing membership in the nuclear club.

My amendment simply clarifies that the language in section 3135 is for test preparation—that is how it reads now, preparation—and not authority to violate the existing U.S. testing moratorium policy. My amendment reaffirms the congressional review process for new tests required by the 1992 Energy and Water Appropriations Act by adding the following simple and straightforward paragraph to the bill:

I quote:

Nothing in this act shall be construed as an authorization to conduct hydronuclear tests. Furthermore, nothing in this act shall be construed as amending or repealing the requirements of section 507 of Public Law 102–377.

Unlike my previous amendment on hydronuclear testing, this amendment does not affect—I emphasize—does not affect the $50 million authorization in the bill presently. The Department of Energy would be allowed to spend the funds but only for the purpose stated in the bill, that being test preparation. The intent of the bill language would be made clearer by my amendment and brought into line with the administration's stated policy. The funds can be spent on Department of Energy stockpile stewardship activities but the authorization of funds in no way should be construed as a congressional authorization to conduct a test. That prerogative, as I mentioned earlier, is reserved under a reporting requirement contained in the original Hatfield-Exon-Mitchell provision to the 1992 energy and water appropriations bill, wherein the President must report to Congress and seek its approval for any new tests and provide the safety or reliability justification for such tests.

There is no reason why the United States should restart nuclear weapons testing. To do so would be expensive, end up scuttling the comprehensive test ban negotiations, and, in a self-defeating turn, encourage other nations to pursue obtaining a nuclear capability. The preeminent nuclear weapons experts in America—if not the world—issued on August 3 of this year a study on whether we should continue nuclear weapons testing. The study, called the JASON study, was headed by Sidney Drell of Stanford and was written by 14 top scientists, including representatives from each of the national laboratories responsible for the stewardship and maintenance of these weapons. Their conclusion was unequivocal: There is no need to resume testing, including the hydronuclear tests discussed in this bill.

Among the JASON report findings:

The United States can, today, have high confidence in the safety, reliability, and performance margins of the nuclear weapons that are designated to remain in the enduring stockpile:

A further quote from that report:

A pervasive case has not been made for the utility of hydronuclear tests for detecting small changes in the performance margins for current U.S. weapons.

Further quote:

Underground testing of nuclear weapons at any yield below that required to initiate boosting is of limited value to the United States.

Further quote:

[Our] findings . . . are consistent with U.S. agreement to enter into a comprehensive test ban [CTBT] of unending duration, that includes a standard ''supreme national interest clause.''

Mr. President, these are findings of the JASON report authors—the foremost nuclear experts in the United States. They are saying, they are telling and they are advising two things of primary importance: First, that the United States does not need to test this year or the next or into the foreseeable future in order to maintain a safe and reliable nuclear arsenal. Second, they are saying that a comprehensive test ban is in our national security interests.

I find it ironic that proponents of the fast-tracked national missile defense system try to justify the estimated $48 billion project by saying we can never be sure what rogue nation may develop nuclear warheads in the next century and, therefore, we must protect ourselves. A comprehensive test ban is an effective way of stemming this proliferation tide. It is a means by which to limit the have-nots from trying to find superpower status in the form of a nuclear warhead. A nation is unlikely to develop a nuclear capability with any degree of confidence if it cannot test the weapons. By the United States showing leadership and announcing

that all tests should be banned under a comprehensive test ban treaty, the goal of nuclear nonproliferation has been greatly enhanced. Let us keep it that way.

There is another reason why a comprehensive test ban treaty is beneficial for the United States. No nation has tested more than the United States and has more advanced computer technology than we do. A comprehensive test ban will lock in the technological advantages that we possess over the rest of the world.

But this discussion about a comprehensive test ban treaty is all prospective. The negotiations are ongoing and no agreement has been reached as of yet. All the more reason for the Congress not to interject itself capriciously into the question of mandating weapons testing of any kind.

The issue at hand is my amendment and whether the words in section 3135 of the bill mean what they say. My amendment does not touch the $50 million add-on in the bill for test preparation. It simply reiterates that ''preparation'' is different than an actual decision to test.

I urge my colleagues to support this amendment.

Mr. President, I reserve the remainder of my time. I will revisit this issue at a later time.

Mr. President, I ask unanimous consent that Senator BINGAMAN and Senator LIEBERMAN be added as original cosponsors of the Exon amendment.

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

Mr. EXON. Mr. President, I reserve the remainder of my time.

Pursuant to a previous discussion I had with my distinguished friend and colleague from South Carolina, the chairman of the Armed Services Committee, I think at this time we may be in a position to proceed with the adoption of a series of amendments that I understand have been cleared on both sides.

Mr. THURMOND. Mr. President, on this particular amendment, I want to say we are looking at the amendment. I ask unanimous consent that it be laid aside until we can go to other things and then reconsider it at a later time during the day. I am pleased to go the matters that have been agreed upon.

Mr. EXON. I agree.

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

Mr. EXON. May I inquire of my colleague from South Carolina if he is prepared, as a manager of the bill, to proceed with the 20-odd amendments that I understand have been offered and have been cleared on both sides. We are prepared to take those matters up now, if it is the will of the chairman.

Mr. THURMOND. Mr. President, of those that have been cleared, it is agreeable for us to take those up at this time. I would like for us to get the staff here to see about that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

SECTION 551 OF S. 1026—THE DETERMINATION OF WHEREABOUTS AND STATUS OF MISSING PERSONS

Mr. MCCAIN. Mr. President, the fiscal year 1995 National Defense Authorization Act directed the Secretary of Defense to review current law related to missing service personnel and report to Congress on recommended changes. In addition to the recommendations made in the mandated report, the Department of Defense accommodated the committee's concerns by agreeing to several additional provisions, which are included in this bill, that went considerably beyond the scope of the initial recommendations.

In the provisions of this bill, the committee has gone as far as the Congress should on this issue. I believe the committee and the Department of Defense have agreed on a course of action that will improve current procedures without imposing a new and cumbersome bureaucracy on the Department, the Services, and commanders in the field.

However, the report language accompanying the bill does not accurately reflect the intention of the bill language in one key aspect. The recommended provision would not prohibit the Department of Defense from declaring a serviceman dead when there are obvious indications that he is indeed dead, including the passage of time. Contrary to the report language, the bill language does not confer immortality on MIA's. Further, I do not share the editorial characterization of the current accounting system as insensitive and unresponsive. Whereas this may have been true many years ago, the Department of Defense and the Services have since taken extensive measures to make the system sensitive, responsive, and most important, workable.

When the bill before us goes to conference, I will steadfastly support the Senate position and oppose the provisions in the House bill which, in my view, are unwise and unworkable. I encourage my colleagues in the strongest possible terms to do likewise.

Mr. WARNER. Mr. President, my colleague, the distinguished senior Senator from Nebraska, will take up an amendment by Senator HARKIN.

AMENDMENT NO. 2430

(Purpose: To increase the amount provided for the Civil Air Patrol by $5,000,000)

Mr. EXON. Mr. President, on behalf of Senator HARKIN, I offer an amendment which will reduce and refocus the reduction of the bill to the Civil Air Patrol budget from a $5 million reduction to a $2.9 million reduction. This amendment would effectively speed up the ongoing reorganization of the Civil Air Patrol so that the savings plan for 1997 would be achieved by 1996.

I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection the pending amendments will be set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. HARKIN, for himself, Mr. SHELBY, Mr. CAMPBELL, Mr. ROBB, Mr. HEFLIN, and Mr. BINGAMAN, proposes an amendment numbered 2430.

Mr. EXON. 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 72, between lines 18 and 19, insert the following:

SEC. 305. INCREASE IN FUNDING FOR THE CIVIL AIR PATROL.

(a) INCREASE.—(1) The amount of funds authorized to be appropriated by this Act for operation and maintenance of the Air Force for the Civil Air Patrol Corporation is hereby increased by $5,000,000.

(2) The amount authorized to be appropriated for operation and maintenance for the Civil Air Patrol Corporation under paragraph (1) is in addition to any other funds authorized to be appropriated under this Act for that purpose.

(b) OFFSETTING REDUCTION.—The amount authorized to be appropriated under this Act for Air Force support of the Civil Air Patrol is hereby reduced by $2,900,000. The amount of the reduction shall be allocated among funds authorized to be appropriated for Air Force personnel supporting the Civil Air Patrol and for Air Force operation and maintenance support for the Civil Air Patrol.

Mr. HARKIN. Mr. President, on behalf of my esteemed colleagues Senators SHELBY, CAMPBELL, ROBB, HEFLIN, BINGAMAN, and myself, I offer an amendment to restore the cuts in the Civil Air Patrol budget. The Senate defense authorization bill S. 1026 cuts the Civil Air Patrol [CAP] operations and maintenance by $5 million, from $14.7 million to $9.7 million, a 34 percent reduction. This heavy cut would severely limit the CAP's capability to carry out its search and rescue missions, emergency air transport, counterdrug surveillance, and other important functions.

The Harkin-Shelby-Campbell-Robb-Heflin-Bingaman bipartisan amendment to the fiscal year 1996 defense authorization bill restores the CAP budget to the amount approved by the House, the original $14.7 million.

The Civil Air Patrol is a nonprofit corporation designated as an auxiliary of the Air Force by public law in 1948. It is mostly made up of over 50,000 volunteers who are mainly ex-Air Force personnel, and who often must fly over large areas of country in their missions of mercy. It is to the credit of the CAP that their volunteers relieve the Government of expense such that only 10 percent of the CAP budget need be used to reimburse the volunteers. Furthermore, the CAP is undergoing a reorganization to replace active duty Air

Force personnel with retired fliers who receive only one-half their former pay. This will save taxpayers about $3 million. Additionally, the Air Force active duty personnel are being replaced by civilians at the CAP headquarters, so the CAP budget reflects an increase equivalent to the decrease in the Air Force budget used to pay for headquarters personnel. These reorganizational changes were misinterpreted in a General Accounting Office report to justify cutting the CAP. The Harkin-Shelby-Campbell-Robb-Heflin-Bingaman amendment corrects the well-intentioned but misguided cuts in the CAP. The CAP is invaluable to our country, and performs its missions much more inexpensively than could be done by Government.

