

are not employees as in effect before the Tax Reform Act of 1986.

S. 2033

At the request of Mr. ABRAHAM, the name of the Senator from Oregon [Mr. SMITH] was added as a cosponsor of S. 2033, a bill to amend the Controlled Substances Act with respect to penalties for crimes involving cocaine, and for other purposes.

S. 2067

At the request of Mr. ASHCROFT, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 2067, a bill to protect the privacy and constitutional rights of Americans, to establish standards and procedures regarding law enforcement access to decryption assistance for encrypted communications and stored electronic information, to affirm the rights of Americans to use and sell encryption products, and for other purposes.

SENATE RESOLUTION 189

At the request of Mr. TORRICELLI, the names of the Senator from Nevada [Mr. REID] and the Senator from Connecticut [Mr. DODD] were added as cosponsors of Senate Resolution 189, a resolution honoring the 150th anniversary of the United States Women's Rights Movement that was initiated by the 1848 Women's Rights Convention held in Seneca Falls, New York, and calling for a national celebration of women's rights in 1998.

AMENDMENT NO. 2387

At the request of Mr. HUTCHINSON the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of amendment No. 2387 proposed to S. 2057, an original bill to authorize appropriations for the fiscal year 1999 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.

AMENDMENT NO. 2388

At the request of Mr. HUTCHINSON the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of amendment No. 2388 proposed to S. 2057, an original bill to authorize appropriations for the fiscal year 1999 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.

SENATE CONCURRENT RESOLUTION 96—EXPRESSING THE SENSE OF CONGRESS THAT A POSTAGE STAMP SHOULD BE ISSUED HONORING OSKAR SCHINDLER

Mr. LAUTENBERG (for himself and Mr. SPECTER) submitted the following concurrent resolution; which was referred to the Committee on Governmental Affairs:

S. CON. RES. 96

Whereas during the Nazi occupation of Poland, Oskar Schindler personally risked his life and that of his wife to provide food and medical care and saved the lives of over 1,000 Jews from death, many of whom later made their homes in the United States;

Whereas Oskar Schindler also rescued about 100 Jewish men and women from the Golezów concentration camp, who lay trapped and partly frozen in 2 sealed train cars stranded near Brünnlitz;

Whereas millions of Americans have been made aware of the story of Schindler's bravery;

Whereas on April 28, 1962, Oskar Schindler was named a "Righteous Gentile" by Yad Vashem; and

Whereas Oskar Schindler is a true hero and humanitarian deserving of honor by the United States Government: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the Postal Service should issue a stamp honoring the life of Oskar Schindler.

Mr. LAUTENBERG. Mr. President, today we celebrate the 50th Anniversary of the establishment of the State of Israel. As we do so, we also remember the tragedy of the Holocaust and the events that culminated in the creation of a Jewish homeland.

I rise today to submit a measure to honor an individual who stands in the highest esteem of the citizens of Israel, and throughout the world. I am pleased to be joined by the senior senator from Pennsylvania, Senator SPECTER, in submitting this measure calling on the Postal Service to issue a stamp commemorating the life of Oskar Schindler.

Millions of people around the world know the story of Oskar Schindler, whose heroism was brought to light by the author Thomas Keneally and the film maker Steven Spielberg. During the Nazi occupation of Poland, Oskar Schindler demonstrated that one person truly could make a difference. He saved the lives of over 1,200 Jewish men, women, and children, while risking his own life and that of his wife. Mr. Schindler also rescued approximately 100 Jewish men and women from the Golezow concentration camp, who were trapped in a sealed and freezing railroad car.

Two of the individuals whose lives were saved by Oskar Schindler are residents of New Jersey. Before the war, Abraham Zuckerman lived in Krakow, Poland. In 1942, he was sent to the Plaszow concentration camp where he faced unspeakable horrors and certain death. While he waited out his days toiling in a coal yard, one day, to his great fortune, Mr. Zuckerman was told that he was one of the fortunate individuals whose name appeared on "Schindler's List." Mr. Zuckerman was relatively safe for a little more than a year, but when Schindler's factory in Krakow was liquidated, he was sent to a concentration camp at Mauthausen and later Gusen II, where he was finally liberated. Meanwhile, Mr. Zuckerman's close friend Murray Pantirer was sent to another con-

centration camp, Gross-Rosen, after Plaszow was shut down. On his third day there, he was chosen as one of 900 workers for Schindler's new factory in Brinnlitz, Czechoslovakia. Both men later emigrated to the United States. They have lived in New Jersey since shortly after the war where they started a home building business. To honor Mr. Schindler, these men are responsible for over 20 Schindler Courts, Terraces and Plazas all over the Garden State.

