cooperative research and development with Japan and other nations, 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 arrangements of the highest importance, and we hope other colleagues will join us in our support for its renewal.

SENATE RESOLUTION 263—TO AUTHORIZE 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 to 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 8106(a) of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the Act under section 102(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, 1989,” 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”;

STEVENSON AND INOUYE AMENDMENT NO. 3391

Mr. STEVENSON (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:

(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. 3393

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

On page 26, line 8, increase the amount by $24,688,000.

SEC. 8104. Effective on June 30, 1999, section 8106(a) of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the Act under section 102(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, 1999,” 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”;

STEVENSON AMENDMENT NO. 3392

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

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

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)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.
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:

On page 11, line 7 after the period insert the following: "Provided, That of the funds appropriated under this heading, $35,000,000 shall be made available only for use for Impact Aid to local educational agencies."

FAIRCLOTH Amendment No. 3396
(Ordered to lie on the table.)
Mr. FAIRCLOTH 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. 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 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 three or more 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 ceilings, if any, imposed on the amount paid for covered 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 health care benefits 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.

FEINGOLD (AND OTHERS) Amendment No. 3397
(Ordred to lie on the table.)
Mr. FEINGOLD (for himself, Mr. KOW, 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. 8004. (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 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) has oversight of the technology security program of the Department of Defense;
(ii) to review, under that program, international transfers of defense-related technology, material, and equipment to determine whether such transfers are consistent with United States foreign policy and national security interests and to ensure that such international transfers comply with Department of Defense technology security policies;
(iii) to ensure (using automation and other computer-based 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.
(b) The Deputy Under Secretary of Defense to be proposed by him to the bill, S. 2132, supra; as follows:

BAUCUS Amendment No. 3399
(Ordred to lie on the table.)
Mr. BAUCUS submitted an amendment to be proposed by him to the bill, S. 2132, supra; as follows:

On page 99, in between lines 17 and 18, insert before the period at the end the following: "Provided further, That of the amounts available under this heading, $150,000 shall be made available to the Bear Paw Development Council, Montana, for the management and conversion of the Havre Air Force Base and Training Site, Montana, for public benefit purposes, including to purchase schools, homes for the homeless, and economic development."

BINGHAM (AND DOMENICI) Amendment No. 3400
(Ordred to lie on the table.)
Mr. BINGHAM (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by them to the bill, S. 2132, supra; as follows:

On page 18, in between lines 17 and 18, insert before the period at the end the following: "Sec. 8014(a) that of the amount available under Air National Guard, Operations and Maintenance for flying hours and related personnel support, $4,500,000 shall be available for the Defense Systems Evaluation program for support of test and training operations at White Sands Missile range, New Mexico, and Fort Bliss, Texas."

GRAHAM (AND MACK) Amendment No. 3401
(Ordred to lie on the table.)
Mr. GRAHAM (for himself and Mr. MACK) submitted an amendment intended to be proposed by them to the bill, S. 2132, supra; as follows:

On page 18, in between lines 17 and 18, insert before the period at the end the following: "Sec. 8014(a) that of the amount available under Air National Guard, Operations and Maintenance for flying hours and related personnel support, $4,500,000 shall be available for the Defense Systems Evaluation program for support of test and training operations at White Sands Missile range, New Mexico, and Fort Bliss, Texas."
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, orbiting, monitoring, 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, within the 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, American Samoa, the Commonwealth of 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 under the laws of the United States or of a State, that is—

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

(B) a 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—

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

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

(ii) each country in which that foreign company has operations; and

(ii) if, to that extent, in which that foreign company principally conducts its business, affords reciprocal treatment to 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; and

(bb) providing no barriers, to companies described in subparagraph (A) with respect to commercial launch services for the operation, servicing, and augmentation of the International Space Station, broken down by each of those 4 categories, and specifying how many agreements the National Aeronautics and Space Administration has entered into in response to these proposals, also broken down by those 4 categories.

(4) 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 government 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.;"

(B) 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 reentries.;"

(C) by amending the item relating to section 70109 to read as follows:

"70109. Premption of scheduled launches or reentries.;"

and

(D) by adding at the end the following new items:

"70120. Regulations.

70121. Report to Congress.

(2) in section 70101—

(A) by inserting "microgravity research," after "information services," in subsection (a)(3); and

(B) by inserting "reentry," after "launching," both places it appears in subsection (a)(4); and

(C) by inserting "reentry vehicles," after "launch vehicles," in subsection (a)(5); and

(D) by inserting "and reentry services" after "launch services" in subsection (a)(6); and

(E) by inserting "reentries," after "launches," both places it appears in subsection (a)(7); and

(F) by inserting "reentry sites," after "launch sites" in subsection (a)(8); and

(G) by inserting "after "launch services" in subsection (a)(9); and

(H) by inserting "reentry sites" after "launch sites," in subsection (a)(9); and

(I) by inserting "and reentry site" after "launch site" in subsection (a)(9); and

(J) by inserting "reentry vehicles," after "launch vehicles," in subsection (b)(2); and

(K) by striking "launching" in subsection (b)(2); and

(L) by inserting "and reentry" after "conduct of commercial launch" in subsection (b)(2); and

(M) by striking "launch" after "and transfer commercial" in subsection (b)(3); and

(N) by inserting "and development of reentry sites," after "and site support facilities," in subsection (b)(4); and

(3) in section 70102—

(A) in paragraph (3) by striking "and any payload" and inserting in lieu thereof "or reentry vehicle and any payload from Earth;" and

(ii) by striking the period at the end of the Republican in clauses (ii) and (iii) and inserting in lieu thereof a comma; and

(iii) by adding after subparagraph (C) the following:

"including activities involved in the preparation of a launch vehicle on payload for launch, when those activities take place at a launch site in the United States;"
(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 inserting after paragraph (10) the following new paragraphs: (10)(a) "`launch' and `reentry' mean to return or attempt to return a reentry vehicle and its payload, if any, from Earth orbit or from outer space to Earth"; (10)(b) "in subsections (a) and (d) "launch site" means the location on the Earth to which a vehicle is intended to return (as defined in a license the Secretary issues or transfers under this chapter); (10)(c) "`launch site' means a vehicle designed to return from Earth orbit or outer space to Earth, or a reusable launch vehicle designed to return from Earth orbit or outer space to Earth, substantially intact."; and (E) by inserting "or reentry services" after "launch or reentry" in place it appears in paragraph (15), as so redesignated by subparagraph (C) of this paragraph; (4) in section 70093— (A) by inserting "and REENTRY" after "LAUNCHES" in the subsection heading; (B) by inserting "and reentries" after "commercial space launches" in paragraph (1); and (C) by inserting "and reentry" after "space launch" in paragraph (2); (5) in section 7004— (A) by amending the section designation and heading to read as follows: "§70104. Restrictions on launches, operations, and reentries." (B) inserting a "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 "license issuance and inserting in lieu thereof "license"; (ii) by inserting or "reenter" 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 "dcedes the launch"; (6) in section 7005— (A) by inserting "(11)" before "A person may apply in subsection (a)"; (B) by striking "receiving an application" both places it appears in subsection (a) and inserting in lieu thereof "accepting an application"; and (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. (a) In paragraph (1)(1), the Secretary may establish procedures for safety approvals of launch vehicles, reentry vehicles, safety systems, processes, services, or personnel; (B) by inserting "or reentry activities" 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 "operation, or reentry" 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 amending at the end of subsection (b)(2) the following new subparagraph: "(D) regulations establishing criteria for accepting or rejecting an application for a license, or submitting the application 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 70106(a)— (A) by inserting or "reentry site after observe at a launch site"; (B) by inserting or "reentry vehicle" after assemble a launch vehicle"; and (C) by inserting or "reentry vehicle" after "with a launch vehicle"; (8) in section 70106(b)— (A) by amending the section designation and heading to read as follows: "§70106. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries"; and (B) in subsection (a)— (i) by inserting or "reentry site" after "ensure that a launch"; (ii) by inserting or "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 or "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 of either" after "launch or operation"; (C) in subsection (c), by inserting or reentry after "prompt launching"; (10) in section 7010— (A) by inserting or "reentry" after prevent the launch in subsection (a)(2); and (B) by inserting or reentry site or a reentry of a reentry vehicle, after "operation of a launch site" in subsection (a)(3)(B); (11) in section 7011— (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 "reentry services" in subsection (a)(2); (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 inserting 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;" 

(3) guidelines for industry and State governments to obtain sufficient insurance coverage for potential damages to third parties; 

(4) procedures for requesting and obtaining licenses to launch a commercial launch vehicle; 

(5) procedures for requesting and obtaining operator licenses for launch;
"(4) procedures for requesting and obtaining launch site operator licenses; and
"(5) procedures for the application of government indemnification.

"(b) Secretary of Transportation.—The Secretary of Transportation, not later than 6 months after the date of enactment of this section, shall issue a notice of proposed rulemaking to carry out this chapter that includes—

"(1) procedures for requesting and obtaining licenses to reenter a reentry vehicle;
"(2) procedures for requesting and obtaining operating licenses for reentry;
"(3) procedures for requesting and obtaining reentry site operator licenses.

§ 70121. Report to Congress

"(a) In general.—The Secretary of Transportation shall submit to Congress an annual report to account for the President's budget request submitted under section 1105(a) of title 31, United States Code, that—

"(1) describes all activities undertaken under this chapter including a description of the process for the application for and approval of licenses under this chapter and recommendations for legislation that may further commercial launches and reentries; and
"(2) reviews the performance of the regulatory activities and the effectiveness of the Office of Commercial Space Transportation.

"(b) Authorization of Appropriations.—Section 70119 of title 49, United States Code, is amended to read as follows:

"§ 70119. Appropriations

"There are authorized to be appropriated to the Secretary of Transportation for the activities of the Office of the Associate Administrator for Commercial Space Transportation—

"(1) $6,275,000 for the fiscal year ending September 30, 1999; and
"(2) $6,600,000 for the fiscal year ending September 30, 2000.

"(c) Effective Date.—The amendments made by subsection (a)(6)(B) shall take effect upon the effective date of final regulations issued pursuant to section 70105(b)(2)(D) of title 49, United States Code, as added by subsection (a)(6)(H).

SEC. 905. PROMOTION OF UNITED STATES GLOBAL POSITIONING SYSTEM STANDARDS.

"(a) Finding.—Congress finds that the Global Positioning System, including satellites, signals, ground control equipment, ground links, and associated command and control facilities, has become an essential element in civil, scientific, and military space development because of the emergence of a United States commercial industry which provides Global Positioning System equipment and related services.

"(b) International Cooperation.—In order to support and sustain the Global Positioning System in a manner that will most effectively contribute to the national security, public safety, and economic interests of the United States, Congress encourages the President to—

"(1) ensure the operation of the Global Positioning System on a continuous worldwide basis free of direct user fees;
"(2) enter into international agreements that promote cooperation with foreign governments and international organizations to—

"(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 make available to the scientific researchers and educators, in a manner described in paragraphs (6) through (16), membership in the international standard; and
to deploy and utilize that technology in the United States to encourage remote sensing systems, whether privately-funded or publicly-funded, to promote widespread affordable access to unenhanced (land) remote sensing data by scientists, researchers, and educators to allow such users appropriate rights for redistribution for scientific and educational noncommercial purposes.

"(i) in section 101 (15 U.S.C. 5621) Ð

"(A) in subsection (c) Ð

"(i) by inserting and after the end of paragraph (7); and
"(ii) by inserting and after the end of subparagraph (B) of paragraph (7); and

"(B) in subsection (e)(2) Ð

"(i) by inserting and after the end of paragraph (7); and
"(ii) by striking and inserting in lieu thereof a period; and

"(C) by adding at the end of subsection the following new paragraph:

"(2) The Secretary, not later than 6 months after the date of 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 applicant 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 otherwise notified by the Secretary, the application shall be deemed to be complete upon receipt of a completed 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 paragraph of subsection (c) (as amended by the amendment made by subsection (a) of this section) to read as follows:

"the Secretary has not granted the license within 120 days after the date on which the Secretary receives the notification, 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."

(4) in subsection (d), by striking "section 506" in subsection (d)(1) and inserting in lieu thereof "section 507":

(5) in section 204(a)(2) (15 U.S.C. 5624(a)(2)), by striking "under this title" and inserting in lieu thereof "under this title":

(6) in subsection (c), 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 is licensed by the Secretary before commencing operation and maintaining space transportation vehicles owned by the United States or a United States Government agency are authorized and encouraged to provide for the benefit of United States Government activities";

(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 or suspend the operation of a space transportation system covered by a license, 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, MODIFICATION, OR SUSPENSION.—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 that action and the reasons for that action.

(c) DUPLICATION OF COMMERCIAL SPACE ACTIVITIES.—The Federal Government shall not undertake activities under this section which are commercially available from United States commercial providers, unless such activities would result in significant cost savings or in the provision of services necessary for reasons of national security or international obligations, or policies of the United States, consistent with the requirements of relevant United States laws and regulations.

(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 as a commercial item, as defined by the United States Code, except that those data, services, 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 sufficient rights in data to meet the needs of the scientific and educational community or the needs of other government activities.

SEC. 910. 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 also 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 from United States commercial providers in any case in which those services are required in the course of its activities if:

(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;

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

(4) the use of space transportation services from United States commercial providers is inconsistent with national security objectives;

(5) the use of space transportation services from United States commercial providers is inconsistent with foreign policy objectives;

(6) it is more cost effective to transport a payload in conjunction with a test or demonstration of a space transportation vehicle owned by the Federal Government;

(7) a payload may make use of the available cargo space on a Space Shuttle mission as a secondary payload. The secondary payload shall be consistent with the requirements of research, development, demonstration, scientific, commercial, and educational programs authorized by the Administrator.