Because the Air Force personnel are being replaced by retirees and other civilians, the active duty Air Force personnel and operations and maintenance budget should be reduced by $2.9 million. This reflects the savings to the taxpayer that the recent reorganization attains.

Mr. McCAIN. Mr. President, I support this amendment to cut the level of support for the Civil Air Patrol in the Air Force operations and maintenance and personnel accounts by $2.9 million and restore $5 million to the Civil Air Patrol Corporation budget. The $2.9 million cut from the administration's request for this program will reduce the amount of military resources unnecessarily dedicated to its overhead and administration.

Furthermore, although I believe that this program is noble, its military benefits are negligible. The primary mission of this program, search and rescue of downed civilian pilots, would more appropriately be funded through the budget of the Department of Transportation or another civilian agency. I urge the administration and the Congress to explore alternative funding for this program in the future to ensure its decreased reliance upon the Department of Defense.

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

Mr. WARNER. Mr. President, the Senator is correct. We support the amendment.

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

The amendment (No. 2430) was agreed to.

Mr. EXON. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. WARNER. I ask to have my personal view reflected in the RECORD. I had occasion to visit Civil Air Patrol installations in several places in my State and elsewhere. I also had a brief service with them during the early stages of World War II. I think it is a highly useful and productive organization, helping many of our young people in their first introduction to aviation.

I strongly support the Civil Air Patrol.

AMENDMENT NO. 2431

(Purpose: To increase the authorization of appropriations for operation and maintenance for the Air Force Reserve by $10,000,000, and to offset that increase by reducing the authorization of appropriations for operation and maintenance for Defense-wide activities by $10,000,000)

Mr. WARNER. Mr. President, on behalf of the chairman of the Armed Services Committee, Mr. THURMOND, I offer an amendment which would adjust funding for civilian personnel in the Air Force Reserve.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] for Mr. THURMOND, proposes an amendment numbered 2431.

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

The amendment is as follows:

On page 69, line 25, decrease the amount by $10,000,000.

On page 70, line 5, strike out "$1,472,947,000" and insert in lieu thereof "$1,482,947,000".

Mr. THURMOND. Mr. President, this amendment would adjust the funding for civilian personnel under strength in the Air Force Reserve.

The Department of Defense made an error in verifying the degree to which various accounts were overfunded. In response to my inquiry, the Department reconsidered its report and determined the figure for the Air Force Reserve should be $3 million in reductions, not $13 million as previously reported. This amendment would restore $10 million of the $13 million to the Air Force Reserve and reduce DOD funding by $10 million.

I thank the Chair, and yield the floor.

Mr. WARNER. This amendment has been cleared by both sides.

Mr. EXON. The amendment has been cleared on both sides.

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

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

The amendment (No. 2431) was agreed to.

Mr. WARNER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2432

(Purpose: To provide $9,500,000 for the Joint Seismic Program and Global Seismic Network)

Mr. EXON. Mr. President, on behalf of Senator GLENN, I offer an amendment to authorize $9.5 million for seismic monitoring to detect nuclear explosions. These funds would be used to continue the operation of global seismographic network operated by the consortium of American University.

I believe this amendment has been cleared on the other side of the aisle.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. GLENN, for himself, Mrs. FEINSTEIN, Mr. PELL, and Mr. MOYNIHAN, proposes an amendment numbered 2432.

Mr. EXON. 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 49, between lines 14 and 15, insert the following:

SEC. 224. JOINT SEISMIC PROGRAM AND GLOBAL SEISMIC NETWORK.

To the extent provided in appropriations Acts, $9,500,000 of the unobligated balance of funds available to the Air Force for research, development, test, and evaluation for fiscal year 1995 shall be available for continuation of the Joint Seismic Program and Global Seismic Network.

Mr. GLENN. Mr. President, the proliferation of nuclear weapons continues to be one of the most serious threats to national security, which underscores the need for the United States to maintain an effective capability to detect and identify clandestine nuclear tests. The challenge for seismic monitoring is the detection and identification of events of small magnitude. To meet this challenge it is necessary to acquire regional data not less than 1,000 kilometers from a test.

For many years, a consortium of universities has operated a multiple-use, global seismographic network that has been supported with funds from the Department of Defense and the National Science Foundation. These facilities represent a small but significant investment by the U.S. Government, offer effective and needed nuclear test monitoring capabilities worldwide, and enhance regional coverage in areas not adequately covered by National Technical Means [NTM].

Data provided by this global seismographic network can be used to locate seismic events, discriminate natural versus explosive sources, and estimate magnitude and/or yield—all of which are critical in detection and identification of clandestine nuclear tests. Enhancing accuracy of event location is particularly important in greatly reducing the area which must be investigated through costly on-site inspections or the use of NTM. The data obtained from this network thus complement, rather than compete with, data obtained from NTM.

This type of information will be invaluable in helping our Government to verify a comprehensive nuclear test ban treaty. We are already well into the evolution of the post-cold-war world, and one unpleasant fact of life about such a world is that professional test ban monitors no longer have the

luxury of simply gathering data about activities at certain fixed, well-characterized sites. Now the problem has gotten more complex: we are increasingly concerned about small, low-yield test explosions, and we are facing a verification challenge that is truly global in scope. Given the global distribution of significant nongovernmental seismic monitoring capabilities, it is only prudent for us to exploit whatever resources are available and appropriate to get the job done.

The network is administered by a consortium which today consists of over 80 research institutions and affiliates around the globe. The National Science and Technology Council [NSTC] is developing a long-term funding plan for the GSN and JSP. Because of delays in the NSTC process funding recommendations were not included in the administration's fiscal year 1996 budget request, but are being incorporated in the fiscal year 1997 budget request. In the meantime, this action is needed to ensure continuation of these important programs.

My amendment specifies that $9,500,000 of prior year funds from the Defense Support Program which are available as a result of the omnibus reprogramming shall be available for continuation of the Global Seismographic Network [GSN] and Joint Seismic Program [JSP]. This is maintained by the Air Force Office of Scientific Research [AFOSR] in PE 601102F, project 2309.

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

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

The amendment (No. 2432) was agreed to.

Mr. EXON. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2433

(Purpose: To reconcile authorization of the funds appropriated for the construction of a Special Operations Forces [SOF] Group Headquarters at Fort Bragg, North Carolina with the Senate Appropriations Committee recommendation)

Mr. WARNER. I send to the desk an amendment on behalf of the senior Senator from North Carolina [Mr. HELMS].

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. HELMS, proposes an amendment numbered 2433.

Mr. WARNER. Mr. President, 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 422, in the table preceding line 1, in the matter relating to the Special Operations Command at Fort Bragg, North Carolina, strike out "$8,100,000" in the amount column and insert in lieu thereof "$9,400,000".

On page 424, line 22, increase the amount by $1,300,000.

On page 424, line 25, increase the amount by $1,300,000.

(At the request of Mr. DOLE, the following statement was ordered to be printed in the RECORD.)

Mr. HELMS. Mr. President, this technical amendment is to fix an incorrect authorization level for construction of a mission essential Special Operations Forces Group Headquarters at Fort Bragg, NC.

This project was authorized by the Senate Armed Services Committee at the original, incorrect estimate of $2,600,000.

As background, the U.S. Special Operations Command—or USSOCOM, as it is called—requested in its fiscal year 1996 milcon budget a Group HQ originally estimated to cost $2,600,000.

Based upon that erroneous estimate, the administration requested and the House Appropriations Committee appropriated that amount.

The correct project estimate is $3,900,000. The cost increase is attributable to two key factors; a failure to account for the area cost factor for construction in the Fort Bragg area and the realization that special construction requirements are necessary.

Equipped with the new, accurate estimate, the Senate Military Construction Subcommittee, approved $3,900,000 for the project.

My amendment will fix the discrepancy between the Senate Military Construction Subcommittee's appropriation and the Senate Armed Services Committee's authorization.

Mr. WARNER. Mr. President, this is a technical correction to the funding level of a project included in the President's budget request. I believe this amendment has been cleared.

Mr. EXON. Mr. President, this is a technical amendment that is entirely in order and has been cleared on this side.

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

The amendment (No. 2433) was agreed to.

Mr. WARNER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2434

(Purpose: To state a rule of construction to clarify the supremacy of the Secretary of State's authority to coordinate policy on international military education and training)

Mr. EXON. Mr. President, on behalf of Senator SIMON, I offer an amendment to provide that nothing shall impair the authority and ability of the Secretary of State to coordinate policy regarding the international military education and training program.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. SIMON, proposes an amendment numbered 2434.

Mr. EXON. 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 366, between lines 17 and 18, insert the following:

(d) RELATIONSHIP TO AUTHORITY OF SECRETARY OF STATE.—Nothing in this section or section 462 of title 10, United States Code (as added by subsection (b)(1)), shall impair the authority or ability of the Secretary of State to coordinate policy regarding international military education and training programs.

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

Mr. WARNER. Mr. President, the Senator is correct.

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

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

The amendment (No. 2434) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2435

(Purpose: To provide $5,000,000 for continued development of the depressed altitude guided gun round system)

Mr. WARNER. Mr. President, I send to the desk an amendment on behalf of Senator SMITH.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. SMITH, proposes an amendment numbered 2435.

Mr. WARNER. 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 49, between lines 14 and 15, insert the following:

SEC. 224. DEPRESSED ALTITUDE GUIDED GUN ROUND SYSTEM.

Of the amount authorized to be appropriated under section 201(1), $5,000,000 is authorized to be appropriated for continued development of the depressed altitude guided gun round system.