Mr. President, we recognize that Mr. Schindler was a human being, not infallible like many heroes. But his bravery has truly made him stand out and worthy of honor. There is nothing I can say that could describe him any better than in the words of Mr. Zuckerman.

"I am one of the Survivors and I owe my life to the courage and strength of this great man. He was not a diplomat or a politician, he was a very good manipulator. He had the courage and the knowledge to save over 1200 Jews from death. He managed somehow to fool the Germans into thinking he was on their side when all along he was going behind their backs to save the Jews. His life was always in danger but still he persisted to do what he knew to be the right thing, he saved the Jews anyway he could. He bartered, he lied, he used his own money, he did everything humanly possible to save us. He was very unselfish as his life could have ended at any time but still he did all he could to save the Jews."

Mr. President, Senator SPECTER and I are submitting this resolution today to call on the Postal Service to issue a stamp commemorating the life of Oskar Schindler. Such a stamp would bring the story to millions of people. It would help us all understand that one individual can make a difference in the lives of others.

We understand that we face somewhat of an uphill battle as Mr. Schindler is not a citizen of the United States. The Postal Service tells me that its policy is to issue stamps that depict American subjects. But we say in response that Mr. Schindler's life was largely devoted to the pursuit of freedom, to opposing tyranny, and to humanitarianism. These qualities certainly represent the American ideal and we believe that Mr. Schindler deserves the honor that the Postal Service has bestowed on other individuals who stood for these ideals. I am pleased to sponsor this important measure.

AMENDMENTS SUBMITTED

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

THURMOND (AND LEVIN)
AMENDMENT NO. 2399

Mr. THURMOND (himself and Mr. LEVIN) proposed an amendment to the

bill (S. 2057) to authorize appropriations for the fiscal year 1999 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; as follows:

In section 103(2), strike out "\$2,375,803,000" and insert in lieu thereof "\$2,354,745,000".

In section 201(3), strike out "\$13,398,993,000" and insert in lieu thereof "\$13,673,993,000".

In section 201(4), strike out "\$9,837,764,000" and insert in lieu thereof "\$9,583,822,000".

MURKOWSKI (AND BINGAMAN)
AMENDMENT NO. 2400

(Ordered to lie on the table.)

Mr. MURKOWSKI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

Insert in the appropriate place:

**SEC. . ENERGY POLICY AND CONSERVATION
ACT AMENDMENTS.**

The Energy Policy and Conservation Act is amended—

(1) in section 104(b)(1) by striking "1994" and inserting in lieu thereof "1999";

(2) in section 166 (42 U.S.C. 6246) by striking "1997" and inserting in lieu thereof "1999";

(3) in section 181 (42 U.S.C. 6251) by striking "1997" both places it appears and inserting in lieu thereof "1999";

(4) by striking "section 252(l)(1)" in section 251(e)(1) (42 U.S.C. 6271(e)(1)) and inserting "section 252(k)(1)";

(5) in section 252 (42 U.S.C. 6272)—

(A) in subsection (a)(1) and (b), by striking, "allocation and information provisions of the international energy program" and inserting "international emergency response provisions";

(B) in subsection (d)(3), by striking "known" and inserting after "circumstances" "known at the time of approval";

(C) in subsection (e)(2) by striking "shall" and inserting "may";

(D) in subsection (f)(2) by inserting "voluntary agreement or" after "approved";

(E) by amending subsection (h) to read as follows—

(h) Section 708 of the Defense Production Act of 1950 shall not apply to any agreement or action undertaken for the purpose of developing or carrying out—

(1) the international energy program, or

(2) any allocation, price control, or similar program with respect to petroleum products under this Act.;

(F) in subsection (k) by amending paragraph (2) to read as follows—

(2) The term "international emergency response provisions" means—

(A) the provisions of the international energy program which relate to international allocation of petroleum products and to the information system provided in the program, and

(B) the emergency response measures adopted by the Governing Board of the International Energy Agency (including the July 11, 1984, decision by the Governing Board on "Stocks and Supply Disruptions") for—

(i) the coordinated drawdown of stocks of petroleum products held or controlled by governments; and

(ii) complementary actions taken by governments during an existing or impending international oil supply disruption.;" and

