cooperative research and development with Japan and other countries, these results provide tangible advantages for families in New Mexico and every other state in the union. The car you drive, the home you live in, the appliances you use, the food you eat, the air you breathe—all of these derive from research and development programs that were undertaken yesterday. These programs should be a national priority.

To this end, it is essential that we further solidify the cooperative linkages that exist between our two countries, to find ways to leverage increasingly scarce funds, to combine diverse and complementary streams of ideas and technologies, and to provide mutual advantages to our respective societies and the international community as a whole.

Although some would deny the obvious synergies that exist between the United States and Japan at this time, it is not in our national interest to do so. The question is no longer whether these synergies will exist, but under what conditions they will exist. Interaction between our two countries exists on a scale far beyond what many once considered possible, and it will only grow as scientific and technological interaction between the two countries increases. We should take real pride in this development, just as we must, at the same time, carefully consider the path we will follow in the future.

While the current resolution is non-binding, it does reflect our desire to engage Japan in an ongoing, cooperative, and reciprocal relationship. Senator Roth and I consider the U.S.-Japan Science and Technology Agreement to be an interactive arrangement of the highest importance, and we hope other colleagues will join us in our support for its renewal.

SENATE RESOLUTION 263—TO AUTHORIZED PAYMENT OF THE EXPENSES OF REPRESENTATIVES OF THE SENATE ATTENDING THE FUNERAL OF A SENATOR

Mr. WARNER submitted the following resolution; which was considered and agreed to:

S. Res. 263

Resolved, That, upon approval by the Committee on Rules and Administration, the Secretary of the Senate is authorized to pay, from the contingent fund of the Senate, the actual and necessary expenses incurred by the representatives of the Senate who attend the funeral of a Senator, including the funeral of a retired Senator. Expenses of the Senate representatives attending the funeral of a Senator shall be processed on vouchers submitted by the Secretary of the Senate and approved by the Chairman of the Committee on Rules and Administration.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1999

GRASSLEY AMENDMENT NO. 3390
(Ordered to lie on the table.) Mr. GRASSLEY submitted an amendment intended to be proposed by him in the bill (S. 2132) making appropriations for the Department of Defense for fiscal year ending September 30, 1999, and for other purposes; as follows:

On page 99, between lines 17 and 18, insert the following:

Sec. 8204. Effective on June 30, 1999, section 8108(a) of the Department of Defense Appropriations Act, 1997 (titles I through VII of the act under section 103(b) of Public Law 104-208, 110 Stat. 3009-111, 10 U.S.C. 113 note), is amended—

(1) by striking out “not later than June 30, 1997,” and inserting in lieu thereof “not later than June 30, 1999,”; and

(2) by striking out “$1,000,000” and inserting in lieu thereof “$500,000”.

STEVENS AND INOUYE AMENDMENT NO. 3391

Mr. STEVENS (for himself and Mr. INOUYE) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, in between lines 17 and 18, insert the following:

Sec. 8204(a) On page 34, line 24, strike out all after “$34,500,000” down to and including “1999” on page 35, line 7.

(b) On page 41, line 1, strike out the amount “$2,000,000,000” and insert the amount “$1,775,000,000”.

(c) In addition to funds provided under title I of this Act, the following amounts are hereby appropriated: for “Military Personnel, Army”, $58,000,000; for “Military Personnel, Navy”, $2,000,000; for “Military Personnel, Marine Corps”, $13,000,000; for “Military Personnel, Air Force”, $42,000,000; for “Reserve Personnel, Army”, $5,377,000; for “Reserve Personnel, Navy”, $3,694,000; for “Reserve Personnel, Marine Corps”, $1,103,000; for “Reserve Personnel, Air Force”, $1,000,000; for “National Guard Personnel, Army”, $9,392,000; and for “National Guard Personnel, Air Force”, $8,200,000.

(d) Notwithstanding any other provision in this Act, the total amount available in this Act for “Quality of Life Enhancements, Defense Health Program” is hereby reduced by $2,000,000,000.

(e) Notwithstanding any other provision in this Act, the total amount appropriated under the heading “National Guard and Reserve Equipment”, is hereby reduced by $2,668,000.

STEVENS AMENDMENT NO. 3392

Mr. STEVENS proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, in between lines 17 and 18, insert the following:

Sec. 8204 For an additional amount for “Overseas Contingency Operations Transfer Fund,” $1,859,600,000. Provided, That the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, the defense health program appropriations and working capital funds: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by Congress as an emergency pursuant to section 251(b)(2)(B)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

ROBERTS AMENDMENT NO. 3393

Mr. ROBERTS proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, in between lines 17 and 18, insert the following:

Sec. 8204. (a) None of the funds appropriated or otherwise made available under this Act may be obligated or expended for any deployment of forces of the Armed Forces of the United States to Yugoslavia, Albania, or Macedonia unless and until the President, after consultation with the Speaker of the House of Representatives, the Majority Leader of the Senate, the Minority Leader of the House of Representatives, and the Minority Leader of the Senate, transmits to Congress a report on the deployment that includes the following:

(1) The President’s certification that the presence of those forces in each country to which the forces are to be deployed is necessary in the national security interests of the United States.

(2) The reasons why the deployment is in the national security interests of the United States.

(3) The number of United States military personnel to be deployed to each country.

(4) The mission and objectives of forces to be deployed.

(5) The expected schedule for accomplishing the objectives of the deployment.

(6) The exit strategy for United States forces engaged in the deployment.

(7) The costs associated with the deployment and the funding sources for paying those costs.

(8) The anticipated effects of the deployment on the morale, retention, and effectiveness of United States forces.

(b) Subsection (a) does not apply to a deployment of forces—

(1) in accordance with United Nations Security Council Resolution 795; or

(2) under circumstances determined by the President to be an emergency necessitating immediate deployment of the forces.

SANTORUM AMENDMENT NO. 3394

Mr. SANTORUM proposed an amendment to the bill, S. 2132, supra; as follows:

On page 26, line 8, increase the amount by $8,200,000.

On page 10, line 6, reduce the first amount by $8,200,000.

Mr. SANTORUM. Mr. President, this amendment to S. 2132, the Fiscal Year 1999 Defense Appropriations Act, seeks to add $8.2 million for the procurement of 60-mile millimeter, high-explosive munitions for the Marine Corps.

The additional funds would help alleviate training constraints for Marine
Corps units due to shortages in this term, and will help reduce the coming “bow-wave” of procurement requirements we may not have the resources to fund in future years. The Marine Corps has stated that procurement at this level would be consistent with its acquisition strategy regarding ammunition.

I would like to clarify that funds for this procurement have been identified. In order to fund this important acquisition I have identified the Air Force war reserve materials account.

KEMPTHORNE AMENDMENT NO. 3395
(Ordered to lie on the table.)
Mr. KEMPTHORNE submitted an amendment intended to be proposed by him to the bill, S. 2132, supra; as follows:

Page 99, between lines 17 and 18, insert the following:

Sec. 8014. (a) Not later than six months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing a comprehensive assessment of the TRICARE program.

(b) The assessment under subsection (a) shall include the following:

(1) A comparison of the health care benefits available under the health care options of the TRICARE program known as TRICARE Standard, TRICARE Prime, and TRICARE For Life with the health care benefits available under the health care plan of the Federal Employees Health Benefits program most similar to each such option that has three or fewer subscribers as of the date of enactment of this Act, including—

(A) the types of health care services offered by each option and plan under comparison;

(B) the timeliness of payments to physicians providing services under each option and plan under comparison; and

(C) the timeliness of payments to physicians providing services under each option and plan under comparison.

(2) An assessment of the effect on the subscription choices made by potential subscribers to the TRICARE program of the Department of Defense policy to grant priority in the provision of health care services to subscribers to a particular option.

(3) An assessment whether or not the implementation of the TRICARE program has discouraged Medicare-eligible individuals from obtaining health care services from military treatment facilities, including—

(A) an estimate of the number of such individuals discouraged from obtaining health care services from such facilities during the two-year period ending with the commencement of the implementation of the TRICARE program; and

(B) an estimate of the number of such individuals discouraged from obtaining health care services from such facilities during the two-year period following the commencement of the implementation of the TRICARE program.

(4) An assessment of any other matters that the Comptroller General considers appropriate for purposes of this section.

(c) In this section:

(1) The term “Federal Employees Health Benefits program” means the health benefits program under chapter 89 of title 5, United States Code.

(2) The term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

FEINGOLD (AND OTHERS) AMENDMENT NO. 3397
(Ordered to lie on the table.)
Mr. FEINGOLD (for himself, Mr. KOWT, and Mr. BRYAN) submitted an amendment to be proposed by him to the bill, S. 2132, supra, as follows:

On page 13, line 9, increase the amount by $210,700,000.
On page 25, line 25, reduce the amount by $210,700,000.

KYL AMENDMENT NO. 3398
Mr. KYL proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

Sec. 8014. (a) None of the funds appropriated by this Act may be obligated or expended for the establishment or operation of the Defense Threat Reduction Agency until the Secretary of Defense takes the following actions:

(1) Establishes within the Office of the Under Secretary of Defense for Policy the position of Deputy Under Secretary of Defense for Technology Security Policy and designates that official to serve as the Director of the Defense Security Technology Agency with only the following duties:

(A) To develop for the Department of Defense policies and positions regarding the appropriate export control policies and procedures that are necessary to protect the national security interests of the United States.

(B) To supervise activities of the Department of Defense relating to export controls.

(C) As the Director of the Defense Security Technology Agency—

(i) develop the technology security program of the Department of Defense;

(ii) review, under that program, international transfers of defense-related technology, goods, and munitions that are necessary to determine whether such transfers are consistent with United States foreign policy and national security interests and to ensure such transfers comply with Department of Defense technology security policies;

(iii) to ensure (using automation and other appropriate techniques to the maximum extent practicable) that the Department of Defense role in the processing of export license applications is carried out as expeditiously as is practicable consistent with the national security interests of the United States; and

(iv) to actively support intelligence and enforcement activities of the Federal Government to restrain the flow of defense-related technology, goods, services, and munitions to potential adversaries.

(2) Submits to Congress a written certification that—

(A) the Defense Security Technology Agency is to remain a Defense Agency independent of and not an arm of the Department of Defense and the military departments; and

(B) no funds are to be obligated or expended for integrating the Defense Security Technology Agency into another Defense Agency.

ALBANY (AND CONSORT) AMENDMENT NO. 3399
(Ordered to lie on the table.)
Mr. ALBANY (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by them to the bill, S. 2132, supra; as follows:

On page 99, in between lines 17 and 18, insert the following:

Sec. 8014. (a) None of the funds appropriated by this Act may be obligated or expended for the establishment or operation of the Defense Threat Reduction Agency until the Secretary of Defense establishes the position of Deputy Under Secretary of Defense for Technology Security Policy, the Secretary shall submit to the Committees on Armed Services and on Appropriations of the Senate and the Committees on National Security and on Appropriations of the House of Representatives a report on the establishment of the position. The report shall include the following:

(1) A description of any organizational changes that have been made or are to be made within the Department of Defense to satisfy the conditions set forth in subsection (a) and otherwise to implement this section.

(2) A description of the role of the Chairman of the Joint Chiefs of Staff in the export control activities of the Department of Defense after the establishment of the position, together with a discussion of how that role compares to the Chairman’s role in those activities before the establishment of the position.

(3) An estimate of the number of such transfers.

(4) An assessment of any other matters the Secretary considers necessary to fulfill the requirements of this section.

(5) An assessment of any other matters the Secretary considers necessary to fulfill the requirements of this section.

(6) A description of the role of the Joint Staff in the implementation of the TRICARE program.

(7) The Secretary of Defense should submit a written certification to Congress that—

(A) the Secretary of Defense established the position of Deputy Under Secretary of Defense for Technology Security Policy before the bill, S. 2132, supra; as follows:

On page 99, in between lines 17 and 18, insert the following:

Sec. 8014. (a) None of the funds appropriated by this Act may be obligated or expended for the establishment or operation of the Defense Threat Reduction Agency until the Secretary of Defense establishes the position of Deputy Under Secretary of Defense for Technology Security Policy, the Secretary shall submit to the Committees on Armed Services and on Appropriations of the Senate and the Committees on National Security and on Appropriations of the House of Representatives a report on the establishment of the position. The report shall include the following:

(1) A description of any organizational changes that have been made or are to be made within the Department of Defense to satisfy the conditions set forth in subsection (a) and otherwise to implement this section.

(2) A description of the role of the Chairman of the Joint Chiefs of Staff in the export control activities of the Department of Defense after the establishment of the position, together with a discussion of how that role compares to the Chairman’s role in those activities before the establishment of the position.

(3) An estimate of the number of such transfers.

(4) An assessment of any other matters the Secretary considers necessary to fulfill the requirements of this section.

(5) An assessment of any other matters the Secretary considers necessary to fulfill the requirements of this section.

(6) A description of the role of the Joint Staff in the implementation of the TRICARE program.

(7) The Secretary of Defense should submit a written certification to Congress that—

(A) the Secretary of Defense established the position of Deputy Under Secretary of Defense for Technology Security Policy before the bill, S. 2132, supra; as follows:

On page 99, in between lines 17 and 18, insert the following:

Sec. 8014. (a) None of the funds appropriated by this Act may be obligated or expended for the establishment or operation of the Defense Threat Reduction Agency until the Secretary of Defense establishes the position of Deputy Under Secretary of Defense for Technology Security Policy, the Secretary shall submit to the Committees on Armed Services and on Appropriations of the Senate and the Committees on National Security and on Appropriations of the House of Representatives a report on the establishment of the position. The report shall include the following:

(1) A description of any organizational changes that have been made or are to be made within the Department of Defense to satisfy the conditions set forth in subsection (a) and otherwise to implement this section.

(2) A description of the role of the Chairman of the Joint Chiefs of Staff in the export control activities of the Department of Defense after the establishment of the position, together with a discussion of how that role compares to the Chairman’s role in those activities before the establishment of the position.

(3) An estimate of the number of such transfers.