Mr. SMITH. Mr. President, the amendment that I am offering would authorize $5 million from within the Army research, development, test and evaluation account to continue development of the depressed altitude guided gun round [DAGGR] system.

DAGGR is a surface-to-air weapon that could provide an effective defense against low-altitude threats, both in rear areas and for maneuver forces in forward areas. It has an all-weather capability, and could be mounted on either standard trucks or an armored

chassis such as the AGS or M113A. DAGGR would integrate an existing radar guided 60 millimeter gun round, developed by the Navy, with an interferometric radar, developed by the Army.

As currently envisioned, DAGGR could address mortars, short range rockets, unmanned aerial vehicles, cruise missiles, and helicopter delivered air-to-ground missiles. The Army currently has little or no direct capability against these threats

Mr. President, this program is not part of the Army budget. However, the committee was contacted by the Army after markup and apprised of their strong interest in the program. I have been fully briefed on the potential application of this technology and believe that it has merit. It would complement other ongoing efforts to provide 360-degree coverage for our maneuver forces, and enhance the warfighting capabilities of our frontline units.

I believe that this amendment has been cleared on both sides.

Mr. WARNER. Mr. President, this amendment provides $5 million of Army research and development funds which may be used to continue development of the depressed altitude guided gun round system.

It is my understanding. this amendment has been cleared.

Mr. EXON. It has been cleared on this side, and we are prepared to accept the amendment.

Mr. WARNER. I urge adoption of the amendment.

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

The amendment (No. 2435) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2436

(Purpose: To require the Army to provide a report to the Congress on plans to provide T700–701C engine upgrades for Army AH–64D helicopters)

Mr. EXON. Mr. President, on behalf of Senator KENNEDY, I offer an amendment which would require the Secretary of the Army to submit a report on the program upgrade of the engines AH–64D, Apache helicopter fleet. This amendment would make no change in the current funding, but would require the Secretary to submit a detailed plan and estimated funding requirements for the program.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. KENNEDY, proposes an amendment numbered 2436.

Mr. EXON. 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 21, following line 21, insert the following:

SEC. . REPORT ON AH–64D ENGINE UPGRADES.

(a) REPORT.—No later than February 1, 1996, the Secretary of the Army shall submit to Congress a report on plans to procure T700–701C engine upgrade kits for Army AH–64D helicopters.

The report shall include:

(1) a plan to provide for the upgrade of all Army AH–64D helicopters with T700–701C engine kits commencing in FY 1996.

(2) detailed timeline and funding requirements for the engine upgrade program described in (a)(1).

Mr. EXON. Mr. President, I believe this amendment has been cleared.

Mr. WARNER. The Senator is correct.

Mr. EXON. Mr. President, I therefore urge adoption of the amendment.

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

The amendment (No. 2436) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2437

(Purpose: To clarify that the $54,968,000 authorized to be appropriated for the Joint Primary Aircraft Training System (JPATS) is for procurement of eight JPATS aircraft)

Mr. WARNER. Mr. President, I send to the desk an amendment on behalf of the distinguished majority leader, Mr. DOLE. It relates to the joint primary aircraft training program (JPATS).

Mr. President, the amendment clarifies that the Air Force is authorized to buy up to eight joint primary aircraft training systems with the $54 million authorized for procurement of these aircraft.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. DOLE, for himself and Mr. THURMOND, proposes an amendment numbered 2437.

Mr. WARNER. 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 31, after line 22, insert the following:

SEC. 133. JOINT PRIMARY AIRCRAFT TRAINING SYSTEM PROGRAM.

Of the amount authorized to be appropriated under section 103(1), $54,968,000 shall be available for the Joint Primary Aircraft Training System program for procurement of up to eight aircraft.

Mr. DOLE. Mr. President, I want to thank the Senator for offering this amendment on my behalf. The amendment is simple. It allows the Air Force to buy up to eight joint primary aircraft trainers [JPATS] in fiscal year 1996.

In its fiscal year 1996 budget submission, the Department of Defense had requested authorization to buy 3 JPATS aircraft for $55 million. However, at the time the budget was submitted, the JPATS competition had not been completed and the contract had not been awarded. Consequently, the Air Force had to plan for the possibility that the contract could be awarded for a much more expensive aircraft than the submission which was actually selected. Let me be clear, this amendment does not increase funding for JPATS procurement—it simply allows the Air Force to procure this new trainer at a more efficient rate. Additionally, my colleagues should know that this change has been coordinated with the Air Force.

Again, I thank Senator THURMOND and my colleagues on the other side of the aisle for their assistance in clearing this amendment.

Mr. WARNER. I urge the adoption of the amendment. It has been cleared on both sides.

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

The amendment (No. 2437) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2438

(Purpose: To provide $15,000,000 (under the line item for the M1 Abrams tank series (MYP)) for procurement of direct support electronic system test sets (DSESTS) test program sets for the M1 Abrams series tanks and the Bradley infantry fighting vehicle)

Mr. EXON. Mr. President, on behalf of Senator HEFLIN and Senator SHELBY, I offer an amendment which would shift some funds within the Army's budget to buy more software for direct support electronic system tests.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. HEFLIN, for himself and Mr. SHELBY, proposes an amendment numbered 2438.

Mr. EXON. 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 16, line 20, strike out ''$1,532,964,000'' and insert in lieu thereof ''$1,547,964,000''.

On page 69, line 25, strike out ''$10,060,162,000'' and insert in lieu thereof ''$10,045,162,000.''

Mr. HEFLIN. Mr. President, this amendment will provide funds for test equipment for the U.S. Army.

The Army plans to field a number of modernized combat vehicles in the years ahead including the M1A2, the upgraded Bradley, the new breacher, and the new light tank. Unfortunately, the Army budget has been reduced to the point where the Army is unable to

fund the development of the test equipment required to support these new vehicles. However, it makes no sense to field new vehicles without simultaneously fielding the required support equipment.

The Army's acquisition decision memorandum dated March 30, 1995, directs the continued use of DSESTS for the ASM fleet. Furthermore, there is a standing Army requirement for new test program sets to support these vehicles. I therefore ask the support of my colleagues in adding $15 million to the ASM budget for the acquisition of DSESTS test program sets needed to support our modern combat systems.

Let me say now that I am not pleased by the source of the funds used to pay for this amendment. I stand firmly against raiding the readiness accounts to fund procurement programs. In fact, I would not offer this amendment if it were not for the fact that not purchasing the equipment will cost the readiness accounts even more. If we do not buy this equipment, the combat units will be forced to send broken equipment back to the depot rather than repairing it in the field. This will add millions in additional maintenance costs each year. Purchasing this equipment will save much needed readiness dollars.

That being said, I hope that in conference the committee will be able to provide an alternative source of funding for this important test equipment.

Mr. EXON. Mr. President, the Army believes this additional software would help save operation and maintenance funds, since testing will be avoided, and shipping equipment to depots, when the action is not necessary.

I believe this is a very worthy amendment. I understand it has been cleared on the other side.

Mr. WARNER. The Senator is correct.

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

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

The amendment (No. 2438) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2439

(Purpose: To amend the effective date for the authority to pay transitional compensation for dependents of members of the Armed Forces separated for dependent abuse)

Mr. WARNER. Mr. President, I send to the desk an amendment on behalf of the Senator from New Mexico [Mr. DOMENICI] entitled "Spousal Abuse."

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. DOMENICI, proposes an amendment numbered 2439.

Mr. WARNER. 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 277, after line 25, insert the following:

(b) EFFECTIVE DATE FOR PROGRAM AUTHORITY.—Section 554(b)(1) of the National Defense Authorization Act for Fiscal Year 1994 (107 Stat. 1666; 10 U.S.C. 1059 note) is amended by striking out "the date of the enactment of this Act—" and inserting in lieu thereof "April 1, 1994—".

On page 277, beginning on line 21, strike out ": CLARIFICATION OF ENTITLEMENT".

On page 277, line 23, insert "(a) CLARIFICATION OF ENTITLEMENT.—before "Section".

Mr. DOMENICI. Mr. President, I offer a technical correction to section 1059 of title X, United States Code, which provides the authority to the Secretary of Defense to provide transitional benefits for abused military spouses and their children. I understand that my amendment has been accepted on both sides, and I want to thank the chairman and ranking member for their support.

I would like to take just a few brief moments to refresh my colleagues memories about this issue. Members will recall that in the fiscal year 1993 Defense authorization bill I offered an amendment to provide up to 50 percent of the retirement pay of a military member to his spouse and children if that member were dishonorably discharged from the service for spouse or child abuse. That amendment was accepted by this committee and it had the full support of both the chairman and ranking member. I am very proud of that amendment, Mr. President. Today abused military spouses and their children have a way out.

There was such a recognized need for that amendment that the fiscal year 1994 Defense authorization bill included language that provided the Secretary of Defense with this authority to make transitional benefits for up to 3 years payable on a force-wide basis to any military spouse or child whose member was dishonorably discharged from the service for spouse or child abuse.

By the fiscal year 1995 Defense authorization bill, the Department of Defense had not implemented the language from the fiscal year 1994 bill. When the bill came to the floor, I offered an amendment to make the fiscal year 1994 language mandatory and to provide commissary and other benefits that were not included in the fiscal year 1994 language.

On July 1, 1994, during the consideration of the Defense authorization bill, in a colloquy with Senator NUNN I informed Senators, "Frankly, I was going to try to make this mandatory in the original amendment, but I am not doing that because I have assurance of the Chairman that he is going to join me here on the floor urging that the military take care of this responsibility." Senator NUNN did that.

On July 7, 1994, Assistant Secretary of Defense Dorn, sent a letter to Chairman NUNN stating that the DOD "intends to implement transitional compensation, authorized by the fiscal year 1994 Defense Authorization Act, on October 1, 1994, with coverage retroactive to April 1, 1994."

Despite Secretary Dorn's letter, DOD did not implement the fiscal year 1994 language until January 25, 1995, and they only made benefit payments retroactive to October 1994, not April 1994 as they committed.