(G) by amending subsection (l) to read as follows—

(l) the antitrust defense under subsection (f) shall not extend to the international allocation of petroleum products unless allocation is required by chapters III and IV of the international energy program during an international energy supply emergency.;"

(6) in section 281 (42 U.S.C. 6285) by striking "1997" both places it appears and inserting in lieu thereof "1999"; and

(7) at the end of section 154 by adding the following new subsection:

(f)(1) The drawdown and distribution of petroleum products from the Strategic Petroleum Reserve is authorized only under section 161 of this Act, and drawdown and distribution of petroleum products for purposes other than those described in section 161 of this Act shall be prohibited.

(2) In the Secretary's annual budget submission, the Secretary shall request funds for acquisition, transportation, and injection of petroleum products for storage in the Reserve. If no request for funds is made, the Secretary shall provide a written explanation of the reason therefore.

Mr. MURKOWSKI. Mr. President, this legislation should have been the easiest thing we did this Congress. The Senate passed a bill on this issue by unanimous consent three times this Congress. This bill contains nothing less than our Nation's energy security insurance policy. This bill authorizes two vital energy security measures: the Strategic Petroleum Reserve and U.S. participation in the International Energy Agency.

Both of these authorities have expired. Again, this year we have sent our soldiers to the Gulf to protect our Nation's energy security interests. We owe it to our soldiers, and the Nation's civilian consumers, to do everything we can to ensure that our energy insurance policy is in effect.

However, to ensure our Nation's energy security fully, we need more than just a simple extension of these authorities. We must change the antitrust exemption in EPCA to comply with current IEA policy. The IEA changed its emergency response policy at our request, switching from command-and-control measures to more market-oriented coordinated stockdraw procedures. However, our laws haven't kept up.

Right now, our U.S. oil companies don't have any assurance that their attempts to cooperate with the IEA and our government in a crises won't be a violation of antitrust laws. The IEA's efforts to respond to a crisis are already being critically impaired, because they can't coordinate with U.S. oil companies or even conduct exercises to prepare for an emergency. Our oil companies want to cooperate with our government and the IEA and strongly support this amendment.

For every year in recent memory, we have authorized this Act on a year-to-year basis. Every year, we face a potential crises when these authorities go unrenewed until the very end of the Congress. The provisions of this bill are not controversial. However, there are those who see any important bill as leverage.

This year, we are on the edge of a real crises. We have military activity

in the Gulf, and no clear authority to respond to oil supply shortages. Playing political games with this bill has always been irresponsible; now it is downright dangerous. In the future, the only way to avoid the annual crisis is to renew EPCA for more than one year. I am disappointed that we can't do that now. But for now, we must avert the immediate crisis.

I have tried to address concerns about the future of the SPR. Like many of you, I am dismayed by the recent use of the SPR as a "piggy bank". In 1995, DOE proposed the sale of oil to pay for repairs and upkeep, opening the floodgates to continued sales of oil for budget-balancing purposes. So far, we've lost the American taxpayer over half a billion dollars. Buying high and selling low never makes sense. We're like the man in the old joke who was buying high and selling low who claimed that "he would make it up on volume." I am pleased that we were successful in canceling the oil sale ordered by the fiscal year 1998 Interior Appropriations bill. I thank the appropriators for keeping my oil-sale cancellation amendment in the conference on the Supplemental Appropriations bill. By my calculations, we have saved the American taxpayer over \$500 million. I am also pleased that the President's budget does not propose oil sales. I hope we have broken the habit of selling SPR oil forever.

We have already invested a great deal of taxpayer dollars in the SPR. We proved during the Persian Gulf War that the stabilizing effect of an SPR drawdown far outstrips the volume of oil sold. The simple fact that the SPR is available can have a calming influence on oil markets. The oil is there, waiting to dampen the effects of an energy emergency on our economy. However, if we don't ensure that there is authority to use the oil when we need it, we will have thrown those tax dollars away. So, the first step is to ensure that our emergency oil reserves are fully authorized and available.

We are talking about people's lives and jobs. The least we can do is stop holding this measure hostage to political ambition. I urge my colleagues to support the adoption of this amendment.

THOMAS AMENDMENT NO. 2401

Mr. THOMAS proposed an amendment to the amendment No. 2387 proposed by Mr. HUTCHINSON to the bill, S. 2057, supra; as follows

In the pending amendment, on page 1, strike lines 5 through page 5, line 4.