(4) An assessment of any other matters the Secretary considers necessary to fulfill the requirements of this section.

(5) An assessment of any other matters the Secretary considers necessary to fulfill the requirements of this section.

(6) A description of the role of the Joint Staff in the implementation of the TRICARE program.

(7) The Secretary of Defense should submit a written certification to Congress that—

(A) the Secretary of Defense established the position of Deputy Under Secretary of Defense for Technology Security Policy before the
On page 99, between lines 17 and 18, insert the following:

TITLE IX—COMMERCIAL SPACE

SEC. 901. SHORT TITLE.

This title may be cited as the “Commercial Space Act of 1998.”

SEC. 902. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Aeronautics and Space Administration.

(2) COMMERCIAL PROVIDER.—The term “commercial provider” means any person providing space transportation services or other space-related activities, primary control of which is held by persons other than Federal, State, local, and foreign governments.

(3) PAYLOAD.—The term “payload” means anything that a person undertakes to transport to, from, or within outer space, or in suborbital trajectory, by means of a space transportation vehicle, but does not include the space transportation vehicle itself except for its components which are specifically designed or adapted for that payload.

(4) SPACE-RELATED ACTIVITIES.—The term “space-related activities” includes research and development, manufacturing, processing, service, and other associated and support activities.

(5) SPACE TRANSPORTATION SERVICES.—The term “space transportation services” means the preparation of a space transportation vehicle and its payloads for transportation to, from, or within outer space, or in suborbital trajectory, and the conduct of transporting a payload to, from, or within outer space, or in suborbital trajectory.

(6) SPACE TRANSPORTATION VEHICLE.—The term “space transportation vehicle”—

(A) means any vehicle constructed for the purpose of operating in, or transporting a payload to, from, or within, outer space, or in suborbital trajectory; and

(B) includes any component of that vehicle not specifically designed or adapted for a payload.

(7) STATE.—The term “State” means each of the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

(8) UNITED STATES COMMERCIAL PROVIDER.—The term “United States commercial provider” means a commercial provider, organized or based in the United States or of a State, that is—

(A) more than 50 percent owned by United States nationals; or

(B) subsidiary of a foreign company and the Secretary of Transportation finds that—

(i) that subsidiary has in the past evidenced a substantial commitment to the United States market through—

(1) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major space facilities or subassemblies); and

(2) significant contributions to employment in the United States; and

(ii) each country in which that foreign company conducts business, affords reciprocal treatment for companies described in subparagraph (A) comparable to that afforded to that foreign company’s subsidiary in the United States, as evidenced by—

(aa) providing comparable opportunities for companies described in subparagraph (A) to participate in Government sponsored research and development similar to that authorized under this Act;

(bb) providing no barriers, to companies described in subparagraph (A) with respect to any goods or services that are not provided to foreign companies in the United States; and

(cc) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).

SEC. 903. COMMERCIALIZATION OF SPACE STATION ACTS.

(a) POLICY.—Congress declares that—

(1) a priority goal of constructing the International Space Station is the economic development of Earth orbital space;

(2) free and competitive markets create the most efficient conditions for promoting economic development, and should therefore govern the economic development of Earth orbital space; and

(3) the use of free market principles in operating, servicing, allocating the use of, and promoting the development of commercial launch capabilities is essential to the successful operation of the International Space Station.

(b) RESEARCH AND DEVELOPMENT OF COMMERCIAL SPACE TRANSPORTATION VEHICLES.—

(1) IN GENERAL.—The Administrator shall deliver to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives, not later than 90 days after the date of enactment of this Act, a study that identifies and examines—

(A) the opportunities for commercial providers to play a role in International Space Station activities, including operation, use, servicing, and augmentation;

(B) the potential cost savings to be derived from commercial providers playing a role in each of these activities;

(C) which of the opportunities described in subparagraph (A) the Administrator plans to make available to commercial providers during fiscal years 1999 and 2000;

(D) the specific initiatives and strategies the Administrator is advancing to encourage and facilitate these commercial opportunities; and

(E) the revenues and cost reimbursements to the Federal Government from commercial users of the International Space Station.

(2) STUDY.—

(A) IN GENERAL.—The Administrator shall deliver to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives, not later than 180 days after the date of enactment of this Act, an independently-conducted market study that examines and evaluates potential industry interest in and participation in commercial goods and services for the operation, servicing, and augmentation of the International Space Station, and in the commercial use of the International Space Station.

(B) ADDITIONAL REQUIREMENTS.—In addition to meeting the requirements under subparagraph (A), the study under this paragraph shall also include updates to the cost savings and revenue estimates made in the study described in paragraph (1) based on the external market assessment.

(3) SUBMISSION OF REPORT.—The Administrator shall deliver to Congress, no later than the submission of the President’s annual budget request for fiscal year 2000 submission of the President’s budget request for fiscal year 2000, a study prepared under this section 31, United States Code, a report detailing how many proposals (whether solicited or not) the National Aeronautics and Space Administration has entered into in response to these proposals, also broken down by those 4 categories.

(a) ROLE OF STATE GOVERNMENTS.—Each of the studies and reports required by paragraphs (1), (2), and (3) shall include consideration of the potential role of State governments as brokers in promoting commercial participation in the International Space Station program.

SEC. 904. COMMERCIAL SPACE LAUNCH AMENDMENTS.

(a) AMENDMENTS.—Chapter 701 of title 49, United States Code, is amended—

(1) in the table of sections—

(A) by amending the item relating to section 70104 to read as follows:

“70104. Restrictions on launches, operations, and reentries.”;

(2) by amending the item relating to section 70108 to read as follows:

“70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and retr"
(B) by inserting "or reentry vehicle" after "means of a launch vehicle" in paragraph (8); (C) by redesignating paragraphs (10), (11), and (12) as paragraphs (14), (15), and (16), respectively; (D) by deleting paragraph (10) the following new paragraphs: (10) "'reentry' and 'reentry' mean to return or attempt to return a launch vehicle and its payload, if any, from Earth orbit or from outer space to Earth; "(11) in subsections (a) and (b) in place of the word 'reentry' or 'reentry site' each place it appears, inserting in lieu thereof "launch site" in subsection (a) and inserting in lieu thereof "launch site" each place it appears in subsection (b)(1); and (12) '(reentry site) means the location on or off a Federal range.""

"(13) 'reentry vehicle' means a vehicle designed to return from Earth orbit or outer space to Earth, substantially intact: "

("(B) the conduct of a reentry."; (C) by striking "source." in subsection (d); (D) by striking "source," in subsection (e) and heading to read as follows:

§ 70104. Restrictions on launches, operations, and reentries.

(B) inserting "or reentry site, or to reenter a reentry vehicle," after "operate a launch site" each place it appears in subsection (a); (C) by inserting "or reentry" after "launch or operation" in subsection (a)(3) and (4); (D) in subsection (b)— (i) by striking "launch license" and inserting in lieu thereof "license"; (ii) by inserting "or reentry" after "may launch"; and (iii) by inserting "or reentering" after "related to launching"; and (E) in subsection (c)— (i) by amending the subsection heading to read as follows: "PREVENTING LAUNCHES AND REENTRIES.

(ii) by inserting "or reentry" after "prevent the launch"; and (iii) by inserting "or reentry" after "deicides the launch".

(E) in section 7005— (A) by inserting "(I) before "A person may apply in" paragraph (a); (B) by striking "receiving an application" both places it appears in subsection (a) and inserting in lieu thereof "accepting an application" with criteria established pursuant to subsection (b)(2)(D); (C) by adding at the end of subsection (a) the following: "The Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives a written notice not later than 30 days after occurrence when a license is not issued within the deadline established by this subsection."

"(2) in paragraph (1), the Secretary may establish procedures for safety approvals of launch vehicles, reentry vehicles, safety systems, processes, services, or personnel that may be used in conducting licensed commercial space launch or reentry activities;";

"(D) by inserting "or a reentry site, or the reentry of a reentry vehicle," after "operation of a launch site" in subsection (b)(1); (E) by striking "or operation" and inserting in place thereof "or launch or reentry service" in subsection (b)(2)(A); (F) by striking "'and' at the end of subsection (b)(2)(B); (G) by striking the period at the end of subsection (b)(2)(C) and inserting in lieu thereof; and; (H) by striking at the end of subsection (b)(2) the following new subparagraph: (D) regulations establishing criteria for accepting or rejecting an application for a license under paragraph (1) within 60 days after receipt of such application; and (i) by inserting ", including the requirement to obtain a license," after "waive a requirement" in subsection (b)(3); (7) in section 70105— (A) by inserting "or reentry site" after "observer at a launch site"; (B) by striking "reentry vehicle" after "assemble a launch vehicle"; and (C) by inserting "or reentry vehicle" after "with a vehicle launch"; (8) in subsection (a)— (A) by amending the section designation and heading to read as follows:

§ 70105. Preemption of scheduled launches or reentries.

(B) in subsection (a)— (i) by inserting "or reentry" after "ensure that a launch"; (ii) by inserting "reentry site," after "United States Government launch site"; (iii) by inserting "or reentry date commitment" after "launch date commitment"; (iv) by inserting "or reentry" after "obtained for a launch"; (v) by inserting "$ri, reentry site," after "access to a launch site"; (vi) by inserting "or services related to a reentry," after "amount for launch services"; and (vii) by inserting "or reentry" after "the scheduled launch date" in subsection (c); (C) in subsection (c), by inserting "or reentry" after "entry" after "prompt launching"; (10) in section 71010— (A) by inserting "or reentry" after "prevent the launch" in subsection (a)(2); and (B) by inserting "or reentry site, or reentry of a reentry vehicle," after "operation of a launch site" in subsection (a)(3); (11) in section 71011— (A) by inserting "or reentry" after "launch" in subsection (a)(1)(A); (B) by inserting "or reentry services" after "launch services" in subsection (a)(1)(B); (C) by inserting "or reentry services" after "launch services" in subsection (b)(1)(A); (D) by striking "source." in subsection (a)(2) and inserting "source, whether such source is located on or off a Federal range.;" (E) by inserting "or reentry" after "commercial launch" both places it appears in subsection (b)(1); (F) by striking "or reentry services" after "launch services" in subsection (b)(2)(C); (G) by inserting after subsection (b)(2) the following new paragraph:

“(3) The Secretary shall ensure the establishment of uniform guidelines for, and consistent implementation of, this section by all Federal agencies.

“(4) The process of 'approving its payload for launch' in subsection (d) and inserting in lieu thereof "reentry vehicle, or the payload of either, for launch or reentry'; and (B) by inserting "or reentry vehicle," after "manufacturer of the launch vehicle" in subsection (d); (12) section 71012— (A) in subsection (a)(1), by inserting "launch or reentry" after "(1) When a"; (B) by inserting "or reentry" after "one launch or reentry" in subsection (a)(2); (C) by inserting "reentry services" after "launch services" in subsection (a)(4); (D) in subsection (b)(1), by inserting "launch or reentry" after "(1) A"; (E) by inserting "or reentry services" after "launch services each place it appears in subsection (b); (F) by inserting "applicable" after "carried out under the" in paragraphs (1) and (2) of subsection (b); (G) by striking "Space, and Technology" in subsection (d); (H) by inserting "or REENTRIES" after "LAUNCHES" in the heading for subsection (e); (I) by inserting "or reentry site or a reentry" after "launch site" in subsection (e); and (J) in subsection (f), by inserting "launch or reentry" after "carried out under a"; (13) in section 71013— by inserting "or reentry" after "one launch" each place it appears in paragraphs (1) and (2) of subsection (d); (14) in section 71015— (A) by inserting "reentry site," after "launch site," and (B) by inserting "or reentry vehicle" after "launch vehicle" both places it appears; (15) in section 71017— (A) by inserting "or reentry site, or to reenter a reentry vehicle" after "operate a launch site" in subsection (a); (B) by inserting "or reentry" after "approval of a space launch" in subsection (d); (C) by amending subsection (f) to read as follows:

"(LAUNCH NOT AN EXPORT; REENTRY NOT AN IMPORT.—A launch vehicle, reentry vehicle, or payload that is launched or reentered is not, because of the launch or reentry, an article or payload that is launched or reentered for purposes of a law controlling imports or exports, except that payloads launched pursuant to foreign trade zone procedures as provided for under the Foreign Trade Zone Act (19 U.S.C. 81a–81u) shall be considered exports with regard to customs entry.); and (D) in subsection (g)— (i) by striking "operation of a launch vehicle or reentry site," in paragraph (1) and inserting in lieu thereof "reentry, operation of a launch vehicle or reentry site, or operation of a launch vehicle or reentry site," and (ii) by inserting "reentry," after "launch," in paragraph (2); and (E) by adding at the end the following new subsections:

§ 71020. Regulations.

(A) in GENERAL.—The Secretary of Transportation, not later than 9 months after the date of enactment of this Act, shall issue regulations to carry out this chapter that include— (1) guidelines for industry and State governments to obtain sufficient insurance coverage for potential damages to third parties; (2) procedures for requesting and obtaining licenses to launch a commercial launch vehicle; (3) procedures for requesting and obtaining operator licenses for launch;
(A) achieve and sustain efficient management of the electromagnetic spectrum used by the Global Positioning System; and
(B) protect that spectrum from disruption and interference.

SEC. 906. ACQUISITION OF SPACE SCIENCE DATA.
(a) ACQUISITION FROM COMMERCIAL PROVIDERS.—In order to satisfy the scientific and educational requirements of the National Aeronautics and Space Administration, and where practicable of other Federal agencies and scientific researchers, the Administrator shall acquire space science data from a commercial provider.

(b) TREATMENT OF SPACE SCIENCE DATA AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions of space science data by the Administrator shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code), except that space science data shall be considered to be a commercial item for purposes of such laws and regulations. Nothing in this subsection shall be construed to prohibit the United States from acquiring sufficient space science data at reasonable cost to meet the scientific and educational community or the needs of other government activities.

(c) DEFINITION.—For purposes of this section, the term "commercial item" includes scientific data concerning the elemental and mineralogical resources of the moon, asteroids, planets and their moons, and comets, microgravity acceleration, and solar storm monitoring.