I wrote to Assistant Secretary Dorn on February 9, 1995, expressing my extreme displeasure and informing him that the only reason we withdrew our amendment to the fiscal year 1995 DOD authorization bill was because the DOD gave the staff of the Senate Armed Services Committee assurance that the transitional benefits would be retroactive to April 1994.

Assistant Secretary Dorn responded on March 6, 1995. Most importantly, he said, "As you correctly stated in your letter, the DOD made a commitment, and we do plan to take the appropriate actions to rectify the situation. My staff is preparing the request to Congress asking for a technical change in the language that will allow us to make retroactive payments to April 1, 1994."

Assistant Secretary Dorn submitted the request to both the House National Security Committee and the Senate Armed Services Committee for inclusion in the fiscal year 1996 Defense authorization bill. The House National Security Committee included the technical correction in section 556 of their bill. My amendment achieves the same objective.

Mr. President, I have been working on this issue for 4 years. Every year it seems that there is always something else standing in the way. It took a few years to convince the DOD to acknowledge the problems they face in this area, and they were very reluctant to follow the Congress' leadership and direction.

Last year, I was informed that the DOD was poised to implement the program. A letter was sent to then Chairman NUNN on July 7, 1994, stating the program would be implemented and that it would be retroactive to April 1, 1994. It took the DOD a half year to implement the program after I withdrew my amendment, and that was already after a 1-year delay. When they did implement the program, it was only retroactive until October 1, 1994; a full half-year later than the date committed on me and to the Senate Armed Services Committee in the July 7, 1994 letter from Assistant Secretary Dorn to then Chairman NUNN.

For whatever reason, the DOD did not honor their commitment to the committee, and my amendment makes sure that the commitment is honored. I appreciate the support of my colleagues. Mr. President, I yield the floor.

Mr. WARNER. Mr. President, this amendment establishes the effective

date of the transitional spouse abuse payments as April 1, 1994. This amendment, it is my understanding, has been accepted on both sides.

Mr. EXON. Mr. President, I think this is a very worthy amendment offered by Senator DOMENICI. We have accepted this on this side and I urge its adoption.

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

The amendment (No. 2439) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2440

(Purpose: To require the Secretary of Defense to submit a report on the feasibility of using private sources for performance of certain functions currently performed by military aircraft)

Mr. EXON. Mr. President, on behalf of Senator ROBB, I offer an amendment which would require the Secretary of Defense to submit a report on the feasibility of using private sources for performance of certain functions currently performed by military aircraft.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. ROBB, proposes an amendment numbered 2440.

Mr. EXON. 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 137, after line 24, insert the following:

SEC. 389. REPORT ON PRIVATE PERFORMANCE OF CERTAIN FUNCTIONS PERFORMED BY MILITARY AIRCRAFT.

(a) REPORT REQUIRED.—Not later than May 1, 1996, the Secretary of Defense shall submit to Congress a report on the feasibility, including the costs and benefits, of using private sources for satisfying, in whole or in part, the requirements of the Department of Defense for VIP transportation by air, airlift for other personnel and for cargo, in-flight refueling of aircraft, and performance of such other military aircraft functions as the Secretary considers appropriate to discuss in the report.

(b) CONTENT OF REPORT.—The report shall include a discussion of the following:

(1) Contracting for the performance of the functions referred to in subsection (a).

(2) Converting to private ownership and operation the Department of Defense VIP air fleets, personnel and cargo aircraft, and in-flight refueling aircraft, and other Department of Defense aircraft.

(3) The wartime requirements for the various VIP and transport fleets.

(4) The assumptions used in the cost-benefit analysis.

(5) The effect on military personnel and facilities of using private sources, as described in paragraphs (1) and (2), for the purposes described in subsection (a).

Mr. EXON. Mr. President, these functions would include personnel and cargo transport, in-flight refueling, and such other military aircraft functions as the Secretary considers appropriate to discuss.

I believe, also, this amendment has been cleared on the other side of the aisle.

Mr. WARNER. The Senator is correct. This is a very worthy amendment. It has my full support and the support of all of our Senators.

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

The amendment (No. 2440) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2441

(Purpose: To require the Department of Defense to conduct a study to assess the risks associated with transportation of the unitary stockpile within the continental United States and of the assistance available to communities in the vicinity of chemical weapons stockpile installations that are affected by base closures and realignments)

Mr. WARNER. Mr. President, I send to the desk an amendment on behalf of the Senator from Colorado [Mr. BROWN], and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. BROWN, proposes an amendment numbered 2441.

Mr. WARNER. 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:

At the appropriate place in the bill add the following:

SEC. . STUDY ON CHEMICAL WEAPONS STOCKPILE.

(a) STUDY.—(1) The Secretary of Defense shall conduct a study to assess the risk associated with transportation of the unitary stockpile, any portion of the stockpile to include drained agent from munitions and the munitions from one location to another within the continental United States. Also, the Secretary shall include a study of the assistance available to communities in the vicinity if the Department of Defense facilities co-located with continuing chemical stockpile and chemical demilitarization operations which facilities are subject to closure, realignment, or reutilization.

(2) The review shall include an analysis of—

(A) the results of the physical and chemical integrity report conducted by the Army on existing stockpile;

(B) a determination of the viability of transportation of any portion of the stockpile, to include drained agent from munitions and the munitions;

(C) the safety, cost-effectiveness, and public acceptability of transporting the stockpile, in its current configuration, or in alternative configurations;

(D) the economic effects of closure, realignment, or reutilization of the facilities referred to in paragraph (1) on the communities referred to in that paragraph; and

(E) the unique problems that such communities face with respect to the reuse of such facilities as a result of the operations referred to in paragraph (1).

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study carried out under subsection (a). The report shall include recommendations of the Secretary on methods for ensuring the expeditious and cost-effective transfer or lease of facilities referred to in paragraph (1) of subsection (a) to communities referred to in paragraph (1) for reuse by such communities.

Mr. BROWN. Mr. President, as you know, several communities have been affected by the recent base closures and base realignments. I have been working with these communities in my State, trying to assist them to make these transitions as smooth as possible.

For nearly 50 years the Pueblo Depot Activity [PDA] in Pueblo, CO, was an integral part of the U.S. Army's system of supply and storage depots. In 1988, however, the Pueblo Depot Activity was designated for realignment. Since this base currently stores chemical weapons, the Army does not plan to transfer ownership of any of the unused lands or buildings at the Pueblo Depot Activity until the destruction of chemical weapons is complete. According to the Army, this would occur at the earliest in 9 years, fully 16 years after it wad designated for realignment and eventual closure.

Despite the fact that the PDA was slated under the law for realignment, it was not planned for closure. Consequently, many programs available to other communities whose bases are to be closed are not available to communities like Pueblo. Under the study required by the amendment, the Secretary of Defense must study the assistance available to communities in the vicinity of Department of Defense facilities co-located with continuing chemical stockpile and chemical demilitarization operations where the facility is subject to closure, realignment or reutilization. My hope is that this study will continue the efforts of the Army and the city of Pueblo to work together to find the best possible solutions for reuse of the Pueblo Depot Activity.

Current plans call for new incineration plants to be built at each chemical weapons storage site at a cost of billions of dollars to U.S. taxpayers. In my view, it makes sense to study first the cost effectiveness of the transportation of neutralized and unneutralized chemical weapons to a few centrally located chemical weapons destruction facilities. The amendment I offer today directs the Secretary of Defense to conduct a study to assess the risk associated with transportation of the unitary stockpile, both neutralized and unneutralized, within the continental United States.

I especially would like to recognize the work of Mel Takaki and Chuck Finley of the Pueblo Depot Activity

Development Authority. They have worked hard for the community of Pueblo during this realignment process.

Mr. President, the study proposed in this amendment offered by Senator CAMPBELL and myself will make an important contribution to the resolution of a number of problems faced by communities in the vicinity of Defense Department facilities co-located with continuing chemical stockpile and chemical demilitarization operations.

Mr. CAMPBELL. Mr. President, I would like to thank my Colorado colleague, Senator BROWN, for proposing this amendment of which I am a cosponsor.

The city of Pueblo faces a dual burden from the chemical weapons stockpile at the Pueblo Depot. First, Pueblo's citizens must cope with a controversial and complicated chemical demilitarization effort. Second, as the depot was realigned in 1988, Pueblo must deal with finding ways to profitably reuse excess facilities.

Unfortunately, despite years of effort by the depot's reuse commission, the reuse process is still blocked. People like Mel Takaki, Chuck Finley, and many others worked hard to find users who would be willing to pay for space at the depot's buildings, and they have some takers. They still cannot come to a satisfactory agreement with the Army on leasing the depot's facilities—it seems mostly because of uncertainty about the needs of the demilitarization process.

There are not many communities that face this type of situation. There are only eight chemical weapons stockpile sties in the United States. All this amendment does is require the Defense Secretary to let us know that he understands the unique problems faced by Pueblo and other communities in the vicinity of chemical weapons stockpile sites. For those sites that, like Pueblo, also involve closed or realigned military installations, the Secretary would also give citizens in those communities some ideas on how to move forward with reusing those facilities.

This is a simple amendment, and it should not require much work at the Defense Department, but it will go a long way toward addressing issues that concern citizens living near stockpile facilities. I hope that the Senate and the conferees will accept this amendment.

Mr. WARNER. Mr. President, the amendment would require the Department of Defense to conduct a study on the risks of transporting the unitary chemical stockpile within the United States, and assistance that would be available to the communities surrounding the chemical weapons stockpiles that will be closed when destruction of the stockpile is completed.

I understand this amendment has been cleared.

Mr. EXON. It has been cleared on this side of the aisle, Mr. President.

Mr. WARNER. I urge adoption of the amendment.

