

S. 692

At the request of Mr. GREGG, the names of the Senator from Maine [Mr. COHEN] and the Senator from Kansas [Mr. DOLE] were added as cosponsors of S. 692, a bill to amend the Internal Revenue Code of 1986 to preserve family-held forest lands, and for other purposes.

S. 770

At the request of Mr. DOLE, the name of the Senator from Delaware [Mr. BIDEN] was added as a cosponsor of S. 770, a bill to provide for the relocation of the United States Embassy in Israel to Jerusalem, and for other purposes.

S. 833

At the request of Mr. HATCH, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 833, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of semiconductor manufacturing equipment.

SENATE CONCURRENT RESOLUTION 3

At the request of Mr. SIMON, the names of the Senator from Iowa [Mr. GRASSLEY] and the Senator from Hawaii [Mr. INOUE] were added as cosponsors of Senate Concurrent Resolution 3, a concurrent resolution relative to Taiwan and the United Nations.

SENATE RESOLUTION 147

At the request of Mr. THURMOND, the names of the Senator from South Carolina [Mr. HOLLINGS], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from Illinois [Mr. SIMON], the Senator from Washington [Mr. GORTON], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of Senate Resolution 147, a resolution designating the weeks beginning September 24, 1995, and September 22, 1996, as "National Historically Black Colleges and Universities Week," and for other purposes.

SENATE RESOLUTION 149

At the request of Mr. AKAKA, the names of the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Illinois [Ms. MOSELEY-BRAUN], and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of Senate Resolution 149, a resolution expressing the sense of the Senate regarding the recent announcement by the Republic of France that it intends to conduct a series of underground nuclear test explosions despite the current international moratorium on nuclear testing.

AMENDMENTS SUBMITTED

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

KYL (AND INHOFE) AMENDMENT NO. 2077

Mr. KYL (for himself and Mr. INHOFE) proposed an amendment to the bill (S.

1026) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

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

SEC. 1062. SENSE OF SENATE ON PROTECTION OF UNITED STATES FROM BALLISTIC MISSILE ATTACK.

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

(1) The proliferation of weapons of mass destruction and ballistic missiles presents a threat to the entire World.

(2) This threat was recognized by Secretary of Defense William J. Perry in February 1995 in the Annual Report to the President and the Congress which states that "[beyond the five declared nuclear weapons states, at least 20 other nations have acquired or are attempting to acquire weapons of mass destruction—nuclear, biological, or chemical weapons—and the means to deliver them. In fact, in most areas where United States forces could potentially be engaged on a large scale, many of the most likely adversaries already possess chemical and biological weapons. Moreover, some of these same states appear determined to acquire nuclear weapons.".

(3) At a summit in Moscow in May 1995, President Clinton and President Yeltsin commented on this threat in a Joint Statement which recognizes ". . . the threat posed by worldwide proliferation of missiles and missile technology and the necessity of counteracting this threat . . .".

(4) At least 25 countries may be developing weapons of mass destruction and the delivery systems for such weapons.

(5) At least 24 countries have chemical weapons programs in various stages of research and development.

(6) Approximately 10 countries are believed to have biological weapons programs in various stages of development.

(7) At least 10 countries are reportedly interested in the development of nuclear weapons.

(8) Several countries recognize that weapons of mass destruction and missiles increase their ability to deter, coerce, or otherwise threaten the United States. Saddam Hussein recognized this when he stated, on May 8, 1990, that "[o]ur missiles cannot reach Washington. If they could reach Washington, we would strike it if the need arose."

(9) International regimes like the Non-Proliferation Treaty, the Biological Weapons Convention, and the Missile Technology Control Regime, while effective, cannot by themselves halt the spread of weapons and technology. On January 10, 1995, Director of Central Intelligence, James Woolsey, said with regard to Russia that ". . . we are particularly concerned with the safety of nuclear, chemical, and biological materials as well as highly enriched uranium or plutonium, although I want to stress that this is global problem. For example, highly enriched uranium was recently stolen from South Africa, and last month Czech authorities recovered three kilograms of 87.8 percent-enriched HEU in the Czech Republic—the largest seizure of near-weapons grade material to date outside the Former Soviet Union."

(10) The possession of weapons of mass destruction and missiles by developing countries threatens our friends, allies, and forces abroad and will ultimately threaten the United States directly. On August 11, 1994,

Deputy Secretary of Defense John Deutch said that "[i]f the North Koreans field the Taepo Dong 2 missile, Guam, Alaska, and parts of Hawaii would potentially be at risk."