(c) DELAYED EFFECT.—Subsection (a) shall not apply to space transportation services provided by United States Government 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, in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10, United States Code), from acquiring space transportation services for purposes of such laws and regulations. Nothing in this subsection shall be construed to prohibit the Federal Government from requiring compliances with applicable standards.
SEC. 911. ACQUISITION OF COMMERCIAL SPACE TRANSPORTATION SERVICES.

(a) TREATMENT OF COMMERCIAL SPACE TRANSPORTATION SERVICES AS COMMERCIAL ITEM. — Acquisition of space transportation services by the Federal Government shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 1 and 2 of title 41, 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. 26952 et seq.) is amended—

(1) by striking section 202;

(2) in section 203—

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

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

(3) by striking sections 204 and 205; and

(4) in section 207—

(A) in the Senate the “(A) COMMERCIAL PAYLOADS ON THE SPACE SHUTTLE. . .” and

(B) by striking subsection (b).

SEC. 913. SHUTTLE PRIVATIZATION.

(a) NOTIFICATION.—The Administrator shall prepare for an orderly transition from the Federal operation, or Federal management of contracted operation, of space transportation systems to the Federal purchase of commercial space transportation services for all nonemergency launch requirements, including human, cargo, and mixed payloads. Those preparations the Administrator 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 Shuttle Management Review Team regarding the privatization of the Space Shuttle. The study shall identify, discuss, and, where possible, present options for resolving the major policy and legal issues that must be addressed before the Space Shuttle is privatized, including—

(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; and

(4) whether commercial payloads should be allowed to be launched on the Space Shuttle and what, if any, will be the new or revised requirements of that payload.“

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 in space; 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 the Administrator—

(A) determines that—

(i) the missile is no longer necessary to carry out the total potential national mission model; and

(ii) the missile would not continue to be performed by the Federal Government and the contractor for any third party liability arising from Space Shuttle operations;

(B) identifies the resources that are necessary to carry out the total potential national mission model described in subparagraph (A), including launches conducted on or off a Federal range.

(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.

(d) M ISSIONS REFERRED TO . — The missiles referred to in subsection (c) mean missiles described in subparagraph (C) of paragraph (2) of subsection (a) of section 31, 2007; and

(e) DETERMINATIONS.—For purposes of this section—

(1) the term “total potential national mission model” means a model that—

(A) 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);

(2) the term “total potential national mission model” means a model that—

(A) serves the foreign policy and national security interests of the United States; and

(B) identifies 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:

SEC. .. 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 significant foreign country if the Secretary of Defense has credible information that a member of such unit has committed a gross violation of human rights during the training program, and the information relating to human rights violations that necessitates the waiver.

C O A T S (AND L I E B E R M A N) AMENDMENT NO. 3407

(Or 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:

J OINT WAR FIGHTING 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 assess the defense policy, strategy, 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 important attempts 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 changes and the speed of technological change, which have been greater than expected.

(4) The Chairman of the Joint Chiefs of Staff conducted an environmental vision statement, known as "Joint Vision 2010", to be a basis for the transformation of United States military capabilities. The vision statement embodies the improved intelligence and command and control that is required by a comprehensive assessment of the defense strategy of the United States and the force structure of the Armed Forces necessary for meeting the threats to the United States in the 21st century.

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 required 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 reassessment of the strategy, force structure, force modernization plans, infrastructure, and other elements of the defense program in determining the defense strategy of the United States and establishing a revised defense program through 2005. The Act also established the 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.

AMENDMENT NO. 3403

On page 36, line 22, before the period at the end insert the following: "On page 99, between lines 17 and 18, insert the following:"

AMENDMENT NO. 3404

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

SEC. .. 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 significant foreign country if the Secretary of Defense has credible information that a member of such unit has committed a gross violation of human rights during the training program, and the information relating to human rights violations that necessitates the waiver.

F R I S T AMENDMENT NO. 3405

(Ordained 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.

L E A H Y AMENDMENT NO. 3406

(Ordained 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:

(5) In 1996 Congress, concerned about the shortcomings in defense policies and programs derived from the Base-Force Review of 1990 and the Bottom-Up Review of 1994, and the Secretary of Defense considered that there was a need for a new, comprehensive assessment of the defense strategy of..."
and empowered to design and implement a process of joint experimentation to develop and validate new joint warfighting 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 organization, training and education, materiel, leadership, and personnel.

(12) The Department of Defense is committed to a process of aggressive joint experimentation as a key component of its transformation strategy. The competition of ideas is critical for achieving effective transformation. Joint experimentation by 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. 9. SENSE OF SENATE.
(a) DESIGNATION OF COMMANDER TO HAVE JOINT WARFIGHTING EXPERIMENTATION MISSION.—It is the sense of the 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 designation for joint warfighting experimentation, consistent with the understanding of the Senate that the commander of the Joint Chiefs of Staff will assign the designated commander the tasks to develop and validate new joint warfighting concepts and capabilities, and to determine the implications for doctrine, organization, training and education, materiel, leadership, and personnel, of the Department of Defense strategy for transforming the Armed Forces to meet the national security threats of the future.

