leaked into the environment. Adequately addressing this situation is absolutely essential, and is in fact codified in the Tri-Party Agreement entered into by the DOE, EPA, and Washington State. Regardless of the method of contracting selected, the time line required in that agreement must be met.

Currently, DOE is employing an innovative contracting approach to dealing with the remediation of those tank wastes called privatization. DOE embarked on privatization to attract outside financial resources to finance the final design, construction and operation of cleanup projects, which would in turn allow their scarce budget resources to be used to accelerate other cleanup actions. The Department also wanted to take advantage of a commercial approach that has shown in the private sector not only to save dollars, but to reduce the time required to accomplish the task.

Section 3104 of the bill authorizes $275 million for DOE environmental management privatized projects, including $147 million for TWRS at Hanford. This funding is critical to demonstrate to the privatization contractors the Department's financial commitment to proceed with privatization. Without sufficient funds being reserved, the privatization contractors—which plan to put up their capital to develop the cleanup project—and the contractors' investors have little assurance that TWRS or other privatization contracts will be fully funded.

While I am concerned that the committee's authorization is not high enough to preclude some out-year BA spikes for the privatization program, I will forgo offering an amendment to increase this year's funding with the understanding that the committee recognizes the need to provide at a minimum $147 million in budget authorization for TWRS to send the correct signal to the contractors and financial community.

Do I have the assurance of the Senator that he will stand fast on the Senate position of $147 million for TWRS in the upcoming conference with the House?

Mr. SMITH. If the Senator will yield, yes I will vigorously defend in the conference the Senate position of providing at least $147 million for TWRS.

Mr. GORTON. Even if we secure the full $147 million in conference, as I hope we do, the fiscal year 1998 authorization is significantly less than the administration request. Does the failure to authorize TWRS funding at the administration's request level in any way suggest that Congress is backing away from the TWRS privatization project?

Mr. SMITH. If the Senator will yield further, the fact that we did not authorize TWRS at the level initially recommended by the administration in no way should be viewed as prejudicial. We believe the authorization of $147 million, coupled with the $170 million already appropriated in fiscal year 1997 is sufficient for the TWRS project to proceed with absolutely no delay in the schedule or change in the intended work scope. The TWRS project will have $371 million in authorized funds available if the committee mark becomes law. Given anticipated spending rates for both contractor teams, the TWRS project will end fiscal year 1998 with a surplus of $207 million. We believe this authorization level sends the proper signal to the contractor and the investor communities that Congress is committed to cleaning up Hanford's tank farm.

Mr. GORTON. Does the committee and the chairman further understand that the $147 million provided in fiscal year 1998 represents a very minimum amount given the overall work intended, and the need to bank some budget authority to avoid significantly larger budget authority requirements in later years?

Mr. SMITH. Yes, and I can assure the Senator that this committee will take a close look at the TWRS project next year, and if the issues and reporting requirements identified in section 3131 are addressed by DOE, and hopefully they will be, we will provide the budget authority necessary for the continuation of the project.

Mr. GORTON. Finally, section 3131, particularly subsection (b), suggests that the authorization amount for privatization projects as defined in section 3104 cannot be used for new contractual obligations until DOE provides a report setting forth a number of basic cost, construction, and savings related provisions. Yet, in the context of the TWRS project, contracts are already in place with two contractors. Each contract contains two parts: a part A in which the contractors will provide deliverables to support the construction and operation of a TWRS facility, and a part B in which DOE, assuming part A deliverables are acceptable, authorizes the contractor, or contractors, to proceed with the permitting and construction of a waste processing facility. Since two Hanford tank waste remediation systems' contracts have already been awarded, and any followon work for part B would be considered an exercised option, I want to be clear that these provisions in section 3131 do not constitute an abrogation or termination of the current contracts in existence.

Mr. SMITH. If the Senator will yield further, that is correct. It is not the intent to abrogate or terminate the existing contracts. However, it is the intent of the provision that any future privatization contracts or contract renewals or options exercised pursuant to an existing contract funded under section 3104 must be preceded by a detailed DOE report to Congress as called for in section 3131(b) of the bill. With respect to the TWRS contract, the section 3131 limitations and notice and wait requirement are applicable to the authorization to proceed with phase 1B. We are in no way attempting to slow down work on the Hanford tank farm cleanup. We are, in fact, trying to ensure a stable funding environment for such projects in order that they can move forward expeditiously.

Mr. GORTON. I thank the Senator for his clarification on these points. I also appreciate his assurance to support $147 million in TWRS in conference and his demonstrated commitment to the environmental management privatization concept. I yield the floor.

## GULF WAR VETERANS' HEALTH

Mr. BYRD. Mr. President, I support the amendment offered by my colleague from Connecticut, Senator DODD, and I am asking that I be included as a cosponsor. This amendment addresses some of the lessons to be learned from the Persian Gulf War in relation to the health of U.S. military personnel who served in that operation, many of whom are suffering from what has come to be called Persian Gulf War Illness, or Gulf War Syndrome.

This amendment requires the Department of Defense (DoD) and the Department of Veterans Affairs (VA) to assess the needs of, and prepare plans to provide effective health care to, veterans of the Persian Gulf War and their dependents. It also directs the DoD and VA to consider the health care needs of reservists and former members of the military who suffer from Persian Gulf War Illness and who have fallen through the cracks of the military and veterans health care systems. If ultimately implemented, this plan, which is due by March 1, 1998, would be a significant improvement over the existing tragic situation faced by many Gulf War veterans and their families. This is the responsible way to deal with this issue, rather than leaving these families to struggle individually to deal with the effects of the invisible wounds suffered in the service of our Nation. I have spoken previously about a soldier struggling to provide health care for his child, fighting to cope with the child's severe deformities and health conditions that may have resulted from his exposure to toxins during the Gulf War, and about service members who have left the military because of their declining health and who cannot get medical insurance because of health conditions they believe are the direct result of their service.

A special concern that has arisen from our Gulf War experience concerns the use of new and investigational drugs and vaccines to protect our military personnel from the deadly effects of chemical and biological weapons. My colleague from West Virginia, Senator ROCKEFELLER, has taken a particular interest in this matter, and I commend him for his vigilance in looking after the interests of our military personnel in this regard. This amendment contains a provision to modify the U.S. Code to require notice to all service personnel whenever new or experimental drugs are being administered.

It also requires the Secretary of Defense to ensure that all service members' medical records accurately document the administration of these drugs, so that possible involvement in future post-war illnesses can be better studied.

In addition to looking at ways to deal with the health after-effects of the Gulf War, this amendment also implements other lessons learned from health problems arising from that conflict. It requires the Secretary of Defense to establish a system to better monitor the health of military personnel before deploying them to future operations overseas, and to maintain those records more efficiently. This will correct deficiencies noted from the Gulf War experience. The amendment also requires a plan to better track the daily movements and locations of units and individuals during future military operations. We have seen how important this is, given the difficulty that DoD has had over the past year in identifying those units that were in the vicinity of the Khamisiyah ammunition depot when U.S. forces destroyed it after the Gulf War, possibly releasing toxic chemical nerve and blister agents into the atmosphere. In admitting this incident, DoD officials first said only a small number of troops were in the immediate area, but, over time, the number of units has continued to grow, and the number of individuals affected has climbed to over 27,000. The number is expected to continue to grow as more information becomes available. Mr. President, these delays only add to the concerns of our veterans, and only continue to delay the effective medical treatment of affected soldiers.

Also in preparation for future wars in which chemical and biological weapons might be employed, this amendment requires a plan to deploy a specialized chemical and biological detection unit with military forces sent into those dangerous situations. In the Persian Gulf War, some 14,000 chemical alarms were set out and DoD witnesses have testified that the alarms sounded an average of three times a day, for a total of some 1.7 million alarms. Yet, most were dismissed as false alarms or battery tests. That is not information designed to instill confidence in these alarms, to say the least. A specialized unit could provide more reliable detection and confirmation of the threats faced by our forces.

On the medical front, this amendment calls for a review of the effectiveness of medical research initiatives regarding Gulf War illness, as well as a recommendation on the adequacy of federal funding for this issue. Last year, I offered an amendment, which was adopted, that provided $10 million for independent scientific research into the possible role of low levels of chemical warfare agents in Gulf War illnesses and their impact on the children of Gulf War veterans. This was a field of inquiry that had not been previously addressed by the Department of Defense or by the VA, and I am pleased that the DoD has moved quickly to award those funds to peer-reviewed research programs. I hope that these studies will provide answers in an expeditious manner, so that any findings might be rapidly put to use in providing effective treatment for our Persian Gulf veterans. It will be helpful to have an assessment of whether our efforts to date to help these soldiers and their families have been sufficient.

Finally, this amendment initiates a program of cooperative DoD-VA clinical trials to assess the effectiveness of medical treatment protocols for Persian Gulf veterans suffering from ill-defined or undiagnosed conditions.

Mr. President, these are useful provisions that will continue to place a much needed focus on the lingering and serious health concerns remaining from the Persian Gulf War. The slow and half-hearted efforts of the Department of Defense to address the health concerns of Persian Gulf veterans over the last six years has fed the cynicism that is spreading throughout our military, causing soldiers to lose confidence and faith in the system that is supposed to support them, and which they are expected to obey without question. That cynicism is a dark and spreading cancer that must be caught and corrected early, before the system is weakened beyond repair. This amendment is a step in that direction, and I am pleased to cosponsor it. I thank my colleague, Senator DODD, for his efforts.

CHIROPRACTIC HEALTH CARE DEMONSTRATION PROGRAM

Mr. CLELAND. Mr. President, I wanted to express my support for the amendment offered by the Chairman of the Senate Armed Services Committee which would extend a chiropractic health care demonstration program currently underway by the Department of Defense.

Congress authorized for fiscal year 1995 a demonstration program to evaluate the feasibility and desirability of furnishing chiropractic care for the military health service system. The demonstration was intended to be carried out over a 3-year period. Under the program, major military treatment facilities were permitted to contract for chiropractic health care. I would add that this follows in the wake of Congressional support for allowing chiropractors to be commissioned in the armed services. This amendment extends the demonstration program for 2 more years and would expand it to at least three additional military treatment facilities.

I believe we should expand the range of health care options available to soldiers, not restrict them. A few years ago, the distinguished minority leader, Senator DASCHLE, noted on the Senate floor that the United States has traditionally kept alternative forms of medicine on the fringes of society. He went on to note that, while we must protect patients from harmful treatment, we should allow them to choose the method and practitioner they prefer, especially when evidence indicates that a group of practitioners provides high quality, cost-effective care.

While I am not a doctor, I do believe that chiropractic health care presents an important health care option for our soldiers, especially given the types of health problems associated with the rigorous physical activity that our soldiers routinely engage in. Lower back pain is a frequent ailment that many soldiers understandably suffer from time to time. Many beneficiaries of the military health care system support the option to seek chiropractic treatment. I believe we should support that option.

The demonstration program will allow the Department of Defense to gather the necessary information to determine the impact and desirability of chiropractic care. I believe this is an important step toward assuring that we fully meet the health care needs of our men and women in uniform. They support the option of using chiropractic care. Let's gather the necessary information in order to make an informed decision on the matter. I am pleased that the Senate has adopted this amendment.

Mr. KOHL. Mr. President, I would like to speak for a few minutes about the importance of this bill and the profound responsibility which we have in determining our Nation's defense budget.

I am a cosponsor of a tactical fighter amendment which will be proposed later today by my distinguished colleague from Wisconsin. Senator FEINGOLD's amendment, which calls upon the Department of Defense to focus on strategic needs rather than special interests, represents an intelligent and responsible approach to protecting the security of our Nation. It is only the first step in what should be a revolution in our thinking about defense planning and spending.

Mr. President, some people believe that the revolution in military affairs is only a technological revolution: developing cutting-edge technology to preserve our military dominance into the future. In order to be successful, however, a revolution must impact strategy as well as technology.

While we, as a country, lead the world in defense technology, we are not making similar progress in our thinking about defense. While our technologies may be sleek, our defense complex is not. As a result, we spend far more than we need to in order to remain the world's superpower.

Many people say that we can't cut corners when it comes to national security. I agree. But that doesn't mean that we can't cut costs. In recent weeks we have stood on this floor and cut costs in Medicare and debated all too limited funding for education. Are we saying that we can we afford to cut corners with our children? Our parents? Of course not. We are saying that we have to cut costs—not corners.

I think we all want the same thing: to do the best for our country. And that means protecting our children, our parents, and the security of our Nation. It also means making wise financial decisions regarding all of our priorities. Without a sound economy, our children, our parents, and the security of our country are at risk.

Mr. President, I think we can be proud of what Congress has done this year in support of a balanced budget. Still, within that balanced budget we are not doing enough to challenge old-style thinking. In particular, I want to draw our attention to the fact that, when every other spending area is up for debate and in most cases adjusting to budget cuts, the defense budget seems to be untouchable.

In fact, both the Senate and the House plan to give the Administration $2.6 billion more than it requested for defense spending. Why?

Mr. President, it is impossible to have rational debate about defense spending issues because there is a majority in this body that hears the words ''cut defense'' and then does not listen to anything else.

Now, I realize that we have a bipartisan budget agreement this year—an agreement that takes us toward a balanced budget. Out of respect for that hard won compromise, I will not introduce any amendments to cut defense spending at this time. However, I urge us, as a Congress and as a Nation, to set aside our special interests and old-style thinking, and to look at defense spending just as we approach every other issue of importance to our Nation's future.

Let's not give the military things they don't need and, in some cases, haven't asked for. And let's be realistic and smart about what it takes to defend our national interests.

Do we really need 18 Trident submarines? If we retired just two of the older Tridents, we would still have the most powerful submarine fleet in the world—by far.

Similarly, there is an honest debate among experts about the ideal number of aircraft carriers. Many believe that we could hold the fleet down to 10 carriers and have more than enough to defend our global interests. Either of these plans would save billions of dollars over the next few years. Why isn't this debate going on in the Senate?

I could tell you that, if we gave up those Tridents or carriers, we could fund education or prevent crime or reduce the deficit. That's true. And all of those initiatives could use more funding. But that is not the only argument I want to make today. Yes, I believe we should spend more on kids. But even if we already had every dollar we needed for education, we still should spend our defense dollars wisely. I do not believe that we are doing that today.

I urge all of my colleagues to join me in an honest debate about our defense needs. If we don't start examining the defense budget more closely, it will remain a sacred cow to which we are beholden rather than a tool which we use to further the best interests of our country.

Mr. GLENN. Mr. President, I rise to make a few comments concerning S. 936, the fiscal year 1998 national defense authorization bill.

I worked this year with my colleague from Indiana, Senator COATS, on the Subcommittee on Airland Forces. This was our first year as chairman and ranking member on the subcommittee and I am pleased that we were able to work together very cooperatively.

It was in the spirit of bipartisanship that we reviewed the administration's budget request, the services' so-called wish lists, the testimony of our witnesses and our colleagues' requests for funding of various programs. In our first meeting, we agreed that we would adopt criteria for assessing funding requests, not unlike the criteria Senator MCCAIN and I established in the area of military construction several years ago.

Section 1059 of the bill expresses the sense of the Senate that, in considering providing additional funding for the Reserve Component equipment, the Senate look to whether there is a Joint Requirements Oversight Council validated requirement for the equipment, that the equipment is in the Reserve Component's modernization plan and is in the Defense Department's Future Years Defense Program, that the equipment is consistent with the employment and use of the Reserve Component, that the equipment is necessary for the national security of the country, and that additional funds could be obligated in the upcoming fiscal year. Section 1059 expresses the sense of the Senate that these criteria be met to the maximum extent practicable. I appreciate my colleagues' willingness to apply these standards to our funding decisions, so that we can work to make sure we are buying things that we truly need.

In accordance with the recent report of the Quadrennial Defense Review, the bill also adds about $150 million in funding for the Army's Force XXI [''21''], a ''digitization'' program that I agree has a great deal of potential. I am a strong supporter of the Army's efforts and I certainly agree that digitization of the battlefield offers tremendously enhanced situational awareness.

My concern as we embark on this multibillion dollar effort is that, in our enthusiasm to exploit these technologies to our advantage, we should not ignore the vulnerabilities to which these systems could already succumb.

We need to red team this technology—by this, I mean, we need to put ourselves in our adversaries' shoes and think about what our enemies would do to capitalize on our reliance on digitization. Would they jam us, would they spoof us, could they bring the whole system down? I believe that we need to be just as enthusiastic about testing potential vulnerabilities of digitization, because we can bet that our potential adversaries will be trying to undo us.

So, we are requiring a report on digitization and I am pleased that, at my request, the report will also outline the Army's plans to address jamming vulnerabilities and to use electronic countermeasures. I will be looking forward to that report, Mr. President.

I'd also like to take a moment to discuss one of the most difficult areas in the budget request: funding for tactical aviation programs. The Air Force, Navy and Marine Corps will all be modernizing their fighter forces over the course of the next two decades. The good news is the services will field the most modern and the most lethal aircraft in the world, the bad news is that these programs will be extraordinarily expensive.

Over the life of the F–22, the F/A–18 E/F and the Joint Strike Fighter programs, we can expect to spend several hundreds of billions of dollars in procurement alone, never mind operations and support costs. Some thought that maybe the QDR would make dramatic changes to these programs, but the QDR essentially revalidated the requirements for these programs with relatively small changes in the number of aircraft to be purchased in the out years—and it is still unclear to me when, or even whether, those cuts in the number of aircraft we will buy are going to generate any meaningful savings.

Making decisions on the enormous funding requests associated with these programs would be challenging enough alone, Mr. President, but when they are put in the context of the overall DOD budget and what just about everyone acknowledges is a sizable funding shortfall in future procurement accounts makes this task all the more daunting.

The Subcommittee on Airland Forces had several very good hearings on these programs. We had service witnesses, OSD witnesses, CBO, and contractors present testimony on our requirements and our progress in these programs both from a technical risk and a cost standpoint.

I have been very concerned that we not repeat mistakes made in the past, where Congress was left in the dark and we ended up with an unacceptably expensive program like the B–2 program. I'll be very candid, Mr. President, I have some strong reservations about what is currently happening in the F–22 program. The program is experiencing a $2 billion overrun in the research and development program, with a risk that there may be sizeable cost growth in the procurement program as well.

The Air Force and the contractor assure us that they can absorb these overruns by re-structuring the program and by taking out some preproduction verification aircraft. Some argue that this approach increases concurrency in

the program, while the Air Force argues that by slowing down the engineering and manufacturing development phase of the program that they will be able to reduce overall concurrency. I think the jury is still out on that Mr. President, and that we are going to have to watch this program very carefully.

Reasonable minds are going to disagree on what the best approach is to addressing this problem. I am afraid that I must disagree with the committee's approach on F–22. The bill before us cuts $500 million out of the program—20 percent of this year's request. I just don't see how taking such a big cut out of the program can address the cost overrun. There's no connection between the two as far as I can tell, and worse than that, I'm concerned that cutting the program will only serve to increase the technical risk.

I don't want my colleagues to misunderstand me. I agree that we need to be vigilant in our oversight of the F–22 program and we need to make sure that adequate controls are in place so that we don't end up with runaway costs. But, I think a better way to deal with the situation is to fence the money—put up hurdles that the Air Force must clear before it can have all of the money that's been requested. Once those hurdles have been cleared, the Air Force can move forward with the program as planned. Under the committee bill, even if the Air Force meets every program requirement, they will still be $500 million short at the end of the year—it seems more punitive than remedial, Mr. President.

There are some other parts of the bill to which I am adamantly opposed. First, I take strong exception to the section included in the general provisions which would prevent the General Accounting Office [GAO] from conducting any self-initiated audits, under its basic legislative authority, until all other outstanding congressional requests have been completed.

This language amends title 31 of the United States Code and is an unwarranted and unjustified intrusion into the jurisdiction of the Committee on Governmental Affairs. It represents a major policy shift in the operation and authority of GAO. One which this committee adopted without any consultation or input from the Governmental Affairs Committee.

The Governmental Affairs Committee held an oversight hearing on GAO last Congress. There were several Members on each side of the aisle at that time who served on both committees. I don't recall any Member raising this as an issue or discussing problems regarding GAO's self-initiated audits to light.

Moreover, the committee, under my chairmanship, contracted with the National Academy of Public Administration [NAPA] to comprehensively review GAO's management and operations. The NAPA study did not identify any problems related to GAO's conduct under their basic legislative authority, nor did it make any recommendations for our consideration on this issue. In fact, quite the contrary. Some analysts thought GAO should perform more, not less, self-initiated audits. In their view, GAO was often subject to rather parochial and narrow Member requests which only drained GAO's time and resources. I would note that GAO currently conducts 80 percent of its work in response to Member requests. A few years ago, it was far more evenly split.

Since 1921, the Comptroller General has had broad authority to evaluate programs and investigate on his own initiative all matters relating to the receipt, disbursement, and use of public money. Self-initiated authority has provided GAO the flexibility to pursue critical issues that auditors and investigators uncover in the course of their work. It is essential to the maintenance of generally accepted standards of independence and impartiality. Any restriction of this authority would be akin to us muzzling the auditor. The effect of this provision would be that, for example, work could not proceed on the next set of high risk list reports until all Member requests—just think if a Member requested GAO to examine alien abductions—not only had been staffed, but had been completed. On large jobs, it may take well over a year to do the work.

I know from my long service on the Governmental Affairs Committee that Members often disagree with GAO's conclusions on a particular report. That has happened to me more than once. But if we demand objectivity, and I think all of us do, then we must give GAO the independence and authority they need to do the job. We want them to be able to investigate mismanagement or fraud wherever it exists.

I regret that this committee did not see fit to consult with GAO's authorizing committee before slipping this provision in a massive bill at the last moment. I know that I, during my chairmanship of the Governmental Affairs Committee, would at least have consulted with the Armed Services Committee if we were going to act on legislation affecting title 10.

For these reasons, I will do all I can to strike this provision from this bill and I would hope my colleagues on both committees would join with me.

The committee's bill contains five land conveyance provisions—including one that was added at literally the last minute of the markup—and in their current form I am opposed to each of them. These conveyances are as follows:

Section 2813, Land Conveyance Hawthorne Army Ammunition Depot, Mineral County NV. This provision would authorize the Secretary of the Army to convey, at no cost, 33 acres of real property currently used as Army housing to Mineral County Nevada.

Section 2815, Land Conveyance, Topsham Annex Naval Air Station, Brunswick ME. This provision would authorize the Secretary of the Navy to convey, at no cost to the Maine School Administrative District No. 75, 40 acres or real property including improvements to the property.

Section 2816, Land Conveyance Naval Weapons Industrial Reserve Plant No. 464 Oyster Bay, NY. This provision would authorize the Secretary of the Navy to convey at no cost 110 acres of real property, including equipment, fixtures, special tools, and test equipment all of which comprise the Naval Industrial Reserve Plant No. 464 to the County of Nassau, NY.

Section 2817, Land Conveyance Charleston Family Housing Complex, Bangor ME. This provision would authorize the Secretary of the Air Force to convey at no cost 20 acres of real property currently used as Air Force housing to the city of Bangor ME.

Section 2818, Land Conveyance Ellsworth Air Force Base, SD. This provision would authorize the Secretary of the Air Force to convey at no cost 5 parcels of land totalling more than 290 acres to the Greater Box Elder Area Economic Development Corporation in Box Elder, SD. Each of the five parcels of land contains military housing units.

I am extremely disappointed that the committee has discontinued a process to evaluate land conveyances which started when I was chairman of the Readiness Subcommittee, and which was continued by Senator MCCAIN when he was chairman. This informal process sought to ensure that taxpayer's interests were partially protected, by conducting an expedited 30-day screen conducted by the General Services Administration for other Federal interest of each proposed conveyance. Because these land conveyance provisions waive the Federal Property and Administrative Services Act, the committee cannot assure taxpayers that the Federal Government is not seeking to acquire property that is similar to what the legislative provisions are giving away.

Now, Mr. President, some have suggested that screening this property for Federal interest is just a bureaucratic procedure that delays the productive use of property which the Member in his or her judgement believes to be the best interest of his or her constituents. Others have suggested that this process is a waste of time because the expedited screening policy implemented by Senator MCCAIN and myself never resulted in property being flagged for other Federal use.

I would like to address each of these points.

First, Federal screening is the law of the land. If Congress, and the Armed Services Committee in particular, believe that it is no longer necessary, the appropriate action is to amend the Federal Property and Administrative Services Act. It also appears that the intent of several of these conveyances is to get around the McKinney Act which Congress passed to address the needs of the homeless. I think it should be made clear that the McKinney Act has by and large been successful in providing housing to the homeless. If the proponents of these conveyances disagree, they should seek to amend McKinney rather than continually waive it.

Now let me explain why Federal screening of excess property makes

sense. I refer to a chart provided by the General Services Administration entitled, ''Recent Examples of Excess Real Property Screened by GSA with Federal Agencies and Subsequently Transferred to other Federal Agencies for Continued Federal Use.''

Mr. President this chart shows why Federal screening of excess property saves taxpayer dollars. The chart lists five examples, including two from the Department of Defense, where excess property from one agency was transferred to another Federal agency as a result of the screening process. The total value of property in these five examples is almost $36 million. What this means Mr. President, is that the screening process saved Federal taxpayers $36 million dollars because the receiving agencies were able to utilize property which the holding agency no longer needed.

Now I would ask the chairman or ranking member of the Readiness Subcommittee whether he can tell me if there is any Federal interest in the property which the committee proposes to give away?

I would further ask my friends what harm they see in ensuring that taxpayer's interests are minimally protected by requiring a Federal screen before allowing these conveyances to go forward? Would my colleague consider accepting an amendment for each of the conveyances I have identified that would require a satisfactory Federal screen as a condition of the conveyance?

It seems to me that there is the potential with these land conveyances for the taxpayer to lose twice. Once because another Federal agency may have a need for this property. And a second time because we are authorizing the military to give away the property instead of trying to seek a fair market value for it.

In the past, when I was chairman of the Readiness Subcommittee we asked the General Services Administration to provide a preliminary estimate of the value of the property which the committee was proposing to give away. I would note that each of the five conveyances included in the committee's bill would convey the property for no consideration. I think, at a minimum, we should at least have a ball park estimate of how much money the Government is losing with these provisions.

I would expect that my colleagues who speak of the importance of balancing the budget and are so-called deficit hawks would be interested in the result of GSA's valuation of these properties.

To conclude I have asked the GSA to conduct a 30-day screen for each property, and make an estimate, to the extent possible, of the value of each proposed conveyance. I will make this information available to my colleagues as soon as I have it.

In addition, I am strongly opposed to the committee's action in raising the budget for the space-based laser by $118 million. Deployment of this dubious star wars holdover would violate the ABM Treaty, cost an exorbitant amount, and not address any real current or anticipated near-term threat to our security. I have similar concerns about the $80 million that the committee is recommending for the antisatellite [ASAT] program.