HARKIN (AND WELLSTONE)
AMENDMENT NO. 2402

Mr. HARKIN (for himself and Mr. WELLSTONE) proposed an amendment to the amendment No. 2388 proposed by Mr. HUTCHINSON to the bill, S. 2057, supra; as follows

In lieu of the language proposed to be inserted, insert the following:

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) The United States Customs Service has identified goods, wares, articles, and merchandise mined, produced, or manufactured under conditions of convict labor, forced labor, or indentured labor, in several countries.

(2) The United States Customs Service has made limited attempts to prohibit the import of products made with forced labor, resulting in only a few seizures, detention orders, fines, and criminal prosecutions.

(3) The United States Customs Service has taken 21 formal administrative actions in the form of detention orders against different products destined for the United States market, found to have been made with forced labor, including products from the People's Republic of China.

(4) However, the United States Customs Service has never formally investigated or pursued enforcement with respect to attempts to import products made with forced or indentured child labor.

(5) The United States Customs Service can use additional resources and tools to obtain the timely and in-depth verification necessary to identify and interdict products made with forced labor or indentured labor, including forced or indentured child labor, that are destined for the United States market.

(6) The International Labor Organization estimates that approximately 250,000,000 children between the ages of 5 and 14 are working in developing countries, including millions of children in bondage or otherwise forced to work for little or no pay.

(7) Congress has clearly indicated in Public Law 105-61, Treasury-Postal Service Appropriations, 1998, that forced or indentured child labor constitutes forced labor under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 2. AUTHORIZATION FOR ADDITIONAL CUSTOMS PERSONNEL TO MONITOR THE IMPORTATION OF PRODUCTS MADE WITH FORCED OR INDENTURED LABOR.

There are authorized to be appropriated \$2,000,000 for fiscal year 1999 to the United States Customs Service to monitor the importation of products made with forced labor or indentured labor, including forced or indentured child labor, the importation of which violates section 307 of the Tariff Act of 1930 or section 1761 of title 18, United States Code.

SEC. 3. REPORTING REQUIREMENT ON FORCED LABOR OR INDENTURED LABOR PRODUCTS DESTINED FOR THE UNITED STATES MARKET.

(a) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Commissioner of Customs shall prepare and transmit to Congress a report on products made with forced labor or indentured labor, including forced or indentured child labor that are destined for the United States market.

(b) **CONTENTS OF REPORT.**—The report under subsection (a) shall include information concerning the following:

(1) The extent of the use of forced labor or indentured labor, including forced or indentured child labor in manufacturing or mining products destined for the United States market.

(2) The volume of products made or mined with forced labor or indentured labor, including forced or indentured child labor that is—

(A) destined for the United States market,

(B) in violation of section 307 of the Tariff Act of 1930 or section 1761 of title 18, United States Code, and

(C) seized by the United States Customs Service.

(3) The progress of the United States Customs Service in identifying and interdicting products made with forced labor or indentured labor, including forced or indentured child labor that are destined for the United States market.

SEC. 4. RENEGOTIATING MEMORANDA OF UNDERSTANDING ON FORCED LABOR.

It is the sense of Congress that the President should determine whether any country with which the United States has a memorandum of understanding with respect to reciprocal trade that involves goods made with forced labor or indentured labor, including forced or indentured child labor is frustrating implementation of the memorandum. If an affirmative determination is made, the President should immediately commence negotiations to replace the current memorandum of understanding with one providing for effective procedures for the monitoring of forced labor or indentured labor, including forced or indentured child labor. The memorandum of understanding should include improved procedures for requesting investigations of suspected work sites by international monitors.

SEC. 5. DEFINITION OF FORCED LABOR.

In this Act, the term "forced labor" means convict labor, forced labor, or indentured labor, as such terms are used in section 307 of the Tariff Act of 1930. The term includes forced or indentured child labor—

(1) that is exacted from any person under 15 years of age, either in payment for the debts of a parent, relative, or guardian, or drawn under false pretenses; and

(2) with respect to which such person is confined against the person's will.

Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) is amended by adding at the end the following new paragraph:

"For purposes of this section, forced or indentured labor includes forced or indentured child labor."

**INHOFE (AND OTHERS)
AMENDMENT NO. 2403**

(Ordered to lie on the table.)