(d) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Administrator from requiring compliance with applicable safety standards.

(e) LIMITATION.—This section does not authorize the National Aeronautics and Space Administration to provide financial assistance for the development of commercial systems for the collection of space science data.

SEC. 907. ADMINISTRATION OF COMMERCIAL SPACE CENTERS.
The Administrator shall administer the Commercial Space Center program in a coordinated manner from National Aeronautics and Space Administration headquarters in Washington, D.C.

SEC. 908. LAND AND REMOTE SENSING POLICY ACT OF 1992 AMENDMENTS.
(a) FINDINGS.—Congress finds that—
(1) a robust domestic United States industry in earth and space remote sensing is in the economic, employment, technological, scientific, and national security interests of the United States;
(2) to underscore those national interests the United States must nurture a commercial remote sensing industry that leads the world;
(3) the Federal Government must provide policies that promote a stable, business environment for that industry to succeed and fulfill the national interest;
(4) it is the responsibility of the Federal Government to enable and promote a stable, business environment for that industry to succeed and fulfill the national interest; and
(5) it is a fundamental policy of the United States to support and enhance United States industrial competitiveness in the field of remote sensing, while at the same time to address national security concerns and international obligations of the United States.
(1) in section 2 (15 U.S.C. 5601)—
(A) by amending paragraph (5) to read as follows:
(5) Commercialization of land remote sensing is a near-term goal, and should remain a long-term goal, of United States policy;
(B) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (15), respectively;
(C) in paragraph (15), as redesignated by subparagraph (B) of this paragraph, by striking "determining the design" and all that follows through "international consortium" and inserting in lieu thereof "ensuring the continuity of Landsat quality data"; and
(D) by adding at the end the following:
(16) The United States should encourage remote sensing systems to promote access to land remote sensing data by scientific researchers and educators.
(17) It is in the best interest of the United States to encourage research in space science systems, whether privately-funded or publicly-funded, to promote widespread affordable access to unenhanced land remote sensing data by scientific researchers and educators and to allow such users appropriate rights for redistribution for scientific and educational non-commercial purposes;
(2) in section 101 (15 U.S.C. 5611)—
(A) in subsection (c)—
(i) by inserting "and" at the end of paragraph (1) of such subsection;
(ii) by striking paragraph (1) of such subsection;
(iii) by striking paragraph (2) of such subsection;
(iv) by striking paragraph (3) of such subsection;
(vi) by striking paragraph (7) of such subsection; and
(vii) in subsection (e)—
(A) by inserting "and" at the end of subparagraph (A);
(B) by striking "", and" at the end of subparagraph (B) and inserting in lieu thereof a period; and
(C) by striking subparagraph (C); and
(3) in section 201 (15 U.S.C. 5621)—
(A) by inserting "1)" after "NATIONAL SECURITY";
(B) in subsection (b)(1), as redesignated by subparagraph (A) of this paragraph—
(i) by striking "No license shall be granted by the Secretary unless the Secretary determines in writing that the application will comply" and inserting in lieu thereof "The Secretary shall grant a license if the Secretary determines that the activities proposed in the application are consistent";
(ii) by inserting "and the applicant has provided assurances adequate to indicate, in combination with other information available to the Secretary that is relevant to activities proposed in the application, that the applicant will comply with all terms of the license" after "concerns of the United States" and;
(iii) by inserting "and policies" after international obligations of the United States; and

(C) by adding at the end of subsection (b) the following new paragraph:
(2) The Secretary, not later than 6 months after the date of the enactment of the Department of Defense Appropriations Act, 1999, shall publish in the Federal Register a complete and specific list of all information required to complete a complete application for a license under this title. An application shall be considered complete when the applicant has provided all information required by the list most recently published in the Federal Register before the date the application was first submitted. Unless the secretary has, within 30 days after receipt of an application, notified the applicant of information necessary to complete
an application, the Secretary may not deny the application on the basis of the absence of any such information."; and

(D) in subsection (c), by amending the second sentence as follows: "the Secretary has not granted the license within such 120-day period, the Secretary shall inform the applicant, within such period, of any pending issues and actions required to be carried out by the applicant or the Secretary in order to result in the granting of a license.";

(i) in section 202 (15 U.S.C. 5622), by striking "section 506" in subsection (b)(1) and inserting in lieu thereof "section 507";

(ii) in subsection (b)(2), by striking "as soon as such data are available and on reasonable terms and conditions" and inserting in lieu thereof "on reasonable terms and conditions, including the provision of such data in a timely manner subject to United States national security and foreign policy interests,";

(C) in subsection (b)(6), by striking "any agreement" and all that follows through "nations or entities" and inserting in lieu thereof "any significant or substantial agreement"; and

(D) by inserting after paragraph (6) of subsection (b) the following:

"The Secretary may not seek to enjoin a company from entering into a foreign agreement or to enter into a foreign agreement the Secretary receives notification of under paragraph (6) unless the Secretary has, within 30 days after receipt of such notification, informed the applicant that such agreement is inconsistent with the national security, foreign policy, or international obligations of the United States, including an explanation of that inconsistency.";

(5) in section 203(a)(2) (15 U.S.C. 5623(a)(2)), by striking "under this title and" and inserting in lieu thereof "under this title affecting national security.";

(6) in section 204 (15 U.S.C. 5624), by striking "may" and inserting in lieu thereof "shall";

(7) in section 205(c) (15 U.S.C. 5625(c)), by striking "if such remote sensing space system is licensed by the Secretary before commencing operation" and inserting in lieu thereof "if such remote sensing space system will be licensed by the Secretary before commencing its commercial operation";

(8) by adding at the end of title II the following new section:

**SEC. 206. NOTIFICATION.**

"(a) Limitations on Licensee.—Not later than 30 days after a determination by the Secretary to require a licensee to limit the collection or distribution of data from a system licensed under this title, the Secretary shall provide written notification to Congress of such determination, including the reasons therefor, the limitations imposed on the license, and the period during which those limitations apply.

"(b) Modification, Suspension, or Termination. —Not later than 30 days after an action by the Secretary to seek an order of injunction or other judicial determination pursuant to section 202(b) or section 208(a)(2), the Secretary shall provide written notification to Congress of such action and the reasons for such action.

"(c) Dual Use. —In subsection (a) of section 301 (15 U.S.C. 5631), by striking "that are not being commercially developed after "and its environment" in subsection (a)(2)(B); and

"(b) Duplication of Commercial Sector Activities. —The Federal Government shall not undertake activities under this section which are already available from the United States commercial sector, unless such activities would result in significant cost savings to the Federal Government, or are necessary for reasons of national security or international obligations or policies.

"(d) Treatment as Commercial Item Under Acquisition Laws.—Acquisitions by the Administrator of the data, services, distribution, and applications referred to in subsection (a) shall be carried out pursuant to applicable acquisition laws and regulations, including chapters 137 and 140 of title 10, United States Code, except that those data, services, distribution, and applications shall be considered to be a commercial item for purposes of such laws and regulations. Nothing in this subsection shall be construed to prohibit the United States from acquiring those rights in data to meet the needs of the scientific and educational community or the needs of other government activities.

**SEC. 207. REQUIREMENT TO PROCURE COMMERCIAL SPACE TRANSPORTATION SERVICES.**

"(a) In General.—Except as otherwise provided in this section, the Federal Government shall acquire space transportation services from United States commercial providers in any case in which those services are required in the course of its activities. To the maximum extent practicable, the Federal Government shall acquire space transportation services to accommodate the space transportation services capabilities of United States commercial providers.

"(b) Exceptions.—The Federal Government shall not be required to acquire space transportation services under subsection (a) if, on a case-by-case basis, the Administrator or, in the case of a national security issue, the Secretary of the Air Force, determines that—

"(1) a payload requires the unique capabilities of the Space Shuttle;

"(2) cost effective space transportation services that meet specific mission requirements would not be reasonably available from United States commercial providers when required; and

"(3) the use of space transportation services from United States commercial providers poses an unacceptable risk of loss of a unique scientific opportunity.

"(c) Historical Purposes. —This section shall not apply to space transportation services and space transportation vehicles acquired or owned by the Federal Government before the date of enactment of this Act, or with respect to which a contract for that acquisition has been entered into before that date.

"(d) Historical Purposes.—This section shall not be construed to prohibit the Federal Government from acquiring or maintaining space transportation vehicles solely for historical display purposes.
SEC. 911. ACQUISITION OF COMMERCIAL SPACE TRANSPORTATION SERVICES.

(a) TREATMENT OF COMMERCIAL SPACE TRANSPORTATION SERVICES AS COMMERCIAL TRANSPORTATION SERVICES.—Acquisitions of commercial space transportation services by the Federal Government shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 127 and 140 of title 10, United States Code), except that space transportation services shall be considered to be a commercial item for purposes of those laws and regulations.

(b) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

SEC. 912. LAUNCH SERVICES PURCHASE ACT OF 1990 AMENDMENTS.

The Launch Services Purchase Act of 1990 (42 U.S.C. 260dd et seq.) is amended—

(1) by striking section 202;

(2) in section 203—

(A) by striking paragraphs (1) and (2); and

(B) by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively;

(3) by striking sections 204 and 205; and

(4) in section 207—

(A) the Senate and the House of Representatives ("commercial payloads on the Space Shuttle"); and

(B) by striking subsection (b).

SEC. 913. SHUTTLE PRIVATIZATION.

(a) AUTHORIZATION.—The Administrator shall prepare for an orderly transition from the Federal operation, or Federal management of contracted operation, of space transportation systems to the commercial purchase of commercial space transportation services for all nonemergency launch requirements, including human, cargo, and mixed payloads from the Space Shuttle, and shall take into account the need for short-term economies, as well as the goal of restoring the National Aeronautics and Space Administration’s research focus and its mandate to promote the fullest possible commercial use of space. As part of those preparations, the Administrator shall plan for the potential privatization of the Space Shuttle program. That plan shall keep safety and cost effectiveness as high priorities. Nothing in this section shall prohibit the National Aeronautics and Space Administration from studying, designing, developing, or funding upgrades or modifications essential to the safe and economical operation of the Space Shuttle.

(b) FEASIBILITY STUDY.—The Administrator shall conduct a study of the feasibility of implementing the recommendation of the Independent Space Shuttle Management Review Team that the National Aeronautics and Space Administration privatize the Space Shuttle program. The study shall include, but need not be limited to, a consideration of the following issues:

(1) whether the Federal Government or the Space Shuttle contractor should own the Space Shuttle orbiters and ground facilities;

(2) whether the Federal Government should indemnify the contractor for any third party liability arising from Space Shuttle operations, and, if so, under what terms and conditions;

(3) whether payloads other than National Aeronautics and Space Administration payloads should be allowed to be launched on the Space Shuttle, and whether any classes of payloads should be made ineligible for launch consideration;

(4) whether commercial payloads should be allowed to be launched on the Space Shuttle and whether any classes of payloads should be made ineligible for launch consideration;

(5) whether National Aeronautics and Space Administration and other Federal Government payloads should have priority over non-Federal payloads in the Space Shuttle launch manifest, and that payload priorities should be developed to prioritize among payloads generally;

(6) whether the public interest requires that certain Space Shuttle functions continue to be performed by the Federal Government; and

(7) how much cost savings, if any, will be generated by privatization of the Space Shuttle.

(c) REPORT TO CONGRESS.—Within 60 days after the date of enactment of this Act, the Administrator shall complete the study required under subsection (b) and shall submit a report on the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

SEC. 914. USE OF EXCESS INTERCONTINENTAL BALLISTIC MISSILES.

(a) IN GENERAL.—The Federal Government shall not—

(1) convert any missile described in subsection (c) to a space transportation vehicle configuration or otherwise use any such missile to place a payload; or

(2) transfer ownership of any such missile to another person, except as provided in subsection (b).

(b) AUTHORIZED FEDERAL USES.—

(1) A missile described in subsection (c) may be converted for use as a space transportation vehicle by the Federal Government if except as provided in paragraph (2), at least 30 days before that conversion the agency seeking to use the missile as a space transportation vehicle transmits to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives, a description of the proposed launch vehicle and its configuration.

(2) The requirement under paragraph (1) that the missile described in that paragraph must be transmitted before conversion of the missile shall not apply if the Secretary of Defense determines that compliance with that requirement would be inconsistent with meeting immediate national security requirements.

(c) MISSELS REFERED TO.—The missiles referred to in this section are missiles owned by the United States that—

(i) were formerly used by the Department of Defense for national defense purposes as intercontinental ballistic missiles; and

(ii) have been declared excess to United States national defense needs and are in compliance with international obligations of the United States.

SEC. 915. NATIONAL LAUNCH CAPABILITY.

(a) FINDINGS.—Congress finds that—

(1) a robust satellite and launch industry in the United States serves the interest of the United States by—

(A) contributing to the economy of the United States;

(B) strengthening employment, technological, and scientific interests of the United States; and

(C) serving the foreign policy and national security interests of the United States.

(b) DEFINITIONS.—In this section:

(1) SECRETARY.—The term "Secretary" means the Secretary of Defense.

(2) TOTAL POTENTIAL NATIONAL MISSION MODEL.—The term "total potential national mission model" means a model that—

(A) is determined by the Federal Government, in consultation with the Administrator, to assess the total potential space missions to be conducted by the United States during a specified period of time; and

(B) includes all United States launches (including launches conducted on or off a Federal range).