(11) The end of Cold War has changed the strategic environmental facing and between the United States and Russia. That the Clinton Administration believes the environment to have changed was made clear by Secretary of Defense William J. Perry on September 20, 1994, when he stated that "[w]e now have the opportunity to create a new relationship, based not on MAD, not on Mutual Assured Destruction, but rather on another acronym, MAS, or Mutual Assured Safety."

(12) The United States and Russia have the opportunity to create a relationship based on trust rather than fear.

(b) SENSE OF SENATE.—It is the sense of the Senate that all Americans should be protected from accidental, intentional, or limited ballistic missile attack.

NUNN AMENDMENT NO. 2078

Mr. NUNN proposed an amendment to amendment No. 2077 proposed by Mr. KYL to the bill S. 1026, supra; as follows:

On page 5, beginning with "attack," strike out all down through the end of the amendment and insert in lieu thereof the following: "attack. It is the further sense of the Senate that frontline troops of the United States armed forces should be protected from missile attacks.

"(c) FUNDING FOR CORPS SAM AND BOOST-PHASE INTERCEPTOR PROGRAMS.—

"(1) Notwithstanding any other provision in this Act, of the funds authorized to be appropriated by section 201(4), \$35.0 million shall be available for the Corps SAM/MEADS program.

"(2) With a portion of the funds authorized in paragraph (1) for the Corps SAM/MEADS program, the Secretary of Defense shall conduct a study to determine whether a Theater Missile Defense system derived from Patriot technologies could fulfill the Corps SAM/MEADS requirements at a lower estimated life-cycle cost than is estimated for the cost of the U.S. portion of the Corps SAM/MEADS program.

"(3) The Secretary shall provide a report on the study required under paragraph (3) to the congressional defense committees not later than March 1, 1996.

"(4) Of the funds authorized to be appropriated by section 201(4), not more than \$3,403,413,000 shall be available for missile defense programs within the Ballistic Missile Defense Organization.

"(d) Section 234(c)(1) of this Act shall have no force or effect."

BOXER AMENDMENT NO. 2079

Mrs. BOXER proposed an amendment to the bill S. 1026, supra; as follows:

At the appropriate place, insert the following:

RELEVANT AGENCIES OR DEPARTMENTS.

SEC. . ETHICS HEARINGS.

The Select Committee on Ethics of the Senate shall hold hearings in any pending or future case in which the Select Committee (1) has found, after a review of allegations of wrongdoing by a senator, that there is substantial credible evidence which provides substantial cause to conclude that a violation within the jurisdiction of the Select Committee has occurred, and (2) has undertaken an investigation of such allegations. The Select Committee may waive this requirement by an affirmative record vote of a majority of the members of the Committee.

McCONNELL AMENDMENT NO. 2080

Mr. McCONNELL proposed an amendment to the bill S. 1026, supra; as follows:

At the appropriate place in the bill, insert: (A) The Senate finds that:

(1) the Senate Select Committee on Ethics has a thirty-one year tradition of handling investigations of official misconduct in a bipartisan, fair and professional manner;

(2) the Ethics Committee, to ensure fairness to all parties in any investigation, must conduct its responsibilities strictly according to established procedure and free from outside interference;

(3) the rights of all parties to bring an ethics complaint against a member, officer, or employee of the Senate are protected by the official rules and precedents of the Senate and the Ethics Committee;

(4) any Senator responding to a complaint before the Ethics Committee deserves a fair and non-partisan hearing according to the rules of the Ethics Committee;

(5) the rights of all parties in an investigation—both the individuals who bring a complaint or testify against a Senator, and any Senator charged with an ethics violation—can only be protected by strict adherence to the established rules and procedures of the ethics process;

(6) the integrity of the Senate and the integrity of the Ethics Committee rest on the continued adherence to precedents and rules, derived from the Constitution; and,

(7) the Senate as a whole has never intervened in any ongoing Senate Ethics Committee investigation, and has considered matters before that Committee only after the Committee has submitted a report and recommendations to the Senate;

(B) Therefore, it is the Sense of the Senate that the Select Committee on Ethics should not, in the case of Senator Robert Packwood of Oregon, deviate from its customary and standard procedure, and should, prior to the Senate's final resolution of the case, follow whatever procedures it deems necessary and appropriate to provide a full and complete public record of the relevant evidence in this case.

SPECTER AMENDMENT NO. 2081

(Ordered to lie on the table.)

Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 1026, supra; as follows:

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

SEC. 1095. JUDICIAL ASSISTANCE TO THE INTERNATIONAL TRIBUNAL FOR YUGOSLAVIA AND TO THE INTERNATIONAL TRIBUNAL FOR RWANDA.

(a) SURRENDER OF PERSONS.—

(1) APPLICATION OF UNITED STATES EXTRADITION LAWS.—Except as provided in paragraphs (2) and (3), the provisions of chapter 209 of title 18, United States Code, relating to the extradition of persons to a foreign country pursuant to a treaty or convention for extradition between the United States and a foreign government, shall apply in the same manner and extent to the surrender of persons, including United States citizens, to—

(A) the International Tribunal for Yugoslavia, pursuant to the Agreement Between the United States and the International Tribunal for Yugoslavia; and

(B) the International Tribunal for Rwanda, pursuant to the Agreement Between the

United States and the International Tribunal for Rwanda.

(2) EVIDENCE ON HEARINGS.—For purposes of applying section 3190 of title 18, United States Code, in accordance with paragraph (1), the certification referred to in the section may be made by the principal diplomatic or consular officer of the United States resident in such foreign countries where the International Tribunal for Yugoslavia or the International Tribunal for Rwanda may be permanently or temporarily situated.

(3) PAYMENT OF FEES AND COSTS.—(A) The provisions of the Agreement Between the United States and the International Tribunal for Yugoslavia and of the Agreement Between the United States and the International Tribunal for Rwanda shall apply in lieu of the provisions of section 3195 of title 18, United States Code, with respect to the payment of expenses arising from the surrender by the United States of a person to the International Tribunal for Yugoslavia or the International Tribunal for Rwanda, respectively, or from any proceedings in the United States relating to such surrender.

(B) The authority of subparagraph (A) may be exercised only to the extent and in the amounts provided in advance in appropriations Acts.

(4) NONAPPLICABILITY OF THE FEDERAL RULES.—The Federal Rules of Evidence and the Federal Rules of Criminal Procedure do not apply to proceedings for the surrender of persons to the International Tribunal for Yugoslavia or the International Tribunal for Rwanda.

(b) ASSISTANCE TO FOREIGN AND INTERNATIONAL TRIBUNALS AND TO LITIGANTS BEFORE SUCH TRIBUNALS.—Section 1782(a) of title 28, United States Code, is amended by inserting in the first sentence after "foreign or international tribunal" the following: "including criminal investigations conducted prior to formal accusation".

(c) DEFINITIONS.—As used in this section:

(1) INTERNATIONAL TRIBUNAL FOR YUGOSLAVIA.—The term "International Tribunal for Yugoslavia" means the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of the Former Yugoslavia, as established by United Nations Security Council Resolution 827 of May 25, 1993.

(2) INTERNATIONAL TRIBUNAL FOR RWANDA.—The term "International Tribunal for Rwanda" means the International Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighboring States, as established by United Nations Security Council Resolution 955 of November 8, 1994.

(3) AGREEMENT BETWEEN THE UNITED STATES AND THE INTERNATIONAL TRIBUNAL FOR YUGOSLAVIA.—The term "Agreement Between the United States and the International Tribunal for Yugoslavia" means the Agreement on Surrender of Persons Between the Government of the United States and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law in the Territory of the Former Yugoslavia, signed at The Hague, October 5, 1994.

(4) AGREEMENT BETWEEN THE UNITED STATES AND THE INTERNATIONAL TRIBUNAL FOR RWANDA.—The term "Agreement between the United States and the International Tribu-

nal for Rwanda" means the Agreement on Surrender of Persons Between the Government of the United States and the International Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighboring States, signed at The Hague, January 24, 1995.

FEINGOLD AMENDMENT NO. 2082

Mr. FEINGOLD proposed an amendment to the bill S. 1026, supra; as follows:

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

SEC. . SENSE OF THE SENATE REGARDING FEDERAL SPENDING.

It is the sense of the Senate that in pursuit of a balanced federal budget, Congress should exercise fiscal restraint, particularly in authorizing spending not requested by the Executive and in proposing new programs.

GRASSLEY AMENDMENT NO. 2083

Mr. GRASSLEY proposed an amendment to the bill S. 1026, supra; as follows:

On page 159, line 3, before the end quotation marks insert the following: "The 3-year time-in-grade requirement in paragraph (2)(A) of subsection (a) may not be reduced or waived under such subsection in the case of such an officer while the officer is under investigation for alleged misconduct or while disposition of an adverse personnel action is pending against the officer for alleged misconduct."