Mr. INHOFE (for himself, Mr. DORGAN, Ms. SNOWE, Mr. BENNETT, Mr. SMITH of New Hampshire, Ms. COLLINS, Mr. SHELBY, Mr. SESSIONS, and Mr. HATCH) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the appropriate place in Title XXVIII of the bill, insert the following:

SEC. . MODIFICATION OF LIMITATIONS ON GENERAL AUTHORITY RELATING TO BASE CLOSURES AND REALIGNMENTS.

(a) **ACTIONS COVERED BY NOTICE AND WAIT PROCEDURES.**—Subsection (a) of section 2687 of title 10, United States Code, is amended by striking out paragraphs (1) and (2) and inserting in lieu thereof the following new paragraphs (1) and (2);

"(1) the closure of any military installation at which at least 150 civilian personnel are authorized to be employed;

"(2) any realignment with respect to a military installation if such realignment will result in an aggregate reduction in the number of civilian personnel authorized to be employed at such military installation during the fiscal year in which notice of such realignment is submitted to Congress under subsection (b) equal to or greater than—

"(A) 150 such civilian personnel; or

"(B) the number equal to 50 percent of the total number of civilian personnel authorized to be employed at such military installation at the beginning of such fiscal year; or".

(b) **AVAILABILITY OF FUNDS FOR CERTAIN PRE-CLOSURE ACTIVITIES.**— Subsection (d) of the section is amended is amended by adding at the end the following:

"(3) No funds appropriated or otherwise available to the Department of Defense may be obligated or expended for the purpose of planning or carrying out a transfer of civilian or military personnel or equipment in connection with a closure of a military installation not covered by subsection (a) unless the use of funds for that purpose is specifically authorized by law."

(c) **DEFINITIONS.**—Subsection (e) of that section is amended—

(1) in paragraph (3), by inserting "(including a consolidation)" after "any action"; and

(2) by adding at the end the following: "(5) The term 'closure' includes any action to inactivate or abandon a military installation or to transfer a military installation to caretaker status."

SEC. . SENSE OF THE SENATE ON FURTHER ROUNDS ON BASE CLOSURES.

(a) **FINDINGS.**—The Senate finds that—

(1) There may be a need for further rounds of base closures, but there is no need to authorize in 1998 a new base closure commission that would not begin its work until three years from now, in 2001;

(2) While the Department of Defense has submitted a report to the Congress in response to Section 2824 of the National Defense Authorization Act for Fiscal Year 1998, that report—

(A) based its estimates of the costs and savings of previous base closure rounds on data that the General Accounting Office has described as "inconsistent", "unreliable" and "incomplete";

(B) failed to demonstrate that the Defense Department is working effectively to improve its ability to track base closure costs and savings resulting from the 1993 and 1995 base closure rounds, which are ongoing;

(C) modeled the savings to be achieved as a result of further base closure rounds on the 1993 and 1995 rounds, which are as yet incomplete and on which the Department's information is faulty; and

(D) projected that base closure rounds in 2001 and 2005 would not produce substantial savings until 2008, a decade after the federal government will have achieved unified budget balance, and 5 years beyond the planning period for the current congressional budget and Future Years Defense Plan;

(3) Section 2824 required that the Congressional Budget Office and the General Accounting Office review the Defense Department's report, and—

(A) The General Accounting Office stated on May 1, that "we are now conducting our analysis to be able to report any limitations that may exist in the required level of detail. . . . [W]e are awaiting some supporting documentation from the military services to help us finish assessing the report's information.";

(B) The Congressional Budget Office stated on May 1 that its review is ongoing, and that "it is important that CBO take the time necessary to provide a thoughtful and accurate evaluation of DoD's report, rather than issue a preliminary and potentially inaccurate assessment.";

(4) The Congressional Budget Office recommended that "The Congress could consider authorizing an additional round of base closures if the Department of Defense believes that there is a surplus of military capacity after all rounds of BRAC have been carried out. That consideration, however, should follow an interval during which DoD and independent analysts examine the actual impact of the measures that have been taken thus far."

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

(1) Congress should not authorize further rounds of base closures and realignments until all actions authorized by the Defense Base Closure and Realignment Act of 1990 are completed; and

(2) The Department of Defense should submit forthwith to the Congress the report required by Section 2815 of Public Law 103-337, analyzing the effects of base closures and realignments on the ability of the Armed Forces to remobilize, describing the military construction projects needed to facilitate such remobilization, and discussing the assets, such as air space, that would be difficult to reacquire in the event of such remobilization.