The committee can find $118 for the space based laser and $80 million for ASAT, but is slashing $135 million from one of our most valuable national security programs, the Cooperative Threat Reduction Program. The proposal to cut $25 million from the Energy Department's Materials Protection, Control and Accounting [MPC&A] Program, another $50 million from the Department's international nuclear safety program, and $60 million from the CTR program itself—are to me extremely ill-advised. I strongly support the efforts by Senator BINGAMAN to restore and to increase funds for the MPC&A Program and the Initiatives for Proliferation Prevention program.

Perhaps most extraordinary of all was the committee's agreement to increase the National Missile Defense Program by a whopping $474 million without even first requiring a detailed explanation of how these funds would be spent. The committee's action offers strong evidence of a double standard at work in the current Congress, in which social and environmental programs are being slashed and subjected to congressional micromanagement, while a massive and provocative defense program escapes close congressional scrutiny. The committee is giving all the appearance here of handing the NMD Program a blank check, at the same time another bill, S. 7, would force the President to deploy a NMD system by the year 2003. I regard these actions both as poor defense policy and poor management of the public's funds.

Finally, I regret that the committee has acceded to the Department's request to cut end strength further. I understand the rationale that is used to support continued end strength reductions, i.e., to cut end strength in order to generate cash savings that can help pay for modernization programs, and I agree completely that our servicemembers deserve to have the best and most modern equipment available. However, I do not agree with the approach that we reduce the size of the force to pay for it.

We are using the military for peacetime operations as much today as at any time during the cold war. I believe that if we want to continue to deploy a superb and ready force, we cannot cut the size of the force year after year and operate at the same optempo. Even if modernization programs can reduce the manpower needed to conduct wartime or peacetime operations in the long term, in the near term, we still need people to carry out our important worldwide commitments.

I am concerned that we are rapidly falling below the manning levels necessary to either conduct our peacetime operations or credibly maintain a combat force capable of carrying out two nearly simultaneous major regional contingencies. Unfortunately, I do not believe it is possible to build a consensus in the Congress to maintain the appropriate size force, which I believe to be about 1.6 million active duty, when the Defense Department, itself, argues that it does not need these personnel and views the savings from end strength reductions as a relatively easy way to fund its weapons programs.

Mrs. FEINSTEIN. Mr. President, I rise in support of the DOD authorization bill for fiscal year 1998. This is a responsible bill that recognizes the national security threats we face, and properly funds the operations and modernization accounts needed to support the finest military in the world.

Over the past year, we have been constantly reminded that our military must be able to respond to a variety of threats all over the globe. The United States is unlike any other country in that we can identify important national interests in every region on the Earth, and our military must have the right equipment, training and resources to protect those interests. Our Armed Forces must be prepared for a variety of missions, from peacekeeping, humanitarian, and peace enforcement operations to rapid, full scale deployment.

This authorization bill recognizes the missions and roles our Armed Forces will face and provides an appropriate level of funding. While the fiscal year 1998 DOD authorization bill is nearly $3 billion higher than the President's budget request, it keeps total defense spending $3.3 billion below last year's inflation adjusted level. Although some of my colleagues may think this a negligible reduction, this is the 13th year in a row where the U.S. defense budget is less than it was the year before.

I believe this bill takes a significant step forward regarding DOD's depot maintenance policy. It maintains the public/private competition for depot maintenance workloads at Kelly and McClellan Air Force Bases which can save future taxpayer dollars. If the competitions for these workloads are won by the private sector, hundreds of millions of dollars in savings could be realized by avoiding the costs of new military construction, movement of the workload, and retraining workers at the remaining Air Logistics Centers. Privatization of non-core depot maintenance workloads is supported by Gen. John Shalikashvili, Chairman of the Joint Chiefs of Staff, Dr. John White, Deputy Secretary of Defense, the Aerospace Industries Association, Business Executives for National Security, and the U.S. Chamber of Commerce. Public/private competition is a good idea, and I am pleased this bill recognizes its value.

This bill also moves to address the critical readiness issues by author-

izing more than $77 billion in near-term readiness funding. This includes an increase of more than $1 billion for high priority programs such as ammunition procurement, flying hours, cold weather gear, and barracks renovation.

This year's defense bill also recognizes the needs of our men and women in uniform. I believe the committee wisely includes additional military construction projects, adopts a single, price-based housing allowance based on a national index for housing costs, and a 2.8 percent pay raise to better our uniformed military's standard of living.

I applaud the adoption of Senator STEVENS' amendment, to which I was an original cosponsor, to create a position on the Joint Chiefs of Staff for a four-star general to represent the National Guard Bureau. The National Guard is a vital part of our armed services, serving in times of crisis both at home and abroad. A four-star general will give the National Guard, which now comprise 55 percent of our ground forces, equal consideration and input at the real decision making levels in the Department of Defense.

I do not, however, support all the extra funds that were added to this bill. I felt it important to support of Senator BINGAMAN's amendment to cut $118 million from the Space Based Laser Program. I believe that a national missile defense is a laudable goal. There is, however, no immediate or even mid-term threat to U.S. security that suggests the need for the immediate development of this space based national missile defense system. Only Russia and China have nuclear-armed ICBM's that can reach the United States and China has no more than a dozen or so of these weapons. There is consensus within the national security and intelligence communities that it is very unlikely that additional countries can or will build ICBM's within the next two decades.

I will continue to strongly support the funding of critical theater missile defense systems and a national missile defense system that meet projected threats and achieve an affordable ballistic missile defense. Under this scenario, should threats to the United States begin to materialize, we will have sufficient lead-time to respond to those threats, and dedicate higher funding levels to develop and deploy a national missile defense system.

I also supported the Wellstone amendment to offset cuts in the veterans' health care budget by allowing the Secretary of Defense to transfer up to $400 million from DOD funds. I believe it is imperative that we support our veterans who have fought to guarantee us our freedom. The planned cuts in the VA will certainly have an effect on the availability and quality of health care and other essential services that are available to our veterans. I believe it would be only fair to give the Secretary of Defense the ability to transfer the funds which would offset the VA cuts, especially when this bill authorizes $2.6 billion more than the President's request.

Finally, Mr. President, I believe the Senate has acted wisely in requiring a comprehensive study of the base closure process before any further base realignment and closure rounds can occur. As the senior senator from California, I have seen firsthand how cumbersome and nightmarish the BRAC process has been. Communities continue to struggle with the base reuse process. In addition, environmental cleanup of closed bases is proceeding much slower and at much greater cost than expected. Finally, there are no reliable figures to show how much the Department of Defense has saved in the prior BRAC rounds, much less reliable estimates for savings in future rounds. I will not vote for further base closure rounds until these problems are resolved.

Mr. THOMPSON. Mr. President, I seek to withdraw an amendment I have filed to the fiscal year 1998 Defense authorization bill because I see that pressing ahead with this amendment at this time would only delay passage of this important legislation. Before I formally withdraw my amendment, however, I wish to inform my colleagues about the circumstances which prompted me to introduce this measure—circumstances which continue today.

A basic unfairness exists within the current regulations for membership in the National Guard. This inconsistency arbitrarily penalizes some patriotic Americans who serve their country well. It also hinders the ability of some National Guard units to attract and retain the most qualified individuals, thereby undermining the effectiveness of those units.

This situation was brought to my attention because of a constituent of mine, Robert Echols, of Nashville. Mr. Echols, a Federal district court judge in the Sixth Judicial Circuit in Tennessee, is also a colonel in the Tennessee National Guard where he has served with distinction for 27 years. In September 1995, Colonel Echols was recommended for promotion to the rank of brigadier general.

Although Colonel Echols' promotion was supported by the chief judge of the sixth judicial district, the Tennessee National Guard, and the National Guard Bureau here in Washington, to date his promotion has been delayed. The Assistant Secretary of the Army for Manpower and Reserve Affairs has cited a regulation limiting Guard service by certain Federal officials to explain this delay. Further exacerbating the unfairness to Colonel Echols is the fact that this regulation is inconsistently applied. Other Federal officials who should fall within the scope of the regulation serve in the Guard unhindered.

I have been working with the Pentagon since early this year to rectify this unfair situation. Thus far, no solution has been found. Indeed, the Pentagon has been unwilling to reconsider Colonel Echols' circumstance. They have also opposed my amendment to this legislation.

I offered my amendment in an attempt to address the specific situation of district court judges serving in the National Guard. Considering that the chief of the sixth circuit has written that Mr. Echols' Guard service does not hinder his ability to serve as a judge, it is clear to me that civil servants in this category should be considered for National Guard service on a case-by-case basis. That is what my amendment would have done.

Nevertheless, it has become clear to me that pressing forward in this fashion at this time will only delay passage of the critical Defense authorization bill, probably without rectifying the underlying problem. I will, therefore, withdraw the amendment at this time. I do intend, however, to continue working to find a solution to this unfair situation which penalizes Americans seeking to serve their country and undermines the effectiveness of National Guard units.

Mr. LUGAR. Mr. President, as the fiscal year 1998 Defense authorization bill moves to conference to resolve differences between the Senate and House versions of the bill, I am hopeful the conferees will give careful consideration to the Senate provision addressing the issue of the disposal of the U.S. chemical weapons stockpile. This provision requires an additional report to Congress by the Secretary of Defense on options available to the Department of Defense for the disposal of chemical weapons and agents.

Since 1985, Congress has directed the Army to conduct a number of studies and evaluations of our Nation's chemical weapons stockpile in order to determine the safest and most effective method of disposal. Regardless of the destruction timetables set forth in the recently ratified Chemical Weapons Convention, U.S. chemical agents and munitions must be disposed of by 2004 as a matter of national policy.

Determining a safe and cost effective method for disposal of our Nation's chemical weapons stockpile is an issue of concern to many communities and citizens located near the Army's eight CW storage sites. In my home State more than 1,000 1-ton containers of bulk VX nerve agent are stored at the Newport Army Chemical Activity, Newport, IN.

At the direction of Congress, the Army examined a range of disposal options and methods and involved significant public participation in the review process. The Army also considered the recommendations contained in an independent report on certain alternative technologies prepared by the National Academy of Sciences at the request of Congress.

On December 6, 1996, the Army recommended that the Department of Defense utilize a neutralization process

for disposal of bulk chemical agents stored at Aberdeen Proving Ground, MD, and Newport, IN. On January 17, 1997, the Department of Defense authorized the Army to proceed with the necessary activities to pilot test two neutralization-based processes for the destruction of chemical agents stored at Aberdeen and Newport.

As the conference meets to resolve differences between the House and Senate-passed versions of the fiscal year 1998 Defense authorization bill, I am hopeful conferees will be mindful of the important progress made by Congress and the Army since 1986 to address this issue.

Mr. WARNER. Mr. President, on behalf of the distinguished chairman, we are prepared to exchange a package of routine amendments which have been agreed to by the chairman, Mr. THURMOND, and the distinguished ranking member, Mr. LEVIN, and as far as this Senator knows that is the last item prior to final passage.

Mr. LOTT. Mr. President, it sounds to me as if good progress has been made here, and we are about ready to come to final passage on this very important legislation. I think it is a monumental achievement to be able to move a Department of Defense authorization bill in the way this has been moved and in the time it has been moved.

Therefore, after this vote, then, it will be the last vote of today. Following the disposition of the DOD authorization bill, the Senate will proceed to executive session to consider the nomination of Joel Klein to be an Assistant Attorney General. I expect some debate at the very minimum on that nomination today. The Senate will begin the DOD appropriations bill at 12 noon on Monday and at 3 p.m. on Monday conduct a cloture vote on the Klein nomination. Therefore, the next rollcall vote will occur at 5 p.m. on Monday. I encourage all Members who intend to amend the DOD appropriations bill to be prepared to offer their amendments on Monday. We hope to complete that bill by the close of business or afternoon Tuesday. This will be the final vote this week until Monday.

I yield the floor, Mr. President.

The PRESIDING OFFICER. Who seeks recognition?

Mr. WARNER. 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.

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

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

Mrs. HUTCHISON. Mr. President, as soon as this is worked out, I will not hold up the vote, but I just want to commend everyone for getting this very important bill through the Senate. The distinguished committee chairman, Senator THURMOND, our wonderful President pro tempore, has worked hardest to make sure that we have the armed services authorization with the policies in place that we need to provide for the strong national defense of this country. I commend him and his ranking member, Senator LEVIN, and all of those on the committee who have tried to make sure that we are using our tax dollars in an efficient way but with the foremost goal of providing the security of our country and for the support of the troops both in training, quality of life, and the technology that we need to make sure that our troops are the safest they can be when they are in the field and that they have the best equipment of any troops in the world, so that when they are called on to fight for the security of our Nation, they will be able to do the job.

I commend the committee and I commend its leaders.

I thank the Chair. I yield the floor and 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. COATS. 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. COATS. Mr. President, I do not intend to talk any longer than necessary, until we get a signal that we are ready to go to final passage. I don't want to hold anything up. I know a lot of people have planes to catch and commitments to make, and are very anxious to finalize this bill as quickly as possible. But, in that we were in a quorum call and not quite there yet, let me just take this opportunity to say how profoundly disappointed I am that we were not able to do anything to move toward additional base closings.

I doubt there is a Member in this body that doesn't understand that we have too much capacity. We had a force structure designed to address the cold war. The threats have changed, the force structure has been reduced, but the base infrastructure has not been reduced accordingly. As a consequence, with a fixed top budget line, that means we have to spread our resources around in areas that are not essential and sacrifice areas that are essential.

We do not begin to have the amount of money needed to modernize our forces. We have been talking about this for years and we keep postponing that. The quality of life for our soldiers, particularly in housing, has suffered. The state of our military housing is deplorable. Nearly two-thirds of current military housing is substandard and substandard by military standards, which is even below civilian standards. I am ashamed at what we ask people who commit to serve this country to live in; how we ask them to live. I have toured and visited those barracks, those homes. As former chairman of the personnel subcommittee, I made it a point to visit many bases both here and abroad. The state of our military housing is deplorable.

We cannot begin to shift enough funds there if we can't find the funds to shift. One of the ways proposed to address that is additional rounds of base closings. I know they are painful. None of us want to close bases in our States. I have had to participate in two base closings in our State and we only had two bases. But the people of Indiana supported that because they felt it was necessary, we did have excess capacity. And it was done in a fair manner. It was not easy. It was not painless. But it was necessary.

The argument that we have heard here on the floor that we don't know what the cost is going to be is a ludicrous argument. If you take that to its logical conclusion, we ought to be doubling the number of bases because it is going to save us money, because if cutting bases costs money it just makes sense that adding bases, new bases, would save money.

Every industry in America has had to adjust to the global changes that are taking place in business and become more productive. They have had to do more with less. So whether it's auto companies or electronics manufacturers or whatever, they have had to close excess capacity. Does that mean people get laid off? Yes. Transferred? Yes. Does it mean that communities are impacted? Yes. But for the institution to be viable for the future, it is a necessary step. Otherwise everybody gets hurt. Yet we refuse to do that here. I am just disappointed that we could not at least put some process—not even defining the process—but some process that would move us toward reducing this infrastructure and addressing the long-term problem that we have.

We might not get the savings in 3 years. It might not directly offset in the 5-year budget plan. But we know it is going to accrue positively for the Department of Defense at some point in the future; that maintaining these bases is simply going to continue to drain money from essential functions, to put pressure on pay, to put pressure on health care for the military members and their dependents, to put pressure on housing, quality of life, modernization and everything else.

Mr. President, we are moving toward finalizing this bill. It looks like an agreement is reached and I will yield the floor. We can talk about this more at another time.

Several Senators addressed Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, the fiscal year 1998 Defense budget request sent over by the administration continues to reflect the low priority given to our men and women serving in the armed services. For the third straight year, the administration has inadequately funded the national security interest of this Nation, particularly in the modernization accounts. Congress

added $2.6 billion in funding to the administration's request in order to provide the resources necessary to execute required national tasking. Additionally, the committee refocused the administration's budget request, adding over $5.2 billion to the procurement and research and development modernization accounts.

Service Chiefs requested that any potential additional funding be devoted toward key modernization accounts, as reflected in the respective services unfunded priority lists. Unfortunately, the bills proposed by the Senate Armed Services Committee and the House National Security Committee include a plethora of programs not requested by the Defense Department, virtually ignoring the request of the Pentagon and impeding the military's ability to channel resources where they are most needed. In my opinion, this bill contains in excess of $4.9 billion in questionable add-ons and expenditures that do little to contribute to our national security. Similarly, the House defense bill contains over $5.5 billion in objectionable defense adds.

Mr. President, the following highlight some of the more egregious projects:

The military construction and family housing accounts received unrequested plus-ups for low-priority U.S. based projects totaling over $772.0 million, including over $262.5 million for the National Guard and Reserves. This MILCON plus-up represents over $100 million more than was added to the 1997 Defense budget request. However, unlike last year, the committee has not had the luxury of adding nearly $13 billion to the overall budget request. The MILCON plus-up includes over $85 million for the construction of nine readiness and reserve centers for the Guard and Reserve at the same time that National Guard and Reserve end-strength is being cut by over 54,000 personnel.

The procurement account includes the unrequested funding of $343.3 million for six C–130 aircraft. General Fogleman testified before the committee that the Air Force had too many C–130 aircraft, in fact, he called it ''An embarrassment of riches.'' The House bill includes $331 million to keep the B–2 line open. The Chief of Naval Operations, No. 1 priority on his unfunded priority list was the addition of four F/A–18E/F aircraft. This request, his No. 1 priority, was overlooked by both committees.

The Senate bill includes $2.6 billion for procurement of four new attack submarines and proposes a teaming arrangement which effectively eliminates competition among shipyards. The American taxpayer will soon find itself funding submarines less capable by design than the *Seawolf*, and without the benefit of economic common sense which competition and free market principles would provide the cost will approach that of the *Seawolf*.

The bill includes unrequested plus-ups in excess of $42 million for automotive and combat vehicle technology research, including research on vehicle composites, electric drives, and battery recharging.

Included are plus-ups to medical research and development projects totaling over $26.5 million for retinal display research, freeze dried blood, and human factors engineering, among others.

Funding of approximately $17 million for unrequested research into the next generation Internet. I believe Bill Gates and Steve Jobs are capable of continuing the computer revolution without additional funding from DOD.

Mr. President, in summary, I am sure there are many programs on my list which may be good programs. I am sure that they benefit certain States, however, with military training exercises continuing to be cut, backlogs in aircraft and ship maintenance, flying hour shortfalls, military health care underfunded by $600 million, and 11,787 servicemembers reportedly on food stamps, I believe we need to forgo, in General Fogleman's terms, the ''Embarrassment of riches''.

Overall, I believe the committee has produced a fine defense bill, and I voted in favor of reporting it out of committee. It is imperative that we maintain the additional $2.6 billion added to the administration's request and I support the redirection of funds to the modernization accounts. However, the allocation of some of those funds to unnecessary spending still warrants concern, and I urge my colleagues to look carefully at these add-ons.

I ask unanimous consent two tables of objectionable programs be printed in the RECORD.

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

*Objectionable programs in the fiscal year 1998 Senate Armed Services defense bill*

[In millions of dollars]

| | |
|---|---|
| PROCUREMENT | |
| Army: C–XX Medium-Range Aircraft (5) | 23.0 |
| Navy: | |
| SSN–21 (SEAWOLF) | 153.4 |
| New Attack Submarine | 2,600.0 |
| Advance Procurement for TAGS–65 | 75.2 |
| Other Propellers and Shafts | 38.3 |
| Amphibious Raid Equipment | 1.6 |
| Air Force: | |
| C–130J Logistics | 48.0 |
| WC–130J (3) | 177.0 |
| Logistic Support for WC–130J | 29.7 |
| EC–130J | 70.5 |
| C–130J (2) | 95.8 |
| National Guard and Reserve Equipment | 653.0 |
| RESEARCH AND DEVELOPMENT | |
| Army: | |
| University and Industry Research Centers | 2.3 |
| Combat Vehicle and Automotive Technology | 4.0 |
| Medical Advanced Technology | 4.6 |
| Combat Vehicle and Automotive Advanced Technology | 9.0 |
| DoD High Energy Laser Test Facility | 10.0 |

*Objectionable programs in the fiscal year 1998 Senate Armed Services defense bill—Continued*

[In millions of dollars]

| | |
|---|---|
| Army Research Institute | 3.6 |
| National Automotive Center | 4.0 |
| Plasma Energy Pyrolysis System | 8.7 |
| Radford Environmental Development and Mgmt. Program | 6.0 |
| Naval Surface Warfare Center (ID) and Industry R&D | 1.75 |
| Intravenous Membrane Oxygenator Technology | 1.0 |
| Navy: | |
| Oceanographic and Atmospheric Technology | 16.0 |
| Medical Development | 2.5 |
| Industrial Preparedness | 50.0 |
| National Oceanographic Partnership Program | 16.0 |
| Freeze-Dried Blood Research Project | 2.5 |
| Air Force: | |
| Phillips Lab Exploratory Development | 15.0 |
| High Frequency Active Auroral Research Program | 11.0 |
| Defensewide: | |
| Electronic Commerce Resource Centers | 3.0 |
| Management Headquarters (Auxiliary Forces) | 5.8 |
| Advanced Lithography | 22.0 |
| OPERATION AND MAINTENANCE | |
| Center for Excellence in Disaster Management and Humanitarian Assistance (Hawaii) | 5.0 |
| MISCELLANEOUS | |
| Center for the Study of the Chinese Military National Defense University (NDU) | 5.0 |
| Senate procurement, RDT&E, and miscellaneous, total | 4,172.0 |
| Senate Milcon and Family Housing | 772.9 |
| Total Senate Questionable Spending | 4,944.9 |

*Objectionable Programs in the fiscal year 1998 House National Security defense bill*

[In millions of dollars]

| | |
|---|---|
| PROCUREMENT | |
| Army: | |
| C–12 Passenger Jets (modifications) | 6.0 |
| Automatic Data Processing Equipment | 13.0 |
| Navy: | |
| SSN–21 (SEAWOLF) | 153.4 |
| New Attack Submarine | 2,600.0 |
| KC–135 Tankers Re-Engining (3) | 179.7 |
| TAGS Oceanographic Ship (1) | 75.2 |
| LCAC SLEP | 17.3 |
| Fast Patrol Craft (modifications) | 20.0 |
| Sonobuoys (those not on ''wish list'') | 13.5 |
| Marine Corps: Fuel Storage Tanks | 2.0 |
| Air Force: | |
| B–2A Spirit Bomber | 331.2 |
| EC–130J (1) | 49.9 |
| C–130J (5) | 293.0 |
| AGM–65 Maverick Missile (no missiles procured; keep production line warm) | 11.0 |
| Weather Observation/Forecasting Program | 4.0 |
| Defense-Wide: | |
| Automated Document Conversion System | 30.0 |
| BMD National Laboratory Program | 50.0 |

*Objectionable Programs in the fiscal year 1998 House National Security defense bill—Continued*

[In millions of dollars]

| | |
|---|---|
| University-Based research Center to Oversee DoE Defense Projects | 5.0 |
| National Guard and Reserved: Total Reserved and Guard Equipment Add | 700.3 |
| RESEARCH AND DEVELOPMENT | |
| Army: | |
| Passive Camera Technology | 5.0 |
| Combat Vehicle & Automotive Technology | 11.0 |
| Field Battery Recharging Capability | 5.0 |
| Battery Manufacturing Technology | 3.0 |
| Combat Vehicle Composites | 2.0 |
| Combat Vehicle Electric Drive | 1.0 |
| Combat Vehicle Improvement Programs | 20.1 |
| Electromechanic & Hypervelocity Research | 1.9 |
| Projectile Detection & Cueing | 2.5 |
| Computer-Based Land Management Model | 4.9 |
| BEST | 4.0 |
| VREMT | 3.5 |
| Scram Jet Development | 8.0 |
| Tactical Internet C3 Protection | 2.0 |
| Electrorheological Fluids Recoil | 5.0 |
| Human Factors Engineering Technology | 5.1 |
| Eye Research, Retinal Display Technology | 5.0 |
| Life Support For Trauma & Transport | 6.0 |
| End Item Industrial Preparedness Activities | 15.0 |
| Navy: | |
| Freeze Dried Blood | 2.5 |
| Medical Mobile Monitor | 4.0 |
| Proton Exchange Membrane Fuel Cells | 1.8 |
| Carbonate Fuel Cells | 3.5 |
| Surface/Aerospace Surveillance And Weapons Technology Free Electron Laser | 10.0 |
| Surface/Aerospace Surveillance and Weapons Technology Free Electron Laser | 10.0 |
| AN/SPS–48E Air Search Radar at Naval Engineering Center | 6.0 |
| Air Force: | |
| Phillips Lab Exploratory Development | 6.0 |
| Protein-based Ultra-High Density Memory | 3.0 |
| ALR–69M Radar Warning Receiver | [1] 14.0 |
| Space Plane | 15.0 |
| Space Scorpius | 15.0 |
| Solar Thermionics Orbital Transfer Vehicle | 20.0 |
| Atmospheric Interceptor Technology | 25.0 |
| Eglin Air Force Base Instrumentation Improvements | 14.8 |
| Defense-Wide: | |
| Next Generation Internet | 15.0 |
| Wide Bandgap Semiconductors | 10.0 |
| Computing Systems and Communications Reuse Technology | 4.5 |
| Flat Panel Display Dual Use Initiative | 23.0 |
| 3–D Microelectronics Technology Initiative | 7.5 |
| Environmentally Safe Energetic Materials Research | 3.0 |
| Advanced Lithography Technologies Program | 21.0 |
| MARITECH | 4.0 |
| Joint Robotics Teleoperation Capability Program | 10.0 |

*Objectionable Programs in the fiscal year 1998 House National Security defense bill—Continued*

[In millions of dollars]

| | |
|---|---|
| OPERATION AND MAINTENANCE | |
| Center for excellence in Disaster Management and Humanitarian Assistance (Hawaii) | 5.0 |
| MISCELLANEOUS | |
| Center for the Study of Chinese Military National Defense University (NDU) | 5.0 |
| PILOT PROGRAM | |
| Plasma Arc Melter System Pilot Program | 4.0 |
| TITLE XXXVI | |
| Maritime Administration Authorization of Appropriations | 109.0 |
| Procurement, RDT&E, and miscellaneous total | 4,917.0 |
| Milcon and Family Housing | 733.6 |
| Total House questionable spending | 5,650.6 |

[1] Denote programs for National Guard or Reserve.

Mr. MCCAIN. Mr. President, I want to just for 10 seconds thank my friend from Indiana, the most knowledgeable member of the Armed Services Committee on personnel issues, and his advocacy for what is right about this base closing issue. It is important and critical. I think most of my colleagues will understand the argument he just made because we are going to pay for this in a big way if we don't reverse the vote that was taken most recently. I yield.

AMENDMENT NO. 423, WITHDRAWN

Mr. INHOFE. Mr. President, I ask unanimous consent to withdraw my amendment No. 423.

