

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