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

The amendment (No. 2441) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2442

(Purpose: To provide for the disposal of property and facilities at Fort Holabird, MD, as a result of the closure of the installation under the 1995 round of the base closure process)

Mr. EXON. Mr. President, on behalf of Senator MIKULSKI, I offer an amendment and send it to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Ms. MIKULSKI, for herself and Mr. SARBANES, proposes an amendment numbered 2442.

Mr. EXON. 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. CONSOLIDATION OF DISPOSAL OF PROPERTY AND FACILITIES AT FORT HOLABIRD, MARYLAND.

(a) CONSOLIDATION.—Notwithstanding any other provision of law, the Secretary of Defense shall dispose of the property and facilities at Fort Holabird, Maryland, described in subsection (b) in accordance with subparagraph (2)(e) of the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (P.L. 103–421), treating the property described in (b) as if the CEO of the state had submitted a timely request to the Secretary of Defense under subparagraph (2)(e)(1)(B)(ii) of the Base Closure Redevelopment and Homeless Assistance Act of 1994 (P.L. 103–421).

(b) COVERED PROPERTY AND FACILITIES.—Subsection (a) applies to the following property and facilities at Fort Holabird, Maryland:

(1) Property and facilities that were approved for closure or realignment under the 1988 base closure law that are not disposed of as of the date of the enactment of this Act, including buildings 305 and 306 and the parking lots and other property associated with such buildings.

(2) Property and facilities that are approved for closure or realignment under the 1990 base closure law in 1995.

(c) USE OF SURVEYS AND OTHER EVALUATIONS OF PROPERTY.—In carrying out the disposal of the property and facilities referred to in subsection (b)(1), the Secretary shall utilize any surveys and other evaluations of such property and facilities that are prepared by the Corps of Engineers before the date of the enactment of this Act as part of the process for the disposal of such property and facilities under the 1988 base closure law.

(d) DEFINITIONS.—In this section:

(1) The term ''1988 base closure law'' means title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(2) The term ''1990 base closure law'' means the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

SEC. 2826. LAND CONVEYANCE, PROPERTY UNDERLYING CUMMINS APARTMENT COMPLEX, FORT HOLABIRD, MARYLAND.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law, the Secretary of the Army may convey to the existing owner of the improvements thereon all right, title, and interest of the United States in and to a parcel of real property underlying the Cummins Apartment Complex at Fort Holabird, Maryland, consisting of approximately 6 acres and any interest the U.S. may have in the improvements thereon.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the owner of the improvements referred to in that subsection shall provide compensation to the United States in an amount equal to the fair market value (as determined by the Secretary) of the property interest to be conveyed.

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

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

Mr. EXON. Mr. President, this amendment by Senator MIKULSKI first would allow for all base closure affected property at Fort Holabird, MD, to be disposed of in the 1994 base closure disposal process and, second, would authorize the Secretary of the Army to convey, for fair market value, 6 acres of real property at Fort Holabird to the owner of the apartment complex that is situated on the real property.

I believe this is a noncontroversial amendment that has been cleared on the other side.

Mr. WARNER. The Senator is correct.

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

The amendment (No. 2442) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2443

(Purpose: To designate the NAUTICUS building in Norfolk, VA, as the ''National Maritime Center'')

Mr. WARNER. I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 2443.

Mr. WARNER. 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, between lines 16 and 17, insert the following:

SEC. 1095. DESIGNATION OF NATIONAL MARITIME CENTER.

(a) DESIGNATION OF NATIONAL MARITIME CENTER.—The NAUTICUS building, located at one Waterside Drive, Norfolk, Virginia, shall be known and designated as the ''National Maritime Center''.

(b) REFERENCE TO NATIONAL MARITIME CENTER.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''National Maritime Center''.

Mr. WARNER. Mr. President, the amendment designates a building in Norfolk, VA, as the ''National Maritime Center.'' It is a name change.

Mr. President, I urge my colleagues to support the designation of the NAUTICUS building in Norfolk, VA, as the ''National Maritime Center.''

Designation as the ''National Maritime Center'' is indeed a special honor and should only be bestowed upon a center of the highest caliber in an area with a rich history of maritime excellence. I believe that NAUTICUS, located in the city of Norfolk, VA, more than qualifies for this honor and deserves to receive this special recognition. NAUTICUS is a comprehensive maritime center that includes an interactive aegis and ship design theater, exhibits, and presentations on a variety of subjects including marine environmental issues, marine research, and ocean exploration. Additionally, the Hampton Roads areas is where our world trade began hundreds of years ago. The area is home to the world's most powerful Navy, the world's largest natural harbor, the country's largest and oldest shipyard, and a center of marine engineering unequaled anywhere in the world.

A national maritime center in this region could aid immeasurably in educating the public about maritime issues and the importance of the maritime industry in our Nation's history. Indeed, in the era of our All Volunteer Military, this center will help to maintain the ties between our naval forces and the public through education and understanding.

Designation as a ''National Maritime Center'' need not be exclusively reserved to NAUTICUS but could also be granted to other institutions of similar statute and function upon nomination and consideration by Congress. Also, the designation carries with it no operational support funds nor any positive prejudice for future support of operational deficits by any Federal agency.

Mr. EXON. Mr. President, this matter has been cleared on this side. This amendment as written would be under the Commerce Committee. But it has been cleared by the Commerce Committee. We have no objection on this side. I urge its adoption.

Mr. WARNER. Mr. President, I am thankful for the personal consideration of my colleague, who serves on the Commerce Committee.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment of the Senator from Virginia.

The amendment (No. 2443) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2444

(Purpose: To require a report on the disposal of certain property at the former Ford Ord Military Complex, CA)

Mr. EXON. Mr. President, I send an amendment to the desk in behalf of Senator BOXER and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mrs. BOXER, proposes an amendment numbered 2444.

Mr. EXON. 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 487, after line 24, add the following:

SEC. 2838. REPORT ON DISPOSAL OF PROPERTY, FORT ORD MILITARY COMPLEX, CALIFORNIA.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report describing the plans of the Secretary for the disposal of a parcel of real property consisting of approximately 477 acres at the former Fort Ord Military Complex, California, including the Black Horse Golf Course, the Bayonet Golf Course, and a portion of the Hayes Housing Facility.

Mrs. BOXER. Mr. President, as passed by the House of Representatives, the fiscal year 1996 Department of Defense authorization bill included a provision authorizing the Secretary of Defense to sell at fair market value to the city of Seaside, CA, two golf courses and neighboring property at Fort Ord. It was my hope to offer an amendment adding a similar provision during Senate consideration of the bill.

We had made significant progress toward agreement on such an amendment. Unfortunately, several important issues still remain unresolved. Because of the managers' strong desire to complete action on the bill, I have agreed not to offer my original proposal at this time. Instead, I have offered this amendment, which requires the Secretary of the Defense to submit a report to the Congress describing his plans for disposal of the property.

Final resolution of this issue now falls to the conference committee. It is my hope that the conferees will seriously consider adopting the House provision, or will modify it in a way that results in the prompt conveyance of this property.

Mr. NUNN. I can assure the Senator from California that the conferees will look very closely at the House provision. I understand the importance of this issue to the people of Monterey County and thank the Senator for her amendment.

Mr. EXON. Mr. President, this amendment that I have offered on behalf of Senator BOXER is an amendment which requires the Secretary of Defense to report to the Congress on the disposal plans of 477 acres of real property located at Fort Ord, CA.

Mr. President, I believe this is a noncontroversial amendment also that has been cleared on the other side of the aisle.

Mr. WARNER. Mr. President, the Senator is correct.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from California.

The amendment (No. 2444) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2445

(Purpose: To continue until May 1, 1996, the application of certain laws with respect to the ocean transportation of commercial items by the Federal Government)

Mr. WARNER. Mr. President, on behalf of the senior Senator from Alaska, Senator STEVENS, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. STEVENS, proposes an amendment numbered 2445.

Mr. WARNER. 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 305, beginning on line 1, strike all through line 10 and insert in lieu thereof the following:

SEC. 802. PROCUREMENT NOTICE POSTING THRESHOLDS AND SUBCONTRACTS FOR OCEAN TRANSPORTATION SERVICES.

(a) PROCUREMENT NOTICE POSTING THRESHOLDS.—Section 18(a)(1)(B) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(a)(1)(B)) is amended—

(1) by striking out ''subsection (f)—'' and all that follows through the end of the subparagraph and inserting in lieu thereof ''subsection (b); and''; and

(2) by inserting after ''property or services'' the following: ''for a price expected to exceed $10,000, but not to exceed $25,000,''.

(b) SUBCONTRACTS FOR OCEAN TRANSPORTATION SERVICES.—Notwithstanding any other provision of law, neither section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1241(b)) nor section 2631 of title 10, United States Code, shall be included prior to May 1, 1996 on any list promulgated under section 34(b) of the Office of Federal Procurement Policy Act (41 U.S.C. 430(b)).

Mr. EXON. Mr. President, I have just been advised that Senator BREAUX has asked to be a cosponsor of amendment

2445—as introduced and which was agreed to a few moments ago—by Senator STEVENS.

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

Mr. WARNER. Mr. President, this amendment would delay the implementation of regulations waiving the application of the Cargo Preference Act to subcontracts for commercial items.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. EXON. Mr. President, the amendment has been cleared on this side of the aisle.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment of the Senator from Alaska.

The amendment (No. 2445) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2446

(Purpose: To require that the fiscal year 1997 report on budget submissions regarding reserve components include a listing of specific amounts for specific purposes on the basis of an assumption of funding of the reserve components in the same total amount as the funding provided for fiscal year 1996)

Mr. EXON. Mr. President, in behalf of Senator ROBB, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. ROBB, proposes an amendment numbered 2446.

Mr. EXON. 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 331, between lines 19 and 20, insert the following:

(3) If the total amount reported in accordance with paragraph (2) is less than $1,080,000,000, an additional separate listing described in paragraph (2) in a total amount equal to $1,080,000,000.