THURMOND (AND OTHERS) AMENDMENT NO. 2084

Mr. THURMOND (for himself, Mr. BURNS, Mr. REID, Mr. FORD, Mr. BOND, and Mr. NUNN) proposed an amendment to the bill S. 1026, supra; as follows:

On page 404, in the table following line 10, insert before the item relating to Fort Knox, Kentucky, the following project in Kentucky:

Table with 2 columns: Project Name, Amount. Row: Fort Campbell \$10,000,000

On page 405, in the table following line 2, insert after the item relating to Camp Stanley, Korea, the following:

Table with 2 columns: Project Name, Amount. Row: Yongsan \$4,500,000

On page 406, line 14, strike out "\$2,019,358,000" and insert in lieu thereof "\$2,033,858,000".

On page 406, line 17, strike out "\$396,380,000" and insert in lieu thereof "\$406,380,000".

On page 406, line 20, strike out "\$98,050,000" and insert in lieu thereof "\$102,550,000".

On page 408, in the table following line 4, in the item relating to Bremerton Puget Sound Naval Shipyard, Washington, strike out "\$9,470,000" in the amount column and insert in lieu thereof "\$19,870,000".

On page 410, in the table preceding line 1, add after the item relating to Norfolk Public Works Center, Virginia, the following new items:

Table with 4 columns: Location, Description, Units, Amount. Rows: Washington, West Virginia, Bangor Naval Submarine Base, Naval Security Group Detachment, Sugar Grove.

On page 411, line 6, strike out "\$2,058,579,000" and insert in lieu thereof "\$2,077,459,000".

On page 411, line 9, strike out "\$389,259,000" and insert in lieu thereof "\$399,659,000".

On page 412, line 3, strike out "\$477,767,000" and insert in lieu thereof "\$486,247,000".

On page 415, in the table following line 18, in the item relating to Maxwell Air Force Base, Alabama, strike out "\$3,700,000" in the amount column and insert in lieu thereof "\$5,200,000".

On page 415, in the table following line 18, in the item relating to Eielson Air Force Base, Alaska, strike out "\$3,850,000" in the amount column and insert in lieu thereof "\$7,850,000".

On page 416, in the table preceding line 1, in the item relating to Mountain Home Air Force Base, Idaho, strike out "\$18,650,000" in the amount column and insert in lieu thereof "\$35,350,000".

On page 416, in the table preceding line 1, in the item relating to McGuire Air Force Base, New Jersey, strike out "\$9,200,000" in the amount column and insert in lieu thereof "\$16,500,000".

On page 416, in the table preceding line 1, insert after the item relating to Cannon Air Force Base, New Mexico, the following:

	Holloman Air Force Base.	\$6,000,000
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On page 416, in the table preceding line 1, insert after the item relating to Shaw Air Force Base, South Carolina, the following:

South Dakota ...	Ellsworth Air Force Base.	\$7,800,000
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On page 416, in the table preceding line 1, in the item relating to Hill Air Force Base, Utah, strike out "\$8,900,000" in the amount column and insert in lieu thereof "\$12,600,000".

On page 418, in the table preceding line 1, insert after the item relating to Nellis Air Force Base, Nevada, the following:

	Nellis Air Force Base.	57 units .	\$6,000,000
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On page 419, line 17, strike out "\$1,697,704,000" and insert in lieu thereof "\$1,740,704,000".

On page 419, line 21, strike out "\$473,116,000" and insert in lieu thereof "\$510,116,000".

On page 420, line 10, strike out "\$281,965,000" and insert in lieu thereof "\$287,965,000".

On page 421, in the table following line 10, in the matter relating to Defense Medical Facilities Offices, insert before the item relating to Luke Air Force Base, Arizona, the following:

	Maxwell Air Force Base, Alabama.	\$10,000,000
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On page 422, in the table preceding line 1, in the matter relating to the Special Operations Command at Fort Bragg, North Carolina, strike out "\$2,600,000" in the amount column and insert in lieu thereof "\$8,100,000".

On page 424, line 22, strike out "\$4,565,533,000" and insert in lieu thereof "\$4,581,033,000".

On page 424, line 25, strike out "\$300,644,000" and insert in lieu thereof "\$316,144,000".

On page 429, line 14, strike out "\$85,353,000" and insert in lieu thereof "\$148,589,000".

On page 429, line 15, strike out "\$44,613,000" and insert in lieu thereof "\$79,895,000".

On page 429, line 19, strike out "\$132,953,000" and insert in lieu thereof "\$167,503,000".