(3) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall, in consultation with the Administrator and appropriate representatives of the satellite and launch industry and the governments of States and political subdivisions thereof—

(i) prepare a report that meets the requirements of this subsection; and

(ii) submit that report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

(4) REQUIREMENTS FOR REPORT.—The report prepared under this section shall—

(A) identify the total potential national mission model for the period beginning on the date of the report and ending on December 31, 2007;

(B) identify the resources that are necessary to carry out the total potential national mission model described in subparagraph (A), including providing for—

(i) launch property and services of the Department of Defense; and

(ii) the ability to support a launch within 6 hours after the appropriate official of the Federal Government receives notification by telephone at Government facilities located at—

(I) Cape Canaveral in Florida; or

(II) Vandenberg Air Force Base in California;

(C) identify each deficiency in the resources referred to in subparagraph (B), including with respect to subparagraph (C)(i) identified under subparagraph (C)(ii), including estimates of the level of funding necessary to address those deficiencies for the period described in subparagraph (A);

(E) identify opportunities for investment by non-Federal entities (including States and political subdivisions thereof and private entities) to assist the Federal Government in providing launch capabilities for the commercial space industry in the United States; and

(F) identify 1 or more methods by which, if sufficient resources referred to in subparagraph (D) are not available to the Department of Defense, the control of the launch property and launch services of the Department of Defense may be transferred from the Department of Defense to—

(i) 1 or more other Federal agencies;

(ii) 1 or more States (or subdivisions thereof); or

(iii) 1 or more private sector entities; or

(iv) any combination of the entities described in clauses (i) through (iii); and

(G) identify the technical, structural, and legal impediments associated with making launch sites in the United States cost-competitive on an international level.

HARKIN AMENDMENTS NO. 3402-3404

(Ordered to lie on the table.)
Mr. HARKIN submitted three amendments intended to be proposed by him to the bill, S. 2132, supra; as follows:

**AMENDMENT NO. 3402**

On page 99, between lines 17 and 18, insert the following:

(a) Of the total amount appropriated under title IV for research, development, test and evaluation, Defense-wide, for basic research, $29,646,000 is available for research and development relating to Persian Gulf illnesses.

(b) Notwithstanding any provision of title IV, the total amount available under title IV for the Foreign Comparative Testing Program is $10,000,000 less than the amount provided for that program under that title.

**AMENDMENT NO. 3403**

On page 38, line 22, before the period at the end insert the following: "Provided, That the total amount available under this heading is hereby increased by $50,000,000, which shall be available for making smoking cessation therapy available for members of the Armed Forces (including dependents) and former members of the Armed Forces entitled to retired or retainer pay, and dependents of such members and former members who are identified as persons likely to benefit from effective smoking cessation therapy, including providing subsidies for defraying costs incurred by the members, former members, and dependents for counseling and nicotine replacement: Provided, further, That the total amount appropriated under title IV is hereby reduced by $50,000,000, to be derived from amounts under the title for advisory and assistance services;"

**AMENDMENT NO. 3404**

On page 99, between lines 17 and 18, insert the following:

Sec. 8104. (a) Out of funds appropriated by this Act, the Secretary of Defense shall make available to the Army Reserve Personnel Command, the Bureau of Naval Personnel, and the Air Force Personnel Center, and the National Archives and Records Administration funds in amounts necessary to ensure the elimination of the backlog in satisfying requests of former members of the Armed Forces for replacement medals and replacement for other decorations that such personnel have earned in the military service of the United States, and shall make any additional allocations of resources that the Secretary considers necessary to ensure the elimination of that backlog.

(b) An allocation of funds may be made under subsection (a) only if and to the extent that the allocation does not detract from the performance of other personnel service and personnel support activities within the Department of Defense.

**FRIST AMENDMENT NO. 3405**

(Ordered to lie on the table.)

Mr. FRIST submitted an amendment intended to be proposed by him to the bill, S. 2132, supra; as follows:

On page 9, line 13, increase the amount by $5,000,000.

On page 24, line 16, increase the amount by $2,000,000.

**LEAHY AMENDMENT NO. 3406**

(Ordered to lie on the table.)

Mr. LEAHY submitted an amendment intended to be proposed by him to the bill, S. 2132, supra; as follows:

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

SEC. 8 TRAINING AND OTHER PROGRAMS.

(a) PROHIBITION.—None of the funds made available by this Act may be used to support any training program or exercise involving a soldier, airman, or seaman of the Armed Forces of a foreign country if the Secretary of Defense has credible information that a member of such unit has committed a gross violation of human rights in the United States.

(b) MONITORING.—The Secretary of Defense, in consultation with the Secretary of State, shall establish procedures to ensure full consideration of derogations from human rights standards relating to human rights violations by foreign security forces.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in paragraph (a) if he determines that such waiver is required by extraordinary circumstances.

**COATS (AND LIEBERMAN) AMENDMENT NO. 3407**

(Ordered to lie on the table.)

Mr. COATS (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by them to the bill, S. 2132, supra; as follows:

At the appropriate place, insert: Joint Warfighting Experimentation

**SEC. FINDINGS.**

The Senate makes the following findings:

(1) The collapse of the Soviet Union in 1991 and the unprecedented explosion of technological advances that could fundamentally redefine military threats and military capabilities in the future have generated a need to reassess the defense strategy, policy, and force structure necessary to meet future defense requirements of the United States.

(2) The assessment conducted by the administration of President Bush (known as the "Bottom-Up Review") was an important first step to redefine the defense strategy of the United States and the force structure of the Armed Forces necessary to execute that strategy.

(3) Those assessments have become inadequate as a result of the pace of global geopolitical change and the speed of technological change, which have been greater than expected.

(4) The Chairman of the Joint Chiefs of Staff reacted to this environment by developing and publishing in May 1996 a vision statement, known as "Joint Vision 2010," to be a basis for the transformation of United States military capabilities. This vision statement embodies the improved intelligence and command and control that is available in the information age and sets forth the operational concepts of dominant maneuver, precision engagement, full-dimensional protection, and focused logistics to achieve the objective of full spectrum dominance.

(5) In 1996 Congress, concerned about the shortcomings in defense policies and programs derived from the Base-Force Review process, directed that the Secretary of Defense examine the organization, command, and control of United States forces to meet anticipated threats to the United States in the 21st century.

(6) As a result of that determination, Congress passed the Military Force Structure Review Act of 1996 (subtitle B of title IX of the National Defense Authorization Act for Fiscal Year 1997), which directed the Secretary of Defense to complete in 1997 a quadrennial defense review of the defense program of the United States. The review was intended to include a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, and other elements of the defense program required to determine and express the defense strategy of the United States and establish a revised defense program through 2005. The Act also established a National Defense Panel to assess the Quadrennial Defense Review and to conduct an independent, nonpartisan review of the strategy, force structure, and funding required to meet anticipated threats to the national security of the United States through 2010 and beyond.

(7) The Quadrennial Defense Review, completed by the Secretary of Defense in May 1997, defined the defense strategy in terms of "Shape, Respond, and Prepare Now." The Quadrennial Defense Panel placed greater emphasis on the need to prepare now for an uncertain future by exploiting the revolution in technology and transforming the force to meet the security requirements of the 21st century. The Quadrennial Defense Panel was charged with the responsibility to recommend the establishment of a Joint Forces Command with the responsibility to be the joint force integrator and provider of the joint warfighting experiment. The Quadrennial Defense Panel was also established a National Defense Panel to conduct an independent, nonpartisan review of the Quadrennial Defense Review.

(8) The Quadrennial Defense Panel, published in December 1997, concluded that the "Department of Defense should accord the highest priority to executing a transformation strategy for the United States military, starting now." The Quadrennial Defense Panel recommended the establishment of a Joint Forces Command with the responsibility to be the joint force integrator and provider of the joint warfighting experiment. The Quadrennial Defense Panel was also established a National Defense Panel to conduct an independent, nonpartisan review of the Quadrennial Defense Review.

(9) The assessments of both the Quadrennial Defense Review and the National Defense Panel provide a compelling argument that the future security environment and the military challenges to be faced by the United States in the future will be fundamentally different from the current environment and challenges. The assessments also reinforce the foundational premise of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 that warfare, in all of its varieties, will be joint warfare requiring the execution of developed joint operational concepts.

(10) A process of joint experimentation is necessary for—

(A) integrating advances in technology with changes in the organizational structure of the Armed Forces and the development of joint operational concepts that will be effective against national security threats anticipated for the future; and

(B) identifying and assessing the interdependent aspects of joint warfare that are key for transforming the conduct of military operations by the United States to meet those anticipated threats successfully.

(11) It is critical for future readiness that the Armed Forces of the United States innovatively investigate and test new technologies, forces, and joint operational concepts in simulations, wargames, and virtual settings, as well as in field environments under realistic conditions to prepare for the future challenges. It is essential that an energetic and innovative organization be established.
and empowered to design and implement a process of joint experimentation to develop and validate new joint warfare concepts, along with experimentation by the Armed Forces that is directed at transforming the Armed Forces to meet the threats to the national security that are anticipated for the early 21st century. That process will drive changes in the organization, training and education, materiel, leadership, and personnel.

The Department of Defense is committed to transforming the Armed Forces and the Defense Agencies regarding the development of the equipment (including surrogate or real technologies, platforms, and systems) necessary for the conduct of joint warfare experimentation. The Joint Staff, the commanders of other combatant commands, the Armed Forces has been, and will continue to be, a vital aspect of the pursuit of effective transformation. Joint experimentation leverages the effectiveness of each of the Armed Forces and the Defense Agencies.

SEC. 2. SENSE OF SENATE.

(a) Designation of Commander to Have Joint Warfighting Experimentation Mission.—It is the sense of Senate that Congress supports the initiative of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to designate a commander of a combatant command to have the category of the Joint Chiefs of Staff designated to have the joint warfighting experimentation mission.

(b) Resources of Commander.—It is further the sense of Senate that the commander designated to have the joint warfighting experimentation mission should—

(1) have sufficient freedom of action and authority over the necessary forces to successfully establish and conduct the process of joint warfighting experimentation;

(2) be provided resources adequate for the joint warfighting experimentation process; and

(3) have authority over the use of the resources for the planning, preparation, conduct, and assessment of joint warfighting experimentation.

(c) Authority and Responsibilities of Commander.—It is further the sense of Senate that the commander designated to have the joint warfighting experimentation mission should—

(1) develop and implement a process of joint experimentation to formulate and validate new joint warfare concepts and capabilities for meeting the operational challenges expected to be encountered by the Armed Forces in the early 21st century.

(2) have sufficient freedom of action and authority over the necessary forces to meet the national security threats of the future.

(3) coordinate and integrate the functions of the joint warfighting experimentation process with operations, training, and education, materiel, leadership, and personnel throughout the Department of Defense, the joint staff, and the combatant commands.

(d) Continued Experimentation by Other Defense Organizations.—It is further the sense of Senate that—

(1) the joint warfighting experimentation mission should be continued by the joint warfighting experimentation forces.

(2) the commander of the United States Special Operations Command is expected to continue to develop concepts and conduct joint experimentation associated with special operations forces.

(e) Congressional Review.—It is further the sense of Senate that—

(1) the initial report and annual reports on joint warfighting experimentation required under section 1203 to determine the adequacy of the scope and pace of the transformation of the Armed Forces to meet future challenges to the national security; and

(2) if the progress is adequate, the Senate will consider legislation to establish a unified, combatant command with the mission, forces, budget, responsibilities, and authority described in the preceding provisions of this section.

SEC. 3. REPORTS ON JOINT WARFIGHTING EXPERIMENTATION.

(a) Initial Report.—(1) On such schedule as the Secretary of Defense shall direct, the commander designated to have the joint warfighting experimentation mission shall submit to the Secretary an initial report on the implementation of joint warfighting experimentation. Not later than April 1, 1999, the Secretary shall submit the report, together with any comments that the Secretary considers appropriate and any other items that the Chairman of the Joint Chiefs of Staff considers appropriate, to the U.S. Senate.

(b) Annual Report.—(1) The initial report of the commander shall include the following:

(A) The commander's understanding of the commander's specific authority and responsibilities and of the commander's relationship to the Secretary of Defense.

(B) The organization of the commander's combatant command, and of its staff, for conducting joint warfighting experimentation.

(C) The process established for tasking forces to participate in joint warfighting experimentation, and the authority of the commander over the forces.

(D) Any forces designated or made available as joint warfighting experimentation forces.

(E) The resources available for joint warfighting experimentation, including the personnel and funding for the initial implementation of joint warfighting experimentation, the planning for future implementation, and the authority for the commander, the categories of the funding, and the authority of the commander for budget execution.

(F) The authority of the commander, and the process established, for the development and acquisition of the material, supplies, services, and equipment necessary for the conduct of joint warfighting experimentation, including the authority and process for development and acquisition by the Armed Forces and the Defense Agencies.

(G) The authority of the commander, the Joint Chiefs of Staff, and the Secretary of Defense to authorize the development of the equipment (including the scenarios and measures of effectiveness used) for assessing operational concepts for meeting future challenges to the national security.

(H) The role assigned the commander for—

(i) integrating and testing in joint warfighting experimentation the systems that emerge from experimentation by the Armed Forces or the Defense Agencies;

(ii) assessing the effectiveness of organizational structures, operational concepts, and technologies employed in joint warfighting experimentation; and

(iii) assisting the Secretary of Defense and the Chairman of the Joint Chiefs of Staff in prioritizing acquisition programs in relation to futurejoint warfighting capabilities.

(I) Any other comments that the commander considers appropriate.

(b) Annual Report.—(1) On such schedule as the Secretary of Defense shall direct, the commander designated to have the joint warfighting experimentation mission shall submit to the Secretary an annual report on the implementation of joint warfighting experimentation for the fiscal year ending in the year of the report. Not later
than December 1 of each year, the Secretary shall submit the report, together with any comments that the Secretary considers appropriate and any comments that the Chairman of the Joint Chief of Staff considers appropriate, to the U.S. Senate. The first annual report shall be submitted in 1999.

(2) The annual report of the commander shall include, for the fiscal year covered by the report, the following:

(A) Any changes in—
   (i) the commander's authority and responsibilities for joint warfighting experimentation;
   (ii) the commander's relationship to the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the commanders of the other combatant commands, the Armed Forces, or the Defense Agencies or activities; and
   (iii) the organization of the commander's command and staff for joint warfighting experimentation;

(B) any forces designated or made available as joint experimentation forces;

(C) the process established for tasking forces to participate in joint experimentation activities or the commander's specific authority and responsibilities for joint experimentation activities.

(3) The Secretary of Defense shall submit to Congress a report on the program, including the actions taken under the program.