(b) RESOURCES OF COMMANDER.—It is, further, the sense of the 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 the Senate that the commander designated to have the joint warfighting experimentation mission also have the authority and responsibility for the following:
(1) Developing and implementing a process of joint experimentation to formulate and validate new joint warfighting concepts and capabilities to meet the operational challenges expected to be encountered by the Armed Forces in the early 21st century.
(2) Coordinating with each of 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 warfighting experimentation, and developing such equipment directly.
(3) Coordinating with each of 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 warfighting experimentation, or, if necessary, acquiring such items and services directly.
(4) Validating and testing in joint warfighting experimentation as part of joint experimentation.
(5) Conducting vulnerability assessments as part of joint experimentation.
(6) Assessing the interoperability of equipment and forces.
(7) Providing the Secretary of Defense and the Chairman of the Joint Chiefs of Staff with the commander’s recommendations (developed on the basis of joint experimentation) for reducing unnecessary redundancy of equipment and forces.
(8) Providing the Secretary of Defense and the Chairman of the Joint Chiefs of Staff with the commander’s recommendations (developed on the basis of joint experimentation) regarding synchronization of the fielding and testing of the equipment of the Armed Forces to enable the development and execution of joint operational concepts.
(9) Submittion of reviews and making recommendations (in conjunction with the joint experimentation and evaluation process) to the Chairman of the Joint Chiefs of Staff on mission statements and operational requirements.
(10) Providing the Secretary of Defense and the Chairman of the Joint Chiefs of Staff the most promising joint concepts and capabilities for experimentation and assessment.
(11) Assisting the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to prioritize joint requirements and acquisition programs on the basis of joint warfighting experimentation.
(12) CONTINUED EXPERIMENTATION BY OTHER DEFENSE ORGANIZATIONS.—It is, further, the sense of the Senate that—
(1) the Armed Forces are expected to continue to develop concepts and conduct intraservice and multiservice warfighting experimentation within their core competencies; and
(2) the commander of 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 the Senate that—
(1) The Senate will carefully review the initial report and annual reports on joint warfighting experimentation required under section 123 of the Vision for transformation of the scope and pace of the transformation of the Armed Forces to meet future challenges to the national security of the United States.
(2) If the progress is inadequate, 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. 10. REPORTS ON JOINT WARFIGHTING EXPERIMENTATION.
(a) INITIAL REPORT.—(1) On such schedule as the Secretary of Defense shall direct, the Commander of the Joint Chiefs of Staff shall—
(A) The commander’s understanding of the command’s specific authority and responsibilities, and of the commander’s relationship to the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Joint Staff, the other unified commands, the Armed Forces and the Defense Agencies.
(B) The organization of the commander’s combatant command, and of its staff, for the conduct of 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) The resources designated or made available as joint warfighting experimentation.
(E) The resources designated or made available as joint warfighting experimentation, including the personnel and funding for the initial implementation of joint experimentation, the process established for tasking forces to participate in joint warfighting experimentation, and the authority of the commander over the forces.
(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, and the authority and process for development and acquisition by the commander directly.
(G) The authority of the commander to develop new and improve joint warfighting concepts (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 and concepts that result from joint experimentation, including the authority and process for development and acquisition by the Armed Forces and the Defense Agencies, and the authority and process for development and acquisition by the commander directly.
(ii) assisting the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to prioritize joint requirements and acquisition programs on the basis of joint warfighting experimentation.
(iii) assisting the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to prioritize joint requirements and acquisition programs on the basis of joint warfighting experimentation.
(iv) assisting the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to prioritize joint requirements and acquisition programs on the basis of joint warfighting experimentation.
(v) assisting the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to prioritize joint requirements and acquisition programs on the basis of joint warfighting experimentation.

(b) ANNUAL REPORT.—(1) On such schedule as the Secretary of Defense shall direct, the Commander of the Joint Chiefs of Staff shall—
(A) Submit an annual report on the conduct of joint warfighting experimentation for the year ending in the year of the report. Not later after April 1, 1999, the Secretary shall submit the report, together with any comments that the Secretary considers appropriate and any other information that the Secretary considers appropriate.
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 Chiefs 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 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, and the commanders of the other combatant commands, the Armed Forces, or the Defense Agencies or activities;

(iii) the organization of the commander’s command and staff for joint warfighting experimentation;

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

(v) the process established for tasking forces to participate in joint experimentation activities or the commander’s specific authorities and responsibilities for joint experimentation;

(vi) the procedures for providing funding for the commander, the categories of funding, or the commander’s authority for budget execution;

(vii) 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;

(viii) the commander’s authority to design, prepare, and conduct joint experiments (including the scenarios and measures of effectiveness used) for assessing operational concepts for meeting future challenges to the national security;

(ix) any role described in subsection (a)(2)(H);

(B) The conduct of joint warfighting experimentation activities, including the number of activities, the forces involved, the national security challenges addressed, the operational concepts assessed, and the scenarios and measures of effectiveness used.

(C) An assessment of the results of warfighting experimentation within the Department of Defense;

(D) The effect of warfighting experimentation on the process for transforming the Armed Forces to meet future challenges to the national security;

(E) Any recommendation that the commander considers appropriate regarding—

(i) the development or acquisition of advanced technologies;

(ii) changes in organizational structure, operational concepts, or joint doctrine.

(F) An assessment of the adequacy of resources, and any recommended changes for the purpose of providing resources, for joint warfighting experimentation.

(G) Any recommended changes in the authority or responsibilities of the commander.

(H) Any other recommendations that the commander considers appropriate.

BINGAMAN AMENDMENT NO. 3408

(Ordered to lie on the table.)

Mr. BINGAMAN 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. (a) The Secretary of Defense in coordination with the Secretary of Health and Human Services, shall carry out a program to distribute surplus dental equipment of the Department of Defense, at no cost to the recipients, to Federally-qualified health centers (within the meaning of section 1905(k)(2)(B) of the Social Security Act (42 U.S.C. 1396d(k)(2)(B))) that serve special medically underserved populations including migratory and seasonal agricultural workers, the homeless, and residents of public housing.

(b) Not later than March 15, 1999, 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,

(A) The national defense budget has been cut in half as a percentage of the gross domestic product;

(B) The national defense budget has been cut by over $300 billion;

(C) The U.S. military force structure has been reduced by more than 30 percent;

(D) The Department of Defense’s operations and maintenance accounts have been reduced by 40 percent;

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

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

(G) The Army has reduced its ranks by over 630,000 soldiers and civilians, closed over 700 installations at home and overseas, and cut 10 divisions from its force structure;

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

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

(j) 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 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 are seriously affecting the ability of the Army, Air Force, and Navy to plan and deploy. 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 combat forces, among them the 1st Armored Division, the 82nd and 101st Airborne formations, and the 2nd and 3rd Infantry Divisions. Key warfighting career fields experiencing even larger drops in enlistments;

(11) In 1997, U.S. Marines in the operating forces have 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 Security Strategy of the United States assumes the ability of the U.S. Armed Forces to prevail in two major regional conflicts; the National Security Strategy of the United States assumes the ability of the U.S. Armed Forces to prevail in two major regional conflicts simultaneously;

(14) To execute the National Security Strategy of the United States, the U.S. Army’s five later-deploying divisions, which constitute almost half of the Army’s active combat forces, are critical to the success of specific war plans;

(15) According to commanders in these divisions, the practice of having soldiers and crew is that those assigned to being personnel are not assigned to be responsible for training and assigning personnel to other units as fillers for exercises and operations, has become common and is degrading unit capability and readiness.

(16) 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 staffed at below 85 percent, and captains and majors were filled at 73 percent;

(17) At the 10th Infantry Division, only 55 of 482 infantry squares, or nearly 12 percent, were filled because personnel are diverted to work in key positions elsewhere.

(18) According to commanders in these divisions, the practice of having personnel at key positions elsewhere; in key positions elsewhere; the Army’s active combat forces, are critical to the success of specific war plans;

(19) To execute the National Security Strategy of the United States, the U.S. Army’s five later-deploying divisions, which constitute almost half of the Army’s active combat forces, are critical to the success of specific war plans;

(20) According to commanders in these divisions, the practice of having personnel at key positions elsewhere; in key positions elsewhere; the Army’s active combat forces, are critical to the success of specific war plans;

(21) At the 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 squares had no personnel assigned. At the 3rd Brigade of the 1st Armored Division, only 50 of 50 tanks had full crews and were qualified, and in one of the Brigade’s two armor battalions, 10 of 50 tanks had no crew members assigned because the personnel were deployed to Bosnia.