On page 429, line 22, strike out "\$31,982,000" and insert in lieu thereof "\$35,132,000".

NUNN AMENDMENT NO. 2085

Mr. NUNN proposed an amendment to the bill S. 1026, supra; as follows:

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

SEC. 1095. ASSOCIATE DIRECTOR OF CENTRAL INTELLIGENCE FOR MILITARY SUPPORT.

Section 102 of the National Security Act of 1947 (50 U.S.C. 403) is amended by adding at the end the following:

"(e) In the event that neither the Director nor Deputy Director of Central Intelligence is a commissioned officer of the Armed Forces, a commissioned officer of the Armed Forces appointed to the position of Associate Director of Central Intelligence for Military Support, while serving in such position, shall not be counted against the numbers and percentages of commissioned officers of the rank and grade of such officer authorized for the armed force of which such officer is a member."

THOMPSON AMENDMENT NO. 2086

Mr. THURMOND (for Mr. THOMPSON) proposed an amendment to the bill S. 1026, supra; as follows:

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

SEC. 2838. LAND CONVEYANCE, NAVAL SURFACE WARFARE CENTER, MEMPHIS, TENNESSEE.

(a) AUTHORITY TO CONVEY.—The Secretary of the Navy may convey to the Memphis and Shelby County Port Commission, Memphis, Tennessee (in this section referred to as the "Port"), all right, title, and interest of the United States in and to a parcel of real property (including any improvements thereon) consisting of approximately 26 acres that is located at the Carderock Division, Naval Surface Warfare Center, Memphis Detachment, Presidents Island, Memphis, Tennessee.

(b) CONSIDERATION.—As consideration for the conveyance of real property under subsection (a), the Port shall—

(1) grant to the United States a restrictive easement in and to a parcel of real property consisting of approximately 100 acres that is adjacent to the Memphis Detachment, Presidents Island, Memphis, Tennessee; and

(2) if the fair market value of the easement granted under paragraph (1) exceeds the fair market value of the real property conveyed under subsection (a), provide the United States such additional consideration as the Secretary and the Port jointly determine appropriate so that the value of the consideration received by the United States under this subsection is equal to or greater than the fair market value of the real property conveyed under subsection (a).

(c) CONDITION OF CONVEYANCE.—The conveyance authorized by subsection (a) shall be carried out in accordance with the provisions of the Land Exchange Agreement between the United States of America and the Memphis and Shelby County Port Commission, Memphis, Tennessee.

(d) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the real property to be conveyed under subsection (a) and of the easement to be granted under subsection (b)(1). Such determinations shall be final.

(e) USE OF PROCEEDS.—The Secretary shall deposit any proceeds received under subsection (b)(2) as consideration for the conveyance of real property authorized under subsection (a) in the special account estab-

lished pursuant to section 204(h) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(h)).

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) and the easement to be granted under subsection (b)(1) shall be determined by surveys satisfactory to the Secretary. The cost of the surveys shall be borne by the Port.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a) and the easement granted under subsection (b)(1) as the Secretary considers appropriate to protect the interests of the United States.

NOTICES OF HEARINGS

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce to the public that two field hearings have been scheduled before the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources.

The purpose of the hearings will be to receive testimony on the proposed acreage limitation and water conservation rules and regulations issued by the Bureau of Reclamation, Department of the Interior on April 3, 1995.

The first hearing will take place on Monday, August 21, 1995, beginning at 9:30 a.m. in the cafeteria of the College of Southern Idaho, 315 Falls Avenue, Twin Falls, ID.

The second hearing will be held on Monday, August 21, 1995, beginning at 4 p.m. at the City Council Chamber, City of Riverton, 816 N. Federal Blvd., Riverton, WY.

Because of the limited time available for the hearings, witnesses may testify by invitation only. It will be necessary to place witnesses in panels and place time limits on the oral testimony. Witnesses testifying at the hearings are requested to bring 10 copies of their testimony with them on the day of the hearing. Please submit one copy of testimony in advance to the attention of James Beirne, Senior Counsel, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

Written statements may be submitted for the hearing record. It is necessary only to provide one copy of any material to be submitted for the record. If you would like to submit a statement for the record, please send one copy of the statement to the Subcommittee on Forests and Public Land Management, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

For further information regarding the hearings, please contact James Beirne, Senior Counsel, at (202) 224-2564 or Betty Nevitt, Staff Assistant, of the Committee staff at (202) 224-0765.

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will be holding