Mr. ROBB. Mr. President, I rise to offer an amendment to fix, in part, a longstanding procedural contest between the executive and legislative branches. Each year, the administration sends over a budget request for the Department of Defense which includes funding for the National Guard and Reserves. Typically this budget includes a robust request for reserve personnel and O&M funding. But two accounts are invariably unfunded, or underfunded. They are the procurement account, which ensures our reserve forces have modern weaponry and equipment, and military construction, which provides the buildings and other infrastructure needed by the Reserves.

With one exception in the last 10 years, the administration's request has failed to include any funding for National Guard and Reserve weapons or equipment. In the last 5 years, Reserve construction has been underfunded in the request, typically by several hundred million dollars each year. The result is that the Congress must add the necessary funding and this leads to several complications., First, the Congress must add back funding that must be taken out of other requested defense programs, or increase the total defense authorization level above the request to accommodate the Reserves. Second, the Congress must determine specifically what the Reserves need in terms of equipment and construction, and how much these additions will cost. In the last several years, the Congress has in fact not specified exactly what equipment should be procured, but rather authorized a generic pot of money for each of the Reserve components and left the decision on how specifically to spend the money to the Department of Defense and the Guard and Reserves. This begs the question as to how the Congress came up with its reserve equipment dollar allocations.

This year, the Armed Services Committee decided to specify what equipment to procure, rather than leaving it up to the Department of Defense. Although this process involved extensive collaboration with the Guard and Reserves and the Department of Defense, it makes little sense that the Congress must initiate this process absent an administration recommendation. Without initial Department of Defense guidance, the Congress becomes vulnerable to catering to Member-interest items. More fundamentally, it is imprudent for the Department of Defense to ignore all Reserve equipment and many Reserve construction requirements during its regular budget preparations. How can our military be optimally structured if the Guard and Reserves are treated as mere afterthoughts in the budgeting process?

Since the Congress cannot require the executive to submit a Reserve budget recommendation at a set level, the bill before us has a useful provision requiring the Secretary of Defense to submit a report, concurrently with the fiscal year 1997 defense authorization request, that details actions taken by the Department of Defense to enhance the Guard and Reserves during the previous fiscal year. The provision also requires the Secretary to submit a details listing on how the department will spend its fiscal year 1997 Reserve equipment and construction requests. Because the administration can still choose to make a request of zero—or one that is far too low—this provision still will not necessarily fix the problem.

The amendment I offer today will do much to alleviate this problem, Mr. President. It requires the Secretary of Defense to include a listing or report, in addition to the one already required in the bill, that assumes a serious equipment and construction request level. In my amendment, the fiscal year 1996 Armed Services Committee authorization request level for Reserve equipment and construction of $1,080,000,000 is used, but any comparable sum will do the job. In other words, if the fiscal year 1997 Reserve equipment and construction requests are lower than $1,080,000,000, the Secretary of Defense must provide the Congress with a report detailing how it specifically would allocate funding for equipment and construction assuming that it would have this amount to spend.

The amendment accomplishes several things. It gives the Congress a foundation to work from in determining a rational topline for the Reserves. The Congress could decide on a significantly lower or higher amount, but at least it would have guidance from the Department of Defense on the Department's Reserve priorities should the Department again decide to deliberately underfund the Guard and Reserve. It forces the Department of Defense to fully address Guard and Reserve funding while Active Force budgets are under preparation. It reduces temptations by Congress to distort Reserve accounts with Member-interest items. Finally, it helps put the Reserves on equal footing with the Active Forces, rather than giving them the leftovers from budgeting for the active components.

Mr. President, it is my understanding that this amendment is acceptable on both sides, and I urge its adoption.

Mr. EXON. Mr. President, this amendment would modify section 1007 to require DOD to provide Congress with a prioritized list of modernization and investment priorities, at least for large amounts, amounts that will be funded by Congress this year. This will ensure that the Congress gets DOD's best advice on priorities for reasonably sized funding packages.

Mr. President, I believe this amendment has been agreed to by those on the other side of the aisle.

Mr. WARNER. The Senator is correct.

Mr. EXON. I urge adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment of the Senator from Virginia.

The amendment (No. 2446) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2447

(Purpose: Relating to interim leases of property approved for closure or realignment)

Mr. EXON. Mr. President, I send an amendment to the desk on behalf of Senators PRYOR, FEINSTEIN, and BOXER, and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. PRYOR, for himself, Mrs. FEINSTEIN, and Mrs. BOXER, proposes an amendment numbered 2447.

Mr. EXON. 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, after line 24, add the following:

SEC. 2825. INTERIM LEASES OF PROPERTY APPROVED FOR CLOSURE OR REALIGNMENT.

Section 2667(f) of title 10, United States Code, is amended by adding at the end the following:

''(4)(A) Notwithstanding the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the scope of any environmental impact analysis necessary to support an interim lease of property under this subsection shall be limited to the environmental consequences of activities authorized under the proposed lease and the cumulative impacts of other past, present, and reasonably foreseeable future actions during the period of the proposed lease.

''(B) Interim leases entered into under this subsection shall be deemed not to prejudice the final property disposal decision, even if final property disposal may be delayed until completion of the interim lease term. An interim lease under this subsection shall not be entered into without prior consultation with the redevelopment authority concerned.

''(C) The provisions of subparagraphs (A) and (B) shall not apply to an interim lease under this subsection if authorized activities under the lease would—

''(i) significantly effect the quality of the human environment; or

''(ii) irreversibly alter the environment in a way that would preclude any reasonable disposal alternative of the property concerned.''.

Mr. PRYOR. Mr. President, I rise to offer an amendment to help eliminate a current obstacle to the quick redevelopment of closing military bases.

My amendment will give the military service greater flexibility to negotiate longer interim leases for the reuse of base property where the military is preparing for its departure. It will do so in a responsible way that does not eliminate vital environmental safeguards.

This amendment will hopefully solve many interim leasing problems that are occurring at closing bases nationwise.

At Eaker Air Force Base in Blytheville, AR, Cotton Growers, Inc., approached the local redevelopment authority about storing cotton in an old B–52 hanger until cotton prices improved. Upon learning from the Air Force that they could receive only a 1 year lease with a 30 day cancellation clause, Cotton Growers Inc. decided not to locate at Eaker.

At Alameda naval base in Alameda, CA, AEG Transportation is seeking a 10-year lease to obtain use of base property to refurbish rail cars for the San Francisco-based BART public transit company. The BART contract is for 10 years, and AEG desires a 10 year commitment before spending millions of dollars on capital improvements to Alameda property. Unfortunately, the Department of the Navy is thus far unwilling to enter into a lease agreement longer than 5 years. This stalemate could result in the loss of an attractive tenant for Alameda.

The military services have informed my office that the inability to offer longer interim leases is due primarily to their fear of a lawsuit over requirements from the National Environmental Protection Act of 1969, the so-called NEPA. This amendment attempts to address this problem without degrading the environment or fully exempting interim leases from NEPA.

In recent years, Congress and the Clinton administration have made substantial progress in removing the obstacles that have blocked past efforts to redevelop bases. This amendment will help remove yet another barrier.

It will give the military services greater flexibility to negotiate with interested tenants. It also ensures that our effort to create jobs and economic activity on base does not come at the expense of the environment.

I thank the distinguished chairman and the ranking member for accepting this amendment.

I also thank the Department of Defense, the Departments of Army, Navy, and Air Force, the Council on Environmental Quality, the Environmental Protection Agency, Senators CHAFEE, BAUCUS, LAUTENBERG, and BOXER from the Senate Environment and Public Works Committee and Senators NUNN and THURMOND from the Senate Armed Services Committee who contributed greatly to the passage of this amendment.

Mr. EXON. Mr. President, this amendment provides the military services greater flexibility to negotiate longer interim leases for the reuse of property at a closing of a military installation. This amendment allows for flexibility without eliminating important environmental protections.

Mr. President, I believe this amendment has been agreed to on the other side.

Mr. WARNER. Mr. President, the Senator is correct.

Mr. EXON. I urge adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment of the Senator from Arkansas.

The amendment (No. 2447) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2448

(Purpose: Relating to the operational support airlift aircraft fleet)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. GRASSLEY, proposes an amendment numbered 2448.

Mr. WARNER. 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, between lines 16 and 17, insert the following:

SEC. 1095. OPERATIONAL SUPPORT AIRLIFT AIRCRAFT FLEET.

(a) SUBMITTAL OF JCS REPORT ON AIRCRAFT.—Not later than February 1, 1996, the Secretary of Defense shall submit to Congress the report on aircraft designated as Operational Support Airlift Aircraft that is currently in preparation by the Joint Chiefs of Staff.

(b) CONTENT OF REPORT.—(1) The report shall contain findings and recommendations regarding the following:

(A) Modernization and safety requirements for the Operational Support Airlift Aircraft fleet.

(B) Standardization plans and requirements of that fleet.

(C) The disposition of aircraft considered excess to that fleet in light of the requirements set forth under subparagraph (A).

(D) The need for helicopter support in the National Capital Region.

(E) The acceptable uses of helicopter support in the National Capital Region.

(2) In preparing the report, the Joint Chiefs of Staff shall take into account the recommendation of the Commission on Roles and Missions of the Armed Forces to reduce the size of the Operational Support Airlift Aircraft fleet.

(c) REGULATIONS.—(1) Upon completion of the report referred to in subsection (a), the Secretary shall prescribe regulations, consistent with the findings and recommendations set forth in the report, for the operation, maintenance, disposition, and use of aircraft designated as Operational Support Airlift Aircraft.

(2) The regulations shall, to the maximum extent practicable, provide for, and encourage the use of, commercial airlines in lieu of the use of aircraft designated as Operational Support Airlift Aircraft.

(3) The regulations shall apply uniformly throughout the Department of Defense.

(4) The regulations should not require exclusive use of the aircraft designated as Operational Support Airlift Aircraft for any particular class of government personnel.