(22) At the beginning of fiscal year 1998, the five 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 for the divisions 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:

(24) 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:

(25) 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:

(26) 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:

(27) 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:

Ordered to lie on the table.
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 and Infantry later-deploying divisions to perform routine maintenance.

(25) National Guard budget shortfalls compromise the Guard's readiness levels, capabilities, 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 expenses.

(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.

(c) Report Requirement.

(I) 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, service-by-component, and the effects of the competition for resources service-by-service causing 43 of 116 tank crews to lose their qualifications on the weapon system;

(II) The threats examined for purposes of the Quadrennial Defense Review may be used for purposes of preparing and executing this report. The threats examined for purposes of the Quadrennial Defense Review may be used for purposes of preparing and executing this report.

(II) It is the sense of Congress that—

(A) The readiness of 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 expenses.

(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) The force structure and defense appropriations shall be known as the National Defense Panel. The President shall submit to 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, service-by-component, and the effects of the competition for resources service-by-service causing 43 of 116 tank crews to lose their qualifications on the weapon system;

(E) Defense appropriations are not keeping pace with the expanding needs of the armed forces.

(II) It is the sense of Congress that—

(A) The readiness of 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 expenses.

(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;

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(E) Defense appropriations are not keeping pace with the expanding needs of the armed forces.

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(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) The force structure and defense appropriations shall be known as the National Defense Panel. The President shall submit to 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, service-by-component, and the effects of the competition for resources service-by-service causing 43 of 116 tank crews to lose their qualifications on the weapon system;

(E) Defense appropriations are not keeping pace with the expanding needs of the armed forces.
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) 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 recommendations to the legislative bodies of the Nation that the Panel considers appropriate, as follows:


"(2) The Secretary shall submit to the committees referred to in paragraph (1) a copy of the 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 and agency such information as the Secretary of Defense determines to be necessary 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.—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 5305 of title 5 for each day (including travel time) during which the member is engaged in the performance of the duties of the Panel.

"(g) The Secretary shall furnish the Panel with such administrative and support services requested by the Panel.

"(h) Payment of panel expenses.—The compensation, travel expenses, and per diem allowances of members and employees of the Panel shall be paid out of funds available to 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 out of funds available to the Department for the payment of similar expenses incurred 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). 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 is sufficient to see that the Secretary of Defense conducts 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) Technical 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 116 the following:

"(2) The table of sections at the beginning of chapter 7 of such title is amended by adding at the end 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"
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 protect the lives of the United States citizens.

(d) LIMITATION ON 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 may be obligated or expended after the date of the enactment of this Act for—

(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 prima facie case of any one of the NATO-led forces in preventing armed conflict between the Federation of Bosnia and Herzegovina and the Republika Srpska ("Bosnian Entities");

(3) operations or activities 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 Entities under the Dayton Peace Agreement; or

(B) places 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.

SEC. 4. PRESIDENTIAL REPORT.

(a) Not later than December 1, 1998, the President shall submit to Congress a report on the progress towards meeting the drawdown limit established in section 2(a).

(b) The paragraph (a) shall include an identification of the specific steps taken by the United States Government to transform the NATO-led portion of the peacekeeping mission in the Republic of Bosnia and Herzegovina to European allied nations or organizations.

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:

(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.

DODD AMENDMENT NO. 3415

(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 funds available under title VI for the Defense Health Program, $3,000,000 shall be available for Department of Defense programs relating to Lyme disease and other tick-borne diseases which shall include programs involving risk assessments at military installations, training for medical personnel in the detection, diagnosis and treatment of such diseases, improvement of educational and awareness programs for Armed Forces personnel, development of diagnostic tests for such diseases, testing of repellents, and field testing of new control technologies, and may include other programs.

MURKOWSKI AMENDMENT NO. 3416

(Ordered to lie on the table.)

Mr. MURKOWSKI 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 new section: "From within the Department investments in the Major Regional partnerships that will best leverage Department investments in the Next Generation Centers of the Department, including the high performance networks associated with such centers.

ROBB AMENDMENT NO. 3418

(Ordered to lie on the table.)

Mr. ROBB 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 by title II 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 title II of this Act shall remain available only for payments to persons, communities, or other entities in Italy for reimbursement for damages resulting from the expenses, or for settlement of claims arising from actions or omissions, associated with the accident described in this section: Provided further, That notwithstanding any other provision of law, the amount available under this section may be used to rebuild or repair the funicular system in Cavalese, Italy, destroyed on February 3, 1998, by United States aircraft: Provided further, That any amount paid to any individual or entity from the amount available under this section shall be credited against any amount subsequently determined to be payable to that individual or entity under section 127 or chapter 163 of title 10, United States Code, or any other provision of law for administrative settlement of claims against the United States with respect to damages arising from the accident described in this section: Provided further, That payment of an amount under this section shall not be considered to constitute a statement of legal liability on the part of the United States or otherwise to prejudice any judicial proceeding or investigation arising from the accident described in this section.

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 title 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 over 15 years ago. There have been frequent and credible reports of forced abortion and forced sterilization in connection with 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 policy of the Chinese Communist Party that forced abortion and forced sterilization have no role in the population control program, in fact the Communist Chinese Government encourages both forced abortion and forced sterilization through a combination of strict enforced birth quotas and immunity for local population control officials who engage in coercion. Officials acknowledge that there have been forced abortions and sterilizations, and no evidence has been made available to suggest that the perpetrators have been punished.

(B) People's Republic of China population control officials, in cooperation with employers and works unit officials, routinely monitor women's menstrual cycles and subjects women who conceive without government authorization to extreme psychological pressure, to harsh economic sanctions, in-
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) Excessive and cruel punishments have been inflicted on those whose resistance is motivated by religion. For example, according to a 1995 Amnesty International report, the Chinese Communist government 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 resistors’ 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 eugenics 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 for the Department of State for fiscal year 1999 to issue a 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 for 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. 9011. (a) It is the sense of Congress—

(1) that the President should make every effort to secure the release of religious believers.

(2) that the Chinese Government should ensure religious believers the right to believes, worship and practice of harassing and repressing religious believers.

(3) that the Chinese Government should provide for the Department of Justice for fiscal year 1999 to admit to the United States any national covered by subsection (a).

(b) Notwithstanding any other provision of law, the Attorney General may not utilize any funds appropriated or otherwise available for 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. 9012. (a) Notwithstanding any other provision of law, the President—

(1) determines that it is in the national interest to issue a waiver;

(2) makes a determination that it is in the national interest to issue a waiver;

(3) makes a determination that it is in the national interest to issue a waiver; and

(4) waives the prohibition in subsection (a) or (b) with respect to an individual described in such subsection if the President—

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

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

(b) The goal of these official communications and other methods shall be to eliminate or significantly reduce the need of such personnel for food stamps.