HUTCHISON (AND ABRAHAM) AMENDMENT NO. 3409

Mrs. HUTCHISON (for herself and Mr. ABRAHAM) proposed an amendment to the bill, S 2132, supra; as follows:

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

SEC. (a) Congress makes the following findings:

(1) Since 1989, the national defense budget has been cut in half as a percentage of the gross domestic product;

(2) The national defense budget has been cut by over 30 percent, and the U.S. military force structure has been reduced by more than 50 percent;

(3) The Department of Defense's operational and maintenance accounts have been reduced by 40 percent;

(4) The Department of Defense's procurement funding has declined by more than 50 percent;

(5) U.S. military operational commitments have increased fourfold; and

(6) The Army has reduced its presence in Europe from 215,000 to 65,000 personnel.

(b) The Army has averaged 14 deployments every four years, increased significantly from the Cold War trend of one deployment every four years;

(c) The Air Force has downsized by nearly 40 percent, while experiencing a four-fold increase in operational commitments.

(2) In 1992, 37 percent of the Navy's fleet was deployed at any given time. Today that number is 57 percent; at its present rate, it will climb to 75 percent.

(3) The Navy Surface Warfare Officer community will fall short of its needs a 40 percent increase in retention to meet requirements.

(4) The Air Force is 18 percent short of its retention goal for second-term airmen;

(5) The Air Force is more than 800 pilots short, and more than 70 percent eligible for retention bonuses have turned them down in favor of separation;

(6) The Army faces critical personnel shortages in unit combat units, forcing unit commanders to borrow troops from other units just to participate in training exercises.

(7) An Air Force F-16 squadron commander testified before the House National Security Committee that his unit was forced to borrow three aircraft and use cannibalized parts from four other F-16s in order to deploy to Southwest Asia;

(8) In 1997, the Army averaged 31,000 soldiers deployed away from their home station in support of military operations in 70 countries with the average deployment lasting 125 days;

(9) Critical shortfalls in meeting recruiting and retention goals is seriously affecting the Army's ability to train and deploy, and the Army reduced its recruiting goals for 1998 by 12,000 personnel;

(10) In fiscal year 1997, the Army fell short of its recruiting goal for critical infantry soldiers by almost 5,000. As of February 15, 1998, Army-wide shortages existed for 28 critical skill specialties. Many positions in squads, sections, and crews are left unfilled or minimally filled because personnel are diverted to work in key positions elsewhere;

(11) In 1997, U.S. Marines in the operating forces deployed on more than 200 exercises, rotational deployments, or actual contingencies;

(12) U.S. Marine Corps maintenance forces are unable to maintain 92 percent ground equipment and 77 percent aviation equipment, readiness rates due to excessive deployments of troops and equipment;

(13) The National Strategy for the United States assumes the ability of the U.S. Armed Forces to prevail in two major regional conflicts and key warfighting career fields experiencing a large drop in enlistments;

(14) In 1997, U.S. Marines will fall short of its reenlistment rate for mid-career enlisted personnel by more than 30 percent, with key warfighting career fields experiencing even larger drops in enlistments;

(15) According to commanders in these divisions, the practice of under staffing squads and crews that are responsible for training and assignment personnel to other units as fillers for exercises and operations, has become common and is degrading unit capability and readiness.

(20) In the aggregate, the Army's later-deploying divisions were assigned 93 percent of their authorized personnel at the beginning of fiscal year 1998. In one specific case, the 1st Armored Division was staffed at 94 percent in the aggregate; however, its combat support and service support specialties were filled at below 85 percent, and captains and majors were filled at 73 percent.

(21) At the 10th Infantry Division, only 138 of 252 infantry squad and platoon leaders were filled, or minimally filled, and 36 of the filled squads were unqualified. At the 1st Brigade of the 1st Infantry Division, only 56 percent of the authorized infantry soldiers for its Bradley Fighting Vehicles were assigned, and in the 2nd Brigade, 21 of 48 infantry squads had no personnel assigned. At the 3rd Brigade of the 1st Infantry Division, out of the M1A1 tanks that had full crews and were qualified, and in one of the Brigade's two armor battalions, 58 tanks had no crewmembers assigned because the personnel were deployed to Bosnia.

(22) At the beginning of fiscal year 1998, the key later-deploying divisions critical to the execution of the U.S. National Security Strategy were short nearly 1,900 of the total 25,357 Non-Commissioned Officers authorized, and as of February 15, 1998, this shortage had grown to almost 2,200.

(23) Rotation of units to Bosnia is having a direct and negative impact on the ability of later-deploying divisions to maintain their training and readiness levels needed to execute their mission in a major regional conflict. Indications of this include:

(A) A reassessment by the Commander of the 3rd Brigade Combat Team of 63 soldiers within the brigade to serve in infantry
squads of a deploying unit of 800 troops, stripping non-deploying infantry and armor units of maintenance personnel, and reassigning Non-Commissioned Officers and support personnel to the task force from throughout the brigade;

(B) Cancellation of gunnery exercises for at least two armor battalions in later-deploying divisions, causing 43 of 116 tank crews to lose their qualifications on the weapon system;

(C) Hiring of outside contract personnel by lst Armored Division as infantry later-deploying divisions to perform routine maintenance.

(25) National Guard budget shortfalls compromise the Guard’s readiness levels, capabilities, punctuality, and end strength, putting the Guard’s personnel, schools, training, full-time support, retention and recruitment, and morale at risk.

(26) The President’s budget requests for the National Guard have been insufficient, notwithstanding the frequent calls on the Guard to handle wide-ranging tasks, including deployments in Bosnia, Iraq, Haiti, and Somalia.

(b) Sense of Congress:

(1) It is the sense of Congress that—

(A) the U.S. military forces to execute the National Security Strategy of the United States is being eroded from a combination of declining defense budgets and end strength;

(B) The ongoing, open-ended commitment of U.S. forces to the peacekeeping mission in Bosnia is causing assigned and supporting units to compromise their principle wartime assignments;

(C) Defense appropriations are not keeping pace with the expanding needs of the armed forces;

(D) Report Requirement.

(1) Not later than June 1, 1999, the President shall submit to the Committee on Armed Services of the Senate and the Committee on Appropriations in both Houses, a report on the military readiness of the Armed Forces of the United States. The President shall include in the report a detailed discussion of the competition for resources service-by-service, region-by-region, priority versus contingency, and how to best support engagement in conflicts lasting more than 120 days.

(2) The threats examined for purposes of the quadrennial defense review, including those anticipated conflicts.

(3) The effects on the force structure of the utilization by the Armed Forces of technologies anticipated to be available for the ensuing 10 years and technologies anticipated to be available for the ensuing 20 years, including precision guided munitions, stealth, night vision, digitization, and communications, and the changes in doctrine and operational concepts that would result from the utilization of such technologies.

(4) The effect on the force structure of preparations for and participation in peace operations and military operations other than war.

(5) The effect on the force structure of the defense strategy.

(A) an assessment of current force structure and its sufficiency to execute the National Security Strategy of the United States;

(B) an outline of the service-by-service force structure expected to be committed to a major regional contingency as envisioned in the National Security Strategy of the United States;

(C) a comparison of the force structures outlined in subparagraphs (A) and (B) above with the service-by-service order of battle in Operation Desert Shield/Desert Storm, as a representative and recent major regional conflict;

(D) the force structure and defense appropriation increases that are necessary to execute the National Security Strategy of the United States; assuming current projected defense appropriations and assuming no increases in force structure expected to be committed to a major regional contingency as envisioned in the National Security Strategy of the United States during the period in which ground forces are assigned to Bosnia.

HARKIN (AND BUMPERS)
AMENDMENT NO. 3410
(Ordered to lie on the table.)

Mr. HARKIN (for himself and Mr. BUMPERS) submitted and amendment intended to be proposed by them to the bill, S. 2132, supra; as follows:

At the appropriate place, insert the following:

SEC. 2. No later than the date that the Senate passes S. 2132, CBO shall revise and reduce its estimates of outlays for fiscal year 1999 for defense spending in a manner consistent with the adjustments and reductions made by the Chairman of the Committee on the Budget of the Senate for outlays for fiscal year 1999 for defense outlays.

HARKIN AMENDMENT NO. 3411
(Ordered to lie on the table.)

Mr. HARKIN submitted an amendment intended to be proposed by him to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

``SEC. 4. No later than the date that the Senate passes S. 2132, CBO shall revise and reduce its estimates of outlays for fiscal year 1999 for defense spending in a manner consistent with the adjustments and reductions made by the Chairman of the Committee on the Budget of the Senate for outlays for fiscal year 1999 for defense outlays.

COATS (AND LIEBERMAN)
AMENDMENT NO. 3412
(Ordered to lie on the table.)

Mr. COATS (for himself, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by them to the bill, S. 2132, supra; as follows:

At the appropriate place, insert:

``REQUIREMENT FOR QUADRENNIAL DEFENSE REVIEW
``
``(a) Review Required.—Chapter 2 of title 10, United States Code, is amended by inserting after section 116 the following:

``§ 117. Quadrennial defense review
``(1) The results of the review, including a comprehensive discussion of the defense strategy of the United States and the force structure best suited to implement that strategy.

``(2) The threats examined for purposes of the review and the scenarios developed in the examination of such threats.

``(3) The assumptions used in the review, including assumptions relating to the cooperation of allies and mission-sharing, levels of acceptable risk, warning times, and intensity and duration of conflict.

``(4) The effect on the force structure of the defense strategy.

``(5) The effect on the force structure of preparations for and participation in peace operations and military operations other than war.

``(6) The effect on the force structure of the defense strategy.

``(b) National Defense Panel.—Chapter 7 of such title is amended by adding at the end the following:

``§ 181. National Defense Panel
``(a) Establishment.—Not later than January 1, 2000, the Secretary of Defense shall establish a nonpartisan, independent panel to be known as the National Defense Panel. The Panel shall have the duties set forth in this section.

``(b) Members.—The Panel shall be composed of a chairman; the Secretary of Defense; the Chairman and the ranking member of the Committee on Armed Services of the Senate; the Chairman and the ranking member of the Committee on National Security of the House of Representatives; from among
individuals in the private sector who are recognized experts in matters relating to the national security of the United States.

(c) Duties.—The Panel shall—

(1) conduct and submit to the Secretary of Defense and to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives two reports on its activities and the findings and recommendations of the Panel, including any recommendation for legislative action that the Panel considers appropriate, as follows:

(A) An interim report not later than July 1, 2000.

(B) A final report not later than December 1, 2000.

(2) Not later than December 15, 2000, the Secretary shall submit to the committees referred to in paragraph (1) a report together with the Secretary’s comments on the report.

(e) INFORMATION FROM FEDERAL AGENCIES.—The Panel may secure directly from the Department of Defense and any of its components and from any other Federal department or agency such information as the Panel may require to enable it to carry out its duties under this section. The head of the department or agency concerned shall ensure that information requested by the Panel under this subsection is promptly provided.

(f) PERSONNEL MATTERS.—(1) Each member of the Panel shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5 for each day (including travel time) during which the member is engaged in the performance of the duties of the Panel.

(2) The members of the Panel shall be allowed travel expenses, including per diem allowances for employees of agencies under subchapter I of chapter 57 of title 5 while away from their homes or regular places of business in the performance of services for the Panel.

(3)(A) The chairman of the Panel may, without regard to the civil service laws and regulations, appoint and terminate an executive director and any other personnel necessary in order for the Panel to perform its duties effectively. The employment of an executive director and such other personnel shall be subject to confirmation by the Senate.

(B) The chairman may fix the compensation of the executive director and any other personnel as the chairman considers appropriate, but not at a rate exceeding the rate payable for level IV of the Executive Schedule under section 5315 of title 5.

(4) Any Federal Government employee may be detailed to the Panel without reimbursement of the employee’s agency, and such employee is considered to be on official duty. The Secretary shall ensure that sufficient personnel are detailed to the Panel to enable the Panel to carry out its duties effectively.

(5) To the maximum extent practicable, the members and employees of the Panel shall travel on military aircraft, ships, vehicles, or other military conveyances when travel is necessary in the performance of a duty of the Panel, except that such conveyance may be scheduled primarily for the transportation of any such member or employee when the cost of commercial transportation is less expensive. Such conveyance may be used by the Panel for the payment of compensation, travel expenses, and per diem allowances, respectively, of civilian employees of the Department. The other expenses of the Panel shall be paid from funds available to the Department for the payment of similar expenses authorized by the Department.

(g) Administrative Provisions.—(1) The Panel may accept, use, and dispose of gifts or donations of services or property, including:

(A) Information from Federal Agencies. —The Panel may accept, use, and dispose of information requested by the Panel.

(B) Administrator’s Travel Expenses. —The Panel may use the United States mails and obtain printing and binding services in the same manner and on the same terms as other Federal offices and agencies.

(h) Payment of Panel Expenses. —The compensation, travel expenses, and per diem allowances of members of the Panel shall be paid by the Department of Defense for the payment of compensation, travel expenses, and per diem allowances, respectively, of civilian employees of the Department. The other expenses of the Panel shall be paid from funds available to the Department for the payment of similar expenses authorized by the Department.

(i) Termination.—The Panel shall terminate at the end of the year following the year in which the Panel submits its final report under subsection (d)(1). For the period that begins 90 days after the date of submittal of the report, the activities and staff of the panel shall be reduced to a level that will ensure that the Secretary of Defense and the other expenses of the Panel shall be reduced to a level that will ensure that the Secretary of Defense and the other expenses of the Panel shall be reduced to a level that will ensure that the Secretary of Defense and the other expenses of the Panel shall be sufficient to continue the availability of the panel for consultation with the Secretary of Defense and with the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives.

(j) Clerical Amendments.—(1) The table of sections at the beginning of chapter 2 of title 10, United States Code, is amended by inserting after the item relating to section 1116 the following:

117. Quadrennial defense review.

(2) The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following:


HUTCHISON (AND OTHERS) AMENDMENT NO. 3413

Mrs. HUTCHISON (for herself, Mr. STEVENS, Mr. CRAIG, Mr. SESSIONS, Mr. SMITH of Oregon, and Mr. FEINGOLD) proposed an amendment to the bill, S. 2132, supra; as follows:

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

Sec. 2. Limitations on the use of funds.