(d) REDUCTIONS IN FLYING HOURS.—(1)(a) The Secretary shall ensure that the number of hours flown in fiscal year 1996 by aircraft designated as Operational Support Airlift Aircraft does not exceed the number equal to 85 percent of the number of hours flown in fiscal year 1995 by such aircraft.

(2)(a) The Secretary should ensure that the number of hours flown in fiscal year 1996 for helicopter support in the National Capital Region does not exceed the number equal to 85 percent of the number of hours flown in fiscal year 1995 for such helicopter support.

(e) RESTRICTION ON AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated under title III for the operation and use of aircraft designated as Operational Support Airlift Aircraft, not more than 50 percent of such funds shall be available for that purpose until the submittal of the report referred to in subsection (a).

Mr. GRASSLEY. Mr. President, I would like to thank the chairman of

the committee, Senator THURMOND, and the ranking minority member, Senator NUNN, for their assistance and cooperation in developing this compromise agreement on the operational support airlift [OSA] aircraft issue.

This amendment deals with the 600 executive aircraft and VIP helicopters operated by the Department of Defense [DOD]. These are called OSA aircraft.

I think we have succeeded in working out a reasonable compromise on the OSA issue.

When I first began discussing the issue, I was recommending a 50-percent cut in the OSA fleet.

But from day 1, I never claimed to have the magic solution. The 50 percent figure was nothing more than a starting point.

I just wanted to see us take a significant first step down the road toward downsizing the OSA fleet.

Mr. President, the idea of downsizing the OSA fleet was not dreamed up by CHUCK GRASSLEY.

My thinking on this issue is based on a mountain of studies and analyses—all prepared by the DOD.

All the studies point in one direction: cut the OSA fleet.

In February 1993, the Chairman of the Joint Chiefs of Staff, Gen. Colin Powell, recommended that the OSA fleet be cut.

In September 1994, the Chief of Staff of the Air Force, General McPeak, recommended that the OSA fleet be cut.

Then in May 1995, the DOD Commission on Roles and Missions recommended that the OSA fleet be cut.

Well, the Roles and Missions Commission was chaired by Mr. John P. White.

Right after Mr. White made those recommendations, he became the Deputy Secretary of Defense.

So cutting the OSA fleet is not CHUCK GRASSLEY's idea.

The idea of cutting the OSA fleet is coming directly from the top at the Pentagon.

CHUCK GRASSLEY is just trying to do what these top DOD officials say must be done. That's it.

Mr. President, this issue has been studied to death.

It's time to make some cuts.

This is where the rubber meets the road.

The only question is this: How do we do it?

How should the cuts be made?

The compromise agreement embodied in this amendment starts us down the road toward downsizing the OSA fleet.

It gets us headed in the right direction.

It directs DOD to develop a plan to carry out the recommendations of the Commission on Roles and Missions.

It directs DOD to identify excess OSA aircraft and to develop a plan for disposing of those aircraft.

It directs DOD to prescribe regulations that would require the use of commercial airlines for routine official travel.

And those regulations must not require the use of OSA aircraft by any particular class of personnel.

The compromise agreement would curtail OSA flight operations by 15 percent in fiscal year 1996.

The reduction in operations would also apply to helicopter flights in the National Capital region.

The amendment contains a device to encourage DOD to submit its plan for downsizing the OSA fleet in a timely manner.

Fifty percent of all OSA funds in the bill are fenced until the plan is submitted to Congress.

Again, Mr. President, I thank the chairman and ranking minority member for their help in crafting this compromise agreement.

I would also like to thank a member of the committee staff, Mr. Steve Madey, for his persistence and determination. His efforts were instrumental in shaping the final agreement.

We can revisit the issue next year after we have had an opportunity to assess how well the DOD plan is working.

Mr. WARNER. Mr. President, this amendment would reduce the Flying Hour Program for operational support aircraft and require a review of regulations and a study. I understand it has been accepted on both sides.

Mr. EXON. This represents the responsible role for the operation of support aircraft and responds to the recommendations by management of these aircraft by the Chairman of the Joint Chiefs and the Commission on Rules and Missions of the armed services.

We strongly support the amendment and urge its adoption.

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

The PRESIDING OFFICER (Mr. FRIST). If there is no further debate, the question is on agreeing to the amendment of the Senator from Iowa.

The amendment (No. 2448) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2449

(Purpose: To transfer funds for procurement of communications equipment for Army echelons above corps)

Mr. WARNER. Mr. President, on behalf of the senior Senator from New Mexico, [Mr. DOMENICI], and the Senator from Hawaii, [Mr. INOUYE], I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. DOMENICI, for himself and Mr. INOUYE, proposes an amendment numbered 2449.

Mr. WARNER. 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 49, between lines 14 and 15, insert the following:

SEC. . ARMY ECHELON ABOVE CORPS COMMUNICATIONS.

Of the amount authorized to be appropriated under section 201(3), $40,000,000 is hereby transferred to the authorization of appropriations under section 101(5) for procurement of communications equipment for Army echelons above corps.

Mr. DOMENICI. Mr. President, I understand that my amendment on the Army's EAC communications system has been accepted on both sides. I want to thank the Senators THURMOND, WARNER, and NUNN for their cooperation in this effort. My amendment will fund modernization of the Army's vital command, control, and communication systems. It will allow the Army to move more of its communications equipment, including switches, multiplexer assemblies, message controllers, network assemblies, and other equipment, into combat areas quickly during combat and contingency operations.

This program has allowed the Army to downsize its combat communications equipment to the point that it can now transport more critical combat information systems into a fire zone in less time and at significantly less cost than before.

For example, the benefits of this program save $1 million in air transportation costs every time the Army move a single communications battalion from Fort Gordon, GA to a major center in the Middle or Far East. Consequently, if the Army moves a minimum of 25 communications battalions this year during exercises, it will save $25 million in operational costs.

Furthermore, this new equipment permits the Army combat personnel to communicate more frequently, under severely adverse conditions, with greater success than ever before. The new systems are faster, more secure, vastly more dependable, and of significantly smaller size than their predecessors. They also provide more interoperability than has ever been possible.

The new downsized configurations of this equipment fit neatly into the Army's latest heavy HMMWV. Sizeable numbers of these vehicles can be transported into combat zones on C–141 and C–5 aircraft, providing significantly more communications capability in world hot spots sooner than was previously possible.

Maj. Gen. Edward Anderson, Deputy Chief of Staff, Operations and Planning for Force Development, strongly support this program. Nevertheless, the Army has been limited in its budget submissions due to modernization and weapons systems requests. I believe this amendment addresses the critical communications needs of the Army, and I thank the Senate Armed Services Committee for its support.

Mr. WARNER. Mr. President, this amendment adds $40 million for the

procurement of certain communications programs for the Army.

Mr. EXON. Mr. President, this amendment would allow the Army to continue its program to make theater-level communications units more capable, lighter and more easily deployable in emergencies.

We think it is a very good amendment. We urge its adoption.

Mr. WARNER. Mr. President, I thank my distinguished colleague, and I urge its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment of the Senator from New Mexico.

The amendment (No. 2449) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2450

(Purpose: To authorize the conveyance of certain parcels of real property at Fort Sheridan, IL)

Mr. EXON. Mr. President, I send an amendment to the desk in behalf of Senator SIMON, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. SIMON, proposes an amendment numbered 2450.

Mr. EXON. 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 487, below line 24, add the following new sections:

SEC. 2838. LAND CONVEYANCE, NAVY PROPERTY, FORT SHERIDAN, ILLINOIS.

(a) AUTHORITY TO CONVEY.—Subject to subsections (b) and (l), the Secretary of the Navy may convey to any transferee selected under subsection (i) all right, title, and interest of the United States in and to a parcel of real property (including any improvements thereon) at Fort Sheridan, Illinois, consisting of approximately 182 acres and comprising the Navy housing areas at Fort Sheridan.

(b) REQUIREMENT FOR FEDERAL SCREENING OF PROPERTY.—The Secretary may not carry out the conveyance of property authorized by subsection (a) unless the Secretary determines that no department or agency of the Federal Government will accept the transfer of the property.

(c) CONSIDERATION.—(1) As consideration for the conveyance under subsection (a), the transferee selected under subsection (i) shall—

(A) convey to the United States a parcel of real property that meets the requirements of subsection (d);

(B) design for and construct on the property conveyed under subparagraph (A) such housing facilities (including support facilities and infrastructure) to replace the housing facilities conveyed pursuant to the authority in subsection (a) as the Secretary considers appropriate;

(C) pay the cost of relocating Navy personnel residing in the housing facilities located on the real property conveyed pursuant to the authority in subsection (a) to the housing facilities constructed under subparagraph (B);

(D) provide for the education of dependents of such personnel under subsection (e); and

(E) carry out such activities for the maintenance and improvement of the facilities constructed under subparagraph (B) as the Secretary and the transferee jointly determine appropriate.

(2) The Secretary shall ensure that the fair market value of the consideration provided by the transferee under paragraph (1) is not less than the fair market value of the property interest conveyed by the Secretary under subsection (a).

(d) REQUIREMENTS RELATING TO PROPERTY TO BE CONVEYED TO UNITED STATES.—The property interest conveyed to the United States under subsection (c)(1)(A) by the transferee selected under subsection (i) shall—

(1) be located not more than 25 miles from the Great Lakes Naval Training Center, Illinois;

(2) be located in a neighborhood or area having social and economic conditions similar to the social and economic conditions of the area in which Fort Sheridan is located; and

(3) be acceptable to the Secretary.

(e) EDUCATION OF DEPENDENTS OF NAVY PERSONNEL.—(2) In providing for the education of dependents of Navy personnel under subsection (c)(1)(D), the transferee selected under subsection (i) shall ensure that such dependents may enroll at the schools of one or more school districts in the vicinity of the real property conveyed to the United States under subsection (c)(1)(A) which schools and districts—

(A) meet such standards for schools and school districts as the Secretary shall establish; and

(B) will continue to meet such standards after the enrollment of such dependents regardless of the receipt by such school districts of Federal impact aid.