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

The amendment (No. 423) was withdrawn.

Mr. WARNER. I am pleased to say on behalf of Senator THURMOND, the ranking member and I, are now ready to take up a series of amendments which have been agreed to by both sides. Following the adoption of these amendments, I know of no reason why we cannot go to final passage.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 666, WITHDRAWN

Mr. LEVIN. Mr. President, I ask unanimous consent that amendment No. 666, an amendment of Senator WELLSTONE, be withdrawn at this time.

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

The amendment (No. 666) was withdrawn.

The PRESIDING OFFICER. Who seeks recognition?

AMENDMENTS AGREED TO EN BLOC

Mr. THURMOND. Mr. President, I send a package of amendments to the desk and ask consent that these amendments be considered as read and agreed to en bloc; the motion to reconsider be laid upon the table en bloc, and finally, that any statement relating to any of the amendments appear at this point in the RECORD. These amendments are cleared amendments and have been agreed to by both sides of the aisle.

Mr. LEVIN. No objection, Mr. President.

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

The amendments were considered and agreed to en bloc, as follows:

AMENDMENT NO. 594, AS MODIFIED

(Purpose: To consolidate and strengthen restrictions on the use of human test subjects in biological and chemical weapons research)

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

**SEC. 1075. RESTRICTIONS ON USE OF HUMANS AS EXPERIMENTAL SUBJECTS IN BIOLOGICAL AND CHEMICAL WEAPONS RESEARCH.**

(a) PROHIBITED ACTIVITIES.—No officer or employee of the United States may, directly or by contract—

(1) conduct any test or experiment involving the use of any chemical or biological agent on a civilian population; or

(2) otherwise conduct any testing of biological or chemical agents on human subjects.

(b) INAPPLICABILITY TO CERTAIN ACTIONS.—The prohibition in subsection (a) does not apply to any action carried out for any of the following purposes:

(1) Any peaceful purpose that is related to a medical, therapeutic, pharmaceutical, agricultural, industrial, research, or other activity.

(2) Any purpose that is directly related to protection against toxic chemicals and to protection against chemical or biological weapons.

(3) Any military purpose of the United States that is not connected with the use of a chemical weapon and is not dependent on the use of the toxic or poisonous properties of the chemical weapon to cause death or other harm.

(4) Any law enforcement purpose, including any domestic riot control purpose and any imposition of capital punishment.

(c) BIOLOGICAL AGENT DEFINED.—In this section, the term ''biological agent'' means any micro-organism (including bacteria, viruses, fungi, rickettsiac, or protozoa), pathogen, or infectious substance, and any naturally occurring, bioengineered, or synthesized component of any such micro-organism, pathogen, or infectious substance, whatever its origin or method of production, that is capable of causing—

(1) death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism;

(2) deterioration of food, water, equipment, supplies, or materials of any kind; or

(3) deleterious alteration of the environment.

(d) REPORT AND CERTIFICATION.—Section 1703(b) of the National Defense Authorization Act for Fiscal Year 1994 (50 U.S.C. 1523(b)) is amended by adding at the end the following:

''(9) A description of any program involving the testing of biological or chemical agents on human subjects that was carried out by the Department of Defense during the period covered by the report, together with a detailed justification for the testing, a detailed explanation of the purposes of the testing, the chemical or biological agents tested, and the Secretary's certification that informed consent to the testing was obtained from each human subject in advance of the testing on that subject.''.

(e) REPEAL OF DUPLICATIVE, SUPERSEDED, AND EXECUTED LAWS.—Section 808 of the Department of Defense Appropriation Authorization Act, 1978 (50 U.S.C. 1520) is repealed.

Mr. WYDEN. Mr. President, I wish to thank the managers of the Department of Defense authorization bill and the committees for their assistance and support of my amendment.

Earlier this year, the Senate ratified the Chemical Weapons Convention. This historic treaty puts into U.S. law a clear prohibition on the testing, production, and stockpiling of an entire class of terrible weapons of mass destruction, and we are now part of the international institutions which will enforce the treaty worldwide.

Even with this clear ban, constituents have written me concerned that, without their consent, human test subjects are used to research chemical and biological weapons agents, or that the Government, with the consent of local elected officials and Congress, may conduct experiments on civilian populations. Very often, these concerns are based on reading existing provisions in the United States Code that appear to permit it. The provision in question, contained in title 50, United States Code, Chapter 32, Section 1520, is a relic of the cold war, and my amendment strikes it.

Further, to make it clear that such testing is no longer permitted, this amendment spells out a clear, easily understood prohibition of the use of human test subjects in chemical and biological weapons research. To prevent confusion, this amendment spells out the distinction between weapons testing and such peaceful medical research such as the search for a cure for AIDS or developing vaccines for deadly diseases. But to make sure that even this peaceful research is not misused, my amendments adds a new reporting requirement for the Pentagon to describe in detail every year exactly what sort of medical and peaceful research is conducted and requires the Department of Defense to certify that full informed consent was obtained in advance from anybody participating in this research. Congress, and most importantly, the public must have the best possible information about these programs.

A provision that, on the surface, appears to permit testing of chemical weapons on civilian populations has no place in U.S. law, and I thank my colleagues for joining me in striking it.

AMENDMENT NO. 595 AS MODIFIED

(Purpose: Reports on procedures for providing information and assistance to families of victims of Department of Defense aviation accidents)

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

**SEC. 1041. REPORT ON DEPARTMENT OF DEFENSE FAMILY NOTIFICATION AND ASSISTANCE PROCEDURES IN CASES OF MILITARY AVIATION ACCIDENTS.**

(a) FINDINGS.—Congress makes the following findings:

(1) There is a need for the Department of Defense to improve significantly the family notification procedures of the department that are applicable in cases of Armed Forces personnel casualties and Department of Defense civilian personnel casualties resulting from military aviation accidents.

(2) This need was demonstrated in the aftermath of the tragic crash of a C–130 aircraft off the coast of Northern California that killed 10 Reserves from Oregon on November 22, 1996.

(3) The experience of the members of the families of those Reserves has left the family members with a general perception that the existing Department of Defense procedures for notifications regarding casualties and related matters did not meet the concerns and needs of the families.

(4) It is imperative that Department of Defense representatives involved in family notifications regarding casualties have the qualifications and experience to provide meaningful information on accident investigations and effective grief counseling.

(5) Military families deserve the best possible care, attention, and information, especially at a time of tragic personal loss.

(6) Although the Department of Defense provides much needed logistical support, including transportation and care of remains, survivor counseling, and other benefits in cases of tragedies like the crash of the C–130 aircraft on November 22, 1996, the support may be insufficient to meet the immediate emotional and personal needs of family members affected by such tragedies.

(7) It is important that the flow of information to surviving family members be accurate and timely, and be provided to family members in advance of media reports, and, therefore, that the Department of Defense give a high priority, to the extent practicable, to providing the family members with all relevant information on an accident as soon as it becomes available, consistent with the national security interests of the United States, and to allowing the family members full access to any public hearings or public meetings about the accident.

(8) Improved procedures for civilian family notification that have been adopted by the Federal Aviation Administration and National Transportation Safety Board might serve as a useful model for reforms to Department of Defense procedures.

(b) REPORTS BY SECRETARY OF DEFENSE.—(1) Not later than December 1, 1997, the Secretary of Defense shall submit to Congress a report on the advisability of establishing a process for conducting a single, public investigation of each Department of Defense aviation accident that is similar to the accident investigation process of the National Transportation Safety Board. The report shall include—

(A) a discussion of whether adoption of the accident investigation process of the National Transportation Safety Board by the Department of Defense would result in benefits that include the satisfaction of needs of members of families of victims of the accident, increased aviation safety, and improved maintenance of aircraft;

(B) a determination of whether the Department of Defense should adopt that accident investigation process; and

(C) any justification for the current practice of the Department of Defense of conducting separate accident and safety investigations.

(2) Not later than April 2, 1998, the Secretary of Defense shall submit to Congress a report on assistance provided by the Department of Defense to families of casualties among Armed Forces and civilian personnel of the department. The report shall include—

(A) A discussion of the adequacy and effectiveness of the family notification procedures of the Department of Defense, including the procedures of the military departments; and

(B) a description of the assistance provided to members of the families of such personnel.

(c) REPORT BY DEPARTMENT OF DEFENSE INSPECTOR GENERAL.—(1) Not later than December 1, 1997, the Inspector General of the Department of Defense shall review the procedures of the Federal Aviation Administration and the National Transportation Safety Board for providing information and assistance to members of families of casualties of nonmilitary aviation accidents, and submit a report on the review to Congress. The report shall include a discussion of the following matters:

(A) Designation of an experienced nonprofit organization to provide assistance for satisfying needs of families of accident victims.

(B) An assessment of the system and procedures for providing families with information on accidents and accident investigations.

(C) Protection of members of families from unwanted solicitations relating to the accident.

(D) A recommendation regarding whether the procedures or similar procedures should be adopted by the Department of Defense, and if the recommendation is not to adopt the procedures, a detailed justification for the recommendation.

(d) UNCLASSIFIED FORM OF REPORTS.—The reports under subsections (b) and (c) shall be submitted in unclassified form.

AMENDMENT NO. 598, AS MODIFIED

(Purpose: To add a subtitle relating to Persian Gulf war illnesses)

On page 226, between lines 2 and 3, insert the following:

**Subtitle B—Persian Gulf Illnesses**

**SEC. 721. DEFINITIONS.**

For purposes of this subtitle:

(1) The term ''Gulf War illness'' means any one of the complex of illnesses and symptoms that might have been contracted by members of the Armed Forces as a result of service in the Southwest Asia theater of operations during the Persian Gulf War.

(2) The term ''Persian Gulf War'' has the meaning given that term in section 101 of title 38, United States Code.

(3) The term ''Persian Gulf veteran'' means an individual who served on active duty in the Armed Forces in the Southwest Asia theater of operations during the Persian Gulf War.

(4) The term ''contingency operation'' has the meaning given that term in section 101(a) of title 10, United States Code, and includes a humanitarian operation, peacekeeping operation, or similar operation.

**SEC. 722. PLAN FOR HEALTH CARE SERVICES FOR PERSIAN GULF VETERANS.**

(a) PLAN REQUIRED.—The Secretary of Defense and the Secretary of Veterans Affairs, acting jointly, shall prepare a plan to provide appropriate health care to Persian Gulf veterans (and their dependents) who suffer from a Gulf War illness.

(b) CONTENT OF PLAN.—In preparing the plan, the Secretaries shall—

(1) use the presumptions of service connection and illness specified in paragraphs (1) and (2) of section 721(d) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 1074 note) to determine the Persian Gulf veterans (and the dependents of Persian Gulf veterans) who should be covered by the plan;

(2) consider the need and methods available to provide health care services to Persian Gulf veterans who are no longer on active duty in the Armed Forces, such as Persian Gulf veterans who are members of the

reserve components and Persian Gulf veterans who have been separated from the Armed Forces; and

(3) estimate the costs to the Government of providing full or partial health care services under the plan to covered Persian Gulf veterans (and their covered dependents).

(c) FOLLOWUP TREATMENT.—The plan required by subsection (a) shall specifically address the measures to be used to monitor the quality, appropriateness, and effectiveness of, and patient satisfaction with, health care services provided to Persian Gulf veterans after their initial medical examination as part of registration in the Persian Gulf War Veterans Health Registry or the Comprehensive Clinical Evaluation Program.

(d) SUBMISSION OF PLAN.—Not later than March 1, 1998, the Secretaries shall submit to Congress the plan required by subsection (a).

**SEC. 724. IMPROVED MEDICAL TRACKING SYSTEM FOR MEMBERS DEPLOYED OVERSEAS IN CONTINGENCY OR COMBAT OPERATIONS.**

(a) SYSTEM REQUIRED.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074d the following new section:

**''§ 1074e. Medical tracking system for members deployed overseas**

''(a) SYSTEM REQUIRED.—The Secretary of Defense shall establish a system to assess the medical condition of members of the armed forces (including members of the reserve components) who are deployed outside the United States or its territories or possessions as part of a contingency operation (including a humanitarian operation, peacekeeping operation, or similar operation) or combat operation.

''(b) ELEMENTS OF SYSTEM.—The system shall include the use of predeployment medical examinations and postdeployment medical examinations (including an assessment of mental health and the drawing of blood samples) to accurately record the medical condition of members before their deployment and any changes in their medical condition during the course of their deployment. The postdeployment examination shall be conducted when the member is redeployed or otherwise leaves an area in which the system is in operation (or as soon as possible thereafter).

''(c) RECORDKEEPING.—The Secretary of Defense shall submit to Congress not later than March 15, * * * a plan to ensure that the results of all medical examinations conducted under the system, records of all health care services (including immunizations) received by members described in subsection (a) in anticipation of their deployment or during the course of their deployment, and records of events occurring in the deployment area that may affect the health of such members shall be retained and maintained in a centralized location or locations to improve future access to the records. The report shall include a schedule for implementation of the plan within 2 years of enactment.

''(d) QUALITY ASSURANCE.—The Secretary of Defense shall establish a quality assurance program to evaluate the success of the system in ensuring that members described in subsection (a) receive predeployment medical examinations and postdeployment medical examinations and that the recordkeeping requirements are met.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074d the following new item:

''1074e. Medical tracking system for members deployed overseas.''.

**SEC. 725. REPORT ON PLANS TO TRACK LOCATION OF MEMBERS IN A THEATER OF OPERATIONS.**

Not later than March 1, 1998, the Secretary of Defense shall submit to Congress a report containing a plan for collecting and maintaining information regarding the daily location of units of the Armed Forces, and to the extent practicable individual members of such units, serving in a theater of operations during a contingency operation or combat operation.

**SEC. 726. REPORT ON PLANS TO IMPROVE DETECTION AND MONITORING OF CHEMICAL, BIOLOGICAL, AND ENVIRONMENTAL HAZARDS IN A THEATER OF OPERATIONS.**

Not later than March 1, 1998, the Secretary of Defense shall submit to Congress a report containing a plan regarding the deployment, in a theater of operations during a contingency operation or combat operation, of a specialized unit of the Armed Forces with the capability and expertise to detect and monitor the presence of chemical hazards, biological hazards, and environmental hazards to which members of the Armed Forces may be exposed.

**SEC. 727. NOTICE OF USE OF DRUGS UNAPPROVED FOR THEIR INTENDED USAGE.**

(a) NOTICE REQUIREMENTS.—Chapter 55 of title 10, United States Code, is amended by adding at the end the following new section:

**''§ 1107. Notice of use of investigational new drugs**

''(a) NOTICE REQUIRED.—(1) Whenever the Secretary of Defense requests or requires a member of the armed forces to receive a drug unapproved for its intended use, the Secretary shall provide the member with notice containing the information specified in subsection (d).

''(2) The Secretary shall also ensure that medical care providers who administer a drug unapproved for its intended use or who are likely to treat members who receive such a drug receive the information required to be provided under paragraphs (3) and (4) of subsection (d).

''(b) TIME FOR NOTICE.—The notice required to be provided to a member under subsection (a)(1) shall be provided before the drug is first administered to the member, if practicable, but in no case later than 30 days after the drug is first administered to the member.

''(c) FORM OF NOTICE.—The notice required under subsection (a)(1) shall be provided in writing unless the Secretary of Defense determines that the use of written notice is impractical because of the number of members receiving the unapproved drug, time constraints, or similar reasons. If the Secretary provides notice under subsection (a)(1) in a form other than in writing, the Secretary shall submit to Congress a report describing the notification method used and the reasons for the use of the alternative method.

''(d) CONTENT OF NOTICE.—The notice required under subsection (a)(1) shall include the following:

''(1) Clear notice that the drug being administered has not been approved for its intended usage.

''(2) The reasons why the unapproved drug is being administered.

''(3) Information regarding the possible side effects of the unapproved drug, including any known side effects possible as a result of the interaction of the drug with other drugs or treatments being administered to the members receiving the drug.

''(4) Such other information that, as a condition for authorizing the use of the unapproved drug, the Secretary of Health and Human Services may require to be disclosed.

''(e) RECORDS OF USE.—The Secretary of Defense shall ensure that the medical records of members accurately document the receipt by members of any investigational new drug and the notice required by subsection (d).

''(f) DEFINITION.—In this section, the term 'investigational new drug' means a drug covered by section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1107. Notice of use of drugs unapproved for their intended usage.''.

**SEC. 728. REPORT ON EFFECTIVENESS OF RESEARCH EFFORTS REGARDING GULF WAR ILLNESSES.**

Not later than March 1, 1998, the Secretary of Defense shall submit to Congress a report evaluating the effectiveness of medical research initiatives regarding Gulf War illnesses. The report shall address the following:

(1) The type and effectiveness of previous research efforts, including the activities undertaken pursuant to section 743 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1074 note), section 722 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 1074 note), and sections 270 and 271 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1613).

(2) Recommendations regarding additional research regarding Gulf War illnesses, including research regarding the nature and causes of Gulf War illnesses and appropriate treatments for such illnesses.

(3) The adequacy of Federal funding and the need for additional funding for medical research initiatives regarding Gulf War illnesses.

**SEC. 729. PERSIAN GULF ILLNESS CLINICAL TRIALS PROGRAM.**

(a) FINDINGS.—Congress finds the following:

(1) There are many ongoing studies that investigate risk factors which may be associated with the health problems experienced by Persian Gulf veterans; however, there have been no studies that examine health outcomes and the effectiveness of the treatment received by such veterans.

(2) The medical literature and testimony presented in hearings on Gulf War illnesses indicate that there are therapies, such as cognitive behavioral therapy, that have been effective in treating patients with symptoms similar to those seen in many Persian Gulf veterans.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary of Defense and the Secretary of Veterans Affairs, acting jointly, shall establish a program of cooperative clinical trials at multiple sites to assess the effectiveness of protocols for treating Persian Gulf veterans who suffer from ill-defined or undiagnosed conditions. Such protocols shall include a multidisciplinary treatment model, of which cognitive behavioral therapy is a component.

(c) FUNDING.—Of the amount authorized to be appropriated in section 201(1), the sum of $4,500,000 shall be available for program element 62787A (medical technology) in the budget of the Department of Defense for fiscal year 1998 to carry out the clinical trials program established pursuant to subsection (b).

On page 217, between lines 15 and 16, insert the following:

**Subtitle A—General Matters**

AMENDMENT NO. 626

At the appropriate place in the bill, add the following:

**SEC. . LAND CONVEYANCE, FORT BRAGG, NORTH CAROLINA**

(a) CONVEYANCE AUTHORIZED.—Subject to the provisions of this section and notwithstanding any other law, the Secretary of the

Army shall convey, without consideration, by fee simple absolute deed to Harnett County, North Carolina, all right, title, and interest of the United States of America in and to two parcels of land containing a total of 300 acres, more or less, located at Fort Bragg, North Carolina, together with any improvements thereon, for educational and economic development purposes.

(b) TERMS AND CONDITIONS.—The conveyance by the United States under this section shall be subject to the following conditions to protect the interests of the United States, including:

(1) the County shall pay all costs associated with the conveyance, authorized by this section, including but not limited to environmental analysis and documentation, survey costs and recording fees, and

(2) not withstanding the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. 9601 et seq.); the Solid Waste Disposal Act, as amended (42 U.S.C. 6901 et seq.) or any other law, the County, and not the United States, shall be responsible for any environmental restoration or remediation required on the property conveyed and the United States shall be forever released and held harmless from any obligation to conduct such restoration or remediation and any claims or causes of action stemming from such remediation.

(c) LEGAL DESCRIPTION OF REAL PROPERTY AND PAYMENT OF COSTS.—The exact acreage and legal description of the real property described in subsection (a) shall be determined by a survey, the costs of which the County shall bear.

Mr. HELMS. Mr. President, this amendment will help address the critical educational needs of the children of the fine soldiers and airmen serving at Fort Bragg and Pope Air Force Base in North Carolina.

Across America, many communities surrounding major military installations are at a great disadvantage by having large numbers of military-connected schoolchildren, yet they receive nowhere near adequate impact aid. Harnett County in North Carolina is one of them. Harnett County is a relatively rural, agricultural county; that has experienced tremendous growth in its military-connected student population during the last decade.

Many soldiers stationed at Fort Bragg, and airmen assigned to Pope Air Force Base, have found a home in Harnett County because of its peaceful quality of life, its proximity to the bases and many other desirable aspects. According to one housing developer, 98 percent of the families buying in his community are military families. Harnett County has welcomed these newcomers but, in so doing, has struggled for the past several years to provide the basic services required to accommodate this burgeoning population.

Mr. President, Harnett County's schools have been especially impacted by this influx of military dependents. Recent years have seen thousands of students added to the rolls of Harnett County's school system. This growth has resulted in severe overcrowding in Harnett County schools. Many children have been forced to attend classes in temporary facilities, such as cafeterias, gymnasiums, auditorium stages, libraries, and trailers. In some schools, students must wait in line up to an hour even to use the bathroom.

Mr. President, projections indicate that Harnett County taxpayers will have to spend $87,000,000 for new schools within the next decade merely to keep up with this growth. As a rural county, Harnett has little industry or commercial development that can be used to generate significant tax dollars for school construction. The county simply does not have nearly enough resources to build more schools to serve these military dependents without substantial assistance.

The Federal Government has an obvious obligation to provide for the education of military dependents. Because of the nature of military service which requires frequent moves and reassignments, military families seldom have an opportunity to establish strong roots in a community or to become active in local schools. The Federal Government has a duty to ensure that these parents, who are prepared to risk their lives and go to war in 18 hours to serve our country, need not worry about the quality of education afforded their children.

For almost 50 years, Federal law has addressed the costs incurred by local communities in the education of military dependents through the payment of impact aid. These payments are designed to alleviate local government's inability to raise revenue for schools in the customary manner of raising property taxes since they are constitutionally prohibited from taxing installation property. These payments are not intended to benefit the local governments, but are intended to insure that service-members' children are not treated as second-class citizens and thereby disadvantaged by their parents' devotion to their country.

Nevertheless, the responsibility for making these payments has been removed from the Department of Defense and placed upon the Department of Education over the years. In so doing, the Federal Government has steadily reduced its payments to local educational agencies that serve these children. Despite rhetoric in support of education to the contrary, the President's own budget punishes these children by proposing a reduction of $72 million or 10 percent below the fiscal year 1997 level. I have always believed that the Federal Government has a limited role in education, but clearly, it has a role when its actions place a direct negative economic impact upon a community, such as Harnett County.

Some may argue that we owe no obligation to communities surrounding military bases. They may say that because communities now compete to retain military bases that our duties are mitigated. Our duty is owed to the service member, not the community. Besides, every community surrounding a military installation does not share equally in the economic benefit of having the installation closeby. For example, Harnett is the only county in the Fort Bragg impact area that suffers an economic loss due to its being adjacent to Fort Bragg. According to the latest statistics, Harnett County loses at least $122,000 per year because of Fort Bragg.

Adding to the education funding crisis, Fort Bragg purchased an additional 7,000 acres in the county last year. That purchase nearly doubled the amount of land the Federal Government owns in Harnett. This purchase caused Harnett County to permanently lose an additional $24,000 in annual tax revenues. The projected fiscal year 1997 impact aid payment to Harnett County is only $37,712. Compare that to the $278,177 that the county would receive if impact aid basic support payments were fully funded.

During the past few years, I have worked closely with concerned Harnett County leaders, including the school board and county commissioners, Army officials at Fort Bragg and here at the Pentagon, literally spending hundreds of hours working to try to address these critical Army needs. If I may quote from a March 9, 1995, letter by then Fort Bragg commanding general, Lt. Gen. Henry Shelton to Secretary of the Army Togo West:

> I sympathize with counties that have to educate our children, especially those, like Harnett County, that have recently experienced a substantial increase in the number of students from military families. I am concerned that the U.S. Department of Education is providing less impact aid for some military family members than for others, and that this disparity in impact aid might adversely affect the quality of education that some of our military family members are receiving. We should be providing the same high level of assistance for every child. Education is a key component of quality of life. For this reason, we should make every effort to ensure that all of our military family members receive a quality education regardless of where they live.

General Shelton, of whom I am extremely proud, is now a four-star general in charge of the military's special operations command, went on to say to Secretary West ''[my staff] offered to assist Harnett County * * * [and] discussed the possibility of conveying to Harnett County parcels of land for the construction of schools.''

General Shelton's commitment to the well-being of his troops has been continued by his successor as commanding general, Lt. Gen. John Keane, who is and has been working closely with civilian leaders such as Mike Walker, Assistant Secretary of the Army for Installations, Logistics and Environment. They have determined that two outparcels that the Army owns are not required for future Army use. Mr. President, as a result of this decision, both General Keane and Secretary Walker sent letters to me a day or so ago, supporting the conveyance of two small parcels of land to Harnett county for educational and economic development purposes. I ask unanimous consent that these two letters dated July 9, 1997, be printed in the

RECORD at this point, following which I shall continue my remarks.

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

DEPARTMENT OF THE ARMY,
*Fort Bragg, NC, July 9, 1997.*

Hon. JESSE A. HELMS,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR HELMS: This letter details my recollection of the discussions I and other Army representatives had with you leading up to the Army's recent acquisition of the former Rockefeller property commonly known as ''Overhills.''

It was discussed that, along with the main property of approximately 11,000 acres vitally needed by Fort Bragg for military training, there were also two noncontiguous outparcels totaling about 300 acres. These outparcels were of limited training value due to their small size and location, each surrounded by private property. I do not believe their inclusion in the purchase materially affected the overall cost of Overhills. Rockefeller representatives simply wanted to sell all the property together to one buyer.

In the discussions, there was also agreement to support any subsequent legislation intended to declare the outparcels excess property and transfer them to the county in which they are located. I continue to support such a transfer.

Sincerely,

JOHN M. KEANE,
*Lieutenant General,*
*U.S. Army, Commanding Officer.*

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DEPARTMENT OF THE ARMY,
OFFICE OF THE ASSISTANT SECRETARY,
*Washington, DC, July 9, 1997.*

Hon. JESSE HELMS,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR HELMS: As you know, the Army recently acquired approximately 11,000 acres in order to help alleviate the overall shortfall in training lands at Fort Bragg. The property included two outparcels of land (Tract No. 404–1, containing approximately 137 acres, and Tract No. 402–2, containing approximately 157 acres), noncontiguous to the installation and noncontiguous to each other. The Army has determined that these properties will not be used for training or other purposes due to their size, configuration, and location. These parcels did not contribute significantly to acquisition costs and are not required for future Army use.

I hope this information is helpful for your purposes.

Sincerely,

ROBERT M. WALKER,
*Assistant Secretary of the Army, (Installations, Logistics & Environment).*

Mr. HELMS. The map shows that neither of these small parcels of land is contiguous to the primary training areas at Fort Bragg—known as the Northern Training Area and Overhills property; they are also noncontiguous to each other. These properties are open farmland, surrounded by private property, without the foliage and terrain that Army units stationed at Fort Bragg require for operational training.