(c) Each potential alternative action included in the report under paragraph (3) or (4) to result in the elimination or a significant reduction in the need of such personnel for food stamps.

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

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

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

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

(f) 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. 2001 et seq.).

Sec. 8104. (a) The Comptroller General shall carry out a study of issues relating to family life, morale, and retention of members of the Armed Forces and their families when Government quarters are not available for such personnel.

(b) In carrying out the study, the Comptroller General shall consult with experts on the families of members of the Armed Forces.

(c) The study shall include the following matters:

(1) The conditions of the family lives of members of the Armed Forces and the members’ needs regarding their family lives, including a discussion of each of the following:

(i) How leaders of the Department of Defense and leaders of each of the Armed Forces—

(A) collect, organize, validate, and assess information to determine those conditions and needs;

(B) determine consistency and variations among the assessments and assessed information for each of the following:

(C) use the information and assessments to address those conditions and needs.
HOLLINGS AMENDMENT NO. 3426

Mr. STEVENS (for Mr. HOLLINGS) 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 or otherwise made available by this Act for the Department of Defense by this Act, up to $10,000,000 may be available for the Department of Defense for development of Ford Island within the Pearl Harbor Naval Complex, Oahu, Hawaii for transportation provided to the veterans eligible for transportation under this section on a space-available basis.

AMENDMENT NO. 3428

Mr. STEVENS (for Mr. INOUYE) proposed three amendments 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 by this Act for the Department of Defense by this Act, up to $10,000,000 may be available for the Department of Defense for development of Ford Island within the Pearl Harbor Naval Complex, Oahu, Hawaii for transportation provided to the veterans eligible for transportation under this section on a space-available basis.

AMENDMENT NO. 3428

Mr. STEVENS (for Mr. KENNEDY) 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 amounts appropriated for the Fiscal Year 1996 by this Act, up to $10,000,000 may be available for the Department of Defense for the military construction projects specified in subsection (b) of this Act. The amount available for the projects specified in subsection (b) of this Act shall be reduced by $8,000,000 for the following:

(a) Through an integrated resourcing plan incorporating both appropriated funds and other resources, the Secretary of Defense shall consider innovative resources development measures, including but not limited to, an enhanced-use leasing program.

(b) The Secretary of the Army shall submit to Congress an enhanced-use leasing program report, including but not limited to, an enhanced-use leasing program similar to that of the Department of Veterans Affairs as well as the sale or other disposal of land in Hawaii under the control of the Navy as part of an overall program for Ford Island development. The report shall include information as to the extent to which the Secretary considers appropriate to transport the interest of the United States.

HOLLINGS AMENDMENT NO. 3426

Mr. STEVENS (for Mr. HOLLINGS) 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 or otherwise made available by this Act for the Department of Defense by this Act, up to $10,000,000 may be available for the Department of Defense for operations recommended therein.

AMENDMENT NO. 3428

Mr. STEVENS (for Mr. KENNEDY) 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 amounts appropriated for the Fiscal Year 1996 by this Act, up to $10,000,000 may be available for the Department of Defense for the military construction projects specified in subsection (b) of this Act. The amount available for the projects specified in subsection (b) of this Act shall be reduced by $8,000,000 for the following:

(a) Through an integrated resourcing plan incorporating both appropriated funds and other resources, the Secretary of Defense shall consider innovative resources development measures, including but not limited to, an enhanced-use leasing program similar to that of the Department of Veterans Affairs as well as the sale or other disposal of land in Hawaii under the control of the Navy as part of an overall program for Ford Island development. The report shall include information as to the extent to which the Secretary considers appropriate to transport the interest of the United States.

HOLLINGS AMENDMENT NO. 3426

Mr. STEVENS (for Mr. HOLLINGS) 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 or otherwise made available by this Act for the Department of Defense by this Act, up to $10,000,000 may be available for the Department of Defense for development of Ford Island within the Pearl Harbor Naval Complex, Oahu, Hawaii for transportation provided to the veterans eligible for transportation under this section on a space-available basis.

AMENDMENT NO. 3428

Mr. STEVENS (for Mr. KENNEDY) 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 amounts appropriated for the Fiscal Year 1996 by this Act, up to $10,000,000 may be available for the Department of Defense for the military construction projects specified in subsection (b) of this Act. The amount available for the projects specified in subsection (b) of this Act shall be reduced by $8,000,000 for the following:

(a) Through an integrated resourcing plan incorporating both appropriated funds and other resources, the Secretary of Defense shall consider innovative resources development measures, including but not limited to, an enhanced-use leasing program similar to that of the Department of Veterans Affairs as well as the sale or other disposal of land in Hawaii under the control of the Navy as part of an overall program for Ford Island development. The report shall include information as to the extent to which the Secretary considers appropriate to transport the interest of the United States.

HOLLINGS AMENDMENT NO. 3426

Mr. STEVENS (for Mr. HOLLINGS) 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 or otherwise made available by this Act for the Department of Defense by this Act, up to $10,000,000 may be available for the Department of Defense for transportation provided to the veterans eligible for transportation under this section on a space-available basis.

AMENDMENT NO. 3428

Mr. STEVENS (for Mr. KENNEDY) 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 amounts appropriated for the Fiscal Year 1996 by this Act, up to $10,000,000 may be available for the Department of Defense for the military construction projects specified in subsection (b) of this Act. The amount available for the projects specified in subsection (b) of this Act shall be reduced by $8,000,000 for the following:

(a) Through an integrated resourcing plan incorporating both appropriated funds and other resources, the Secretary of Defense shall consider innovative resources development measures, including but not limited to, an enhanced-use leasing program similar to that of the Department of Veterans Affairs as well as the sale or other disposal of land in Hawaii under the control of the Navy as part of an overall program for Ford Island development. The report shall include information as to the extent to which the Secretary considers appropriate to transport the interest of the United States.
Mr. STEVENS (for Mr. SARBANES for himself and Mr. CAMPBELL) proposed an amendment to the bill, S. 2132, supra; as follows:

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 such appropriation, $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 against a contractor in connection with construction of the memorial shall be deposited in the general fund of the Treasury.''

MCCONNELL (AND OTHERS) AMENDMENT NO. 3432

Mr. STEVENS (for Mr. McCONNELL for himself, Mr. FORD, and Mr. SHEPHER) 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 described in the Assembled Chemical Weapons Assessment (under section 8065 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”), or a representative or agent of the University, determined by 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.

(c) As consideration for the lease under subsection (a), the University shall—

(1) undertake and incur the cost of the planning, design, and construction required to establish the center referred to in that subsection; and

(2) during the term of the lease, provide the Secretary such space in the center for activities of the Secretary and the University jointly consider appropriate.