INHOFE (AND OTHERS)
AMENDMENT NO. 2404

(Ordered to lie on the table.)

Mr. INHOFE (for himself, Mr. HUTCHINSON, Mr. ASHCROFT, Mr. BROWNBAC, and Mr. SMITH of New Hampshire) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

In title XXVIII, insert the following:

SEC. . PROHIBITION ON CONVEYANCE OF PROPERTY AT LONG BEACH NAVAL STATION, CALIFORNIA, TO CHINA OCEAN SHIPPING COMPANY.

(a) PROHIBITION AGAINST DIRECT CONVEYANCE.—In disposing of real property in connection with the closure of Long Beach Naval Station, California, under the provisions of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), the Secretary of Defense may not convey any portion of the property (whether by sale, lease, or other method) to China Ocean Shipping Company, or any successor entity to the company.

(b) PROHIBITION AGAINST INDIRECT CONVEYANCE.—The Secretary shall impose as a condition on each conveyance of real property located at Long Beach Naval Station the requirement that the property may not be subsequently conveyed (whether by sale, lease, or other method) to China Ocean Shipping Company, or any successor entity to the company.

(c) REVERSIONARY INTEREST.—If the Secretary determines at any time that real property located at Long Beach Naval Station and conveyed under the provisions of the Defense Base Closure and Realignment Act of 1990 has been conveyed to China Ocean Shipping Company (or any successor entity to the company) in violation of subsection (b), or is otherwise being used by China Ocean Shipping Company (or any successor entity to the company) in violation of such subsection, all right, title, and interest in and to the property shall revert to the United States, and the United States shall have the right of immediate entry thereon.

FEINSTEIN (AND OTHERS)
AMENDMENT NO. 2405

Mrs. FEINSTEIN (for herself, Mr. BROWNBAC, Mr. GLENN, and Mr. BRYAN) proposed an amendment to the bill, S. 2057, supra; as follows:

At the appropriate place insert:

The Government of India conducted an underground nuclear explosion on May 18, 1974; Since the 1974 nuclear test by the Government of India, the United States and its allies have worked extensively to prevent the further proliferation of nuclear weapons in South Asia;

On May 11, 1998, the Government of India conducted underground tests of three sepa-

rate nuclear explosive devices, including a fission device, a low-yield device, and a thermo-nuclear device;

On May 13, 1998 the Government of India conducted two additional underground tests of nuclear explosive devices;

This decision by the Government of India has needlessly raised tension in the South Asia region and threatens to exacerbate the nuclear arms race in that region;

The five declared nuclear weapons states and 144 other nations have signed the Comprehensive Test Ban Treaty in hopes of putting a permanent end to nuclear testing;

The Government of India has refused to sign the Comprehensive Test Ban Treaty;

The Government of India has refused to sign the Nuclear Non-Proliferation Treaty;

India has refused to enter into a safeguards agreement with the International Atomic Energy Agency covering any of its nuclear research facilities;

The Nuclear Proliferation Act of 1994 requires the President to impose a variety of aid and trade sanctions against any non-nuclear weapons state that detonates a nuclear explosive device;

It is the sense of Senate that the Senate—

(1) Condemns in the strongest possible terms the decision of the Government of India to conduct three nuclear tests on May 11, 1998 and two nuclear tests on May 13, 1998;

(2) Supports the President's decision to carry out the provisions of the Nuclear Proliferation Prevention Act of 1994 with respect to India and invoke all sanctions therein;

(3) Calls upon the Government of India to take immediate steps to reduce tensions that this unilateral and unnecessary step has caused;

(4) Expresses its regret that this decision by the Government of India will, of necessity, set back relations between the United States and India;

(5) Urges the Government of Pakistan, the Government of the People's Republic of China, and all governments to exercise restraint in response to the Indian nuclear tests, in order to avoid further exacerbating the nuclear arms race in South Asia;

(6) Calls upon all governments in the region to take steps to prevent further proliferation of nuclear weapons and ballistic missiles;

(7) Urges the Government of India to enter into a safeguards agreement with the International Atomic energy Agency which would cover all Indian nuclear research facilities at the earliest possible time.

FEINSTEIN AMENDMENT NO. 2406

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill, S. 2057, supra; as follows:

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

SEC. 531. PROHIBITION ON ENTRY INTO CORRECTIONAL FACILITIES FOR PRESENTATION OF DECORATIONS TO PERSONS WHO COMMIT CERTAIN CRIMES BEFORE PRESENTATION.