(a) Funds appropriated or otherwise made available for the Department of Defense for any fiscal year may not be obligated for the ground elements of the United States Armed Forces in the Republic of Bosnia and Herzegovina except as conditioned below.

(b) Notwithstanding the passage of two previously established deadlines, the reaffirmation of those deadlines by senior national security officials, and the endorsement by those same national security officials of the importance of having a deadline as a hedge against an expanded mission, the President announced on December 17, 1997 that establishing a deadline had been a mistake and that U.S. ground combat forces were committed to the NATO-led mission in Bosnia for the indefinite future.

(12) NATO military forces have increased their participation in law enforcement, particularly police activities.

(13) U.S. Commanders of NATO have stated on many occasions that they are in accord with the Dayton Peace Accords, the principal responsibility for such law enforcement and police activities lies with the Bosnian parties.

SEC. 2. LIMITATIONS ON THE USE OF FUNDS.

(a) Funds appropriated or otherwise made available for the Department of Defense for any fiscal year may not be obligated for the ground elements of the United States Armed Forces in the Republic of Bosnia and Herzegovina except as conditioned below.

(b) Notwithstanding the passage of two previously established deadlines, the reaffirmation of those deadlines by senior national security officials, and the endorsement by those same national security officials of the importance of having a deadline as a hedge against an expanded mission, the President announced on December 17, 1997 that establishing a deadline had been a mistake and that U.S. ground combat forces were committed to the NATO-led mission in Bosnia for the indefinite future.

(12) NATO military forces have increased their participation in law enforcement, particularly police activities.

(13) U.S. Commanders of NATO have stated on many occasions that they are in accord with the Dayton Peace Accords, the principal responsibility for such law enforcement and police activities lies with the Bosnian parties.
advise the commanders North Atlantic Treaty Organization peacekeeping operations in the Republic of Bosnia and Herzegovina; and
(4) to U.S. ground forces that may be deployed as part of NATO containment operations in regions surrounding the Republic of Bosnia and Herzegovina.

(v) CONSTRUCTION OF SECTION.—Nothing in this section shall be deemed to restrict the authority of the President under the Constitution to prevent the lives of the United States citizens.

(d) LITIGATION OR SUPPORT FOR LAW ENFORCEMENT ACTIVITIES IN BOSNIA.—None of the funds appropriated or otherwise made available to the Department of Defense for any fiscal year after section 127 is obligated or expended after the date of the enactment of this Act for the—

(1) conduct of, or direct support for, law enforcement and police activities in the Republic of Bosnia and Herzegovina, except for the training of law enforcement personnel or to prevent imminent loss of life;

(2) conduct of, or support for, any activity in the Republic of Bosnia and Herzegovina that may have the effect of jeopardizing the primary mission of the NATO-led forces in preventing armed conflict between the Federation of Bosnia and Herzegovina and the Republika Srpska ("Bosnian Entities");

(3) any other action within the Republic of Bosnia and Herzegovina that, in the opinion of the commander of NATO Forces involved in such transfer—

(A) has as one of its purposes the acquisition of control by a Bosnian Entity of territory allocated to the other Bosnian Entity under the Dayton Peace Agreement; or

(B) may expose United States Armed Forces to substantial risk to their personal safety; and

(4) implementation of any decision to change the legal status of any territory within the Republic of Bosnia and Herzegovina unless expressly agreed to by all signatories to the Dayton Peace Agreement.

DODD AMENDMENT NO. 3414
(Ordered to lie on the table.)
Mr. DODD submitted an amendment intended to be proposed by him to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. Of the amounts appropriated or otherwise made available for the enactment of this Act under the heading "OPERATION AND MAINTENANCE, NAVY", $45,000,000 shall be available for emergency and extraordinary expenses associated with the accident involving a United States Marine Corps A-6 aircraft on February 3, 1998, near Cavalese, Italy: Provided, That the amount available under this title shall be available until expended:

HUTCHINSON (AND OTHERS) AMENDMENT NO. 3419
Mr. HUTCHINSON (for himself, Mr. LEVIN, Mr. KERRY, Mr. BIDEN, and Mr. LIEBERMAN) proposed an amendment to amendment No. 3124 proposed by Mr. HUTCHINSON to the bill, S. 2132, supra; as follows:

Strike all after the word "TITLE" and insert the following:

IX
HUMAN RIGHTS IN CHINA

Subtitle A—Forced Abortions in China

Sec. 9001. This subtitle may be cited as the "Forced Abortion Condemnation Act." Sec. 9002. Congress makes the following findings:

(1) Forced abortion was rightly denounced as a crime against humanity by the Nuremberg War Crimes Tribunal

(2) For over 15 years there have been frequent and credible reports of forced abortion and forced sterilization have no role in the population control policies of the People's Republic of China. These reports indicate the following:

(A) Although it is the stated position of the Government of China that forced abortion and sterilization are always a matter of informed consent and choice, there have been frequent and credible reports of forced abortion and sterilization in connection with the population control policies of the People's Republic of China. These reports indicate the following:

(B) The Chinese Government encourages both forced abortion and forced sterilization through a combination of strict health and population control policies.

(C) The Chinese Government encourages both forced abortion and forced sterilization through a combination of strict health and population control policies.
twice a family's gross annual income. Families which cannot pay the fine may be subject to confiscation and destruction of their homes and personal property.

D) Experiments included punishment have been inflicted on those whose resistance is motivated by religion. For example, according to a 1995 Amnesty International report, the Chinese authorities in Hebei Province were subjected to population control under the slogan "better to have more graves than one more child". Enforcement included torture, sexual abuse, and the detention of resisters' relatives as hostages.

E) Forced abortions in Communist China often have taken place in the very late stages of pregnancy.

F) Since 1994 forced abortion and sterilization have been used in Communist China not only to regulate the number of children, but also to eliminate those who are regarded as defective in accordance with the official eugenic policy known as the 'Natal and Health Care Law'.

SEC. 9003. (a) Notwithstanding any other provision of law, the Secretary of State may not utilize any funds appropriated or otherwise available to the Department of State for fiscal year 1999 to issue any visa to any official of any country (except the head of state, the head of government, and cabinet level ministers) who the Secretary of State finds, based on credible and specific information, has been directly involved in the establishment or enforcement of policies or practices designed to restrict religious freedom.

(b) Notwithstanding any other provision of law, the Attorney General may not utilize any funds appropriated or otherwise available to the Department of Justice for fiscal year 1999 to admit to the United States any national covered by subsection (a).

(c) The President may waive the prohibition in subsection (a) or (b) with respect to an individual described in such subsection if the President-

(1) determines that it is vital to the national interest to do so; and

(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

SEC. 9104. In this title, the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

AKAKA (AND OTHERS) AMENDMENT NO. 3420

Mr. STEVENS (for Mr. AKAKA for himself, Mr. JEFFORDS, Mr. LEAHY, Mr. COATS, Mrs. BOXER, and Mr. INOUE) proposed an amendment to the bill S. 2132, supra, as follows:

On page 33, line 25, insert before the period the following: "Provided, That of the funds appropriated under this heading, $12,000,000 shall be available only to continue development of electric and hybrid-electric vehicles".

BINGAMAN (AND DOMENICI) AMENDMENT NO. 3421

Mr. STEVENS (for Mr. BINGAMAN for himself and Mr. DOMENICI) proposed an amendment to the bill S. 2132, supra, as follows:

On page 99, in between lines 17 and 18, insert before the period the following: "Provided, That of the funds appropriated under this heading, $12,000,000 shall be available only to continue development of electric and hybrid-electric vehicles".

COCHRAN AMENDMENT NO. 3422

Mr. STEVENS (for Mr. COCHRAN) proposed an amendment to the bill S. 2132, supra, as follows:

On page 99, insert at the appropriate place the following new section:


Forces and dependents of members of the Armed Forces who are eligible for food stamps.

DOMENICI (AND HARKIN) AMENDMENT NO. 3423

Mr. STEVENS (for Mr. DOMENICI for himself and Mr. HARKIN) proposed an amendment to the bill S. 2132, supra, as follows:

On page 99, between lines 17 and 18, insert before the period the following:

SEC. 8104. (a) The Secretary of Defense shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on food stamp assistance for members of the Armed Forces. The Secretary shall submit the report at the same time that the Secretary submits to Congress, in support of the fiscal year 2000 budget, the materials that relate to the funding provided in that budget for the Department of Defense.

(b) The report shall include the following:

(1) The number of members of the Armed Forces and dependents of members of the Armed Forces who are eligible for food stamps.

(2) The number of members of the Armed Forces and dependents of members of the Armed Forces who received food stamps in fiscal year 1999.

(3) A proposal for, using, as a means for eliminating or reducing significantly the need of such personnel for food stamps.

(4) Other potential alternative actions (including any recommended legislation) for eliminating or reducing significantly the need of such personnel for food stamps.

(5) A discussion of the potential for each alternative action referred to in paragraphs (3) and (4) to result in the elimination or a significant reduction in the need of such personnel for food stamps.

(6) Each potential alternative action included in the report under paragraph (3) or (4) of subsection (b) shall meet the following requirements:

(a) Apply only to persons referred to in paragraph (1) of such subsection.

(b) Be limited in cost to the lowest amount feasible to achieve the objectives.

(c) This section:

(1) The term "fiscal year 2000 budget" means the budget for fiscal year 2000 that the President submits to Congress under section 1105(a) of title 31, United States Code.

(2) The term "food stamps" means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

SEC. 8105. (a) The Comptroller General shall carry out a study of issues relating to family life, morale, and retention of members of the Armed Forces. On no more than 30 days after June 25, 1999, the Comptroller shall submit the results of the study to the Committees on Appropriations of the Senate and the House of Representatives. The Comptroller General may submit to the committees an interim report on the matters described in paragraphs (1) and (2) of subsection (c). Any such interim report shall be submitted by the Comptroller General on or before January 1, 2000, and shall be considered as making the study complete.

(b) In carrying out the study, the Comptroller General shall consult with experts on the subjects of the study who are independent of the Department of Defense.

(c) The study shall include the following matters:

(i) The condition of the families of members of the Armed Forces; and the members' needs regarding their family lives, including a discussion of each of the following:

(A) How barriers that impede the independence of the Department of Defense;

(B) The study shall also include the following:

(1) The condition of the families of members of the Armed Forces; and the members' needs regarding their family lives, including a discussion of each of the following:

(A) How barriers that impede the independence of the Department of Defense;

(B) The condition of the families of members of the Armed Forces; and the members' needs regarding their family lives, including a discussion of each of the following:

(A) How barriers that impede the independence of the Department of Defense;

(B) The condition of the families of members of the Armed Forces; and the members' needs regarding their family lives, including a discussion of each of the following:
(B) How the information on those conditions and needs compares with other occupational specialties in relation to the occupational specialties of the members.

(C) The relationships among the quality of the family lives of members of the Armed Forces, high operating tempos of the Armed Forces, and retention of the members in the Armed Forces, analyzed for each of the Armed Forces, each pay grade, and each major occupational specialty.

(D) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(E) Rates of retention of members of the Armed Forces, including the following:

(a) The rates based on the latest information available when the report is prepared.

(b) Projected rates for future periods for which reasonably reliable projections can be made.

(c) An analysis of the rates under subparagraph (a) for each of the Armed Forces, each pay grade, and each major occupational specialty.

(D) How the information on those conditions and needs compares with other occupational specialties in relation to the occupational specialties of the members.

(E) What, if any, effects high operating tempos of the Armed Forces have on the family lives of members, including effects on the incidence of substance abuse, physical or emotional abuse of family members, and divorce.

(F) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(G) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(H) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(I) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(J) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(K) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(L) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(M) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(N) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(O) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(P) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(Q) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(R) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(S) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(T) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(U) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(V) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(W) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(X) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(Y) The extent to which family lives of members of the Armed Forces prevent members from being deployed.

(Z) The extent to which family lives of members of the Armed Forces prevent members from being deployed.
amount available for a cyber-security program is hereby increased by $8,000,000. Provided further, That the funds are made available for the cyber-security program to conduct research and development on an end-to-end solution relating to security information assurance and to facilitate the transition of information assurance technology to the defense community.

SARBANES (AND CAMPBELL) AMENDMENT NO. 3431

Mr. STEVENS (for Mr. SARBANES for himself and Mr. CAMPBELL) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8. ADDITIONAL FUNDING FOR KOREAN WAR VETERANS MEMORIAL.

Section 3 of Public Law 99-572 (40 U.S.C. 1003 note) is amended by adding at the end the following:

"(c) ADDITIONAL FUNDING.—

"(1) IN GENERAL.—In addition to amounts made available under subsections (a) and (b), the Secretary of the Army may expend, from any funds available to the Secretary on the date of this paragraph, $2,000,000 for repair of the memorial.

"(2) DISPOSITION OF FUNDS RECEIVED FROM CLAIMS.—Any funds received by the Secretary of the Army as a result of any claim made available under subsection (a) as the Secretary considers appropriate to protect the interest of the United States.

MCCONNELL (AND OTHERS) AMENDMENT NO. 3432

Mr. STEVENS (for Mr. MCCONNELL for himself, Mr. FORD, and Mr. SHELBY) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. Of the funds available under title VI for chemical agents and munitions destruction, Defense, for research and development, $15,000,000 shall be made available for the program to implement the Assembled Chemical Weapons Assessment (under section 8005 of the Department of Defense Appropriations Act, 1997) for demonstrations of technologies under the Assembled Chemical Weapons Assessment, for planning and preparation to proceed from demonstration of an alternative technology immediately into development of a pilot-scale facility for the technology, and for the design, construction, and operation of a pilot facility for the technology.

MACK AMENDMENT NO. 3433

Mr. STEVENS (for Mr. MACK) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) The Secretary of the Navy may lease to the University of Central Florida (in this section referred to as the "University") from any funds available to the University, such portion of the property known as the Naval Air Warfare Center, Training Systems Division, Orlando, Florida, as the Secretary considers appropriate as a location for the establishment of a center for research in the fields of law enforcement, public safety, civil defense, and national defense.