(f) INTERIM RELOCATION OF NAVY PERSONNEL.—Pending completion of the construction of all the housing facilities proposed to be constructed under subsection (c)(1)(B) by the transferee selected under subsection (i), the Secretary may relocate Navy personnel residing in housing facilities located on the property to be conveyed pursuant to the authority in subsection (a) to the housing facilities that have been constructed by the transferee under such subsection (c)(1)(B).

(g) APPLICABILITY OF CERTAIN AGREEMENTS.—The property conveyed by the Secretary pursuant to the authority in subsection (a) shall be subject to the Memorandum of Understanding concerning the Transfer of Certain Properties at Fort Sheridan, Illinois, dated August 8, 1991, between the Department of the Army and the Department of the Navy.

(h) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the real property interest to be conveyed under subsection (a) and of the consideration to be provided under subsection (c)(1). Such determination shall be final.

(i) SELECTION OF TRANSFEREE.—(1) The Secretary shall use competitive procedures for the selection of a transferee under subsection (a).

(2) In evaluating the offers of prospective transferees, the Secretary shall—

(A) consider the technical sufficiency of the offers and the adequacy of the offers in meeting the requirements for consideration set forth in subsection (c)(1); and

(B) consult with the communities and jurisdictions in the vicinity of Fort Sheridan (including the City of Lake Forest, the City of Highwood, and the City of Highland Park and the County of Lake) in order to determine the most appropriate use of the property to be conveyed.

(j) DESCRIPTIONS OF PROPERTY.—The exact acreage and legal descriptions of the real property to be conveyed by the Secretary under subsection (a) and the real property to be conveyed under subsection (c)(1)(A) shall be determined by surveys satisfactory to the Secretary. The cost of such surveys shall be borne by the transferee selected under subsection (i).

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

SEC. 2839. LAND CONVEYANCE, ARMY RESERVE PROPERTY, FORT SHERIDAN, ILLINOIS.

(a) AUTHORITY TO CONVEY.—Subject to subsection (b), the Secretary of the Army may convey to any transferee selected under subsection (g) all right, title, and interest of the United States in and to a parcel of real property (including improvements thereon) at Fort Sheridan, Illinois, consisting of approximately 114 acres and comprising an Army Reserve area.

(b) REQUIREMENT FOR FEDERAL SCREENING OF PROPERTY.—The Secretary may not carry out the conveyance of property authorized by subsection (a) unless the Secretary determines that no department or agency of the Federal Government will accept the transfer of the property.

(c) CONSIDERATION.—(1) As consideration for the conveyance under subsection (a), the transferee selected under subsection (g) shall—

(A) convey to the United States a parcel of real property that meets the requirements of subsection (d);

(B) design for and construct on the property conveyed under subparagraph (A) such facilities (including support facilities and infrastructure) to replace the facilities conveyed pursuant to the authority in subsection (a) as the Secretary considers appropriate; and

(C) pay the cost of relocating Army personnel in the facilities located on the real property conveyed pursuant to the authority in subsection (a) to the facilities constructed under subparagraph (B).

(2) The Secretary shall ensure that the fair market value of the consideration provided by the transferee under paragraph (1) is not less than the fair market value of the real property conveyed by the Secretary under subsection (a).

(d) REQUIREMENTS RELATING TO PROPERTY TO BE CONVEYED TO UNITED STATES.—The real property conveyed to the United States under subsection (c)(1)(A) by the transferee selected under subsection (g) shall—

(1) be located not more than 25 miles from Fort Sheridan;

(2) be located in a neighborhood or area having social and economic conditions similar to the social and economic conditions of the area in which Fort Sheridan is located; and

(3) be acceptable to the Secretary.

(e) INTERIM RELOCATION OF ARMY PERSONNEL.—Pending completion of the construction of all the facilities proposed to be constructed under subsection (c)(1)(B) by the transferee selected under subsection (g), the Secretary may relocate Army personnel in the facilities located on the property to be conveyed pursuant to the authority in subsection (a) to the facilities that have been

constructed by the transferee under such subsection (c)(1)(B).

(f) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the real property to be conveyed under subsection (a) and of the consideration to be provided under subsection (c)(1). Such determination shall be final.

(g) SELECTION OF TRANSFEREE.—(1) The Secretary shall use competitive procedures for the selection of a transferee under subsection (a).

(2) In evaluating the offers of prospective transferees, the Secretary shall—

(A) consider the technical sufficiency of the offers and the adequacy of the offers in meeting the requirements for consideration set forth in subsection (c)(1); and

(B) consult with the communities and jurisdictions in the vicinity of Fort Sheridan (including the City of Lake Forest, the City of Highwood, and the City of Highland Park and the County of Lake) in order to determine the most appropriate use of the property to be conveyed.

(h) DESCRIPTIONS OF PROPERTY.—The exact acreage and legal descriptions of the real property to be conveyed by the Secretary under subsection (a) and the real property to be conveyed under subsection (c)(1)(A) shall be determined by surveys satisfactory to the Secretary. The cost of such surveys shall be borne by the transferee selected under subsection (g).

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

Mr. EXON. Mr. President, on behalf of Senator SIMON, I offer this amendment which would authorize the Secretary of the Navy to convey real property and military family housing at the former Fort Sheridan, IL, to a competitive bidder in exchange for a parcel of real property and a newly constructed Navy neighborhood of excellence; and, two, authorize the Secretary of the Army to convey real property at former Fort Sheridan, IL, to a competitive bidder in exchange for a parcel of real property and newly constructed Army Reserve facilities. These property changes are at fair market value.

Mr. President, I believe this amendment has been cleared on both sides.

Mr. WARNER. Mr. President, it has been cleared. I wish to thank my distinguished colleague. This is an issue that has been before the committee on which the Senator from Nebraska and I serve. We would note that Senator Dixon tried to lay foundations for this many years ago. It has been considered by the committee through the years, and I strongly support the amendment.

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

So the amendment (No. 2450) was agreed to.

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

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

The motion to lay on the table was agreed to.

MISSING SERVICE PERSONNEL

Mr. DOLE. Mr. President, before we conclude consideration of the fiscal year 1996 Defense authorization bill, I would like to make a few comments regarding section 551, which addresses the determination of whereabouts and the status of missing persons. Section 551 is the direct result of S. 256, the Missing Service Personnel Act of 1995, which I introduced on January 20 of this year. I want to thank Senator COATS, the Personnel Subcommittee chairman, for his efforts to include as much of the original bill in the Defense authorization bill as was possible. It wasn't easy. DOD had its objections, as did a number of our colleagues.

The original intent of S. 256 was to reform the Department of Defense's procedures for determining the status and location of missing personnel of the Armed Forces. Legislation concerning those missing in action has not changed in the past 50 years. Since the Vietnam war, the Department of Defense and the United States Government have been criticized for their handling of the POW/MIA issue. Some of that criticism is justified. The Government's own actions—or inaction—has provoked legitimate criticism. S. 256 was an attempt to correct these problems and establish a fair and equitable procedure for determining the exact status of missing personnel. At the same time, it was my hope that we might restore some of the Department's credibility on this issue and renew the trust between the public and the Federal Government.

I realize that some who supported S. 256 are concerned that section 551 is not identical. I agree, it is not everything we had hoped to achieve. However, I do believe that section 551 represents the best language we could pass in the Senate. There are reforms we had hoped to achieve but which are not reflected in the Defense authorization bill. But our colleagues in the House have included this matter in their version of the Defense authorization bill. In my view, some of the House language better reflects our original bill. When the Senate goes to conference, it is my hope that all of the essential provisions of the original bill will be included in the conference report.

So, again, I would like to thank Senator COATS for his efforts. Section 551 centralizes oversight and responsibility for accounting for missing persons, it establishes new procedures for reviewing cases of missing persons, and it protects the missing service member from being declared dead solely based on the passage of time. I look forward to working with my colleagues to ensure that the conference report includes all of the necessary reforms outlined in S. 256.

Mr. WARNER. Mr. President, the chairman of the Armed Services Committee, Mr. THURMOND, again has asked that I urge Senators to come forward with their amendments. We are making some steady progress this morning. I believe we are about to receive instructions from the majority leader that the Senate will stand in recess.

Mr. EXON. Mr. President, just before we recess, if I may make a brief statement, I thank once again the chairman of the committee for his cooperation.

I thank my friend from Virginia. For the last few minutes we have worked together to pass a whole series of amendments that were not controversial. I simply say that we are making remarkable progress, and I understand that when we reconvene at 2:15, following the statement the Senator from Virginia is about to make, we will be moving forward and tentatively have unanimous consent on an agreement that is going to collapse about an hour and a half of time which would otherwise be required, followed by another amendment the Senator from Nebraska had intended to offer if this amendment does not pass, which I understand will now.

So I am overjoyed to announce to Senators that we are making remarkable progress under the bipartisan cooperation of both sides. It would appear to me that if we can continue this remarkable speed, we could have a chance of passing both the defense authorization and appropriations bills at a very fair and early hour this evening. I thank my friend from Virginia and those on that side of the aisle for their cooperation.

Mr. WARNER. Mr. President, I thank my distinguished friend and colleague. It is always a pleasure to work with him as we have now 17½-plus years.

RECESS

Mr. WARNER. Mr. President, in accordance with the usual schedule of the Senate on Tuesday, there will be the caucus luncheons, and therefore I ask unanimous consent that the Senate stand in recess until the hour of 2:15.

There being no objection, the Senate, at 12:42 p.m., recessed until 2:15 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. DEWINE).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2429

The PRESIDING OFFICER. The question occurs on the Exon amendment No. 2429.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I rise to clarify the intent of section 3135 of the Senate's 1996 National Defense Authorization Act which provides $50 million for the preparation of hydronuclear experiments below a 4 pound TNT explosive equivalent at the Nevada test site. This provision does