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

“§ 1132. Presentation of decorations: prohibition on entering into correctional facilities for certain presentations

“(a) PROHIBITION.—No member of the armed forces may enter into a Federal, State, or local correctional facility for purposes of presenting a decoration to a person who has been convicted of a serious violent felony.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘decoration’ means any decoration or award that may be presented or awarded to a member of the armed forces.

“(2) The term ‘serious violent felony’ has the meaning given that term in section 3359(c)(2)(F) of title 18.”.

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

“1132. Presentation of decorations: prohibition on entering into correctional facilities for certain presentations.”.

BROWNBAC (AND HARKIN)
AMENDMENT NO. 2407

Mr. BROWNBAC (for himself and Mr. HARKIN) proposed an amendment to the amendment No. 2405 proposed by Mrs. FEINSTEIN to the bill, S. 2057, supra; as follows:

At the end of the amendment add the following:

SEC. 1064. REPEAL OF RESTRICTION ON CERTAIN ASSISTANCE AND OTHER TRANSFERS TO PAKISTAN.

Section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375(e)) is repealed.

MURRAY (AND SARBANES)
AMENDMENT NO. 2408

(Ordered to lie on the table.)

Mrs. MURRAY (for herself and Mr. SARBANES) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

On page 109, below line 20, add the following:

SEC. 531. HONOR GUARD DETAILS AT FUNERALS OF VETERANS.

(a) IN GENERAL.—(1) Chapter 75 of title 10, United States Code, is amended by adding at the end the following:

“§ 1491. Honor guard details

“(a) AVAILABILITY UPON REQUEST.—The Secretaries of the military departments shall provide honor guard details at funerals of veterans of the armed forces only upon request.

“(b) MINIMUM SIZE OF DETAILS.—The Secretaries of the military departments shall ensure that honor guard details at funerals of veterans of the armed forces consist of not less than four members of the armed forces.

“(c) AVAILABILITY OF APPROPRIATIONS.—Any amounts appropriated to the Department of Defense may be used in order to meet the requirement set forth in subsection (b).”.

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

“1491. Honor guard details.”.

(b) TREATMENT OF PERFORMANCE OF HONOR GUARD FUNCTIONS BY RESERVES.—Chapter 1215 of title 10, United States Code, is amended—

(1) by striking out the following:

“[No present sections]”; and

(2) by inserting in lieu thereof the following:

“Sec.

“12551. Honor guard functions: prohibition on treatment as drill or training.

“§ 12551. Honor guard functions: prohibition on treatment as drill or training

“Any performance by a Reserve of honor guard functions at the funeral of a veteran of the armed forces may not be considered to be a period of drill or training otherwise required.”.

(c) REPEAL OF LIMITATION ON AVAILABILITY OF FUNDS FOR HONOR GUARD FUNCTIONS BY NATIONAL GUARD.—Section 114 of title 32, United States Code, is amended—

- (1) by striking out “(a)” and
(2) by striking out subsection (b).

(d) APPLICABILITY.—The amendments made by this section shall apply to burials of veterans that occur on or after the date that is 180 days after the date of enactment of this Act.

(e) REPORT ON IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to Congress the directives prescribed by the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force in order to carry out the requirements under the amendments made by this section.

MURRAY (AND SNOWE)
AMENDMENT NO. 2409

(Ordered to lie on the table.)

Mrs. MURRAY (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the end of title VII add the following:

SEC. 708. RESTORATION OF PREVIOUS POLICY REGARDING RESTRICTIONS ON USE OF DEPARTMENT OF DEFENSE MEDICAL FACILITIES.

Section 1093 of title 10, United States Code, is amended—

- (1) by striking out subsection (b); and
(2) in subsection (a), by striking out “(a) RESTRICTION ON USE OF FUNDS.—”.

MCCAIN (AND OTHERS)
AMENDMENT NO. 2410

Mr. MCCAIN (for himself, Mr. LEVIN, and Mr. THURMOND) proposed an amendment to the bill, S. 2057, supra; as follows:

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

SEC. 620. HARDSHIP DUTY PAY.

(a) DUTY FOR WHICH PAY AUTHORIZED.—Subsection (a) of section 305 of title 37, United States Code, is amended by striking out “on duty at a location” and all that follows and inserting in lieu thereof “performing duty in the United States or outside the United States that is designated by the Secretary of Defense as hardship duty.”