Mr. President, local leaders and Army officials had planned for the Army to provide a long-term lease for the construction of three schools—an elementary school, a junior high school, and a high school on land lying along N.C. 87 which crosses the recently acquired Overhills property. Over the last several months, they mutually agreed to forego that arrangement because of concerns that placement of schools in that area would impose restrictions on training and negatively impact the habitat of the red-cockaded woodpecker. Together, they agreed that the ideal location for these new schools was on the open tracts the Army had previously identified as being available for conveyance to the county.

Last year, North Carolina voters approved a bond referendum for the construction of new schools. I am told that to use those funds, the county must own the land. Therefore, a long-term lease by the Army on these parcels would not be useful to the county or the Army. It is critical that parcel No. 404–2 be transferred now since Harnett County plans to break ground on construction later this year in an attempt to finally catch-up with the increasing demand for education imposed by the children of military personnel. This amendment further authorizes the Secretary of the Army to sell parcel No. 404–1 at fair market value.

Mr. President, North Carolinians are proud of the several great military installations within our borders. For more than 50 years, North Carolinians have been especially proud of Fort Bragg, home of the U.S. Army's elite XVIII Airborne Corps, the 82d Airborne Division, and our Special Operations Forces. These units and other units stationed at Fort Bragg are on the front line of our Nation's defense; standing ready to deploy anywhere, any time, to preserve freedom in the world.

Just 2 days ago, we were reminded once again about the price of liberty. Eight soldiers at Fort Bragg were tragically lost when their Blackhawk helicopter crashed. The victims have been identified and their families notified but the cause of the crash is still being investigated.

Those who have served in the military understand the sense of family and community that exists among those, particularly those who have volunteered to put themselves in harm's way, for the benefit of their fellow-citizens. These courageous and selfless Americans use the instruments of war to secure our peace and prosperity. Each of these brave Americans experiences a feeling of loss when one of their own is lost. The North Carolinians who live around Fort Bragg share that sense of loss. Those citizens and the Fort Bragg family have embraced the families of the lost soldiers and are doing all they can to comfort them at this tragic time.

I spent four nonheroic years in the Navy during World War II. I have always had great affection and respect for the soldiers and defense support personnel who devote their lives to the defense of our country. I will do anything in my power to ensure that they are provided everything they need to do their jobs.

This includes not merely providing an adequate training area, equipment and hardware; but also the quality of life and peace of mind to enable each soldier to focus on his mission, accomplish it, and return home safely. Unmistakably essential to that quality of life is the proper education of their children.

Listen again to the words of General Shelton, ''[e]ducation is a key component of quality of life. For this reason, we should make every effort to ensure that all of our military family members receive a quality education regardless of where they live.''

Mr. President, a vote against this amendment is a vote against the Army's senior civilian and military leaders charged with responsibility for the readiness and well-being of these fine men and women at Fort Bragg.

A vote against this amendment is a vote against their children who depend upon us to help educate them so that they too can serve their country when they grow to adulthood.

Mr. President, I do hope Senators will support this amendment which takes a small step toward addressing the educational needs of the children of our Nation's finest soldiers. It's the right thing to do and I am confident that Senators will agree.

AMENDMENT NO. 628

(Purpose: To require a report on options for the disposal of chemical weapons and agents)

At an appropriate place in title III, insert the following:

**SEC. . REPORT ON OPTIONS FOR THE DISPOSAL OF CHEMICAL WEAPONS AND AGENTS.**

(a) REQUIREMENT.—Not later than March 15, 1998, the Secretary of Defense shall submit to Congress a report on the options available to the Department of Defense for the disposal of chemical weapons and agents in order to facilitate the disposal of such weapons and agents without the construction of additional chemical weapons disposal facilities in the continental United States.

(b) ELEMENTS.—The report shall include the following:

(1) a description of each option evaluated;

(2) an assessment of the lifecycle costs and risks associated with each option evaluated;

(3) a statement of any technical, regulatory, or other requirements or obstacles with respect to each option, including with respect to any transportation of weapons or agents that is required for the option;

(4) an assessment of incentives required for sites to accept munitions or agents from outside their own locales, as well as incentives to enable transportation of these items across state lines;

(5) an assessment of the cost savings that could be achieved through either the application of uniform federal transportation or safety requirements and any other initiatives consistent with the transportation and safe disposal of stockpile and nonstockpile chemical weapons and agents; and

(6) proposed legislative language necessary to implement options determined by the Secretary to be worthy of consideration by the Congress.

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AMENDMENT NO. 638

(Purpose: To authorize appropriations for the Greenville Road Improvement Project, Livermore, CA)

At the appropriate place in the bill, insert the following: ''Of the funds authorized to be

appropriated by this Act to the Department of Energy, $3,500,000 are authorized to be appropriated for fiscal year 1998, and $3,800,000 are authorized to be appropriated for fiscal year 1999, for improvements to Greenville Road in Livermore, California''.

AMENDMENT NO. 659

(Purpose: To provide for funding of the NATO Joint Surveillance/Target Attack Radar System)

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

**SEC. 144. NATO JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM.**

(a) FUNDING.—Amounts authorized to be appropriated under this title and title II are available for a NATO alliance ground surveillance capability that is based on the Joint Surveillance/Target Attack Radar System of the United States, as follows:

(1) Of the amount authorized to be appropriated under section 101(5), $26,153,000.

(2) Of the amount authorized to be appropriated under section 103(1), $10,000,000.

(3) Of the amount authorized to be appropriated under section 201(1), $13,500,000.

(4) Of the amount authorized to be appropriated under section 201(3), $26,061,000.

(b) AUTHORITY.—(1) Subject to paragraph (2), the Secretary of Defense may utilize authority under section 2350b of title 10, United States Code, for contracting for the purposes of Phase I of a NATO Alliance Ground Surveillance capability that is based on the Joint Surveillance/Target Attack Radar System of the United States, notwithstanding the condition in such section that the authority be utilized for carrying out contracts or obligations incurred under section 27(d) of the Arms Export Control Act (22 U.S.C. 2767(d)).

(2) The authority under paragraph (1) applies during the period that the conclusion of a cooperative project agreement for a NATO Alliance Ground Surveillance capability under section 27(d) of the Arms Export control Act is pending, as determined by the Secretary of Defense.

(c) MODIFICATION OF AIR FORCE AIRCRAFT.—Amounts available pursuant to paragraphs (2) and (4) of subsection (a) may be used to provide for modifying two Air Force Joint Surveillance/Target Attack Radar System production aircraft to have a NATO Alliance Ground Surveillance capability that is based on the Joint Surveillance/Target Attack Radar System of the United States.

AMENDMENT NO. 669, AS MODIFIED

(Purpose: To provide $500,000 for the bioassay testing of veterans exposed to ionizing radiation during military service)

On page 46, between lines 6 and 7, insert the following:

**SEC. 220. BIOASSAY TESTING OF VETERANS EXPOSED TO IONIZING RADIATION DURING MILITARY SERVICE.**

(a) NUCLEAR TEST PERSONNEL PROGRAM.—Of the amount provided in section 201(4), $300,000 shall be available for testing described in subsection (b) in support of the Nuclear Test Personnel Program conducted by the Defense Special Weapons Agency.

(b) COVERED TESTING.—Subsection (a) applies to the third phase of bioassay testing of individuals who are radiation-exposed veterans (as defined in section 1112(c)(3) of title 38, United States Code) who participated in radiation-risk activities (as defined in such paragraph).

(c) COLLECTION OF SAMPLES.—The appropriate department or agency shall collect the required bioassay samples, at the request of a veteran who participated in the U.S. atmospheric nuclear testing or the occupation of Hiroshima and Nagasaki, Japan, and forward them to Brookhaven National Laboratory, under the appropriate Chair of custody.

AMENDMENT NO. 671, AS MODIFIED

(Purpose: To require a study concerning the provision of certain comparative information to TRICARE beneficiaries)

At the appropriate place, insert the following;

**SEC. . STUDY CONCERNING THE PROVISION OF COMPARATIVE INFORMATION.**

(a) STUDY.—The Secretary of Defense shall conduct a study concerning the provision of the information described in subsection (b) to beneficiaries under the TRICARE program established under the authority of chapter 55 of title 10, United States Code, and prepare and submit to the appropriate committees of Congress a report concerning such study.

(b) PROVISION OF COMPARATIVE INFORMATION.—Information described in this subsection, with respect to a managed care entity that contracts with the Secretary of Defense to provide medical assistance under the program described in subsection (a), shall include the following:

(1) BENEFITS.—The benefits covered by the entity involved, including—

(A) covered items and services beyond those provided under a traditional fee-for-service program;

(B) any beneficiary cost sharing; and

(C) any maximum limitations on out-of-pocket expenses.

(2) PREMIUMS.—The net monthly premium, if any, under the entity.

(3) SERVICE AREA.—The service area of the entity.

(4) QUALITY AND PERFORMANCE.—To the extent available, quality and performance indicators for the benefits under the entity (and how they compare to such indicators under the traditional fee-for-service programs in the area involved), including—

(A) disenrollment rates for enrollees electing to receive benefits through the entity for the previous 2 years (excluding disenrollment due to death or moving outside the service area of the entity);

(B) information on enrollee satisfaction;

(C) information on health process and outcomes;

(D) grievance procedures;

(E) the extent to which an enrollee may select the health care provider of their choice, including health care providers within the network of the entity and out-of-network health care providers (if the entity covers out-of-network items and services); and

(F) an indication of enrollee exposure to balance billing and the restrictions on coverage of items and services provided to such enrollee by an out-of-network health care provider.

(5) SUPPLEMENTAL BENEFITS OPTIONS.—Whether the entity offers optional supplemental benefits and the terms and conditions (including premiums) for such coverage.

(6) PHYSICIAN COMPENSATION.—An overall summary description as to the method of compensation of participating physicians.

AMENDMENT NO. 681

Add at the appropriate point in the bill the following:

**SEC. . AUTHORITY OF THE SECRETARY OF DEFENSE CONCERNING DISPOSAL OF ASSETS UNDER COOPERATIVE AGREEMENTS ON AIR DEFENSE IN CENTRAL EUROPE.**

(a) GENERAL AUTHORITIES.—The Secretary of Defense, pursuant to an amendment or amendments to the European air defense agreements, may dispose of any defense articles owned by the United States and acquired to carry out such agreements by providing such articles to the Federal Republic of Germany. In carrying out such disposal, the Secretary—

(1) may provide without monetary charge to the Federal Republic of Germany articles specified in the agreements; and

(2) may accept from the Federal Republic of Germany (in exchange for the articles provided under paragraph (1)) articles, services, or any other consideration, as determined appropriate by the Secretary.

(b) DEFINITION OF EUROPEAN AIR DEFENSE AGREEMENT.—For the purposes of this section, the term ''European air defense agreements'' means

(1) the agreement entitled ''Agreement between the Secretary of Defense of the United States of America and the Minister of Defense of the United States of America and the Minister of Defense of the Federal Republic of Germany on Cooperative Measures for Enhancing Air Defense for Central Europe'', signed on December 6, 1983; and

(2) the agreement entitled ''Agreement between the Secretary of Defense of the United States of America and the Minister of Defense of the Federal Republic of Germany in implementation of the 6 December 1983 Agreement on Cooperative Measures for Enhancing Air Defense for Central Europe'', signed on July 12, 1984.

AMENDMENT NO. 707

(Purpose: To designate the Y–12 plant in Oak Ridge as the National Prototype Center)

At the appropriate place, insert:

**SEC. . DESIGNATING THE Y–12 PLANT IN OAK RIDGE, TENNESSEE AS THE NATIONAL PROTOTYPE CENTER.**

The Y–12 plant in Oak Ridge, Tennessee is designated as the National Prototype Center. Other executive agencies are encouraged to utilize this center, where appropriate, to maximize their efficiency and cost effectiveness.

Mr. THOMPSON. Mr. President, I want to thank the chairman of the Armed Services Committee, Senator STROM THURMOND, and the other members of the committee for supporting my amendment, which will designate the Y–12 plant in Oak Ridge, TN as a ''National Prototype Center.''

Mr. President, for the first time in nearly half a century, the United States is neither designing nor producing any new nuclear weapons. The size of the U.S. nuclear stockpile is shrinking, and the size of the nuclear weapons complex is shrinking along with it. That is appropriate.

However, as we reduce the physical size of our nuclear weapons complex, we must not allow the unique experience and expertise that have developed at the nuclear weapons production plants to simply disappear. Instead, we should use these unique resources to further enhance our national security and economic competitiveness.

The Y–12 plant in Oak Ridge has played a critical role in our nuclear weapons complex since 1943. Every weapon in the current U.S. nuclear stockpile contains some part that was manufactured at Y–12. In the course of fulfilling this critical mission, Y–12 and its workforce have developed applied manufacturing expertise that is unsurpassed anywhere in this country. This makes Y–12 perfectly suited to become a National Prototype Center.

Prototypes provide the first concrete test of a product after the initial research and development have been performed. Businesses and the military use prototyping to test their designs and to anticipate and prevent problems later in the production cycle.

However, circumstances in the 1990's have made prototyping more difficult for both the military and industry. The threats facing our military today are fundamentally different from those we faced during the Cold War, and the defense budget has shrunk as well. This means that the military must now produce defense systems in relatively small volumes—sometimes as small as one. Commercial industries are facing some of the same challenges, as they strive to produce smaller numbers of more customized products. These trends have made prototyping even more important, but they have also made it prohibitively expensive in many cases.

I believe that we will benefit as a nation if we find a way to preserve these important prototyping capabilities, and I believe the solution lies with Y–12. Y–12 has already helped to develop numerous prototypes for the Department of Defense, NASA, and others, from components for the Seawolf submarine's propulsion system to a new and more advanced type of pencil lead. Designating Y–12 as a National Prototype Center will highlight Y–12's ability to rapidly transform complex hardware designs into precision prototypes through the use of advanced manufacturing techniques. It will also allow customers to take advantage of the resources of a world-class national laboratory—the Oak Ridge National Laboratory—which is located in close proximity to the Y–12 plant.

Mr. President, this National Prototype Center will not only enhance our national security by preserving vital weapons manufacturing expertise, it will also enhance our economic security by helping to solve tough problems for U.S. industries so that they can get their products to the global marketplace more quickly. And it will be cost-effective.

The American taxpayers have already invested billions of dollars in the equipment and expertise that reside at Y–12. It makes little sense for that investment to be duplicated by other Federal agencies or U.S. industries. At a time when cost control is a major consideration in developing new weapons systems and commercial products, it makes sense instead for others to take advantage of existing state-of-the-art facilities at Y–12. My amendment would allow them to do just that, and I thank my colleagues for supporting it.

AMENDMENT NO. 714, AS MODIFIED

(Purpose: To require the Secretary of Defense to conduct an explosive munitions demilitarization demonstration program)

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

**SEC. 235 DEMONSTRATION PROGRAM ON EXPLOSIVES DEMILITARIZATION TECHNOLOGY.**

(a) PROGRAM REQUIRED.—During fiscal year 1998, the Secretary of Defense may conduct an alternative technology explosive munitions demilitarization demonstration program in accordance with this section.

(b) COMMERCIAL BLAST CHAMBER TECHNOLOGY.—Under the demonstration program, the Secretary shall demonstrate the use of existing, commercially available blast chamber technology for incineration of explosive munitions as an alternative to the open burning, open pit detonation of such munitions.

(c) The Secretary shall use competitive procedures in selecting participants for the demonstration program described in subsection (b). In addition the Secretary shall include a cost benefit analysis of this technology generally for explosives munitions destruction.

(d) ASSESSMENT.—The Secretary shall assess the relative benefits of the blast chamber technology and the open burning, open pit detonation process with respect to the levels of emissions and noise resulting from use of the respective processes.

(e) REPORT.—Not later than the date on which the President submits the budget for fiscal year 2000 to Congress pursuant to section 1105(a) of title 31, United States Code, the Secretary of Defense shall submit a report on the results of the demonstration program to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives. The report shall include the Secretary's assessment under subsection (c).

(e) FUNDING.—(1) Of the amount authorized to be appropriated under section 201(4), $6,000,000 is available for the demonstration program under this section.

(2) The amount provided under section 201(4) is hereby increased by $6,000,000 for the explosives demilitization technology program (PE 63104D).

(3) The amount provided under section 101(5) for special equipment for user testing is hereby decreased by $6,000,000.

Mr. SESSIONS. Mr. President this amendment would authorize an increase of $6 million to the budget request for the Explosive Demilitarization Technology program (PE 63104D) to conduct a demonstration program at Anniston Army Depot. This is a much needed demonstration of current commercial off-the shelf blast chamber technology as an acceptable alternative to open burning/open pit detonation (OB/OD) by reducing significantly emissions and noise caused by OB/OD. The demonstration has nation-wide application if successful and is in keeping with the military's program of continuing technology evaluation of demilitarization methods for existing conventional ammunition as described in the Joint Demilitarization Study, September 1995, page II–4–14, a study prepared for the Director, Environmental and Life Sciences, Defense Research and Engineering, Office of the Secretary of Defense.

Mr. President annually we spend millions of dollars on the production of new munitions of all types. At the other end of the pipeline however is the vexing problem of disposing of outdated munitions of all types. The enormity of the problem for this Nation is this: The stocks managed by the Army, DOD's Manager for Conventional Ammunition (MCA), currently stored in 26 States totals approximately 449,308 tons of material and costs over $12 million annually to store according to a DOD 1995 Joint Demilitarization Study. More serious however is the fact that the study predicts an additional 730,420 tons will be generated into that stockpile by the end of fiscal year 2001.

Let me state again the magnitude of the problem for the Nation: through the end of fiscal year 2001, over 1.2 million tons of material will pass through or reside in the military conventional ammunition account. This is enough ammunition to exceed 2800 earth covered magazines and will cost over $1.2 billion to destroy if we assume that it costs approximately $120 million to destroy 107,000 tons of material using fiscal year 1995 projections. The technology in the COTS blast chamber has the potential of mitigating local environmental concerns; the potential of increasing destruction throughput; and is capable of destroying in a safe and environmentally sound manner greater than 98 percent of the explosives the DOD stores utilizing particular bag house technology at locations in America, Europe, and the Pacific.

Alabama stores in excess of 22,437 tons of material ranking us fifth in size of stockpile. Environmental considerations are of paramount importance to me and to a balanced national level demilitarized program. I think DOD, the Army, and the Joint Ordnance Commanders Group, Demilitarization and Disposal Subgroup, are playing a major role in ensuring that our various storage sites, to include Anniston Army Depot, are in compliance with Federal, State, and local regulations. Likewise, I think the DOD is also quite sensitive to public opinion. While better cost-efficient ways must be found to destroy this increasing amount of material, we must take advantage now of new technologies in the R&D stage to compliment the current OB/OD method of destruction, with the view that not in the too distant future those technologies will not only replace aging organic demilitarization facilities, but close the chapter on the risky OB/OD method before the environmental challenges close the book for us.

The JOCG cited three environmental challenges in a study to be considered in life cycle management of the demilitarization program. They are: permitting facilities; disposal of residuals; and, cleanup. With new technologies the effects of each can be mitigated and give local communities new hope that their environment will no longer be fouled by OB/OD.

Mr. President, on June 19 Anniston Army Depot received permission from the State of Alabama to proceed with the construction of its chemical weapons disposal facility. This is an emotionally charged issue, but one we are assured will be managed every step of the way with safety of the operation and concern for the community as its

highest priorities. Previous plants in our country are proving that this can be done. However, conventional ammunition destruction lags behind, in my opinion, on both counts. For this reason I strongly believe that a demonstration program at Anniston involving COTS blast chamber technology begins the long awaited opportunity to rid North Alabama of another type of munition material, that only grows more unstable with time and will furnish the date upon which the JOCG can make full-scale development decision for other locations in the country.

Today, TOW missiles rounds, currently in storage, are experiencing storage problems and must be dealt with as a higher destruction priority over older missiles. Storage quantities for TOW missiles reaches nearly 400,000 rounds. I cannot conceive that OB/O, in Alabama or anywhere else in the Nation, is the most efficient and most responsible method of destruction for these missiles. Other methodologies must be utilized and they must be demonstrated now.

Mr. President, the COTS blast chamber I am recommending for this demonstration program is totally enclosed, constructed of steel and consists of a hydraulic chamber door, exhaust fan and over-pressure controls. The chamber is large enough to accommodate the TOW missiles I described. Noise measurements of 0.5 percent of what is allowable by the Occupational Safety and Health Administration are cited by the manufacturer. Emission controls for exhaust rates and temperatures are also controlled. The chamber will work with Anniston's current Subpart X permits, and according to the manufacturer the blast chamber is 80 percent cleaner than OB/OD. These are pluses for any community in our country.

Mr. President, our environment will not wait; the munitions will not wait, and the people should not have to wait for the slow wheels of government. Let us begin moving now, by bringing this demonstration program on line in fiscal year 1998 and see if we as a country cannot benefit from a simple technology that can get the job done.

AMENDMENT NO. 752, AS MODIFIED

(Purpose: To provide for the assignment of an officer in the grade of O–7 or above to the position of defense attache in France)

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

**SEC. 557. GRADE OF DEFENSE ATTACHE IN FRANCE.**

The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall take actions appropriate to ensure that each officer selected for assignment to the position of defense attache in France is an officer who holds, or is promotable to, the grade of brigadier general or, in the case of the Navy, rear admiral (lower half).

AMENDMENT NO. 729, AS MODIFIED

(Purpose: To require the concurrence of the Secretary of State for providing Department of Defense support for counter-drug activities of Peru and Colombia, and to limit the authority to provide such support pending a plan for a riverine counter-drug program)

On page 276, between lines 13 and 14, insert the following:

(c) CONCURRENCE OF SECRETARY OF STATE REQUIRED.—Subsection (a) of such section, as amended by subsection (a), is further amended by inserting '', with the concurrence of the Secretary of State.'' after ''Secretary of Defense may''.

On page 276, line 19, insert '', with the concurrence of the Secretary of State.'' after ''Secretary of Defense may''.

On page 278, line 20, strike out ''paragraph (2)'' and insert in lieu thereof ''paragraph (3)''.

On page 280, line 24, strike out ''(2)'', and insert in lieu thereof the following:

(2) The Secretary may not obligate or expend funds to provide a government with support under this section until the Secretary of Defense, together with the Secretary of State, has developed a riverine counter-drug plan (including the resources to be contributed by each such agency, and the manner in which such resources will be utilized, under the plan) and submitted the plan to the committees referred to in paragraph (3). The plan shall set forth a riverine counter-drug program that can be sustained by the supported governments within five years, a schedule for establishing the program, and a detailed discussion of how the riverine counter-drug program supports national drug control strategy of the United States.

(3) * * *

AMENDMENT NO. 743

(Purpose: To establish and authorize the issuance of the Cold War service medal)

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

**SEC. . 535. COLD WAR SERVICE MEDAL.**

(a) AUTHORITY.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following:

**§ 1131. Cold War service medal**

''(a) MEDAL REQUIRED.—The Secretary concerned shall issue the Cold War service medal to persons eligible to receive the medal under subsection (b). The Cold War service medal shall be of appropriate design approved by the Secretary of Defense, with ribbons, lapel pins, and other appurtenances.

''(b) ELIGIBLE PERSONS.—The following persons are eligible to receive the Cold War service medal:

''(1) A person who—

''(A) performed active duty or inactive duty training as an enlisted member of an armed force during the Cold War;

''(B) completed the initial term of enlistment;

''(C) after the expiration of the initial term of enlistment, reenlisted in an armed force for an additional term or was appointed as a commissioned officer or warrant officer in an armed force; and

''(D) has not received a discharge less favorable than an honorable discharge or a release from active duty with a characterization of service less favorable than honorable.

''(2) A person who—

''(A) performed active duty or inactive duty training as a commissioned officer or warrant officer in an armed force during the Cold War;

''(B) completed the initial service obligation as an officer;

''(C) served in the armed forces after completing the initial service obligation; and

''(D) has not been released from active duty with a characterization of service less favorable than honorable and has not received a discharge less favorable than an honorable discharge.

''(c) ONE AWARD AUTHORIZED.—Not more than one Cold War service medal may be issued to any one person.

''(d) ISSUANCE TO REPRESENTATIVE OF DECEASED.—If a person referred to in subsection (b) dies before being issued the Cold War service medal, the medal may be issued to the person's representative, as designated by the Secretary concerned.

''(e) REPLACEMENT.—Under regulations prescribed by the secretary concerned, a Cold War service medal that is lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was issued may be replaced without charge.

''(f) UNIFORM REGULATIONS.—The Secretary of Defense shall ensure that regulations prescribed by the Secretaries of the military departments under this section are uniform so far as is practicable.

''(g) DEFINITIONS.—In this section, the term 'Cold War' means the period beginning on August 15, 1974, and terminating at the end of December 21, 1991.''.

(b) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

''Sec. 1131. Cold War service medal.''.

AMENDMENT NO. 761

(Purpose: To enable the Los Alamos, New Mexico Schools to function without annual assistance payments under the Atomic Energy Communities Act of 1955 through alternative funding sources with additional positive impact to areas close to Los Alamos National Laboratory)

**SEC. . NORTHERN NEW MEXICO EDUCATIONAL FOUNDATION.**

(a) Of the funds authorized to be appropriated to the Department of Energy by this Act. $5,000,000 shall be available for payment by the Secretary of Energy to a nonprofit or not-for-profit educational foundation chartered to enhance the educational enrichment activities in public schools in the area around the Los Alamos National Laboratory (in this section referred to as the ''Foundation'').

(b) Funds provided by the Department of Energy to the Foundation shall be used solely as corpus for an endowment fund. The Foundation shall invest the corpus and use the income generated from such an investment to fund programs designed to support the educational needs of public schools in Northern New Mexico educating children in the area around the Los Alamos National Laboratory.

Mr. DOMENICI. Mr. President, this amendment is critical to recognize the mandate of the last Congress to stop assistance payments to the School District of Los Alamos, NM. under the auspices of the Atomic Energy Community Act of 1955. It enables the high quality of education in northern New Mexico required to attract the staff of the Los Alamos National Laboratory—the staff that enables the laboratory to fulfill its Federal missions. And it recognizes that many school districts in the vicinity of the laboratory are now contributing to the educational programs required by the laboratory's staff and that these districts must offer suitably challenging educational programs.

The Atomic Energy Community Act of 1955 enabled assistance payments for communities and school districts impacted by the presence of major atomic energy facilities. These facilities were primarily located in remote areas, to address the security concerns accompanying their missions. Assistance payments were required in recognition of the nearly complete dependence of these cities on AEC facilities that did not pay local taxes. It was also in recognition that the quality of the schools available in these communities played a critical role in the recruitment and retention of personnel at these remote sites. And in those early days, most of the laboratory staff lived in Los Alamos.