(d) The Secretary may require such additional terms and conditions in connection with the lease authorized by subsection (a) as the Secretary considers appropriate to protect the interest of the United States.

MIKULSKI AMENDMENT NO. 3434

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

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

SEC. 8104. Funds appropriated under O&M Navy are available for a vessel scrapping program which the Secretary of the Navy may carry out during fiscal year 1999 and (notwithstanding the expiration of authority to obligate funds appropriated under this heading) fiscal year 2000, and for which the Secretary may define the program scope as that which the Secretary determines sufficient for gathering data on the cost of scrapping Government vessels and for demonstrating cost effective technologies and techniques to scrap such vessels in a manner that is protective of worker safety and health and the environment.

LOTT AMENDMENT NO. 3435

Mr. STEVENS (for 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. The Department of Defense shall, in allocating funds for the Next Generation Internet (NGI) initiative, give full consideration to the allocation of funds to the regional partnerships that will best leverage Department investments in the DoD Major Shared Resource Centers and Centers with supercomputers purchased using DoD RDT&E funds, including the high performance networks associated with such centers.

MURkowski AMENDMENT NO. 3436

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

On page 99, between lines 17 and 18, insert the following new section: “From within the funds provided, with the heading, “Operations and Maintenance, Army,” up to $500,000 shall be made available for paying subcontractors and suppliers for work performed at Fort Wainwright, Alaska, in 1994, under Army services contract number DACA–85–93–C–0050.”

SHELY AMENDMENT NO. 3437

Mr. STEVENS (for Mr. SHELY) 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”, the amount available for Joint Tactical Radio, is hereby reduced by $10,981,000, and the amount available for Army Data Distribution System development is hereby increased by $10,981,000.

COCHRAN AMENDMENT NO. 3441

Mr. STEVENS (for Mr. COCHRAN) 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. Within the amounts appropriated under Title IV of this Act under the heading “Research, Development, Test and Evaluation, Army”, the amount available for joint Tactical Radio is hereby reduced by $10,981,000, and the amount available for Army Data Distribution System development is hereby increased by $10,981,000.

WARNER AMENDMENT NO. 3442

Mr. STEVENS (for Mr. WARNER) 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”, for Digitization, $2,000,000 shall be made available only for the Electronic Circuit Board Manufacturing Development Center.
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available only for the Ditigal Intelligence Situation Mapboard (DISM).

BOXER AMENDMENT NO. 3443
Mr. STEVENS (for Mrs. BOXER) 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, $5,000,000 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. 8204. (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).
(c) Subsection (b)(3) of such section is amended to read as follows:

"(2) 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—
(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.’’.

DODD AMENDMENT NO. 3445
Mr. STEVENS (for Mr. Dodd) proposed an amendment to the bill, S. 2132, supra; as follows:
On page 36, line 22, insert before the period at the end the following: "Provided, That, of the funds available under this heading, $3,000,000 shall be available for the research and surveillance activities relating to Lyme disease and other tick-borne diseases.”

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. KYL) proposed an amendment to the bill, S. 2132, supra; as follows:
On page 99, between lines 17 and 18, insert the following:

SEC. 8204. (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 hundred dollars.

(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.

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. Of the funds provided under Title IV of this Act under the heading "Research, Development, Test and Evaluation, Navy", the amount available for Hard and Deeply Buried Target Defeat System is hereby reduced by $9,827,000.

McCoy amendment no. 3449
Mr. STEVENS (for Mr. GRASSLEY) proposed an amendment to the bill, S. 2132, supra; as follows:
(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".

HARKIN AMENDMENT NO. 3450
Mr. STEVENS (for Mr. HARKIN) 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. 8014. (a) Within the amounts appropriated under title IV of this Act under the heading "Research, Development, Test and Evaluation, Defense-wide, for Basic Research, $29,646,000 is available for research and development relating to Persian Gulf illnesses.

STEVENS AMENDMENT NO. 3451
Mr. STEVENS 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 amounts appropriated under title IV of this Act under the heading "Research, Development, Test and Evaluation, Army", the amount available for Consolidated Training Systems Development is hereby increased by $9,627,000.

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 of 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—
the types of health care services offered by each option and plan under comparison;
the ceilings, if any, imposed on the amounts paid for covered services under each option and plan under comparison;
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 directed medicare-eligible individuals from obtaining health care services from military treatment facilities, including—
(A) an estimate of the number of such indi-
viduals discouraged from obtaining health-
care services from such facilities during the
two-year period ending with the commence-
ment of the implementation of the TRICARE
program; and
(B) an estimate of the number of such indi-
viduals discouraged from obtaining health-
care services from such facilities during the
two-year period following the commence-
ment of the implementation of the TRICARE
program.

(4) An assessment of any other matters that
the Comptroller General considers ap-
propriate for purposes of this section.
(c) In this section:
(1) The term "TRICARE 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.

Mr. STEVENS (for Mr. McCaIN for
himself and Mrs. HUTCHISON) pro-
posed 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 Army
and the Secretary of the Air Force may each
enter into one or more multiyear leases of
non-tactical firefighting equipment, non-tac-
tical snow removal equipment, and non-tactical
snow removal equipment. The period of a
lease entered into under this section shall be
for any period not in excess of 10 years. Any
such lease shall provide that performance
under the lease during the second and subse-
quent years of the contract is contingent
upon the appropriation of funds and shall
provide for a cancellation payment to be
made to the lessor if such appropriations are
not made.
(b) Lease payments made under subsection
(a) shall be made from amounts provided in
this or future appropriations Acts.
(c) This section is effective for all fiscal
years beginning after September 30, 1998.

Mr. STEVENS (for Mr. BUMPERS) pro-
posed an amendment to the bill, S. 2132,
supra; as follows:

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

"Sec. 9. Of the amounts appropriated in
this bill for the Defense Threat seduction
and Treaty Compliance Agency and for Oper-
ations and Maintenance, National Guard,
$1,500,000 shall be available to develop train-
ing materials and a curriculum for a Domes-
tic Preparedness Sustainment Training Cen-
ter at Pine Bluff Arsenal, Arkansas."

Mr. STEVENS (for Mr. FAIRCLOTh) pro-
posed 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 $10,000,000 may be made available only
for the efforts associated with building and
demonstrating a deployable mobile large
aerostat system platform.