(b) REPEAL OF EXCEPTION FOR MEMBERS RECEIVING CAREER SEA PAY.—Subsection (c) of such section is repealed.

(c) CONFORMING AMENDMENTS.—(1) Subsections (b) and (d) of such section are amended by striking out “hardship duty location pay” and inserting in lieu thereof “hardship duty pay”.

(2) Subsection (d) of such section is redesignated as subsection (c).

(3) The heading for such section is amended by striking out “location”.

(4) Section 907(d) of title 37, United States Code, is amended by striking out “duty at a hardship duty location” and inserting in lieu thereof “hardship duty”.

(d) CLERICAL AMENDMENT.—The item relating to section 305 in the table of sections at the beginning of chapter 5 of such title is amended to read as follows:

“305. Special pay: hardship duty pay.”

THE DIGITAL MILLENNIUM
COPYRIGHT ACT OF 1998

HATCH AMENDMENT NO. 2411

Mr. HATCH proposed an amendment to the bill (S. 2037) to amend title 17,

United States Code, to implement the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, to provide limitations on copyright liability relating to material online, and for other purposes; as follows:

On page 12, line 15 strike subsection (c) and redesignate the succeeding subsections and references thereto accordingly.

On page 17, line 4, insert “and with the intent to induce, enable, facilitate or conceal infringement” after “knowingly”.

On page 17, beginning on line 8, strike “, with the intent to induce, enable, facilitate or conceal infringement”.

On page 17, beginning on line 21, strike paragraph (3) and insert in lieu thereof the following:

“(3) distribute, import for distribution, or publicly perform works, copies of works, or phonorecords, knowing that copyright management information has been removed or altered without authority of the copyright owner or the law, knowing, or, with respect to civil remedies under section 1203, having reasonable grounds to know, that it will induce, enable, facilitate or conceal an infringement of any right under this title.”

On page 19, line 4, insert the following new paragraph and redesignate the succeeding paragraphs accordingly:

“(6) terms and conditions for use of the work.”

On page 19, line 4, strike “of” and insert in lieu thereof “or”.

NOTICE OF JOINT HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES AND COMMITTEE ON FOREIGN RELATIONS

Mr. MURKOWSKI, Mr. President, I would like to announce for the information of the Senate and the public that a joint hearing has been scheduled before the Committee on Energy and Natural Resources and the Committee on Foreign Relations.

The hearing will take place on Thursday, May 21, 1998, beginning at 10 a.m. in Room SD-419 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the subject of Iraq: Are Sanctions Collapsing?

Those who wish to submit written statements should write to the Committee on Foreign Relations, United States Senate, Washington, D.C. 20510. For further information, please contact Ms. Danielle Pletka of the Foreign Relations Committee staff at (202) 224-4651 or Mr. Howard Useem of the Energy & Natural Resources Committee staff at (202) 224-6567.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. THURMOND, Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, May 14, 1998, at 9 a.m. in SR-328A. The purpose of this meeting will be to examine the year 2000 computer problem compliance of the U.S. Department of

Agriculture, Commodity Futures Trading Commission and Farm Credit Administration.

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

COMMITTEE ON FINANCE

Mr. THURMOND, Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet Thursday, May 14, 1998, beginning at 9:30 a.m. in room SH-215, to conduct a markup.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. THURMOND, Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 14, 1998, at 10 a.m. and 1:30 p.m. to hold two hearings.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. THURMOND, Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, May 14, 1998, at 2 p.m. for a business meeting and markup.

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

COMMITTEE ON THE JUDICIARY

Mr. THURMOND, Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, May 14, 1998, at 2 p.m., in room 226 of the Senate Dirksen Office Building to hold a hearing on “Judicial Nominations.”

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

COMMITTEE ON SMALL BUSINESS

Mr. THURMOND, Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing nominating Fred P. Hochberg to be Deputy Administrator of the U.S. Small Business Administration. The hearing will begin at 9:30 a.m. on Thursday, May 14, 1998, in room 428A Russell Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. THURMOND, Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, May 14, 1998, at 3:30 p.m. to hold closed hearing on Intelligence Matters.

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

SUBCOMMITTEE ON INVESTIGATIONS

Mr. THURMOND, Mr. President, I ask unanimous consent on behalf of the Permanent Subcommittee on Investigations of the Governmental Affairs Committee to meet on Thursday, May 14, 1998, at 9:30 a.m. for a hearing on the topic of “The Safety of Food Imports.”

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