Over the years, most of these atomic energy communities moved to either attain economic self-sufficiency or were close enough to self-sufficiency that they could accept buyout provisions to enable their self-sufficiency.

Of school districts, only Los Alamos still needed these payments. In last year's Energy and Water Appropriations Act, we noted that fiscal year 1997 would be the last payment to the Los Alamos schools under the Atomic Energy Community Act of 1955. The Department was directed to develop other approaches for continued funding needs.

The amendment we consider here today represents a critical step in providing required resources for the Los Alamos schools. It implements the plan developed by the Department to fulfill the congressional mandate. It recognizes that the personnel required at Los Alamos are now resident in many communities, not only Los Alamos, in the remote areas of northern New Mexico. The requirement to provide educational programs that will aid in recruitment and retention for the staff of Los Alamos National Laboratory is still present, but many school districts now house the workers for the laboratory—not only Los Alamos. Those districts also need enriched programs to accomplish their contribution to the laboratory's Federal mission. In response to the congressional mandate, the Department developed the concept of an educational foundation in northern New Mexico, that can supply educational enrichment funding to these school districts.

This amendment authorizes funding to start this foundation and specifies that only interest from the initial Federal investment will be used for educational enrichment programs. The Department intends to fund this foundation, pending appropriations, over a period of about 5 years, during which time it will build the foundation's funding to a level to supply appropriate levels of enrichment funding to those districts impacting laboratory workers.

The amendment is an important step in stopping further funding under the Atomic Energy Community Act of 1955 and fulfills the mandate of the previous Congress.

Mr. BINGAMAN. Mr. President, section 3161(c) of the fiscal year 1996 National Defense Authorization Act called for the Department of Energy to examine the need for continued funding of the Los Alamos School District and to make recommendations to the Congress. If the Department's recommendation indicates a need for further assistance for the school board or the county, as the case may be, after June 30, 1997, the recommendation shall include a report and plan describing the actions needed to eliminate the need for further assistance for the school board or the county, including a proposal for legislative action to carry out the plan.

The amendment that I am offering today, with my colleague the senior Senator from New Mexico, is the result of this planning process, involving the Los Alamos National Laboratory, the Department of Energy, and the Los Alamos school board, and takes a major step toward downsizing the Department's contribution to the Los Alamos School District.

The amendment provides for a Federal payment in fiscal year 1998 of $5 million to a foundation that will support educational excellence in the schools serving the children of Los Alamos employees. This Federal payment will be matched by a contribution by the University of California—out of its contract fee for managing and operating Los Alamos National Laboratory—and by private fundraising in the State. The amendment further provides that the interest earned on any Federal payment will remain with the foundation, instead of reverting to the U.S. Treasury, as would be the case absent a special provision to the contrary. In our discussions with the majority members of the Senate Armed Services Committee on this amendment, we have agreed that future payments to the foundation from the Department will be in order, so that the corpus of the endowment is sufficient to sustain excellence in the school system, but that more analysis is required to arrive at an overall figure for such additional support. This is the first step toward bringing to a close the annual payment to the school district.

It is important to recognize that the Los Alamos School District is subject to a number of special conditions that makes the development of alternative funding sources difficult.

The State of New Mexico funds its public schools under an equalization formula. Thus, the Los Alamos School District is not funded from local property taxes directly, but from a Statewide fund into which all such property taxes go. This factor represents an important constraint on the ability of the community to tax itself to enhance its school system. As part of the agreement that resulted in this legislative proposal, the school board has agreed to seek special legislation in New Mexico that would allow it to raise revenues to supplement the State-mediated funding.

Because of its geographic isolation and lack of developable land, Los Alamos is one of the highest-cost-of-living communities in New Mexico, with a cost of living 40 percent higher than the State average and 23 percent higher than the average for all of the United States. Thus, even though Los Alamos receives the same State funding as other comparably sized school districts, in Los Alamos the dollars do not go as far.

Setting up an educational foundation to help shoulder the burden that the Department has been carrying makes good sense. Further, the Los Alamos School District has committed to a number of actions that will further decrease the need for Department of Energy support in the future. It will increase fees to students for various activities, implement energy efficiency measures, and reduce administrative costs. Already, this year the Los Alamos School District has reduced its spending by roughly $900,00 through such measures, and it will continue to examine contracts and functions in the future in order to reduce costs.

The Department of Energy and the Congress have always recognized that the quality of the local school system is a significant factor is many relocation decisions involving personnel whom Los Alamos National Laboratory would like to attract and retain. The national interest in maintaining the strength of the laboratory translates into a need to have a mechanism that will produce a superior school system in the communities which are home to the technical employees of the laboratory. This proposal is a major step toward doing that at reduced cost to the Government, and I urge its adoption.

AMENDMENT NO. 763, AS MODIFIED

(Purpose: To congratulate Governor Christopher Patten of Hong Kong)

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

SEC. . (A) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) His Excellency Christopher F. Patten, the now former Governor of Hong Kong, was the twenty-eight British Governor to preside over Hong Kong, prior to that territory reverting back to the People's Republic of China on July 1, 1997;

(2) Chris Patten was a superb administrator and an inspiration to the people who he sought to govern;

(3) During his five years as Governor of Hong Kong, the economy flourished under his stewardship, growing by more than 30% in real terms;

(4) Chris Patten presided over a capable and honest civil service;

(5) Common crime declined during his tenure, and the political climate was positive and stable;

(6) Chris Patten's legacy to Hong Kong is the expansion of democracy in Hong Kong's legislative council and a tireless devotion to the rights, freedoms and welfare of Hong Kong's people.

(7) Chris Patten fulfilled the British commitment to ''put in place a solidly based democratic administration'' in Hong Kong prior to July 1, 1997.

(B) It is the Sense of the Congress that—

(1) Governor Chris Patten has served his country with great honor and distinction; and

(2) He deserves special thanks and recognition from the United States for his tireless efforts to develop and nurture democracy in Hong Kong.

AMENDMENT NO. 806

(Purpose: To authorize contracting for procurements of capital assets before funds are available in working-capital funds for such procurements)

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

**SEC. 369. CONTRACTING FOR PROCUREMENT OF CAPITAL ASSETS IN ADVANCE OF AVAILABILITY OF FUNDS IN THE WORKING-CAPITAL FUND FINANCING THE PROCUREMENT.**

Section 2208 of title 10, United States Code, is amended by adding at the end the following:

''(l)(1) A contract for the procurement of a capital asset financed by a working-capital fund may be awarded in advance of the availability of funds in the working-capital fund for the procurement.

''(2) Paragraph (1) applies to any of the following capital assets that have a development or acquisition cost of not less than $100,000:

''(A) A minor construction project under section 2805(c)(1) of this title.

''(B) Automatic data processing equipment or software.

''(C) Any other equipment.

''(D) Any other capital improvement.''.

AMENDMENT NO. 807

(Purpose: To delete the authority to convey the B–17 aircraft under section 1070 without consideration)

On page 341, line 18, strike out '', without consideration,''.

On page 341, at the end of line 23, add the following: ''The Secretary of the Air Force shall determine the appropriate amount of consideration that is comparable to the value of the aircraft.''.

Mr. DEWINE. Mr. President, I want to take a moment to comment on the proposed technical amendment I have offered to section 1070 of S. 936, the fiscal year 1998 Department of Defense authorization bill. Specifically, section 1070 would grant the Secretary of the Air Force the authority to convey to the Planes of Fame Museum in Chino, CA, a B–17 aircraft known as the ''Picadilly Lilly.'' It is my understanding that the aircraft is in need of repairs, and the museum would be willing to do the necessary work on the B–17 provided the museum had clear title to the aircraft.

Technically, it is my understanding that the aircraft is historical property under the administration of the U.S. Air Force Museum, which is located at Wright-Patterson Air Force Base in Dayton, OH. It is also my understanding that the Air Force Museum has been attempting to work out an agreement with the Planes of Fame Museum that would allow for the latter facility to take the B–17 in exchange for other historical property. I am told the Air Force Museum is prepared to continue to work in good faith with the Planes of Fame Museum to arrive at an exchange that is mutually beneficial.

The technical change I am offering simply is designed to ensure that if the Secretary of the Air Force exercises the discretion provided in section 1070, the Secretary determine appropriate compensation in exchange for the B–17. The provision, as amended, now would provide the Secretary with the authority to convey the aircraft, after determining an appropriate level of compensation, and securing other conditions of conveyance. I certainly hope that the Secretary of the Air Force and the Air Force Museum will work together with the Planes of Fame Museum to reach an agreement that is in the best interests of all parties.

Mr. President, let me close by thanking my distinguished friend from Virginia, Mr. WARNER; the chairman of the Armed Services Committee, Mr. THURMOND; and their staffs for their assistance with this amendment.

AMENDMENT NO. 808

(Purpose: To establish at the Naval Undersea Warfare Center a pilot program of higher education with respect to the administration of business relationships between the Federal Government and the private sector)

On page 353, between lines 7 and 8, insert the following:

**SEC. 1107. HIGHER EDUCATION PILOT PROGRAM FOR THE NAVAL UNDERSEA WARFARE CENTER.**

(a) ESTABLISHMENT.—The Secretary of the Navy may establish under the Naval Undersea Warfare Center (hereafter in this section referred to as the ''Center'') and the Acquisition Center for Excellence of the Navy jointly a pilot program of higher education with respect to the administration of business relationships between the Federal Government and the private sector.

(b) PURPOSE.—The purpose of the pilot program is to make available to employees of the Center and employees of the Naval Sea Systems Command a curriculum of graduate-level higher education that—

(1) is designed to prepare the employees effectively to meet the challenges of administering Federal Government contracting and other business relationships between the Federal Government and businesses in the private sector in the context of constantly changing or newly emerging industries, technologies, governmental organizations, policies, and procedures (including governmental organizations, policies, and procedures recommended in the National Performance Review); and

(2) leads to award of a graduate degree.

(c) PARTNERSHIP WITH INSTITUTION OF HIGHER EDUCATION.—(1) The Secretary may enter into an agreement with an institution of higher education to assist the Center with the development of the curriculum, to offer courses and provide instruction and materials to the extent provided for in the agreement, to provide any other assistance in support of the pilot program that is provided for in the agreement, and to award a graduate degree under the pilot program.

(2) An institution of higher education is eligible to enter into an agreement under paragraph (1) if the institution has an established program of graduate-level education that is relevant to the purpose of the pilot program.

(d) CURRICULUM.—The curriculum offered under the pilot program shall—

(1) be designed specifically to achieve the purpose of the pilot program; and

(2) include—

(A) courses that are typically offered under curricula leading to award of the degree of Masters of Business Administration by institutions of higher education; and

(B) courses for meeting educational qualification requirements for certification as an acquisition program manager.

(e) DISTANCE LEARNING OPTION.—The pilot program may include policies and procedures for offering distance learning instruction by means of telecommunications, correspondence, or other methods for off-site receipt of instruction.

(f) PERIOD FOR PILOT PROGRAM.—The Secretary shall carry out the pilot program during fiscal years 1998 through 2002.

(g) REPORT.—Not later than 90 days after the termination of the pilot program, the Secretary shall submit to Congress a report on the pilot program. The report shall include the Secretary's assessment of the value of the program for meeting the purpose of the program and the desirability of permanently establishing a similar program for all of the Department of Defense.

(h) INSTITUTION OF HIGHER EDUCATION DEFINED.—In this section, the term ''institution of higher education'' has the meaning given the term in section 1201 of the Higher Education Act of 1965 (20 U.S.C. 1141).

(i) AUTHORIZATION OF APPROPRIATIONS.—(1) Funds are authorized to be appropriated for the Navy for the pilot program for fiscal year 1998 in the total amount of $2,500,000. The amount authorized to be appropriated for the pilot program is in addition to other amounts authorized by other provisions of this Act to be appropriated for the Navy for fiscal year 1998.

(2) The amount authorized to be appropriated by section 421 is hereby reduced by $2,500,000.

AMENDMENT NO. 809

(Purpose: To provide funds for the operation for Fort Chaffee, Arkansas)

At the appropriate place in the bill, add the following: ''of the amount authorized for O&M, Army National Guard, $6,854,000 may be available for the operation of Fort Chaffee, Arkansas.''

AMENDMENT NO. 810

(Purpose To authorize $12,000,000 to be set aside for contracted training flight services)

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

**SEC. 369. CONTRACTED TRAINING FLIGHT SERVICES.**

Of the amount authorized to be appropriated under section 301(4), $12,000,000 may be used for contracted training flight services.

Mr. CLELAND. Mr. President, the Contracted Training Flight Services Program was instituted 10 years ago because the Air Force and Air National Guard determined that civilian companies could provide a high level of electronic warfare training at a much lower price than the military itself.

The track record of this program has indeed shown that civilians can provide this training at a significantly lower price. The mathematics are clear. This program serves a vital training need: modern sophisticated, and high quality electronic countermeasures training. It is far cheaper to provide this training using cheaper-to-operate commercial jet aircraft than our military fighters.

The Senate Armed Services Committee has a history of supporting this program and believes that it has resulted in significant savings to the Air Force and Air National Guard. I am pleased that Senator COVERDELL join me in offering this amendment, and I urge its adoption.

AMENDMENT NO. 811

(Purpose: To ensure the President and Congress receive unencumbered advice from the directors of the national laboratories, the members of the Nuclear Weapons Council, and the commander of the United States Strategic Command regarding the safety, security, and reliability of the United States nuclear weapons stockpile)

On page 347, between lines 15 and 16, insert the following:

**SEC. 1075. ADVICE TO THE PRESIDENT AND CONGRESS REGARDING THE SAFETY, SECURITY, AND RELIABILITY OF UNITED STATES NUCLEAR WEAPONS STOCKPILE.**

(a) FINDINGS.—Congress makes the following findings:

(1) Nuclear weapons are the most destructive weapons on earth. The United States and its allies continue to rely on nuclear weapons to deter potential adversaries from using weapons of mass destruction. The safety and reliability of the nuclear stockpile are essential to ensure its credibility as a deterrent.

(2) On September 24, 1996, President Clinton signed the Comprehensive Test Ban Treaty.

(3) Effective as of September 30, 1996, the United States is prohibited by section 507 of the Energy and Water Development Appropriations Act, 1993 (Public Law 102–377; 42 U.S.C. 2121 note) from conducting underground nuclear tests ''unless a foreign state conducts a nuclear test after this date, at which time the prohibition on United States nuclear testing is lifted''.

(4) Section 1436(b) of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 42 U.S.C. 2121 note) requires the Secretary of Energy to ''establish and support a program to assure that the United States is in a position to maintain the reliability, safety, and continued deterrent effect of its stockpile of existing nuclear weapons designs in the event that a low-threshold or comprehensive test ban on nuclear explosive testing is negotiated and ratified.''.

(5) Section 3138(d) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 42 U.S.C. 2121 note) requires the President to submit an annual report to Congress which sets forth ''any concerns with respect to the safety, security, effectiveness, or reliability of existing United States nuclear weapons raised by the Stockpile Stewardship Program of the Department of Energy''.

(6) President Clinton declared in July 1993 that ''to assure that our nuclear deterrent remains unquestioned under a test ban, we will explore other means of maintaining our confidence in the safety, reliability, and the performance of our weapons''. This decision was codified in a Presidential Directive.

(7) Section 3138 of the National Defense Authorization Act for Fiscal Year 1994 also requires that the Secretary of Energy establish a ''stewardship program to ensure the preservation of the core intellectual and technical competencies of the United States in nuclear weapons''.

(8) The plan of the Department of Energy to maintain the safety and reliability of the United States nuclear stockpile is known as the Stockpile Stewardship and Management Program. The ability of the United States to maintain warheads without testing will require development of new and sophisticated diagnostic technologies, methods, and procedures. Current diagnostic technologies and laboratory testing techniques are insufficient to certify the future safety and reliability of the United States nuclear stockpile. In the past these laboratory and diagnostic tools were used in conjunction with nuclear testing.

(9) On August 11, 1995, President Clinton directed ''the establishment of a new annual reporting and certification requirement [to] ensure that our nuclear weapons remain safe and reliable under a comprehensive test ban''.

(10) On the same day, the President noted that the Secretary of Defense and the Secretary of Energy have the responsibility, after being ''advised by the Nuclear Weapons Council, the Directors of DOE's nuclear weapons laboratories, and the Commander of United States Strategic Command'', to provide the President with the information to make the certification referred to in paragraph (9).

(11) The Joint Nuclear Weapons Council established by section 179 of title 10, United States Code, is responsible for providing advice to the Secretary of Energy and Secretary of Defense regarding nuclear weapons issues, including ''considering safety, security, and control issues for existing weapons''. The Council plays a critical role in advising Congress in matters relating to nuclear weapons.

(12) It is essential that the President receive well-informed, objective, and honest opinions from his advisors and technical experts regarding the safety, security, and reliability of the nuclear weapons stockpile.

(b) POLICY.—

(1) IN GENERAL.—It is the policy of the United States—

(A) to maintain a safe, secure, and reliable nuclear weapons stockpile; and

(B) as long as other nations covet or control nuclear weapons or other weapons of mass destruction, to retain a credible nuclear deterrent.

(2) NUCLEAR WEAPONS STOCKPILE.—It is in the security interest of the United States to sustain the United States nuclear weapons stockpile through programs relating to stockpile stewardship, subcritical experiments, maintenance of the weapons laboratories, and protection of the infrastructure of the weapons complex.

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

(A) the United States should retain a triad of strategic nuclear forces sufficient to deter any future hostile foreign leadership with access to strategic nuclear forces from acting against our vital interests;

(B) the United States should continue to maintain nuclear forces of sufficient size and capability to hold at risk a broad range of assets valued by such political and military leaders; and

(C) the advice of the persons required to provide the President and Congress with assurances of the safety, security and reliability of the nuclear weapons force should be scientifically based, without regard for politics, and of the highest quality and integrity.

(c) ADVICE AND OPINIONS REGARDING NUCLEAR WEAPONS STOCKPILE.—Any director of a nuclear weapons laboratory or member of the Joint Nuclear Weapons Council, or the Commander of United States Strategic Command, may submit to the President or Congress advice or opinion in disagreement with, or in addition to, the advice presented by the Secretary of Energy or Secretary of Defense to the President, the National Security Council, or Congress, as the case may be, regarding the safety, security, and reliability of the nuclear weapons stockpile.

(d) EXPRESSION OF INDIVIDUAL VIEWS.—A representative of the President may not take any action against, or otherwise constrain, a director of a nuclear weapons laboratory, a member of the Joint Nuclear Weapons Council, or the Commander of United States Strategic Command for presenting individual views to the President, the National Security Council, or Congress regarding the safety, security, and reliability of the nuclear weapons stockpile.

(e) DEFINITIONS.—

(1) REPRESENTATIVE OF THE PRESIDENT.—The term ''representative of the President'' means the following:

(A) Any official of the Department of Defense or the Department of Energy who is appointed by the President and confirmed by the Senate.

(B) Any member of the National Security Council.

(C) Any member of the Joint Chiefs of Staff.

(D) Any official of the Office of Management and Budget.

(2) NUCLEAR WEAPONS LABORATORY.—The term ''nuclear weapons laboratory'' means any of the following:

(A) Los Alamos National Laboratory.

(B) Livermore National Laboratory.

(C) Sandia National Laboratories.

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AMENDMENT NO. 812

(Purpose: To authorize a land conveyance, Hancock Field, Syracuse, New York)

On page 409, between lines 13 and 14, insert the following:

**SEC. 2819. LAND CONVEYANCE, HANCOCK FIELD, SYRACUSE, NEW YORK.**

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Air Force may convey, without consideration, to Onondaga County, New York (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 14.9 acres and located at Hancock Field, Syracuse, New York, the site of facilities no longer required for use by the 152nd Air Control Group of the New York Air National Guard.

(2) If at the time of the conveyance authorized by paragraph (1) the property is under the jurisdiction of the Administrator of General Services, the Administrator shall make the conveyance.

(b) CONDITION OF CONVEYANCE.—The conveyance authorized by subsection (a) shall be subject to the condition that the County use the property conveyed for economic development purposes.

(c) REVERSION.—If the Secretary determines at any time that the property conveyed pursuant to this section is not being used for the purposes specified in subsection (b), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry thereon.

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

(e) 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. D'AMATO. Mr. President, I rise today to cointroduce legislation with Senator MOYNIHAN that would greatly assist economic development in Syracuse, NY. This legislation concerns Hancock Field in Syracuse. There are two parcels of land there that the Air Force Base Conversion Agency intends to dispose of, and would be of great value to the Hancock Field Development Corp. In this amendment, we ask

that these parcels of land be conveyed to the corporation so that they may use the land to further economic development in the region and increase jobs.

The first parcel of land was formerly the base housing management area. It is at a strategic spot on Performance Drive because it is needed to complete a major access way to the industrial airpark. The second parcel is 15 acres at the center of the airpark which is currently the site of the 152d Air Control Group, which is moving to a new location very soon. This parcel is owned by the Federal Government and will be declared surplus and disposed of through the traditional GSA property disposal process, rather than the BRAC disposal process.

These small actions will have a big effect on the redevelopment at Hancock. I am very pleased that this amendment has been agreed to. I would also like to thank Chairman THURMOND and Senator LEVIN, the ranking member on the Armed Services Committee. Their leadership in getting this important legislation passed was very instrumental.

AMENDMENT NO. 813

(Purpose: To authorize a land conveyance, Havre Air Force Station, Montana, and Havre Training Site, Montana)

On page 409, between lines 13 and 14, insert the following:

**SEC. 2819. LAND CONVEYANCE, HAVRE AIR FORCE STATION, MONTANA, AND HAVRE TRAINING SITE, MONTANA.**

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Air Force may convey, without consideration, to the Bear Paw Development Corporation, Havre, Montana (in this section referred to as the ''Corporation''), all right, title, and interest of the United States in and to the real property described in paragraph (2).

(2) The authority in paragraph (I) applies to the following real property:

(A) A parcel of real property, including any improvements thereon, consisting of approximately 85 acres and comprising the Havre Air Force Station, Montana.

(B) A parcel of real property, including any improvements thereon, consisting of approximately 9 acres and comprising the Havre Training Site, Montana.

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

(1) That the Corporation—

(A) convey to the Box Elder School District 13G, Montana, 10 single-family homes located on the property to be conveyed under that subsection as jointly agreed upon by the Corporation and the school district; and

(B) grant the school district, access to the property for purposes of removing the homes from the property.

(2) That the Corporation—

(A) convey to the Hays/Lodgepole School District 50, Montana—

(i) 27 single-family homes located on the property to be conveyed under that subsection as jointly agreed upon by the Corporation and the school district;

(ii) one barracks housing unit located on the property;

(iii) two steel buildings (nos. 7 and 8) located on the property;

(iv) two tin buildings (nos. 37 and 44) located on the property; and

(v) miscellaneous personal property located on the property that is associated with the buildings conveyed under this subparagraph; and

(B) grant the school district access to the property for purposes of removing such homes and buildings, the housing unit, and such personal property from the property.

(3) That the Corporation—

(A) convey to the District 4 Human Resources Development Council, Montana, eight single-family homes located on the property to be conveyed under that subsection as jointly agreed upon by the Corporation and the council; and

(B) grant the council access to the property for purposes of removing such homes from the property.

(4) That any property conveyed under subsection (a) that is not conveyed under this subsection be used for economic development purposes or housing purposes.

(c) REVERSION.—If the Secretary determines at any time that the property conveyed pursuant to this section which is covered by the condition specified in subsection (b)(4) is not being used for the purposes specified in that subsection, all right, title, and interest in and to such property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry thereon.

(d) DESCRIPTION OF PROPERTY.—The exact acreages and legal description of the parcels of property conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the surveys shall be borne by the Corporation.

(e) 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. BAUCUS. Mr. President, I am pleased to offer an amendment to the Department of Defense authorization measure providing for the conveyance of the Havre Air Force Station and Training Site in northcentral Montana to the Bear Paw Development Corp.

These two facilities comprise over 90 acres of real property. Seventy-seven buildings are located on the property, including 45 single family homes. The U.S. Air Force deactivated these facilities in 1993 although it has maintained the facilities since that time.

Members of the Bear Paw Development Corp. include Hill, Blaine, Liberty, and Chouteau Counties, the cities of Havre, Chinook, Harlem, and Fort Benton, the town of Chester and the Fort Belknap and Rocky Boy's Tribal Governments. It was officially recognized by the U.S. Economic Development Administration in 1968 and has received similar recognition from the State of Montana as well.

Bear Paw Development provides a variety of community and economic development services to its members including helping local governments plan for infrastructure improvements and secure needed financing. It also provides training and technical assistance to businesses through the Small Business Development Center and the Montana Microbusiness Program.

My amendment provides that Bear Paw will convey the single family homes as well as several other buildings to the Box Elder School District adjacent to the Rocky Boy's Reservation and the Hays/Lodgepole School District on the Fort Belknap Reservation. Both school districts will use the buildings for classrooms and school facilities.

In addition the Human Resource Development Council in Havre will receive eight homes which it will use to house the homeless.

The real property and remaining structures will be utilized by Bear Paw for local economic development projects.

Mr. President, this conveyance results in several important benefits: Relieving the Air Force and taxpayers of the responsibility of preserving deactivated facilities, helping local school districts provide adequate and safe school facilities for their students, and promoting economic stability and growth in northcentral Montana. Truly all parties will benefit from this transfer.

Thank you for your consideration.

AMENDMENT NO. 814

(Purpose: To authorize the production of tritium in commercial facilities)

On page 444, between lines 20 and 21, insert the following:

**SEC. 3139. TRITIUM PRODUCTION IN COMMERCIAL FACILITIES.**

(a) Section 91 of the Atomic Energy Act of 1954 (42 U.S.C. 2121) is amended by adding at the end the following:

''(d). The Secretary may—

''(A) demonstrate the feasibility of, and

''(B)(i) acquire facilities by lease or purchase, or

''(ii) enter into an agreement with an owner or operator of a facility, for

the production of tritium for defense-related uses in a facility licensed under section 103 of this Act.''

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AMENDMENT NO. 815

(Purpose: To require the screening of real property authorized or required to be conveyed by the Department of Defense)

On page 397, between lines 11 and 12, insert the following:

**SEC. 2805. SCREENING OF REAL PROPERTY TO BE CONVEYED BY THE DEPARTMENT OF DEFENSE.**

(a) REQUIREMENT.—(1) Chapter 159 of title 10, United States Code, as amended by section 2803 of this Act, is further amended by adding at the end the following:

**§ 2697. Screening of certain real property before conveyance**

''(a) REQUIREMENT.—(1) Notwithstanding any other provision of law and except as provided in subsection (b), the Secretary concerned may not convey real property that is authorized or required to be conveyed, whether for or without consideration, by any provision of law unless the Administrator of General Services determines that the property is surplus property to the United States in accordance with the Federal Property and Administrative Service Act of 1949.