Mr. STEVENS (for Mr. BAUCUS) pro-
posed an amendment to the bill, S. 2132,
supra; as follows:

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

SEC. 8104. Out of the funds available for the
Department of Defense under title VI of this
Act for chemical agents and munitions, De-
fense, or the unobligated balances of funds
available for chemical agents and munitions
destruction, Defense, under any other Act
providing for military functions administered by the Department of De-
fense for any fiscal year, the Secretary of
Defense may use not more than $25,000,000 for
a隐瞒led Chemical Weapons Assess-
ment to complete the demonstration of al-
ternatives to baseline incineration for the
destruction of chemical agents and muni-
tions, and to carry out the pilot program under
section 8065 of the Department of De-
fense Appropriations Act, 1997 (section 101(b)
of Public Law 104-208, 110 Stat. 3009-101; 50
USCA 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 dem-
stration of the alternatives and to carry out
the pilot program: Provided, That none of
these funds shall be taken from any ongoing
operational chemical munion destruction
programs.

Mr. STEVENS (for Mr. WELLSTONE) pro-
posed an amendment to the bill, S. 2132,
supra; as follows:

At the appropriate place, add the follow-
ing:

Findings:
Children expert estimates that as many as
250,000 children under the age of 18 are cur-
ting in armed forces or armed groups in more than 40 countries around the
world;
Temporary armed conflict has caused
the deaths of two, 000,000 minors in the last de-
ade alone, and has left an estimated 6,000,000
children seriously injured or permanently
disabled;
Children are uniquely vulnerable to mili-
tary recruitment because of their emotional
and physical immaturity, are easily manipu-
lated, and can be drawn into violence that
they are too young to resist or understand;
Children are most likely to become child
soldiers if they are poor, separated from
their families, displaced from their homes,
living in a combat zone, or have limited ac-
cess to education;
orphans and refugees are particularly vul-
erable to recruitment;
one of the most egregious examples of the
use of child soldiers is the abduction of some,
some as young as 8 years of age, by the Lord's Resistance Army (in this
resolution referred to as the "LRA") in
northern Uganda;
"The Department of State's Country Reports
on Human Rights Practices for 1997 reports
that in Uganda the LRA kills, maims, and
rapes large numbers of civilians, and forces
abducted children into "virtual slavery as
guards, concubines, and soldiers";
children abducted by the LRA are forced
to loot and loot villages, fight in the front line
against the Ugandan army, and forces
the Sudan People's Liberation Army (SPLA);
serve as sexual slaves to rebel commanders,
and participate in the killing of other chil-
dren who try to escape;
former LRA child captives report witness-
ing Sudanese government soldiers delivering
food supplies, and washing and cleaning
arms to LRA base camps in government-con-
trolled southern Sudan;
Children who manage to escape from LRA
captivity have little access to trauma care
and rehabilitation programs, and many find
their families displaced, unlocatable, dead,
or fearful of having their children return
home.
Graca Machel, the former United Nations
expert on the impact of armed conflict on
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 1989, 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. 1. (a) The Senate hereby—

(1) deplores the global use of child soldiers and supports their immediate demobilization;

(2) condemns the abduction of Ugandan children by the LRA;

(3) 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

(4) encourages the United States delegation 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 in 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 Counterterror Technical Support in the Department of Defense Appropriations Act, 1998 (under title IV of Public Law 105-56) for the projects and in the amount provided 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 Program shall be used to develop and test alternative turbine engines for missiles.

BENNETT AMENDMENT NO. 3462
Mr. STEVENS (for Mr. BENNETT) 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, 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. 1. (a) GUARANTEE OF RESIDENCY.—Article VII of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. 90 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 terms of aAGR for the projects and in the amount provided 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 Program shall be used to develop and test alternative turbine engines for missiles.

BENNETT AMENDMENT NO. 3462
Mr. STEVENS (for Mr. BENNETT) 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, 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. 1. (a) GUARANTEE OF RESIDENCY.—Article VII of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. 90 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 terms of a...
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 for the Army, 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 end of FY 1998, the backlog of unpaid retired pay for members and former members of the Army (including members and former members of the Army Reserve and the Army National Guard).

(c) Not later than 30 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the actions taken under subsection (b). The report shall include the following:

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

(ii) The extent of the remaining backlog.

(iii) 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) The Secretary of Defense may take such actions as are necessary to ensure the allocation does not detract from the military resources to the National Personnel Center, allocations of Department of Defense resources to the National Personnel Center, allocations of Department of Defense resources to the National Personnel Center, and the following:

(b) The Secretary of Defense may include, except as provided in paragraph (3), any additional actions that are necessary to ensure that retired pay is paid in a timely manner.

**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, $300,000 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;

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

(b)(1) The Secretary of Defense shall delineate the policies and procedures that the Secretary considers necessary to provide the maximum possible protections for the confidentiality of communications described in paragraph (1) from disclosure to misconduct described in that subsection.

(b)(2) The regulations shall provide the following:

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

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

(iii) Not later than 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).

**ROBB AMENDMENT NO. 3476**

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

On the appropriate place, insert:

Findings:

On the third of February a United States Marine Corps jet aircraft, while providing 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 Castelnuovo, resulting in the death of twenty civilians.

The crew of the aircraft, facing criminal charges, is entitled to a speedy trial and is entitled to protections and advantages of the U.S. system of justice;
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 paid 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 by remaining confused continues 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 (SOFA), 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 for damages with the Ministry of Defense, in which it is expected to take 12-18 months, and, if the Ministry’s offer in settlement is not acceptable, which it is not likely to be, the claimant must then resort to the Italian court system, where civil cases for wrongful death are reported to take up to ten years to resolve.

While 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 claim 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:

**SECT. 1. TRAINING AND OTHER PROGRAMS.**

(a) Sense of the Senate 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. BREAuX) proposed an amendment to the bill, S. 2132, supra; as follows:

At the appropriate place, insert:

**SECT. 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 social security portion of the payroll tax is capped at $92,400. Therefore, the lower a family’s income, the more they pay in payroll tax as a percentage of income. The Congressional Budget Office has estimated that for those families who pay payroll taxes, 80 percent pay more in payroll taxes than in income taxes.

(4) In 1996, the median household income was $35,492, and a family earning that amount and taking standard deductions and 12.4 percent of that income paid for the payroll 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 burden may 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) the Congress provides 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:

**SECT. 1. SHORT TITLE.**

This Act may be cited as the “Curt Flood Act of 1998.”

**SECT. 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 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.

**SECT. 3. APPLICATION OF THE ANTITRUST LAWS TO 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 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 any organized professional baseball relating to or affecting employment to play baseball at the minor league level, any organized professional baseball minor league, or professional athletes, or first-year player drafts, 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’ organized professional athletes, or the marketing or sales of the entertainment product of organized professional baseball and the licensing of intellectual property rights by organized professional baseball teams individually or collectively;

(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 Owner of the Club and its franchise owners, the marketing or sales of the entertainment product of organized professional baseball and the licensing of intellectual property rights by organized professional baseball teams individually or collectively;

(4) any conduct, acts, practices or agreements related to or affecting the marketing of books, periodicals, newspapers, tickets, and the like, created, distributed, or otherwise sold by organized professional baseball teams, including the sport of baseball, and for other purposes; as follows:

The Sports Broadcasting Act of 1961;