(b) Notwithstanding any other provision of law, the term of the lease under subsection (a) may not exceed 50 years.
DODD AMENDMENT NO. 3445
Mr. STEVENS (for Mr. Dodd) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. Of the funds available for the Navy for research, development, test, and evaluation under title IV, $3,000,000 shall be available for the Shortstop Electronic Protection System.”

FORD (AND OTHERS) AMENDMENT NO. 3444
Mr. STEVENS (for Mr. Ford for himself, Mr. Bond, and Mr. Lott) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) Subsection (a)(3) of section 112 of title 32, United States Code, is amended by striking out “and leasing of equipment” and inserting in lieu thereof “and equipment, and the leasing of equipment.”

(b) Subsection (b)(2) of such section is amended to read as follows:

“(2)(A) A member of the National Guard serving on full-time National Guard duty under orders authorized under paragraph (1) shall participate in the training required under section 502(a) of this title in addition to the duty performed for the purpose authorized under that paragraph. The pay, allowances, and other benefits of the member while participating in the training shall be the same as those to which the member is entitled while performing duty for the purpose of carrying out drug interdiction and counter-drug activities.

“(B) Appropriations available for the Department of Defense for drug interdiction and counter-drug activities may be used for paying costs associated with a member’s participation in training described in subparagraph (A). The appropriation shall be reimbursed in full, out of appropriations available for paying those costs, for the amounts paid, and available for paying those costs shall be available for making the reimbursements.”.

(c) Subsection (b)(3) of such section is amended to read as follows:

“(3) A unit or member of the National Guard of a State may be used, pursuant to a State drug interdiction and counter-drug activities plan approved by the Secretary of Defense under this section, to provide services or other assistance (other than air transportation) to an organization eligible to receive services under section 508 of this title if—

“(A) the State drug interdiction and counter-drug activities plan specifically recognizes the organization as being eligible to receive the services or assistance;

“(B) in the case of services, the provision of the services meets the requirements of paragraphs (1) and (2) of subsection (a) of section 508 of this title; and

“(C) the services or assistance is authorized under subsection (b) or (c) of such section of the State drug interdiction and counter-drug activities plan.”

(d) Subsection (i)(1) of such section is amended by inserting after “drug interdiction and counter-drug law enforcement activities” the following: “, including drug demand reduction activities.”

KERRY AMENDMENT NO. 3446
Mr. STEVENS (for Mr. Kerry) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. Of the amounts appropriated by title IV of this Act under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY” $3,000,000 shall be available for advanced research relating to solid state dye lasers.

McCAIN (AND KYL) AMENDMENT NO. 3447
Mr. STEVENS (for Mr. McCain for himself and Mr. Ky) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) The Secretary of the Air Force may enter into an agreement to lease from the City of Phoenix, Arizona, the parcel of real property described in subsection (b), together with improvements on the property, in consideration of annual rent not in excess of one dollar.

(b) The real property referred to in subsection (a) is a parcel, known as Auxiliary Field 3, that is located approximately 12 miles north of Luke Air Force Base, Arizona, in section 4 of township 3 north, range 1 west of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, is bounded on the north by Bell Road, on the east by Litchfield Road, on the south by Greenway Road, and on the west by agricultural land, and is composed of approximately 638 acres, more or less, the same property that was formerly an Air Force training and emergency field developed during World War II.

(c) The Secretary may require such additional terms and conditions in connection with the lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

McCAIN (AND KYL) AMENDMENT NO. 3448
Mr. STEVENS (for Mr. McCain for himself and Mr. Ky) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, insert in the appropriate place the following new general provision:

SEC. 8104. Of the funds provided under title IV of this Act under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY” up to $3,000,000 may be made available only to integrate and evaluate enhanced, active and passive, passenger safety system for heavy tactical trucks.

FAIRCLOTH AMENDMENT NO. 3452
Mr. STEVENS (for Mr. Faircloth) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) Not later than six months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing a comprehensive assessment of the TRICARE program.

(b) The assessment under subsection (a) shall include the following:

(1) A comparison of the health care benefits available under the health care options provided by the TRICARE program, known as TRICARE Standard, TRICARE Prime, and TRICARE Extra with the health care benefits available under the health care plan of the Federal Employees Health Benefits Program most similar to each such option that has the most subscribers as of the date of enactment of this Act, including—

(2)(A) the types of health care services offered by each option and plan under comparison;

(3) the ceilings, if any, imposed on the amounts paid for covered services under each option and plan under comparison;

(4) the timeliness of payments to physicians providing services under each option and plan under comparison;

(5) the assessment of the effect on the subscription choices made by potential subscribers to the TRICARE program of the Department of Defense policy to grant priority in the provision of health care services to subscribers to a particular option.

(6) An assessment whether or not the implementation of the TRICARE program has decreased medicare-eligible individuals from obtaining health care services from military treatment facilities, including—
(A) an estimate of the number of such individuals discouraged from obtaining health care services from such facilities during the two-year period ending with the commencement of the implementation of the TRICARE program; and

(B) an estimate of the number of such individuals discouraged from obtaining health care services from such facilities during the two-year period following the commencement of the implementation of the TRICARE program.

(3) The term ‘TRICARE program’ has the meaning given that term in section 1072(7) of title 10, United States Code.

SEC. 8104. Out of the funds available for the Department of Defense under title VI of this Act, $150,000 shall be made available only for the purposes of conducting demonstrations of the alternatives and to carry out the pilot program.

Mr. STEVENS (for Mr. McCAIN for himself and Mrs. HUTCHISON) proposed an amendment to the bill, S. 2132, supra, as follows:

On page 99, between lines 17 and 18, insert before the period at the end the following: ‘‘Sec. . That of the amounts available under this heading, $150,000 shall be made available only for the purposes of conducting demonstrations of the alternatives and to carry out the pilot program under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104-208; 110 Stat. 3009-101; 50 U.S.C. note). The amount specified in the preceding sentence is in addition to any other amount that is made available under title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program: Provided, That none of these funds shall be taken from any ongoing operational chemical munition destruction programs.’’

SEC. 8105. The Secretary of Defense is authorized, in addition to any other authority that the Comptroller General considers appropriate for purposes of this section.

(c) This section is effective for all fiscal years.

Mr. STEVENS (for Mr. BUMPERS) proposed an amendment to the bill, S. 2132, supra, as follows:

On page 99, between lines 17 and 18, insert the following:

``SEC. . Of the amounts appropriated in this Act to complete the demonstration of the alternatives and to carry out the pilot program under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104-208; 110 Stat. 3009-101; 50 U.S.C. note). The amount specified in the preceding sentence is in addition to any other amount that is made available under title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program: Provided, That none of these funds shall be taken from any ongoing operational chemical munition destruction programs.‘’

Mr. STEVENS (for Mr. WELLS) proposed an amendment to the bill, S. 2132, supra, as follows:

On page 99, between lines 17 and 18, insert the following:

``SEC. . Of the funds provided under Title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104-208; 110 Stat. 3009-101; 50 U.S.C. note). The amount specified in the preceding sentence is in addition to any other amount that is made available under title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program: Provided, That none of these funds shall be taken from any ongoing operational chemical munition destruction programs.‘’

Mr. STEVENS (for Mr. FAYRE) proposed an amendment to the bill, S. 2132, supra, as follows:

On page 99, between lines 17 and 18, insert the following:

``SEC. . Of the funds provided under Title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104-208; 110 Stat. 3009-101; 50 U.S.C. note). The amount specified in the preceding sentence is in addition to any other amount that is made available under title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program: Provided, That none of these funds shall be taken from any ongoing operational chemical munition destruction programs.‘’

Mr. STEVENS (for Mr. MCCAULiffe) proposed an amendment to the bill, S. 2132, supra, as follows:

On page 99, between lines 17 and 18, insert the following:

``SEC. . Of the amounts appropriated in this Act to complete the demonstration of the alternatives and to carry out the pilot program under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104-208; 110 Stat. 3009-101; 50 U.S.C. note). The amount specified in the preceding sentence is in addition to any other amount that is made available under title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program: Provided, That none of these funds shall be taken from any ongoing operational chemical munition destruction programs.‘’

Mr. STEVENS (for Mr. BUMPERS) proposed an amendment to the bill, S. 2132, supra, as follows:

On page 99, between lines 17 and 18, insert the following:

``SEC. . Of the amounts appropriated in this Act to complete the demonstration of the alternatives and to carry out the pilot program under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104-208; 110 Stat. 3009-101; 50 U.S.C. note). The amount specified in the preceding sentence is in addition to any other amount that is made available under title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program: Provided, That none of these funds shall be taken from any ongoing operational chemical munition destruction programs.‘’

Mr. STEVENS (for Mr. FAYRE) proposed an amendment to the bill, S. 2132, supra, as follows:

On page 99, between lines 17 and 18, insert the following:

``SEC. . Of the amounts appropriated in this Act to complete the demonstration of the alternatives and to carry out the pilot program under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104-208; 110 Stat. 3009-101; 50 U.S.C. note). The amount specified in the preceding sentence is in addition to any other amount that is made available under title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program: Provided, That none of these funds shall be taken from any ongoing operational chemical munition destruction programs.‘’

Mr. STEVENS (for Mr. BUMPERS) proposed an amendment to the bill, S. 2132, supra, as follows:

On page 99, between lines 17 and 18, insert the following:

``SEC. . Of the amounts appropriated in this Act to complete the demonstration of the alternatives and to carry out the pilot program under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104-208; 110 Stat. 3009-101; 50 U.S.C. note). The amount specified in the preceding sentence is in addition to any other amount that is made available under title VI of this Act to complete the demonstration of the alternatives and to carry out the pilot program: Provided, That none of these funds shall be taken from any ongoing operational chemical munition destruction programs.‘’
children, identified the immediate demobilization of all child soldiers as an urgent priority, and recommended the establishment through an optional protocol to the Convention on the Rights of the Child of 18 as the minimum age for recruitment and participation in armed forces; and
the International Committee of the Red Cross, the United Nations Children’s Fund (UNICEF), the United Nations High Commission on Refugees, and the United Nations High Commissioner on Human Rights, as well as many nongovernmental organizations, also support the establishment of 18 as the minimum age for military recruitment and participation in armed conflict; SEC. 2. The Secretary of the Army shall:
(a) deports the global use of child soldiers and supports their immediate demobilization;
(b) condemns the abduction of Ugandan children by the LRA;
(c) calls on the Government of Sudan to use its influence with the LRA to secure the release of abducted children and to halt further abductions; and
(d) encourages the United States delegations not to block the drafting of an optional protocol to the Convention on the Rights of the Child that would establish 18 as the minimum age for participation in armed conflict.
(b) It is the sense of the Senate that the President and the Secretary of State should—
(1) support efforts to end the abduction of children by the LRA, secure their release, and facilitate their rehabilitation and reintegration into society;
(2) not block efforts to establish 18 as the minimum age for participation in conflict through an optional protocol to the Convention on the Rights of the Child; and
(3) provide greater support to United Nations agencies and nongovernmental organizations working for the rehabilitation and reintegration of former child soldiers into society.
SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President and the Secretary of State.

FAIRCLOTH AMENDMENT NO. 3461
Mr. STEVENS (for Mr. FAIRCLOTH) proposed an amendment to the bill, S. 2132, supra; as follows:
On page 99, insert after the appropriate place the following new general provision:
SEC. 8104. Notwithstanding any other provision of law, the Secretary of Defense shall obligate the funds provided for Counterterrorist Technical Support in the Department of Defense Appropriations Act, 1998 (under title IV of Public Law 105-50) for the projects in and the authority of the appropriation for in House Report 105-265 of the House of Representatives, 105th Congress, first session: Provided, That the funds available for the Pulsed Fast Neutron Analysis Facility which would be executed through cooperation with the Office of National Drug Control Policy.

BENNETT AMENDMENT NO. 3462
Mr. STEVENS (for Mr. BENNETT) proposed an amendment to the bill, S. 2132, supra; as follows:
On page 99, insert after the appropriate place the following new general provision:
SEC. 8104. Of the funds provided under Title IV of this Act under the heading “Research, Development, Test and Evaluation, Navy”, up to $1,000,000 may be made available only for the development and testing of alternate turbine engines for missiles.

GRAMM AMENDMENT NO. 3463
Mr. STEVENS (for Mr. GRAMM) proposed an amendment to the bill, S. 2132, supra; as follows:
At the appropriate place, insert the following:
SEC. . VOTING RIGHTS OF MILITARY PERSONNEL.—(a) GUARANTEE OF RESIDENCY.—Article VII of the Soldiers’ and Sailors’ Civil Relief Act of 1940 (50 U.S.C. 950 et seq.) is amended by adding at the end the following:
"SEC. 704. (a) For purposes of voting for an office of the United States or of a State, a person who is absent from a State in compliance with the policies, practices, and experience of the uniformed services pertaining to the furnishing of dental care to dependents of members of the uniformed services (including the Coast Guard) on leave outside their residence or domicile who is on active duty or is a member of the reserves of the uniformed services, or is serving in the Armed Forces Reserve or the Selected Reserve, shall be considered to be an individual who is domiciled in the State in which the person is absent (as determined under this subsection), and the word "domicile" shall be deemed to have a definition as provided in Title II of the Soldiers’ and Sailors’ Civil Relief Act of 1940 (50 U.S.C. 950d et seq.)."
(b) STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.—(1) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973f-1) is amended—
"(a) by inserting "(a) ELECTIONS FOR FEDERAL OFFICES,—" before "Each State shall—"; and
by adding at the end the following:
(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—"
"(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and run-off elections for State and local offices; and
(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.
"(2) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking out "FOR FEDERAL OFFICES".

MOSELEY-BRAUN AMENDMENT NO. 3464
Mr. INOUYE (for Ms. MOSELEY-BRAUN) proposed an amendment to the bill, S. 2132, supra; as follows:
On page 99, between lines 17 and 18, insert the following:
SEC. 8104. The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental equipment of the Department of Defense, at no cost to DoD Indian Health Service facilities and to Federally-qualified health centers (within the meaning of section 1905(f)(2)(B) of the Social Security Act (42 U.S.C. 1396d(2)(B))).
(b) Not later than March 15, 1999, the Secretary of Defense shall submit to Congress a report on the progress, including the actions taken under the program.