''(2) The Administrator shall complete the screening required for purposes of paragraph (1) not later than 30 days after the date of enactment of the provision authorizing or requiring the conveyance of the real property concerned.

''(3)(A) As part of the screening of real property under this subsection, the Administrator shall determine the fair market value of the property, including any improvements thereon.

''(B) In the case of real property determined to be surplus, the Administrator shall submit to Congress a statement of the fair market, value of the property, including any improvements thereon, not later than 30 days after the completion of the screening.

''(b) EXCEPTED AUTHORITY.—Subsection (a) shall not apply to real property authorized or required to be disposed of under the following provisions of law:

''(1) Section 2687 of this title.

''(2) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

''(3) 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).

''(4) Any provision of law authorizing the closure or realignment of a military installation that is enacted after the date of enactment of the National Defense Authorization Act for Fiscal Year 1998.

''(5) Title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.).

''(c) LIMITATION ON MODIFICATION OR WAIVER.—A provision of law may not be construed as modifying or superseding the provisions of subsection (a) unless that provision of law—

''(A) specifically refers to this section; and

''(B) specifically states that such provision of law modifies or supersedes the provisions of subsection (a).''.

''(2) The table of sections at the beginning of such chapter, as so amended, is further amended by adding at the end the following:

''2697. Screening of certain real property before conveyance.''.

''(b) APPLICABILITY.—Section 2697 of title 10, United States Code, as added by subsection (a) of this section, shall apply with respect to any real property authorized or required to be conveyed under a provision of law covered by such section that is enacted after December 31, 1996.

Mr. GLENN. Mr. President, I am pleased the committee has adopted an amendment Senator MCCAIN and I have offered which requires the General Services Administration to conduct a Federal screening of property conveyed by the Department of Defense. This amendment also requires that GSA provide Congress with a statement of value for any real property which is conveyed by the Department of Defense.

This provision will codify a process which started when I was chairman of the Readiness Subcommittee, and which was continued by Senator MCCAIN when he was chairman. I congratulate and thank Senator INHOFE and Senator ROBB for accepting this amendment. In previous years, this informal process sought to ensure that taxpayer's interests were partially protected, by conducting an expedited 30-day screen conducted by the General Services Administration for other Federal interest of each proposed land conveyance in the defense authorization bill. Because these land conveyance provisions implicitly waive the Federal Property and Administrative Services Act, the committee cannot assure taxpayers that the Federal Government is not seeking to acquire property that is similar to what the legislative provisions are giving away.

Now, Mr. President, some have suggested that screening this property for Federal interest is just a bureaucratic procedure that delays the productive use of property which the member in his or her judgment believes to be the best interest of his or her constituents. Others have suggested that this process is a waste of time because the expedited screening policy implemented by Senator MCCAIN and myself never resulted in property being flagged for other Federal use.

I would like to address each of these points.

First, Federal screening is the law of the land. If Congress, and the Armed Services Committee in particular, believe that it is no longer necessary, the appropriate action is to amend the Federal Property and Administrative Services Act.

Now let me explain why Federal screening of excess property makes sense. I ask unanimous consent to insert in the RECORD, at the conclusion of my remarks, a chart provided by the General Services Administration entitled, ''Recent Examples of Excess Real Property Screened by GSA with Federal Agencies and Subsequently Transferred to other Federal Agencies for Continued Federal Use.''

Mr. President, this chart shows why Federal screening of excess property saves taxpayer dollars. The chart lists five examples, including two from the Department of Defense, where excess property from one agency was transferred to another Federal agency as a result of the screening process. The total value of property in these five examples is almost $36 million. What this means, Mr. President, is that the screening process saved Federal taxpayers $36 million because the receiving agencies were able to utilize property which the holding agency no longer needed.

I would expect that my colleagues who speak of the importance of balancing the budget and are so-called deficit hawks would be interested in the result of GSA's valuation of these properties.

So to conclude, I am pleased that the committee has accepted this amendment. As a result I do not intend to offer the amendment I have filed on the individual land conveyance provisions. I look forward to working with my colleagues to ensure that this provision is retained in conference.

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

RECENT EXAMPLES OF EXCESS REAL PROPERTY SCREENED BY GSA WITH FEDERAL AGENCIES AND SUBSEQUENTLY TRANSFERRED TO OTHER FEDERAL AGENCIES FOR CONTINUED FEDERAL USE [1]

| Holding agency | Property name | Acres | Receiving agency | Value |
|---|---|---|---|---|
| Air Force | Pease Air Force Base, New Hampshire | 1,054 | Fish and Wildlife | $24,000,000 |
| National Institute of Health | Triangle Park, North Carolina | 132 | EPA | 6,600,000 |
| Navy | Brooklyn Navy Yard, New York | 5.7 | Bureau of Prisons | 4,000,000 |
| GSA | Curtis Bay Storage, Maryland | 12 | Corps of Engineers | 900,000 |
| GSA (reverter) | Wellesley Island, New York | 5 | Border Patrol | 240,000 |

[1] Federal screening requires minimal property information from the Holding agency and can be conducted many months prior to an excess action.

AMENDMENT NO. 816

(Purpose: To make available $15,000,000 for the DOD/VA Cooperative Research Program)

On page 15, line 22, strike out ''$2,918,730,000'' and insert in lieu thereof ''$2,903,730,000''.

On page 30, line 14, strike out ''$10,072,347,000'' and insert in lieu thereof ''$10,087,347,000''.

On page 46, between lines 6 and 7, insert the following:

**SEC. 220. DOD/VA COOPERATIVE RESEARCH PROGRAM.**

Of the amount authorized to be appropriated by section 201(4), $15,000,000 shall be available for the DOD/VA Cooperative Research Program. The Secretary of Defense shall be the executive agent for the funds authorized under this section.

● Mr. ROCKEFELLER. Mr. President, this amendment seeks to further a valuable, mutually beneficial affiliation between the Department of Defense and the Department of Veterans' Affairs by authorizing a $15 million increase for the DOD/VA Cooperative Research Program. This program encourages health-related research which benefits both veterans and active duty military personnel. In fact, fostering this collaborative relationship was the original intent of the DOD appropriation, back when this program began in 1987. It has been funded every year since then. Funding for this amendment is made available from the Army procurement, specifically, special equipment for user testing.

Each year, the DOD/VA Cooperative Research Program begins with jointly selected, specific research topics, and the Departments, working together, come up with priorities for research areas and the appropriate funding levels. The VA and DOD jointly designate representatives to oversee the entire process. The result is research which provides a strong, direct link between DOD and VA investigators to pursue research of mutual interest, and facilitates research that follows the natural course of disease or injury in individuals, first as active duty military personnel, and then as veterans.

I am cosponsoring this amendment with Senator DURBIN and Senator SPECTER who also believe that the joint research program reaps tremendous

benefits. I thank the distinguished junior Senator from Pennsylvania for his willingness to reach agreement on this amendment.

In fiscal year 1997, DOD and VA agreed to spend the funds provided for this program on such areas as a new Environmental Epidemiology Research Center and studies on combat casualty care including bone healing, blood replacement, skin repair, vascular repair, and spinal cord injury. Last year's program also yielded expanded research on prostate cancer and emerging pathogens.

In addition, I am particularly encouraged by a new research program on psychiatric disease and post-traumatic stress disorder targeted at identifying risk profiles for soldiers who might have a higher probability of developing PTSD. This PTSD-prevention program will be developing methods to screen potential combat-ready soldiers for PTSD. As the ranking member of the Committee on Veterans' Affairs, I have witnessed the devastating effects of PTSD on the lives of former military personnel, and I am enormously encouraged by research which may prevent the onset of PTSD.

Because of the collaborative nature of the joint program, this amendment does not specify research areas for focus. Rather, it leaves that decision with the Departments. Given the number of unanswered questions surrounding the illnesses and health problems of gulf war veterans, however, I am optimistic the DOD and VA will want to pursue more research in this area to help identify effective treatments and recognize the battlefield risks that our troops face in today's warfare. This research would not only address the current health problems of gulf war veterans, it will also help identify prevention measures for future deployments. As the nature of war changes, the modern military must cope with threats that include environmental hazards and possible biological or chemical warfare, as well as the more traditional hazards of combat. Research is needed to ensure that we are ready to meet these new risks.●

Mr. SPECTER. Mr. President, I am pleased to join with my colleagues from West Virginia and Illinois in offering an amendment which would authorize continued funding for the successful program of medical research conducted jointly by the Departments of Defense and Veterans Affairs.

This important and cost-effective program began in 1987 and has been funded at approximately $20 million per year every year since then.

This research partnership is built on the concept of joint DOD-VA policy making, scientific review, and research performance. Research efforts are targeted at areas of mutual DOD-VA concern such as mutations in microorganisms that become known pathogens and are encountered by soldiers in foreign environments, trauma and wound healing, and stress-related chronic illnesses including PTSD and the possible effect of stress on undiagnosed symptoms experienced by Persian Gulf War veterans.

The Department of Defense and Veterans Affairs are joined by their common responsibilities to the men and women who are first service members, but subsequently become veterans. In the DOD-VA Cooperative Research program each Department brings unique strengths to the table to advance their joint missions and commitments. Perhaps that is why DOD's Dr. Anna Johnson-Winegar, Director, Environmental and Life Sciences, has been quoted as saying ''Our investigators are very enthusiastic about participating in these joint initiatives.''

Mr. President, both the Departments of Defense and Veterans Affairs will benefit from the approval of this amendment. Even more importantly, the men and women who now wear the uniforms of our Armed Forces and who will one day become veterans will reap the benefits of the medical research authorized by this amendment.

Mr. DURBIN. Mr. President, I applaud the authorization of $15 million for the DOD–VA Cooperative Research Program. Authorization of these funds will guarantee the continuation of this laudable research effort.

The DOD–VA Cooperative Research Program supports important research that contributes significantly to the health missions of both DOD and the Department of Veterans Affairs [VA]. Since 1987, the VA medical and prosthetics research appropriation has been supplemented by funds transferred to VA under a cooperative agreement with DOD. The DOD–VA research program has become a truly collaborative effort and one that is mutually beneficial to both DOD and VA. The work performed under this program addresses conditions affecting both active duty personnel and veterans, such as post-traumatic stress disorder, the consequences of exposure to environmental hazards, wound repair, brain and spinal cord injury, and skin and vascular repair. No other program supports this type of mission-relevant cooperative research.

I expect that with this funding, areas of mutual interest to DOD and VA in the fields of medical and psychological research will continue. Specifically, this funding encourages innovative endeavors in accordance with the five jointly established programs: the DOD–VA environmental epidemiology research center; research on psychological diseases and post-traumatic stress disorder; cardiovascular fitness; research in prostate cancer and emerging pathogens; and casualty care enhancement.

It is imperative for the health and well-being of our veterans and active-duty military personnel that Congress continue to fund this important initiative by authorizing $15 million for the DOD–VA Cooperative Research Program. This is the least that we can do in recognition of the invaluable service rendered by our veterans and military personnel.

AMENDMENT NO. 817

(Purpose: To express the sense of the Senate that the process of enlarging the North Atlantic Treaty Organization should be a continuous process)

On page 347, between lines 15 and 16, insert the following:

**SEC. 1075. SENSE OF THE SENATE REGARDING EXPANSION OF THE NORTH ATLANTIC TREATY ORGANIZATION.**

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

(1) The North Atlantic Treaty Organization (NATO) met on July 8 and 9, 1997, in Madrid, Spain, and issued invitations to the Czech Republic, Hungary, and Poland to begin accession talks to join NATO.

(2) Congress has expressed its support for the process of NATO enlargement by approving the NATO Enlargement Facilitation Act of 1996 (Public Law 104–208; 22 U.S.C. 1928 note) by a vote of 81–16 in the Senate, and 353–65 in the House of Representatives.

(3) The United States has assured that the process of enlarging NATO will continue after the first round of invitations in July.

(4) Romania and Slovenia are to be commended for their progress toward political and economic reform and meeting the guidelines for prospective membership in NATO.

(5) In furthering the purpose and objective of NATO in promoting stability and well-being in the North Atlantic area, NATO should invite Romania, Slovenia, and any other democratic states of Central and Eastern Europe to accession negotiations to become NATO members as expeditiously as possible upon the satisfaction of all relevant membership criteria.

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

(1) for having committed to review the process of enlarging NATO at the next NATO summit in 1999; and

(2) for singling out the positive developments toward democracy and rule of law in Romania and Slovenia.

Mr. COATS. Mr. President, this week, Heads of State and Government of the member countries of the North Atlantic Alliance met in Madrid and agreed to expand of NATO by inviting the Czech Republic, Hungary, and Poland to begin accession talks with NATO. These central European countries were always considered the likely first nations to be invited to join since the collapse of the Soviet Union and the emergency of democracy in these countries.

Since the end of Soviet hegemony in Central and Eastern Europe, these countries have strived to break free from the oppressive burden of State controlled economies and one party governments with great success. I applaud the advances which these nations have made.

There are other nations which deserve recognition for their enormous accomplishments. While their successes have been more recent, they nonetheless have demonstrated a commitment in a positive direction which should be acknowledged and encouraged. Both Romania and Slovenia present a tremendous case for NATO enlargement. While the administration

has determined not to pursue their accession at this time, I believe that these nations have made significant strides which certainly recommend them for NATO membership in the near term.

The Senate has supported the concept of expanding NATO for those emerging democracies of Central and Eastern Europe, which have struggled and successfully shaken the yoke of their former communist systems. In October 1996, Congress voted overwhelmingly by 81 to 16 to approve the NATO Facilitation Act. This bill provides valuable resources to assist these nations in making essential changes to their defense structure in order to help prepare them for NATO membership.

Last month in the State Department bill, the Senate included Romania, the Baltics, and Bulgaria as eligible for this assistance. This positive step reflects the progress in democracy-building and economic development being undertaken in these nations. I believe that more needs to be done to encourage these new democracies along the positive path they are following. They need firm commitments and a clear understanding that NATO is not off limits to them.

The amendment I am proposing, along with Senator BREAUX, Senator BROWNBACK, and Senator GORDON SMITH, is a sense of Senate that NATO strongly signal other Central and Eastern European nations that enlargement process will not end with these first three nations. The communiqué from the NATO Madrid Summit states that:

> The Alliance expects to extend further invitations in coming years to nations willing and able to assume the responsibilities and obligations of membership, and as NATO determines that inclusion of these nations would serve the overall political and strategic interests of the Alliance and that the inclusion would enhance overall European security and stability.

There should be invitations extended to other nations that meet the criteria for membership at the NATO summit associated with the 50th anniversary of the North Atlantic Treaty in April 1999. It is important for the United States and NATO to continue to clearly demonstrate the intention to continue to enlarge NATO based on the progress of these emerging democracies. By so doing, NATO sends an unmistakable message to other central European countries that they will have an opportunity to become a part of NATO as they continue to strengthen democratic institutions, pursue free market economies, and modernize their military in support of NATO objectives.

I believe that Romania presents a particularly strong case for future membership. Last November, the people of Romania voted overwhelmingly to elect Emil Constantinescu as their new President. His election demonstrated that Romanians wanted to firmly put the communist era—which had dominated Romania's Government and economy—behind them. In voting to oust Ion Iliescu in favor of Constantinescu, they rejected state socialism, stagnant economies, corrupt government practices in search of a revitalized economy, a new political openness and reconciliation, and a pro-western posture. With Constantinescu they got a reform-committed President and a parliament to match. The process of change in Romania is now firmly in place.

Romania's new Government has initiated price liberalization and privatization. They are enacting laws to encourage greater foreign investment, a step which was desperately needed. The President has been clear from the start that economic reform would be difficult but the Romanian people have continued to support his policies. The international financial institution's recognize Romania's positive ecomomic steps and have reward them accordingly. In April the International Monetary Fund announced a loan of $430 million to Romania and the World Bank loans of up to $530 million.

In addition, Romania has put aside historic differences with its neighbors. They have produced political agreements with Hungary and Ukraine to reconcile border disputes and resolve ethnic tensions. Indeed, President, Constantinescu has showed a tremendous effort to reach out to the Hungarian ethnic minorities in Romania by bringing Hungarians into the government.

As a military alliance, NATO needs to take seriously the commitment of prospective members to contribute to NATO's collective security. Romania has also shown the commitment needed to bring its military to modern standards. They have expressed a willingness to take on the responsibilities and costs associated with NATO membership. Romania was the first nation to join the Partnership for Peace program and have participated in missions in Bosnia and Albania as well as other peacekeeping missions. They understand that NATO is not a one-way security arrangement. Romania fully intends to contribute effectively to the security and stability of the alliance. They are already increasing their defense budget and their military is firmly under civilian control. They are incorporating new training procedures to conform with NATO standards. In addition, Romania is well on its way to meeting the considerable interoperability objectives established by NATO.

I believe also that Romania's geographical location would serve NATO's strategic considerations as well. Romania's membership would be an important asset in strengthening NATO's southern flank and provide a key geostrategic position at the Black Sea.

Mr. President, I urge adoption of this amendment as a commitment to continue the process of a NATO enlargement.

AMENDMENT NO. 818

(Purpose: To provide for research, development, test, and evaluation of Multitechnology Integration in Mixed-Mode Electronics)

On page 46, between lines 6 and 7, insert the following:

**SEC. 220. MULTITECHNOLOGY INTEGRATION IN MIXED-MODE ELECTRONICS.**

(a) AMOUNT FOR PROGRAM.—Of the amount authorized to be appropriated under section 201(4), $7,000,000 is available for Multitechnology Integration in Mixed-Mode Electronics.

(b) ADJUSTMENTS TO AUTHORIZATION OF APPROPRIATIONS.—(1) The amount authorized to be appropriated under section 201(4) is hereby increased by $7,000,000.

(2) The amount authorized to be appropriated under section 101(5) and available for special equipment for user testing is reduced by $7,000,000.

Mr. FAIRCLOTH. Mr. President, this amendment authorizes appropriations of $7,000,000 for a project called multitechnology integration in mixed-mode electronics. It is a project that will help give the United States a military advantage over our potential adversaries because it will support the development of technologies far superior to the off-the-shelf technologies that are becoming available to all nations on the global markets.

As technologies are developed and commercialized, they become more standardized, mass produced, and widely available. We need to move beyond this cycle and find unique ways to integrate technologies into products that offer superior performance and are not available off-the-shelf.

This appropriation increase is offset by a reduction in the Army's procurement appropriation for purchasing special equipment for user testing.

I urge my colleagues to support this amendment.

AMENDMENT NO. 819

(Purpose: To authorize a multiyear contract for the Family of Medium Tactical Vehicles (FMTV))

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

**SEC. 113. MULTIYEAR PROCUREMENT AUTHORITY FOR FAMILY OF MEDIUM TACTICAL VEHICLES.**

Beginning with the fiscal year 1998 program year, the Secretary of the Army may, in accoredance with section 2306b of title 10, United States Code, enter into a multiyear procurement contract for the procurement of vehicles of the Family of Medium Tactical Vehicles. The contract may be for a term of our years and include an option to extend the contract for one additional year.

Mr. THURMOND. Mr. President, this amendment would authorize the Secretary of the Army to enter into a multiyear procurement contract for the family of medium tactical vehicles [FMTV]. This authority is significant for the following reasons:

First, the Army fleet of aging trucks, the backbone for our premier land force, has reached the end of its useful life and new trucks are required to support the heavy demand we place on these vehicles.

Second, the Army will complete acquisition of the first round of new

FMTV trucks through an existing multiyear in 1998. The soldiers in the field love these new trucks. They are reliable, capable, and are easily maintained. We must continue to field these trucks to our soldiers as quickly as possible.

Third, the multiyear authority will be exercised within the current budget and will result in 9.5 percent savings over the life of the multiyear or $122.3 million. This means that the Army will be able to field more trucks than would otherwise be possible with current budget constraints.

Mr. President, I strongly support the fielding of these trucks and believe that this multiyear will make the best use of available resources and will help our soldiers. I strongly urge my colleagues to support the amendment.

I ask unanimous consent a description of the background on the FMTV be printed in the RECORD.

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

FAMILY OF MEDIUM TACTICAL VEHICLES [FMTV] MULTI-YEAR

Sponsor: Senator Thurmond.

Amendment: Add a provision authorizing a multiyear program for FMTV.

Background: The FMTV program has, after a somewhat rocky start, provided extremely high quality medium trucks to replace the aging truck fleet throughout the Army. The old 2.5 ton and 5 ton trucks that one sees in pictures from the Vietnam era through some present day operations are in many cases older than the soldiers driving them. The Army will conclude its first multiyear program for the FMTV in mid-1998 (fiscal year). To date, the Army has procured approximately 10,000 of these new trucks out of a requirement for 85,400. The committee did not recommend a multiyear provision for 1998 as the Army failed to adequately fund the program (with resources necessary to maintain production) and the follow-on assumption that this failure does not demonstrate steady fiscal support for this important piece of equipment.

Arguments to support a multiyear provision: Much needed truck that needs to be fielded expeditiously to replace a very old and costly fleet. Soldiers love the new trucks and they are performing well.

Any action that would reduce the cost of this program must be considered favorably.

The Army did request additional funding on its ''wish list'' for the FMTV (thereby demonstrating support and commitment to the program).

Authorizing a multiyear will result in a 9.5 percent cost savings (over the four year life of the multiyear) or $122.3 million dollars.

Arguments Against the Multiyear Provision: The Army failed to adequately fund this program in 1998 and result would have been a break in production (2–4 months). [Note—The committee added $44 million to resolve this problem] This does not demonstrate support for funding required for a program for which they request a multiyear authority.

Recommendation: Support the multiyear provision.

AMENDMENT NO. 820

(Purpose: To require the Secretary of the Air Force to conduct a cost and operation effectiveness analysis regarding ALR radar warning receivers)

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

**SEC. 132. ALR RADAR WARNING RECEIVERS.**

(a) COST AND OPERATION EFFECTIVENESS ANALYSIS.—The Secretary of the Air Force shall conduct a cost and operation effectiveness analysis of upgrading the ALR69 radar warning receiver as compared with the further acquisition of the ALR56M radar warning receiver.

(b) SUBMISSION TO CONGRESS.—The Secretary shall submit the cost and operation effectiveness analysis to the congressional defense committees not later than April 2, 1998.

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AMENDMENT NO. 821

(Purpose: To provide $5,000,000 for a facial recognition technology program)

On page 46, between lines 6 and 7, insert the following:

**SEC. 220. FACIAL RECOGNITION TECHNOLOGY PROGRAM.**

(a) AVAILABILITY OF FUNDS.—(1) Notwithstanding any other provision of this Act, the amount authorized to be appropriated by section 201(4) is hereby increased by $5,000,000.

(2) Funds available under the section referred to in paragraph (1) as a result of the increase in the authorization of appropriations made by that paragraph may be available for a facial recognition technology program. The Secretary shall use competition procedures in selecting participants for the program.

(b) OFFSET.—Notwithstanding any other provision of this Act, the amount authorized to be appropriated by section 201(1) is hereby decreased by $5,000,000.

Mr. KENNEDY. Mr. President, my amendment would authorize an additional $5 million for the DOD's Counter-Terrorism Technical Support Program, to fund the development of facial recognition access control technology. FRAC technology is an innovative means of positively identifying individuals, either singularly or in a crowd, for a range of security purposes. The Eigenface method of facial recognition is the core technology of a new system that quickly recognizes and identifies a person by capturing his or her face on a quickly scanning camera. This new biometric identification method computes in each face a characteristic set of component images, or Eigenfaces, which can be used to positively identify an individual.

This rapid-scanning capability is superior to traditional ID cards, authorization keypads, palm readers, and most retinal scanners. Unlike conventional systems, it can scan a crowd and pick out individual faces, rather than require individuals to position themselves before a scanner. It is perfect for use at airports, border crossings, or wherever large numbers of people pass through for entry and time-consuming identification procedures are not practical. This technology will support the counter-terrorism effort the Congress established last year, addressing one of the most pressing national security threats we face.

Mr. SMITH. I want to commend the Senator from Massachusetts for this very useful amendment. Facial recognition is a critical tool in securing sensitive areas and safeguarding military and civilian personnel. It will improve our ability to control access to critical facilities and at our borders. I am glad to cosponsor this amendment.

Mr. KENNEDY. I would like to thank the Senator from New Hampshire for his support of this important funding. The technology is inexpensive, well-understood, and uses off-the-shelf-equipment. The Defense Department, the Federal Aviation Administration, and the Department of Justice have all acknowledged the potential benefit of Eigenface identification systems for their security needs. I am grateful for your support of the important provision.

I also want to mention that the source of the offset for this funding increase is $5 million provided for travel and transportation of personnel in the Army's Research, Development, Test, and Evaluation account. This reduction brings the account down to the same level provided in fiscal year 1997. All of the other services have requested and been provided the same level of funding for this function in fiscal year 1998 as they were provided in fiscal year 1997.

Mr. THURMOND. Mr. President, I believe that this amendment will help fill an important gap in our defense capability. I support this additional $5 million for facial recognition technology.

Mr. LEVIN. I join Senators KENNEDY, SMITH, and THURMOND in their support of this innovative technology. It will have a dual role as an access control device and for protecting the United States from the ever-increasing threat of terrorism.

AMENDMENT NO. 822

(Purpose: To require a report on the Joint Statement on Parameters on Future Reductions in Nuclear Forces issued at Helsinki in March 1997)

On page 306, between lines 4 and 5, insert the following:

**SEC. 1041. REPORT ON HELSINKI JOINT STATEMENT.**

(A) REQUIREMENT.—Not later than March 31, 1998, the President shall submit to the congressional defense committees a report on the Helsinki joint statement on future reductions in nuclear forces. The report shall address the U.S. approach (including verification implications) to implementing the Helsinki joint statement, in particular, as it relates to: lower aggregate levels of strategic nuclear warheads; measures relating to the transparency of strategic nuclear warhead inventories and the destruction of strategic nuclear warheads; deactivation of strategic nuclear delivery vehicles; measures relating to nuclear long-range sea—launched cruise missiles and tactical nuclear systems; and issues related to transparency in nuclear materials.

(b) DEFINITIONS.—In this section:

(1) The term ''Helsinki Joint Statement'' means the agreements between the President of the United States and the President of the Russian Federation as contained in the Joint Statement on Parameters of Future Reductions in Nuclear Forces issued at Helsinki in March 1997.

(2) The term ''START II Treaty'' means the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation on Strategic Offensive Arms, signed at Moscow on January 3, 1993, including any protocols and

memoranda of understanding associated with the treaty.

Mr. DASCHLE. Mr. President, I want to express my support for a very important amendment offered by Senator BINGAMAN, a key member of the Senate Armed Services Committee.

The bill before us is a critical one. It authorizes $269 billion for the military activities of this country—everything from the pay for the men and women who so capably serve this country to the aircraft, tanks and ships they operate to the housing in which they reside. This single bill provides for all of this. The members of the committee are to be commended for their excellent work.

Despite the numerous critical issues this bill does address, there is one crucial area that the Senator from New Mexico and I think requires further attention—the status of our efforts with the Russians to implement the START II agreement and, as importantly, design meaningful and verifiable measures to take us beyond the constraints of START II.

Mr. President, many in this body on both sides of the aisle believe that reducing the number of existing nuclear weapons and controlling their spread to other countries represents the gravest challenge to our national security. START II called for a limit of 3,500 deployed warheads by 2003. At the Helsinki summit earlier this year, Presidents Clinton and Yeltsin agreed to reduce this ceiling to 2,000 to 2,500 by the end of 2007. In addition, they concurred on the need for exchanges of information about total United States and Russian stockpiles of strategic warheads and about the elimination of excess warheads. Finally, they agreed to negotiate confidence-building ''transparency'' arrangements such as on-site inspections.

These are all worthwhile measures and, in this Senator's opinion, very timely. The Pentagon has already indicated it can protect this nation's interests and deter would-be aggressors with significantly fewer weapons than would be permitted under START II. I agree with this assessment. Therefore, like Presidents Clinton and Yeltsin, Senator BINGAMAN and I think it's appropriate to explore doing much more than called for in START II.

That is the purpose of our amendment. We ask the President to submit a report to Congress describing how the United States plans to implement the Helsinki accords. The decisions reached at Helsinki will have far-reaching implications for both the United States and Russia. We hope that with this report, the administration will analyze the consequences of their announced path as well as describe any other additional approaches that merit further inquiry.

Despite the fact that the cold war ended nearly a decade ago, the United States and the Russians still maintain thousands of nuclear weapons poised to be launched within seconds of receiving notice to do so. None of these weapons are on bombers. The United States decided years ago that it no longer needed to keep bombers on such a high alert status. However, we and the Russians each maintain roughly 3,000 weapons on ballistic missiles ready to go at the push of a button. With this amendment, we hope the administration will consider whether keeping such large numbers of weapons in such a high alert status remains in our national interest. As stated in a recent editorial by Senator Nunn and Bruce Blair, ''It is time to rethink the unthinkable. The United States and Russia should cast off the mental shackles of deterrence and make our nuclear relationship more compatible with our political relationship.'' The authors go on to state we can accomplish this by first reducing the number of weapons we have poised to launch at a moment's notice. This report would address this important question as well as the other central elements contained in the Helsinki agreement.

Mr. President, with this amendment, we are asking the administration to examine the case made by Senator Nunn, Gen. Lee Butler, and many others. Although we are requesting just a study of this issue, it is a study that could eventually lead us to a safer, more secure world. I believe this is the time, and this is the bill, for the Senate to express its desire to explore this course.

AMENDMENT NO. 823

(Purpose: To state the sense of the Senate relating to the utilization of savings derived from the base closure process)

On page 410, between lines 2 and 3, insert the following:

**SEC. 2832. SENSE OF SENATE ON UTILIZATION OF SAVINGS DERIVED FROM BASE CLOSURE PROCESS.**

(a) FINDINGS.—Congress makes the following findings:

(1) Since 1988, the Department of Defense has conducted 4 rounds of closures and realignments of military installations in the United States, resulting in the closure of 97 installations.

(2) The cost of carrying out the closure or realignment of installations covered by such rounds is estimated by the Secretary of Defense to be $23,000,000,000.

(3) The savings expected as a result of the closure or realignment of such installations are estimated by the Secretary to be $10,300,000,000 through fiscal year 1996 and $36,600,000,000 through 2001.

(4) In addition to such savings, the Secretary has estimated recurring savings as a result of the closure or realignment of such installations of approximately $5,600,000,000 annually.

(5) The fiscal year 1997 budget request for the Department assumes a savings of between $2,000,000,000 and $3,000,000,000 as a result of the closure or realignment of such installations, which savings were to be dedicated to modernization of the Armed Forces. The savings assumed in the budget request were not realized.

(6) The fiscal year 1998 budget request for the Department assumes a savings of $5,000,000,000 as a result of the closure or realignment of such installations, which savings are to be dedicated to modernization of the Armed Forces.

(b) SENSE OF SENATE ON USE OF SAVINGS RESULTING FROM BASE CLOSURE PROCESS.—It is the sense of the Senate that the savings identified in the report under section _____ should be made available to the Department of Defense solely for purposes of modernization of new weapon systems (including research, development, test, and evaluation relating to such modernization) and should be used by the Department solely for such purposes.

Ms. SNOWE. Mr. President, this amendment will address concerns that we have discussed here on the floor regarding the Base Realignment and Closure [BRAC] process.

Before the Congress ever considers to authorize future BRAC commissions—a process which I strongly oppose, we should take a more detailed look at whether those elusive savings from infrastructure reductions will ever be achieved. That is what I accomplish by the amendment which I offer today.

Mr. President, I have consistently asked what has happened to savings from the past four BRAC actions. The Pentagon estimated savings from the four previous base closing rounds to reach $57 billion over a 20-year period with annualized savings of $5.6 billion per year starting in 2001. In its April 1995 report, the GAO estimate for such savings projects the savings at less than half these numbers. GAO estimates that the 20-year savings may be $17.3 billion, with annual recurring savings possibly reaching $1.8 billion.

Mr. President, GAO conducted further analysis and issued a following report in a April 1996. In this report, GAO found that the total amount of actual savings that may be estimated from BRAC actions is uncertain for several reasons. One of which is that DOD accounting systems do not provide adequate information or isolate their impact from that of other DOD initiatives.

Despite the fact that DOD has complied with legislative requirements for submitting annual cost and savings estimates, the GAO further states that the estimates' usefulness is limited because the estimates are not budget quality, and that the inclusion of the estimates of reduced personnel costs by all the services are not uniform and further, the GAO determined that certain community assistance costs were excluded.

In one example, GAO identified the fact that DOD BRAC cost estimates excluded more than $781 million in economic assistance to local communities as well as other costs.

Mr. President, in its December 1996 report, CBO stated that it was unable to confirm or assess DOD's estimates of cost savings because the DOD is unable to report actual spending and savings from BRAC actions.

So now Mr. President, we have the Pentagon, the GAO, and CBO with differing estimates on what has actually happened and what is supposed to happen as a result of the four previous BRAC rounds. There is no consensus on the numbers—and that is a significant

problem. It seems everybody has a different number on the issue, and there are numerous inconsistencies on the estimates of what the savings are supposed to be. And the Congress has been assured that starting in the year 2001, the savings may in fact be realized. I question that assurance Mr. President, because I do not think we know what they will be. But what we do know now, is that any savings from the past four base closure rounds have yet to be realized.

Mr. President, the intent of DOD to streamline its infrastructure cost is not lost on us. We must recognize that the need to fill the projected $17 billion gap between projected procurement funding and the procurement funding objective of $60 billion. Mr. President, throughout this year's DOD authorization process, the Congress has heard testimony from the Secretary of Defense, the Chairman of the Joint Chiefs, the respective service chiefs and service secretaries, and to a person, each has testified on the importance of modernizing our military forces for the 21st century. But Mr. President, that just is not happening.

Mr. President, the projections for national defense outlays decrease 34.4 percent over the period from 1990 to 2002. We have all seen the downward pressure on defense spending. Yet the future years defense plan [FYDP] calls for a 40-percent increase in the military's modernization budget within the confines of an overall defense budget that will more likely be flat at best. We have seen procurement funding plummet from $54 billion in 1990 to today's level of just over $42 billion.

The U.S. military has undergone a significant transformation in the post-cold-war period. Specifically, from 1989 to 1997, DOD reduced total active duty end strength by 32 percent, with further reductions to 36 percent by 2003 as a result of the QDR. After the completion of four previous base closure rounds, the world-wide base structure will have been reduced by 26 percent, and domestic facilities will have been reduced by 21 percent. In more tangible numbers 97 of 495 major bases, as well as hundreds of smaller facilities and housing areas, and the realignment of many other bases and facilities has already been accomplished by this process.

However, we are chasing elusive infrastructure savings, and there is no straight line corollary between the size of our forces and the infrastructure required to meet two nearly simultaneous major regional conflicts. DOD has even admitted to GAO investigators that they do not have accounting systems in place to isolate the impact of specific initiatives, such as BRAC.

The amendment which I offer states that it is the sense of the Senate that the savings through previous BRAC actions which are estimated by the Department of Defense be made available to the Department solely for the purpose of modernization of new weapons systems.

Mr. President, I am offering this amendment so that the Congress will send a very clear message to this administration. The Congress recognizes the limited resources that are available to the Department of Defense, and that we have to insure that these dollars are invested wisely. Not only so our military forces can meet the commitments of today, but also so our military forces will be prepared to meet the challenges of the 21st century, and continued to be the most capable military force in the world.

Mr. President, we must send a very clear message that the past base closure process which has been so devastating to many local communities will actually result in savings that can be invested in our force modernization.

Mr. President, that is what my amendment accomplishes, and I urge my colleagues to support it.

AMENDMENT NO. 824

(Purpose: To conform limits for Department of Energy General Plant Projects to recommendations from the Department contained in a Congressionally mandated report on the subject)

On page 425, line 12, strike ''$2,000,000'' and insert ''$5,000,000''.

On page 425, line 17, strike ''$2,000,000'' and insert ''$5,000,000''.

On page 429, line 6, strike ''$2,000,000'' and insert ''$5,000,000''.

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AMENDMENT NO. 825

(Purpose: To provide for a pilot program relating to use of proceeds from the disposal or utilization of certain Department of Energy assets for activities funded by the defense Environmental Restoration and Waste Management account)

On page 444, between lines 20 and 21, insert the following:

**SEC. 3139. PILOT PROGRAM RELATING TO USE OF PROCEEDS OF DISPOSAL OR UTILIZATION OF CERTAIN DEPARTMENT OF ENERGY ASSETS.**

(a) PURPOSE.—The purpose of this section is encourage the Secretary of Energy to dispose of or otherwise utilize certain assets of the Department of Energy by making available to the Secretary the proceeds of such disposal or utilization for purposes of activities funded by the defense Environmental Restoration and Waste Management account.

(b) CREDITING OF PROCEEDS.—(1) Notwithstanding section 3302 of title 31, United States Code, the Secretary may retain from the proceeds of the sale, lease, or disposal of an asset under subsection (c) an amount equal to the cost of the sale, lease, or disposal of the asset. The Secretary shall utilize amounts retained under this paragraph to defray the cost of the sale, lease, or disposal.

(2) For purposes of paragraph (1), the cost of a sale, lease, or disposal shall include—

(A) the cost of administering the sale, lease, or disposal;

(B) the cost of recovering or preparing the asset concerned for the sale, lease, or disposal; and

(C) any other cost associated with the sale, lease, or disposal.

(3) If after amounts from proceeds are retained under paragraph (1) a balance of the proceeds remains, the Secretary shall—

(A) credit to the defense Environmental Restoration and Waste Management account an amount equal to 50 percent of the balance of the proceeds; and

(B) cover over into the Treasury as miscellaneous receipts an amount equal to 50 percent of the balance of the proceeds.

(c) COVERED TRANSACTIONS.—Subsection (b) applies to the following transactions:

(1) The sale of heavy water at the Savannah River Site, South Carolina.

(2) The sale of precious metals under the jurisdiction of the Environmental Management Program.

(3) The lease of buildings and other facilities located at the Hanford Reservation, Washington and under the jurisdiction of the Environmental Management Program.

(4) The lease of buildings and other facilities located at the Savannah River Site and under the jurisdiction of the Environmental Management Program.

(5) The disposal of equipment and other personal property located at the Rocky Flats Environmental Technology Site, Colorado and under the jurisdiction of the Environmental Management Program.

(6) The disposal of materials at the National Electronics Recycling Center, Oak Ridge, Tennessee and under the jurisdiction of the Environmental Management Program.

(d) AVAILABILITY OF AMOUNTS.—To the extent provided in advance in appropriations Acts, the Secretary may use amounts credited to the defense Environmental Restoration and Waste Management account under subsection (b)(3)(A) for any purposes for which funds in that account are available.

(e) APPLICABILITY OF DISPOSAL AUTHORITY.—Nothing in this section shall be construed to limit the application of sections 202 and 203(j) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483 and 484(j)) to the disposal of equipment and other personal property covered by this section.

(f) ANNUAL REPORT.—Not later than January 31 each year, the Secretary shall submit to the congressional defense committees a report on the amounts credited by the Secretary under subsection (b)(3)(A) during the preceding fiscal year.

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AMENDMENT NO. 826

(Purpose: To require the Secretary of Defense to assess and report on the Cuban threat to United States national security)

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

**SEC. 1041. ASSESSMENT OF THE CUBAN THREAT TO UNITED STATES NATIONAL SECURITY.**

(a) FINDINGS.—Congress makes the following findings:

(1) The United States has been an avowed enemy of Cuba for over 35 years, and Fidel Castro has made hostility towards the United States a principal tenet of his domestic and foreign policy.

(2) The ability of the United States as a sovereign nation to respond to any Cuban provocation is directly related to the ability of the United States to defend the people and territory of the United States against any Cuban attack.

(3) In 1994, the Government of Cuba callously encouraged a massive exodus of Cubans, by boat and raft, toward the United States.

(4) Countless numbers of those Cubans lost their lives on the high seas as a result of those action of the Government of Cuba.

(5) The humanitarian response of the United States to rescue, shelter, and provide emergency care to those Cubans, together with the actions taken to absorb some 30,000 of those Cubans into the United States, required immeasurable efforts and expenditures of hundreds of millions of dollars for the costs incurred by the United States and State and local governments in connection with those efforts.

(6) On February 24, 1996, Cuban MiG aircraft attacked and destroyed, in international airspace, two unarmed civilian aircraft flying from the United States, and the

four persons in those unarmed civilian aircraft were killed.

(7) Since the attack, the Cuban government has issued no apology for the attack, nor has it indicated any intention to conform its conduct to international law that is applicable to civilian aircraft operating in international airspace.

(b) REVIEW AND REPORT.—Not later than March 30, 1998, the Secretary of Defense shall carry out a comprehensive review and assessment of Cuban military capabilities and the threats to the national security of the United States that are posed by Fidel Castro and the Government of Cuba and submit a report on the review to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives. The report shall contain—

(1) a discussion of the result of the review, including an assessment of the contingency plans; and

(2) the Secretary's assessment of the threats, including—

(A) such unconventional threats as—

(i) encouragement of migration crises; and

(ii) attacks on citizens and residents of the United States while they are engaged in peaceful protest in international waters or airspace;

(B) the potential for development and delivery of chemical or biological weapons; and

(C) the potential for internal strife in Cuba that could involve citizens or residents of the United States or the Armed Forces of the United States.

(c) CONSULTATION ON REVIEW AND ASSESSMENT.—In performing the review and preparing the assessment, the Secretary of Defense shall consult with the Chairman of the Joint Chiefs of Staff, the Commander-in-Chief of the United States Southern Command, and the heads of other appropriate agencies of the Federal Government.

AMENDMENT NO. 827

(Purpose: To require a report on fire protection and hazardous materials protection at Fort Meade, Maryland)

On page 306, between lines 4 and 5, insert the following:

**SEC. 1041. FIRE PROTECTION AND HAZARDOUS MATERIALS PROTECTION AT FORT MEADE, MARYLAND.**

(a) PLAN.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a plan to address the requirements for fire protection services and hazardous materials protection services at Fort Meade, Maryland, including the National Security Agency at Fort Meade, as identified in the preparedness evaluation report of the Army Corps of Engineers on Fort Meade.

(b) ELEMENTS.—The plan shall include the following:

(1) A schedule for the implementation of the plan.

(2) A detailed list of funding options available to provide centrally located, modern facilities and equipment to meet current requirements for fire protection services and hazardous materials protection services at Fort Meade.

AMENDMENT NO. 828

(Purpose: To authorize the Secretary of the Army to enter into an agreement to provide police, fire protection, and other services at property formerly associated with Red River Army Depot, Texas)

On page 347, between lines 15 and 16, insert the following:

**SEC. 1075. SECURITY, FIRE PROTECTION, AND OTHER SERVICES AT PROPERTY FORMERLY ASSOCIATED WITH RED RIVER ARMY DEPOT, TEXAS.**

(a) AUTHORITY TO ENTER INTO AGREEMENT.—(1) The Secretary of the Army may enter into an agreement with the local redevelopment authority for Red River Army Depot, Texas, under which agreement the Secretary provides security services, fire protection services, or hazardous material response services for the authority with respect to the property at the depot that is under the jurisdiction of the authority as a result of the realignment of the depot under the base closure laws.

(2) The Secretary may not enter into the agreement unless the Secretary determines that the provision of services under the agreement is in the best interests of the United States.

(3) The agreement shall provide for reimbursing the Secretary for the services provided by the Secretary under the agreement.

(b) TREATMENT OF REIMBURSEMENT.—Any amounts received by the Secretary under the agreement under subsection (a) shall be credited to the appropriations providing funds for the services concerned. Amounts so credited shall be merged with the appropriations to which credited and shall be available for the purposes, and subject to the conditions and limitations, for which such appropriations are available.

AMENDMENT NO. 829

(Purpose: To propose a substitute for section 1040, relating to GAO reports)

Strike out section 1040, and insert in lieu thereof the following:

**SEC. 1040. ADDITIONAL MATTERS FOR ANNUAL REPORT ON ACTIVITIES OF THE GENERAL ACCOUNTING OFFICE.**

Section 719(b) of title 31, United States Code, is amended by adding at the end the following:

''(3) The report under subsection (a) shall also include a statement of the staff hours and estimated cost of work performed on audits, evaluations, investigations, and related work during each of the three fiscal years preceding the fiscal year in which the report is submitted, stated separately for each division of the General Accounting Office by category as follows:

''(A) A category for work requested by the chairman of a committee of Congress, the chairman of a subcommittee of such a committee, or any other member of Congress.

''(B) A category for work required by law to be performed by the Comptroller General.

''(C) A category for work initiated by the Comptroller General in the performance of the Comptroller General's general responsibilities.''.

Mr. MCCAIN. Mr. President, I am offering an amendment to delete section 1040 from the bill and replace it with an annual reporting requirement.

Let me take just a moment to express my concerns with some activities of the General Accounting Office over the years. Starting with the Persian Gulf war, when the GAO sent auditors to the battlefield to inspect Apache helicopters, I have been concerned about the GAO's self-initiated activities, particularly in the areas under the jurisdiction of the Armed Services Committee. In the past several years, the GAO has undertaken increasing numbers of self-initiated audits while relegating congressionally mandated activities to a lower priority.

Because of this inappropriate prioritization, the committee included a provision in the fiscal year 1998 Defense authorization bill that would require the Comptroller General of the United States to certify to Congress that all audits, evaluations, other reviews, and reports requested by Congress or required by law are complete prior to the initiation of any audits, evaluations, other reviews, and reports that are not required by Congress. I sponsored this provision because I believe it would make the GAO, a legislative branch agency, far more responsive to the needs of the Congress.

I understand there are a number of concerns regarding this provision. One concern is that this provision would effectively prevent the GAO from performing any valuable, self-initiated jobs that could save billions of dollars. I find this extremely hard to believe. With 535 Members of Congress, from different backgrounds and with varied interests, it is hard to imagine a situation where the GAO could not find a congressional sponsor for an audit which would save billions of dollars.

Another concern is that this provision is not in the jurisdiction of the Armed Services Committee. Mr. President, it is because the GAO continues to perform a number of self-initiated jobs relating to issues under the jurisdiction of the Armed Services Committee, while the requests of committee members are either canceled or remain unfinished, that the committee decided to take action.

A third concern questions the necessity of such a provision. We have been told that only 20 percent of the GAO's work is self-initiated. First of all, I have concerns regarding the GAO's definition of what is self-initiated and what is requested by Congress. I understand that if a staff member expresses some interest in an issue, an audit may be initiated as a request of the Senator for whom that staff member works. I personally believe a signed request letter from a Member of Congress should be required before an audit can be considered a congressional request. Furthermore, I have concerns that these numbers do not provide a complete picture. Although only 20 percent of GAO's total workload may be self-initiated, a far larger percentage of the work within a particular division may be self-initiated. For example, I understand that as of June 16, 1997, 50 percent of the work being performed by the National Security and International Affairs Division was self-initiated.

I am also troubled by what appears to be the pursuit of personal agendas by GAO personnel that permeates much of their work. Many of GAO's reports provide only one side of a story rather than the whole picture. Just as we require witnesses in a court of law to tell the truth, the whole truth, and nothing but the truth, we should require no less from the GAO. If we in Congress take the work of the GAO seriously, and use it in our efforts to make well-informed decisions that serve the best interests of the American taxpayer, than GAO should be expected to provide the entire picture rather than one side that serves the interests of a specific group.

Mr. President, despite my concerns and the GAO's demonstrated lack of responsiveness, I have decided to amend my original language at the personal request of Senators THOMPSON and GLENN. As the chair and ranking member of the Governmental Affairs Committee, I am sure that they will do all they can to ensure that the work of the GAO is more responsive and complete. However, if for some reason the GAO continues to demonstrate a disregard for the needs of the Congress, I intend to reintroduce the original language and rein in the rogue activities of the GAO.

AMENDMENT NO. 830

(Purpose: To propose a substitute to section 363)

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

**SEC. 363. ADMINISTRATIVE ACTIONS ADVERSELY AFFECTING MILITARY TRAINING OR OTHER READINESS ACTIVITIES.**

(a) CONGRESSIONAL NOTIFICATION.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following:

**"§ 2014. administrative actions adversely affecting military training or other readiness activities**

''(a) CONGRESSIONAL NOTIFICATION.—Whenever an official of an Executive agency takes or proposes to take an administrative action that, as determined by the Secretary of Defense in consultation with the Chairman of the Joint Chiefs of Staff, affects training or any other readiness activity in manner that has or would have a significant adverse effect on the military readiness of any of the armed forces or a critical component thereof, the Secretary shall submit a written notification of the action and each significant adverse effect to the head of the Executive agency taking or proposing to take the administrative action and to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives and, at the same time the shall transmit a copy of the notification to the President.

''(b) NOTIFICATION TO BE PROMPT.—(1) Subject to paragraph (2), the Secretary shall submit a written notification of an administrative action or proposed administrative action required by subsection (a) as soon as the Secretary becomes aware of the action or proposed action.

''(2) The Secretary shall prescribe policies and procedures to ensure that the Secretary receives information on an administrative action or proposed administrative action described in subsdoes ection (a) promptly after Department of Defense personnel receive notice of such an action or proposed actio.action

''(c) CONSULTATION BETWEEN SECRETARY AND HEAD OF EXECUTIVE AGENCY.—Upon notification with respect to an administrative action or proposed administrative action under subsection (a), the head of the Executive agency concerned shall—

''(1) respond promptly to the Secretary; and

''(2) consistent with the urgency of the training or readiness activity involved and the provisions of law under which the administrative action or proposed administrative action is being taken, seek to reach an agreement with the Secretary on immediate actions to attain the objective of the administrative action or proposed administrative action in a manner which eliminates or mitigates the impacts of the administrative action or proposed administrative action upon the training or readiness activity.

''(d) MORATORIUM.—(1) Subject to paragraph (2), upon notification with respect to an administrative action or proposed administrative action under subsection (a), the administrative action or proposed administrative action shall cease to be effective with respect to the Department of Defense until the earlier of—

''(A) the end of the five-day period beginning on the date of the notification; or

''(B) the date of an agreement between the head of the Executive agency concerned and the Secretary as a result of the consultations under subsection (c).

''(2) Paragraph (1) shall not apply with respect to an administrative action or proposed administrative action if the head of the Executive agency concerned determines that the delay in enforcement of the administrative action or proposed administrative action will pose an actual threat of an imminent and substantial endangerment to public health or the environment.

''(e) EFFECT OF LACK OF AGREEMENT.—(1) In the event the head of an Executive agency and the Secretary do not enter into an agreement under subsection (c)(2), the Secretary shall submit a written notification to the President who shall take final action on the matter.

''(2) Not later than 30 days after the date on which the President takes final action on a matter under paragraph (1), the President shall submit to the committees referred to in subsection (a) a notification of the action.

''(f) LIMITATION ON DELEGATION OF AUTHORITY.—The head of an Executive agency may not delegate any responsibility under this section.

''(g) DEFINITION.—In this section, the term 'Executive agency' has the meaning given such term in section 105 of title 5 other than the General Accounting Office.''.

(b) CLERICAL AMENDMENT.—The table of sections of the beginning of such chapter is amended by adding at the end the following:

''2014. Administrative actions adversely affecting military training or other readiness activities.''.

Mr. SMITH of New Hampshire. Mr. President, as a cosponsor of the amendment offered by Senator CHAFEE, I would like to explain why I believe that this amendment not only protects public health and the environment, but will also ensure that we will maintain a strong national defense.

As my colleagues on the Armed Services Committee are aware, the original motivation of section 363 of the National Defense Authorization Act, as reported, grew out of a series of executive agency actions in the various regions of the country that needlessly limited or stopped ongoing training activities. In those instances, long-scheduled training and readiness efforts of active duty, reserve and national guard forces were stopped in their tracks, because of the rash and unjustified actions of overzealous Federal bureaucrats.

Although the action taken by these low-level functionaries was within their powers, and met applicable public safety, welfare, and environmental statues, the timing and nature of the actions taken were neither justified nor appropriate given the lack of actual and immediate implications to human health and the environment. As a result of these highly unjustified actions, troops who had to travel hundreds and sometimes thousands of miles, at considerable cost to the taxpayers, were unable to conduct these critical training and readiness missions.

The purpose of the original language offered in committee, would have allowed the Secretary of Defense to impose a 30-day moratorium on the application of administrative or enforcement actions that could have a significant adverse effect on military readiness or training activities. Although appreciating the justification for the language, there were some, including Senator CHAFEE, who were concerned about the impact that this language would have on existing public welfare, safety, and environmental statutes. In order to address this concern, Senator CHAFEE and I, along with members of the Armed Services Committee were able to fashion the compromise language that we are offering today, that will strike the proper balance in these situations.

Under this language, if the Secretary of Defense discovers that an official of an Executive agency is proposing to take, or has taken an administration action that will result in a significant adverse effect on the training or readiness activities of the armed forces, the Secretary shall submit a written notification to the head of that agency, which will trigger a mandatory consultation between those two officials. In addition, the Secretary's notification will trigger an immediate moratorium on the application of the administrative action until 5 days after the notification, or until the head of the Executive agency and the Secretary are able to agree on an appropriate course of action, whichever is sooner. If the two officials are unable to agree on a course of action, then the ultimate decision will be elevated to the President.