BINGAMAN AMENDMENT NO. 3465
Mr. STEVENS (for Mr. BINGAMAN) proposed an amendment to the bill, S. 2132, supra; as follows:
On page 99, between lines 17 and 18, insert the following:
SEC. 8104. (a) The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to provide needed facilities and equipment to the armed forces, including the construction, repair, or modernization of facilities at the locations designated in the memorandum of understanding referenced in subsection (a).
(b) Not later than December 1, 1998, the Secretary of Defense shall submit to Congress a report on the program, including the actions taken under the program.

D’AMATO AMENDMENT NO. 3466
Mr. STEVENS (for Mr. D’AMATO) proposed an amendment to the bill, S. 2132, supra; as follows:
On page 99, between lines 17 and 18, insert the following:
SEC. 8104. (a) The Air National Guard shall, during the period beginning on April 15, 1999, and ending on October 15, 1999, provide support at the Francis S. Gabreski Airport, Hampton, New York, for seasonal search and rescue mission requirements of the Coast Guard in the vicinity of Hampton, New York.
(b) The support provided under subsection (a) shall include access to and use of appropriate facilities at Francis S. Gabreski Airport, including runways, hangars, the operations center, and aircraft berthing and maintenance spaces.
(c)(1) The adjutant general of the National Guard of the State of New York and the Commandant of the Coast Guard shall enter into a memorandum of understanding regarding the support to be provided under subsection (a).
(2) Not later than December 1, 1998, the adjutant general and the Commandant shall submit to the Appropriations Committees of the Senate and the Committee on Appropriations of the House of Representatives a copy of the memorandum of understanding entered into under paragraph (1).
of the feasibility and potential effects of offering general anesthesia as a dental health care benefit available under TRICARE to the dependents.

DODD AMENDMENT NO. 3469
Mr. STEVENS (for Mr. Dodd) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) Of the total amount appropriated to the Army Reserve and the Army National Guard under title I, $1,700,000 may be available for taking the actions required under this section to eliminate the backlog of unpaid retired pay and to submit a report.

(b) The Secretary of the Army may take such actions as are necessary to eliminate, by the reduction of the backlog of incomplete actions on requests of former members of the Armed Forces entitled to retired or retainer pay, and dependents of such members and former members of the Army Reserve and the Army National Guard.

(c) Not later than 60 days after the date of enactment of this Act, the Secretary of the Army shall submit to Congress a report on the status of the actions required to eliminate the backlog of unpaid retired pay.

SEC. 8105. (a) The Secretary of Defense shall submit to Congress a report on the status of the actions required to eliminate the backlog of unpaid retired pay.

(b) The actions taken under subsection (a) may include, except as provided in paragraph (3), the following:

(1) The actions taken under subsection (b).

(2) The extent of the remaining backlog.

(3) A discussion of any additional actions that are necessary to ensure that retired pay is paid in a timely manner.

HARKIN AMENDMENT NO. 3470
Mr. STEVENS (for Mr. Harkin) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) Of the total amount appropriated to the Army Reserve and the Army National Guard under title I, $5,000,000 may be available for procurement of lightweight maintenance enclosures (LME).

(b) Of the amounts appropriated by title I of this Act under the heading "ARMY" $2,000,000 may be available for procurement of lightweight maintenance enclosures (LME).

DORGAN AMENDMENT NO. 3473
Mr. STEVENS (for Mr. Dorgan) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) Of the amounts appropriated by title I of this Act under the heading "OMENS AND MAINTENANCE, MARINE CORPS" $5,000,000 may be available for procurement of lightweight maintenance enclosures (LME).

DEWINE AMENDMENT NO. 3474
Mr. STEVENS (for Mr. Dewine) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) Of the funds available for Drug Interdiction, $3,000,000 may be made available to support restoration of enhanced counter-narcotics operations around the island of Hispaniola, for operation and maintenance for establishment of ground-based radar coverage at Guantanamo Bay Naval Base, Cuba, for procurement of 2 Schweizer observation/spray aircraft, and for upgrades for 3 UH-1H helicopter for Colombia.

WELLSTONE AMENDMENT NO. 3475
Mr. STEVENS (for Mr. Wellstone) proposed an amendment to the bill, S. 2132, supra; as follows:

On page 99, between lines 17 and 18, insert the following:

SEC. 8104. (a) The Secretary of Defense shall study the policies, procedures, and practices of the military departments for protecting the confidentiality of communications between: (i) a dependent of a member of the Armed Forces who—

(A) is a victim of sexual harassment, sexual assault, or intrafamily abuse; or

(B) has engaged in such misconduct; and

(2) a therapist, counselor, advocate, or other professional from whom the victim seeks professional services in connection with effects of such misconduct.

(b) The Secretary of Defense shall report to the Congress on the status of the actions taken to protect the confidentiality of communications described in subsection (a).

ROBB AMENDMENT NO. 3476
Mr. STEVENS (for Mr. Robb) proposed an amendment to the bill, S. 2132, supra; as follows:

At the appropriate place, insert:

FINDINGS:

On the third of February a United States Marine Corps jet aircraft, flying a low-level training mission out of Aviano, Italy, flew below its prescribed altitude and severed the cables supporting a gondola at the Italian ski resort near Cavalese, resulting in the death of twenty civilians.

The crew of the aircraft, facing criminal charges, is entitled to a speedy trial and is provided that and all the other protections and advantages of the U.S. system of justice.

(B) Characterization of the records under family advocacy programs of the Department of Defense as primary medical records for purposes of the protections from disclosure that are associated with primary medical records.

(C) Facilitated transfer of records under family advocacy programs in conjunction with the circumstances of duty of duty to whom the records relate in order to provide for continuity in the furnishing of professional services.

(D) Adoption of standards of confidentiality and ethical standards that are consistent with standards issued by relevant professional associations.

In prescribing the regulations, the Secretary shall consider the following:

(A) Any risk that the goals of advocacy and counseling programs for helping victims recover from adverse effects of misconduct will not be attained if there is no assurance that the communications (including records of counseling sessions) will be kept confidential.

(B) The extent, if any, to which a victim's safety and privacy should be factors in determinations regarding disclosure.

(C) The eligibility for care and treatment in medical facilities of the uniformed services for any person having a uniformed services identification card (including a card indicating the status of a person as a dependent of a member of the uniformed services) that is valid for that person.

(D) The appropriateness of requiring that so-called Privacy Act statements be provided as a condition for proceeding with the furnishing of treatment or other services by professionals referred to in subsection (a).

(E) The appropriateness of adopting the same standards of confidentiality and ethical standards that have been issued by such professional associations as the American Psychiatric Association and the National Association of Social Workers.

(F) The regulations may not prohibit the disclosure of information to a Federal or State agency for a law enforcement or other governmental purpose.

The Secretary of Defense shall consult with the Attorney General in carrying out this section.

Within 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the actions taken under this section. The report shall include a discussion of the results of the study under subsection (a) and the comprehensive discussion of the regulations prescribed under subsection (b).
The United States, to maintain its credibility and honor among its allies and all nations of the world, should make prompt reparations for an accident clearly caused by a United States aircraft.

A high-level delegation, including the U.S. Ambassador to Italy, recently visited Cavalese and, as a result, 20 million dollars was promised to the people in Cavalese for their property damage and business losses.

Without our prompt action, these families continue to suffer financial agonies, our credibility and honor continue to suffer, and our own citizens remain puzzled and angered by our lack of accountability.

Under the current arrangement we have with Italy in the context of our Status of Forces Agreement (SOFAD), civil claims arising from the accident at Cavalese must be brought against the Government of Italy, in accordance with the laws and regulations of Italy, as if the armed forces of Italy had been responsible for the accident.

Under Italian law, every claimant for property damage, personal injury or wrongful death must file initially an administrative claim with the Ministry of Defense, in consultation with the Secretary of Defense, before resort to the Italian court system, where civil cases for wrongful death are reported to take up to ten years to resolve;

While under the SOFA process, the United States—as the “sending state”—will be responsible for 75 percent of any damages awarded, and the Government of Italy—as the “receiving state”—will be responsible for 25 percent, the United States has agreed to pay all damages awarded in this case;

It is the Sense of the Congress that the United States should resolve the claims of the victims of the February 8, 1998 U.S. Marine Corps aircraft incident in Cavalese, Italy as quickly and fairly as possible.

LEAHY AMENDMENT NO. 3477 Mr. STEVENS (for Mr. LEAHY) proposed an amendment to the bill, S. 2132, supra; as follows:

At the appropriate place, insert:

SEC. 2. TRAINING AND OTHER PROGRAMS.

(a) Some of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that a member of such unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) MONITORING.—Not more than 90 days after enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall establish procedures to determine that prior to a decision to conduct any training program referred to in paragraph (a), full consideration is given to all information available to the Department of State relating to human rights violations by foreign security forces.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in paragraph (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Buffer.—Not more than 15 days after the exercise of any waiver under paragraph (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

KERRY (AND OTHERS) AMENDMENT NO. 3478 Mr. STEVENS (for Mr. KERRY, for himself, Mr. MOYNIHAN, and Mr. BREAX) proposed an amendment to the bill, S. 2132, supra; as follows:

At the appropriate place, insert:

SEC. 1. SENSE OF THE SENATE REGARDING PAYROLL TAX RELIEF.

(a) FINDINGS.—The Senate finds the following:

(1) The payroll tax under the Federal Insurance Contributions Act (FICA) is the biggest, most regressive tax paid by working families.

(2) The payroll tax constitutes a 15.3 percent tax burden on the wages and self-employment income of each American, with 12.4 percent of the payroll tax used to pay social security benefits to current beneficiaries and 2.9 percent used to pay the medicare benefits of current beneficiaries.

(3) The amount of wages and self-employment income subject to the social security portion of the payroll tax is capped at $88,400. Therefore, the lower a family's income, the more they pay in payroll tax as a percentage of income.

(4) In 1996, the median household income was $35,492, and a family earning that amount and taking standard deductions and exemptions paid $2,719 in Federal income tax, but lost $5,430 in income to the payroll tax.

(5) Ownership of wealth is essential for everyone to have a shot at the American dream, but the payroll tax is the principal burden to savings and wealth creation for working families.

(6) Since 1983, the payroll tax has been higher than necessary to pay current benefits.

(7) Since most of the payroll tax receipts are deposited in the social security trust funds, which masks the real amount of Government borrowing, those whom the payroll tax primarily taxes have shouldered a disproportionate share of the Federal budget deficit reduction and, therefore, a disproportionate share of the creation of the Federal budget surplus.

(8) Over the next 10 years, the Federal Government will generate a budget surplus of $1,550,000,000,000, and all but $32,000,000,000 of that surplus will be generated by excess payroll taxes.

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

(1) if Congress decides to provide tax relief, reducing the burden of payroll taxes should be a top priority; and

(2) Congress and the President should work to reduce this payroll tax burden on American families.

CURT FLOOD ACT OF 1998

HATCH AMENDMENT NO. 3479 Mr. EFFORDS (for Mr. HATCH) proposed an amendment to the bill (S. 53) to require the general application of the antitrust laws to major league baseball, and for other purposes; as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Curt Flood Act of 1998,"

SEC. 2. PURPOSE.

It is the purpose of this legislation to state that major league baseball players are covered under the antitrust laws (i.e., that major league baseball players have the same rights under the antitrust laws as do other professional athletes, e.g., football and basketball players), along with a provision that makes it clear that the passage of this Act does not change the application of the antitrust laws in any other context or with respect to any other person or entity.

SEC. 3. APPLICATION OF THE ANTITRUST LAWS TO PROFESSIONAL MAJOR LEAGUE BASEBALL.

The Clayton Act (15 U.S.C. §2 et seq.) is amended by adding at the end the following new section:

"SEC. 27. (a) Subject to subsections (b) through (d) below, the conduct, acts, practices or agreements of persons in the business of organized professional major league baseball directly relating to or affecting employment of major league baseball players to play baseball at the major league level are subject to the antitrust laws to the same extent such conduct, acts, practices or agreements would be subject to the antitrust laws if engaged in by persons in professional sports business affecting interstate commerce.

(b) No court shall rely on the enactment of this section as a basis for changing the application of the antitrust laws to any conduct, acts, practices or agreements other than those set forth in subsection (a). This section does not create, permit or imply a cause of action by which to challenge under the antitrust laws, or otherwise apply the antitrust laws to, any conduct, acts, practices or agreements that do not directly relate to or affect employment of major league baseball players to play baseball at the major league level, including but not limited to:

(1) any conduct, acts, practices or agreements of persons engaging in, conducting or participating in the business of organized professional baseball relating to or affecting employment to play baseball at the minor league level, any organized professional baseball league, or first-year player draft, or any reserve clause as applied to minor league players;

(2) the agreement between organized professional major league baseball teams and the teams of the National Association of Professional Baseball Leagues, commonly known as the "Professional Baseball Agreement," the relationship between organized professional major league baseball and organized professional minor league baseball, or any other matter relating to organized professional baseball’s minor leagues; or

(3) any conduct, acts, practices or agreements of persons engaging in, conducting or participating in the business of organized professional baseball relating to or affecting franchise expansion, location or relocation, franchise ownership issues, including owner-ship transfers, the relationship between the Organizers of the Commissioners, franchise owners, the marketing or sales of the entertainment product of organized professional baseball and the licensing of intellectual property rights owned by the Organizers of professional baseball teams individually or collectively.

(4) any conduct, acts, practices or agreements of persons engaging in, conducting or participating in the business of organized professional baseball relating to or affecting franchise expansion, location or relocation, franchise ownership issues, including owner-ship transfers, the relationship between the Organizers of the Commissioners, franchise owners, the marketing or sales of the entertainment product of organized professional baseball and the licensing of intellectual property rights owned by the Organizers of professional baseball teams individually or collectively;