One significant concern over the committee reported language was that a 30-day moratorium was too stringent and could frustrate efforts to avoid immediate, actual, and irreparable damage to human health and the environment. Subsection (D)(2) of this amendment provides that the head of the Executive agency can waive the moratorium if a determination is made that the delay in the administrative action or proposed administrative action will pose an actual threat of imminent and substantial endangerment to public health and the environment. This language will not only strike an important balance between national defense and public welfare concerns, but it will also avoid a replication of past events undertaken by low-level bureaucrats. If the military training activity will pose an actual threat of imminent and substantial endangerment to public health and the environment, that decision will have to be taken by the head of the Executive agency. We believe that actions such as this, which will have a significant impact on our national security, should be taken by the top decision

maker at the agency, who is in a better position to understand the full complexities of this decision, rather than some low-level government employee.

I want to make one thing clear about this waiver however. The head of the Executive agency must meet a higher threshold of use of this provision than the tired and over-litigated test for the words imminent and substantial. The use of the words ''actual threat'' doesn't mean just a ''possible threat'' or a ''potential threat.'' Instead, it means that if the training or readiness activity is undertaken that it is ''highly likely'' or ''near certain'' that there will be an actual threat to public health and the environment.

We must protect public health and the environment and we must ensure our national defense. When these issues come into conflict, we must take special efforts to balance these issues. Decisions of this nature should be made at the highest levels of our government, and because of this language, they will.

I believe this is a very important amendment, and I appreciate the support of my colleagues for its adoption.

AMENDMENT NO. 831

(Purpose: To recognize the Center for Hemispheric Defense Studies as an institution of the National Defense University)

At the end of title IX, add the following:

**SEC. 905. CENTER FOR HEMISPHERIC DEFENSE STUDIES.**

(a) INSTITUTION OF THE NATIONAL DEFENSE UNIVERSITY.—Subsection (a) of section 2165 of title 10, United States Code, as added by section 902, is amended by adding at the end the following:

''(6) the Center for Hemispheric Defense Studies.''.

(b) CIVILIAN FACULTY MEMBERS.—Section 1595 of title 10, United States Code, is amended by adding at the end the following:

''(g) APPLICATION TO DIRECTOR AND DEPUTY DIRECTOR AT CENTER FOR HEMISPHERIC DEFENSE STUDIES.—In the case of the Center for Hemispheric Defense Studies, this section also applies with respect to the Director and the Deputy Director.''.

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AMENDMENT NO. 832

(Purpose: To authorize additional environmental restoration projects for the Department of Energy and to modify the amount authorized for certain other environmental restoration projects of the Department)

On page 18, between lines 15 and 16, insert the following:

**SEC. 110. REDUCTION IN AUTHORIZATIONS OF APPROPRIATIONS.**

Notwithstanding any other provision of this Act, the aggregate amount of funds available for Department of Defense. Army procurement Advisory & Assistance Services shall be reduced by $30,000,000.

On page 415, line 11, strike out ''$1,748,073,000'' and insert in lieu thereof ''$1,741,373,000.''

On page 417, line 16, strike out ''$252,881,000'' and insert in lieu thereof ''$237,881,000''.

On page 423, line 7, strike out ''$215,000,000'' and insert in lieu thereof ''$264,700,000''.

On page 423, line 10, strike out ''$29,000,000'' and insert in lieu thereof ''$21,000,000''.

On page 423, between lines 17 and 18, insert the following:

Project 98–PVT–__, waste disposal, Oak Ridge, Tennessee, $5,000,000.

Project 98–PVT–__, Ohio silo 3 waste treatment, Fernald, Ohio, $6,700,000.

On page 423, line 19, strike out ''$109,000,000'' and insert in lieu thereof ''$147,000,000.''

Mrs. MURRAY. Mr. President, last Monday I introduced an amendment that could have helped ensure this bill is not vetoed by President Clinton because it violates the bipartisan budget agreement. Today, we have reached agreement on that amendment—but it does not go nearly far enough.

Let me lay out what this defense authorization bill does in very large terms. This bill adds $5.1 billion to the Pentagon's request. It does this by moving $2.4 billion from defense-related activities of the Energy Department to the Defense Department—primarily in procurement and R&D. The two Energy programs hardest hit are privatization of cleanup efforts and forward funding of asset acquisition.

My amendment sought to restore some of the privatization money because we have a huge problem at the Hanford Reservation that could be solved with this new funding. We have 177-million-gallon tanks filled with chemical and high-level radioactive waste located near the Columbia River. The environmental devastation at Hanford and other former defense nuclear sites is truly mind-numbing. We must clean up the mess we have made. Privatization offers us an opportunity to do that and reduce costs and increase efficiency.

My amendment sought to restore $300 million of the $1 billion the President sought in this one-time shot in the arm of the environmental management program. Instead, I was successful in securing only $59.7 million, making the amount this bill funds only $274.7 million. This is a tremendous shortfall and could result in the Federal Government missing legally enforceable cleanup milestones.

Mr. President, the House defense authorization bill is even worse—funding the entire privatization program at only $70 million. Our Senate conferees must insist we keep the entire amount we have in this bill. Senator GORTON and I have the commitment of Sen. THURMOND that the conferees will do that.

On the appropriations front, I was able to secure an extra $43 million yesterday in the Senate energy and water development appropriations bill. The privatization account increased from $300 million to $343 million. Again, the House is rumored to be far, far lower—and the appropriation's conferees will have a difficult job ahead to keep even these greatly diminished funds.

We made a huge mess at Hanford while we were fighting and winning the cold war. Now we must pay the debt the federal government owes to these cold warrior communities. And this bill takes a small step—but just doesn't do the job. However, I do want to thank the committee for accepting my amendment and I look forward to working with the chairman and ranking member to ensure these numbers remain in the bill this Congress sends to the President.

Mr. GORTON. Mr. President, I want to express my strong support for this amendment offered by my colleague from Washington State, Senator MURRAY, and me which would increase budget authority for the Department of Energy's Environmental Management Program by $50 million.

It is absolutely essential that the Senate provide as high a level of funding for the Department's privatization program as possible. Like Senator MURRAY, I am particularly interested in this program because of the tank waste remediation system [TWRS] privatization program at Hanford. The Hanford Nuclear Reservation houses over 55 million gallons of hazardous nuclear and chemical wastes in 177 underground storage tanks located near the Columbia River. The TWRS program was established to manage, retrieve, treat, and immobilize and dispose of these wastes in a safe and cost effective manner.

Under the TWRS program, the contractors are responsible for demonstrating the technical and business viability of using privatized facilities to treat and immobilize Hanford tank wastes; define and maintain required levels of nuclear, radiological, and occupational safety; maintain environmental protection and compliance; and reduce costs and remediation time.

Under the privatization program, a contractor can recover the resources it has invested only through the delivery of acceptable services paid for by the DOE on a fixed-unit-price basis. The underlying intent is to transfer the primary share of the financial, performance and operational responsibility for the treatment effort from the government to the private contractor.

TWRS and similar privatization efforts if done correctly and with proper oversight will allow for significant cost savings and represent an opportunity to use private-sector means and innovative technologies to accelerate cleanup. Without TWRS privatization, it is unlikely we can meet the long-term cleanup compliance milestones at Hanford. If TWRS privatization is not pursued, the project will need to be funded from the base environmental management account which will necessitate cuts elsewhere in the DOE cleanup program—not only at Hanford but at sites throughout the country.

In order for the privatization concept to work, enough funds must be provided in budget authority to send the appropriate signal to Wall Street and the investment community that Congress is committed to this project. Funding TWRS at a level as close to the President's budget request is vitally important to the success of this program. Increasing funding for this program by $50 million would bring total funding for privatization to $265

million—the same figure that we appropriated on the Appropriations Committee yesterday. I urge support for this amendment.

AMENDMENT NO. 833

(Purpose: To authorize the Secretary of Defense to grant a blanket waiver of the applicability of certain domestic source requirements to foreign country so as not to impede cooperative projects or reciprocal procurements of defense items with such country)

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

**SEC. 809. BLANKET WAIVER OF CERTAIN DOMESTIC SOURCE REQUIREMENTS FOR FOREIGN COUNTRIES WITH CERTAIN COOPERATIVE OR RECIPROCAL RELATIONSHIPS WITH THE UNITED STATES.**

(a) AUTHORITY.—(1) Section 2534 of title 10, United States Code, is amended by adding at the end the following:

''(i) WAVIER GENERALLY APPLICABLE TO A COUNTRY.—The Secretary of Defense shall waive the limitation in subsection (a) with respect to a foreign country generally if the Secretary determines that the application of the limitation with respect to that country would impede cooperative programs entered into between the Department of Defense and the foreign country, or would impede the reciprocal procurement of defense items entered into under section 2531 of this title, and the country does not discriminate against defense items produced in the United States to a greater degree than the United States discriminates against defense items produced in that country.''.

(2) The amendment made by paragraph (1) shall apply with respect to—

(A) contracts entered into on or after the date of the enactment of this Act; and

(B) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if those option prices are adjusted for any reason other than the application of a waiver granted under subsection (i) of section 2534 of title 10, United States Code (as added by paragraph (1)).

(b) CONFORMING AMENDMENT.—The heading of subsection (d) of such section is amended by inserting ''FOR PARTICULAR PROCUREMENTS'' after ''WAIVER AUTHORITY''.

Mr. McCAIN. Mr. President, I offer this amendment because of the Department of the Navy's narrow interpretation of the Department of Defense's April 1997 ''Determination and Waiver'' which was a first step for the Department in breaking down unproductive and egregious barriers for free trade.

This is a simple and straight-forward amendment which waives certain defense items with respect to a foreign country if the Secretary of Defense determines that country would impede cooperative programs entered into the foreign country and the Department of Defense. Additionally, it would waive protectionist practices if it is determined it would impede the reciprocal procurement of defense items in that foreign country and that foreign country does not discriminate against defense items produced in the United States to a greater degree than the United States discriminates against defense items in that country. This amendment would apply to all contracts entered into on or after the date of enactment, including any option for the procurement of items under a contract that are entered into before the date of enactment if those option prices are adjusted for any other reason.

I have spoken of this issue before in this Chamber and the potential impact on our bilateral trade relations with our allies because of our policy toward ''Buy America''. From a philosophical point of view, I oppose these type of protectionist trade policies because I believe free trade is an important component of improved relations among all nations and a key to major U.S. economic growth.

From a practical standpoint, adherence to ''Buy America'' restrictions seriously impairs our ability to compete freely in international markets for the best price on needed military equipment and could also result in a loss of existing business from long-standing international trading partners. While I fully understand the arguments by some to maintain certain critical industrial base capabilities, I find no reason to support domestic source restrictions for products which are widely available from many U.S. companies, that is, pumps produced by no less than 25 U.S. companies. I believe that competition and open markets among our allies on a reciprocal basis provide the best equipment at the best price for U.S. and allied militaries alike.

There are many examples of trade imbalances resulting from unnecessary ''Buy America'' restrictions. Let me cite one case in point. Between 1991 and 1994, the Netherlands purchased $508 million in defense equipment from U.S. companies, including air-refueling planes, Chinook helicopters, Apache helicopters, F–16 fighter equipment, missiles, combat radios, and training equipment. During the same period, the United States purchased only $40 million of Dutch-made military equipment. In recent meetings, the Defense Ministers of the United Kingdom and Sweden have apprised me of similar situations. In every meeting, they tell me how difficult it is becoming to persuade their Governments to buy American defense products, because of our protectionist policies and the growing ''Buy European'' sentiment.

Mr. President, it is my sincere hope that this amendment will end once and for all the anticompetitive, antifree trade practices that encumber our Government.

AMENDMENT NO. 834

(Purpose: To convert the one-time report on aircraft inventory to an annual report)

Strike out section 1037, and insert in lieu thereof the following:

**SEC. 1037. REPORT ON AIRCRAFT INVENTORY.**

(A) REQUIREMENT.—(1) Chapter 23 of title 10, United States Code, is amended by adding at the end the following:

**§ 483. Report on aircraft inventory**

''(a) ANNUAL REPORT.—The Under Secretary of Defense (Comptroller) shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives each year a report on the aircraft in the inventory of the Department of Defense. The Under Secretary shall submit the report when the President submits the budgets to Congress under section 1105(a) of title 31.

''(b) CONTENT.—The report shall set forth, in accordance with subsection (c), the following information:

''(1) The total number of aircraft in the inventory.

''(2) The total number of the aircraft in the inventory that are active, stated in the following categories (with appropriate subcategories for mission aircraft, dedicated test aircraft, and other aircraft):

''(A) Primary aircraft.

''(B) Backup aircraft.

''(C) Attrition and reconstitution reserve aircraft.

''(3) The total number of the aircraft in the inventory that are inactive, stated in the following categories:

''(A) Bailment aircraft.

''(B) Drone aircraft.

''(C) Aircraft for sale or other transfer to foreign governments.

''(D) Leased or loaned aircraft.

''(E) Aircraft for maintenance training.

''(F) Aircraft for reclamation.

''(G) Aircraft in storage.

''(4) The aircraft inventory requirements approved by the Joint Chiefs of Staff.

''(c) DISPLAY OF INFORMATION.—The report shall specify the information required by subsection (b) separately for the active component of each armed force and for each reserve component of each armed force and, within the information set forth for each such component, shall specify the information separately for each type, model, and series of aircraft provided for in the future-years defense program submitted to Congress.''.

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

''483. Report on aircraft inventory.''.

''(b) FIRST REPORT.—The Under Secretary of Defense (Comptroller) shall submit the first report under section 483 of title 10, United States Code (as added by subsection (a)), not later than January 30, 1998.

''(c) MODIFICATION OF BUDGET DATA EXHIBITS.—The Under Secretary of Defense (Comptroller) shall ensure that aircraft budget data exhibits of the Department of Defense that are submitted to Congress display total numbers of active aircraft where numbers of primary aircraft or primary authorized aircraft are displayed in those exhibits.

AMENDMENT NO. 835

(Purpose: To require the Secretary of Defense to prescribe regulations restricting the quantity of alcoholic beverages that is available through Department of Defense sources for the use of Department of Defense personnel overseas)

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

**SEC. 1075. RESTRICTIONS ON QUANTITIES OF ALCOHOLIC BEVERAGES AVAILABLE FOR PERSONNEL OVERSEAS THROUGH DEPARTMENT OF DEFENSE SOURCES.**

(a) REGULATIONS REQUIRED.—The Secretary of Defense shall prescribe regulations relates to the quantity of alcoholic beverages that is available outside the United States through Department of Defense sources including nonappropriated fund instrumentalities under the Department of Defense, for the use of a member of the Armed Forces, an employee of the Department of Defense, and dependents of such personnel.

(b) APPLICABLE STANDARD.—Each quantity prescribed by the Secretary shall be a quantity that is consistent with the prevention of

illegal resale or other illegal disposition of alcoholic beverages overseas and such regulation shall be accompanied with elimination of barriers to export of U.S. made beverages currently placed by other countries.

AMENDMENT NO. 836

**SEC. . REPORT TO CONGRESS ASSESSING DEPENDENCE ON FOREIGN SOURCES FOR CERTAIN RESISTORS AND CAPACITORS.**

(a) REPORT REQUIRED.—Not later than May 1, 1998, the Secretary of Defense shall submit to Congress a report—

(1) assessing the level of dependence on foreign sources for procurement of certain resistors and capacitors and projecting the level of such dependence that is likely to obtain after the implementation of relevant tariff reductions required by the Information Technology Agreement; and

(2) recommending appropriate changes, if any, in defense procurement or other federal policies on the basis of the national security implications of such actual or projected foreign dependence.

(b) DEFINITION.—For purposes of this section, the term ''certain resistors and capacitors'' shall mean—

(1) fixed resistors,

(2) wirewound resistors,

(3) film resistors,

(4) solid tantalum capacitors,

(5) multi-layer ceramic capacitors, and

(6) wet tantalum capacitors.

Mr. DASCHLE. Mr. President, I am pleased to offer an amendment on behalf of Senators BINGAMAN, HOLLINGS, HAGEL, and KERREY, and myself that would help clarify the implications of a recent trade agreement for an industry of vital importance to our defense industrial base. The amendment would direct the Pentagon to perform a study assessing whether dependence on foreign sources for certain resistors and capacitors is likely to increase to the point of raising national security concerns as a result of the tariff reductions scheduled to take effect pursuant to the Information Technology Agreement (ITA).

The ITA was signed last December in Singapore and will phase in zero-tariff treatment for semiconductors, telecommunications equipment, computers, software, and other electronics products in North America, the European Union, Australia, Japan, and many other countries in the Asia-Pacific region. Domestic producers of resistors and capacitors have expressed concern to many Senators that the elimination of the 6 percent duty on resistors and 9.4 percent duty on capacitors would seriously undermine the vitality, and perhaps viability, of their operations. The Pentagon is a major purchaser of these products. For this reason, the industry's concerns warrant a more thorough investigation of the implications of the tariff reductions for national security than has occurred to date.

One of the manufacturing facilities affected by the Information Technology Agreement is Dale Electronics, which is located in Yankton, SD. The Dale plant employs about 400 people and manufactures resistors, inductors, and magnetics. Like my colleagues who have cosponsored this amendment, who also represent major facilities constituting an important part of our defense industrial base, I would like to know more about how the tariff changes underway will affect defense preparedness. No doubt, the estimated 20,000 people working in the passive electronics industry would also appreciate having the benefit of this information.

I would like to express my appreciation to the distinguished manager of the bill, Senator THURMOND, for working with me and my colleagues on this issue. I know that he shares our interest in bringing to light facts necessary for the Federal Government to make informed decisions about important aspects of our defense industrial base.

Mr. THURMOND. Mr. President, just before final action here, I want to take this opportunity to thank all the Republicans and all the Democrats for the fine cooperation they have given through the consideration of this bill. The Congress can pass no more important bill than this defense authorization legislation. It means our very protection. It is important to the Nation and I am so pleased that we are able, now, to go forward and pass this bill promptly.

Mr. President, I ask for third reading of the bill.

EN BLOC AMENDMENTS NOS. 753 AS MODIFIED, 607 AS MODIFIED, 605 AS MODIFIED, 762, 763, 772

The PRESIDING OFFICER. The Chair understands that all the pending amendments were agreed to en bloc.

Amendments Nos. 753 as modified, 607 as modified, 605 as modified, 762, 763, 772 were agreed to en bloc.)

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I congratulate Senator THURMOND and all the Republican subcommittee chairs, the Democrats on our side, ranking members, our staffs, and thank the rest of our colleagues for their understanding.

Mr. THURMOND. Mr. President, I wish to thank the able ranking member, Senator LEVIN, for the fine job he has done on this bill. I wish to thank also the subcommittee chairmen who have done such a good job here, and all others who have participated here and helped us bring this bill to conclusion.

Now, Mr. President, we have had third reading of the bill, as I understand it?

The PRESIDING OFFICER. The Senator is correct.

Mr. THURMOND. The bill having been read a third time, I urge passage of the bill. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is: Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Maryland [Ms. MIKULSKI] and the Senator from West Virginia [Mr. ROCKEFELLER] are necessarily absent.

The result was announced—yeas 94, nays 4, as follows:

[Rollcall Vote No. 173 Leg.]

YEAS—94

| | | |
|---|---|---|
| Abraham | Enzi | Lott |
| Akaka | Faircloth | Lugar |
| Allard | Feinstein | Mack |
| Ashcroft | Ford | McCain |
| Baucus | Frist | McConnell |
| Bennett | Glenn | Moseley-Braun |
| Biden | Gorton | Moynihan |
| Bingaman | Graham | Murkowski |
| Bond | Gramm | Murray |
| Boxer | Grams | Nickles |
| Breaux | Grassley | Reed |
| Brownback | Gregg | Reid |
| Bryan | Hagel | Robb |
| Bumpers | Hatch | Roberts |
| Burns | Helms | Roth |
| Byrd | Hollings | Santorum |
| Campbell | Hutchinson | Sarbanes |
| Chafee | Hutchison | Sessions |
| Cleland | Inhofe | Shelby |
| Coats | Inouye | Smith (NH) |
| Cochran | Jeffords | Smith (OR) |
| Collins | Johnson | Snowe |
| Conrad | Kempthorne | Specter |
| Coverdell | Kennedy | Stevens |
| Craig | Kerrey | Thomas |
| D'Amato | Kerry | Thompson |
| Daschle | Kyl | Thurmond |
| DeWine | Landrieu | Torricelli |
| Dodd | Lautenberg | Warner |
| Domenici | Leahy | Wyden |
| Dorgan | Levin | |
| Durbin | Lieberman | |

NAYS—4

| | |
|---|---|
| Feingold | Kohl |
| Harkin | Wellstone |

NOT VOTING—2

| | |
|---|---|
| Mikulski | Rockefeller |

The bill (S. 936), as amended, was passed.

[The text of S. 936, as amended and passed, can be found at the end of the Senate proceedings in today's RECORD.]

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

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

The motion to lay on the table was agreed to.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I ask unanimous consent that S. 936, as amended, be printed as passed. I further ask unanimous consent that Senate Report No. 105–29, the report of the Committee on Armed Services on S. 924, be deemed to be the report of the committee accompanying S. 936, the bill just passed.

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

Mr. THURMOND. Mr. President, with respect to H.R. 1119, the House-passed version of the National Defense Authorization Act for fiscal year 1998, I

ask unanimous consent that the Senate proceed to its immediate consideration, that all after the enacting clause be stricken and the text of S. 936, as passed, be substituted in lieu thereof; that the bill be advanced to third reading and passed; and the title of S. 936 be substituted for the title of H.R. 1119; that the Senate insist on its amendments to the bill and the title and request a conference with the House on the disagreeing votes of the two Houses and the Chair be authorized to appoint conferees; that the motion to reconsider the above-mentioned votes be laid upon the table; and that the foregoing occur without any intervening action or debate.

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

The bill (H.R. 1119), as amended, was deemed read the third time and passed.

The title was amended so as to read:

A bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

There being no objection, the Presiding Officer (Mr. HAGEL) appointed Mr. THURMOND, Mr. WARNER, Mr. MCCAIN, Mr. COATS, Mr. SMITH of New Hampshire, Mr. KEMPTHORNE, Mr. INHOFE, Mr. SANTORUM, Ms. SNOWE, Mr. ROBERTS, Mr. LEVIN, Mr. KENNEDY, Mr. BINGAMAN, Mr. GLENN, Mr. BYRD, Mr. ROBB, Mr. LIEBERMAN, and Mr. CLELAND conferees on the part of the Senate.

Mr. THURMOND. Mr. President. I ask unanimous consent with respect to S. 936 as just passed by the Senate that, if the Senate receives a message with respect to this bill from the House of Representatives, the Senate disagree with the House on its amendment or amendments to the Senate-passed bill and agree to or request a conference, as appropriate, with the House on the disagreeing votes of the two Houses and the Chair be authorized to appoint conferees and the foregoing occur without any intervening action or debate.

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

Mr. THURMOND. Mr. President, in closing, I want to take this opportunity to thank the majority leader, Senator LOTT, and the minority leader, Senator DASCHLE, for their fine cooperation throughout the consideration of this bill. And, Mr. President, I want to take this opportunity to thank Mr. Brownlee of the majority staff and Mr. Lyles on the minority staff, and finally the superb work of the fine floor staff that has been so helpful. They have all rendered yeoman service in the consideration and passage of this bill.

I yield the floor.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first let me again congratulate Senator THURMOND for the tremendous work that he put into this bill and the success of this bill. The strong vote that it got —I believe 94 votes—in the U.S. Senate is a real tribute, I think, to the work that Senator THURMOND, as our chairman, has put in on this bill. I congratulate him for it.

I also want to thank all the members of the committee for their work. Again, our staffs, David Lyles of our staff on this side and Les Brownlee on the Republican side, our Republican and Democratic leaders, the majority leader, and the Democratic leader were extremely helpful, and they again made it possible for us to complete this bill, I think, in very good order and with very great speed. To the members of our floor staff, thanks to all of them for making it possible for us to move with such great dispatch on a very complicated bill.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. I wish to again thank Senator LEVIN for his fine cooperation and all that he did to promote this bill. He did a magnificent job.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I, too, would like to compliment the Senator from South Carolina, Senator THURMOND, for his leadership, as well as Senator LEVIN, for moving this bill through, and in addition to that, Senator LOTT and Senator DASCHLE.

This bill had great potential for not only taking all this week, but all of next week. I compliment the leaders for making this happen, to get this bill completed, as the majority leader announced at the beginning of the week that we were going to finish this on Friday before we adjourned. And we did. I think that is very important.

I also think that the vote is very positive. To have 94 votes for final passage on a defense bill I think is very positive indeed.

## EXECUTIVE SESSION

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate now proceed to executive session to consider the nomination of Joel Klein to be an Assistant Attorney General.

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

## NOMINATION OF JOEL I. KLEIN OF THE DISTRICT OF COLUMBIA TO BE AN ASSISTANT ATTORNEY GENERAL

The assistant legislative clerk read the nomination of Joel I. Klein of the District of Columbia to be an Assistant Attorney General.

## CLOTURE MOTION

Mr. NICKLES. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 104, the nomination of Joel I. Klein to be Assistant Attorney General:

Trent Lott, Orrin Hatch, Kay Bailey Hutchison, John McCain, Olympia Snowe, Dan Coats, Pat Roberts, Rod Grams, R.F. Bennett, Thad Cochran, Jim Inhofe, Sam Brownback, W. V. Roth, Chuck Hagel, J. Warner, Larry E. Craig.

Mr. NICKLES. Mr. President, I further ask unanimous consent that the cloture vote occur at 6 p.m., on Monday, July 14, and the mandatory quorum under rule XXII be waived.

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

Mr. NICKLES. Mr. President, I further ask unanimous consent that if cloture is invoked, there be 3 hours remaining for debate, with 2 hours under the control of Senators HOLLINGS, DORGAN, and KERREY of Nebraska, and 1 hour under the control of Senator HATCH.

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

Mr. NICKLES. Mr. President, I yield the floor.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise today on behalf of Mr. Joel Klein, who has been nominated for the position of Assistant Attorney General of the Antitrust Division of the Department of Justice. Mr. Klein was reported out of the Judiciary Committee unanimously on May 5. As his record and testimony reflect, Joel Klein is a fine nominee for this position, and I am pleased that his nomination has finally been brought before the full Senate today. He has my strong support and, I believe, the strong support of every member of the Judiciary Committee.

Now, I believe Mr. Klein is as fine a lawyer as any nominee who has come before this committee. He graduated magna cum laude from Harvard Law School before clerking for Chief Judge David Brazelon of the D.C. Circuit and then Supreme Court Justice Lewis Powell. Mr. Klein went on to practice public interest law and later formed his own law firm, in which he developed an outstanding reputation as an appellate lawyer arguing—and winning—many important cases before the U.S. Supreme Court. For the past 2 years, Mr. Klein has ably served as Principal Deputy in the Justice Department's Antitrust Division, and for the past several months he has been the Acting Assistant Attorney General for the Antitrust Division.

It is clear, both from his speeches and his enforcement decisions, that Mr.