United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, TUESDAY, JULY 8, 1997 No. 95

Senate

The Senate met at 10 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

As we watch the movements of Sojourner from Pathfinder on Mars, we exclaim with the Psalmist, ''When I consider Your heavens, the work of Your fingers, the moon and the stars, which You have ordained, what is man that You are mindful of him and the son of man that You visit him? For You have made him a little lower than the angels and You have crowned him with glory and honor. You have made him to have dominion over the works of Your hands''.—Psalm 8:3–6.

O Yahweh, our Adonai, how excellent is Your name in all the Earth and the farthest reaches of the Earth's universe. You are Sovereign of universes within universes. We praise You that You have enabled us to reach out into space to behold Your majesty and come to grips with the magnitude of the realm of dominion You have entrusted to us. Our eyes have been glued to our television sets to witness the awesome achievement of landing Pathfinder on Mars and we have seen the venture of rover Sojourner on Martian rock after a 309-million-mile, 7-month journey from Earth. Guide our space scientists as they gather information about Mars and we are reminded of the reaches of Your Lordship.

And meanwhile, back to the planet Earth, back to the problems and potentials we face, and back to the U.S. Senate where You empower the leaders of humankind to grapple with the challenges, and grasp the opportunities in our time and in our space. As we work today, remind us that You created Mars and the Earth and will direct us to solutions to the complex problems we face. We bless and praise You for the privilege, Creator, Redeemer, and Lord of Lords. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. THOMAS. Thank you, Mr. President. Today following morning business, the Senate will resume consideration of S. 936, the defense authorization bill. As previously ordered, from 12:30 until 2:15 p.m., the Senate will stand in recess for the weekly policy luncheons. At 2:15, the Senate will proceed to a cloture vote on the defense authorization bill. The majority leader is hopeful that cloture can be invoked so that the Senate can complete action on the defense bill this week.

As a reminder, Senators have until 12:30 today to file second-degree amendments on the defense bill. On behalf of the majority leader, I remind all Senators that we are now in a busy legislative period prior to the August recess. The appropriations process has begun and Senators should now expect rollcall votes occurring Monday through Friday of each week. I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. INHOFE). Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for up to 5 minutes each.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. I ask unanimous consent to speak as in morning business for 15 minutes.

Mr. THOMAS. Mr. President, reserving the right to object, what is the time allocation?

The PRESIDING OFFICER. The time allocation is for not to exceed 5 minutes each. The Senator from Wisconsin does have, under the previous order, 15 minutes.

The Senator from Wisconsin [Mr. FEINGOLD] is recognized.

Mr. FEINGOLD. Thank you, Mr. President.

THE NEED FOR CAMPAIGN FINANCE REFORM

Mr. FEINGOLD. It was just about 1 year ago, Mr. President, last June, when I stood here on the Senate floor with the senior Senator from Arizona, Senator MCCAIN, and others, and participated in a somewhat abbreviated debate on the need for meaningful, bipartisan campaign reform.

We discussed several issues during that debate, Mr. President. We talked about the 1994 elections and the resulting record amount of campaign spending in that election.

We had a chance to talk briefly about how one candidate for the U.S. Senate had spent $30 million of his own money to try and win a California Senate seat.

We talked about how the average amount of money spent by a winning 1994 Senate candidate had, unfortunately, reached over $4.6 million. We talked about the damaging effect that the unabated flow of campaign cash had on our political system as well as on the public perceptions of this institution.

In response to all of that, interestingly, we were told by opponents of reform that all was well, that spiraling campaign spending would somehow strengthen our democracy, and that our system was far from crying out for reform.

And then, on a quiet Tuesday afternoon, after a few paltry hours of debate

and absolutely no opportunity for Senators to offer amendments, the bipartisan McCain-Feingold reform bill fell six votes short of breaking a filibuster, and that was done effectively by the guardians of the status quo.

That was a year ago, Mr. President. Although our opponents continue to proclaim that all is well and reform is not a priority, the evidence from the 1996 campaign stands in stark contrast to the declarations of those who are trying to defend the indefensible.

Last year, according to the Washington Post, candidates and parties spent a record amount of money on Federal elections—$2.7 billion. Mr. President, $2.7 billion was spent on those elections, which is an all-time record. This record amount of campaign spending, I assume, is exactly what the opponents of reform, including the Speaker of the other body and the junior Senator from Kentucky had really hoped would happen.

Recall Speaker GINGRICH's words from the last Congress:

> One of the greatest myths in modern politics is that campaigns are too expensive. The political process, in fact, is not overfunded, but underfunded.

My distinguished colleague from Kentucky, referring to the 1996 election said:

> I look on all that election activity as a healthy sign of a vibrant democracy.

Well, Mr. President, back here on planet Earth, and back home in my State of Wisconsin, the American people have a very different view. They are disgusted by our current campaign finance system. They are appalled at the insane amount of money that is being spent on democratic elections. And not surprisingly, they told us how appalled they are by staying home in huge numbers last November. In fact, fewer Americans turned out to vote in 1996 than in any Presidential election year in the last 72 years.

There are mountains of evidence demonstrating the failure of current election laws. Poll after poll demonstrates the mistrust and cynicism the public feels toward this institution as a result of large campaign contributions.

The newspapers and nightly news programs are brimming with reports of election scandals, with charges and countercharges of abuse and illegality filling the headlines every day.

Scores of candidates—including many current officeholders—are choosing not to run for office principally because of the millions of dollars needed for a campaign for the U.S. Senate. In fact, the theory that unlimited campaign spending produces competitive elections has been completely discredited, as the average margin of victory in Senate elections last year was 17 percent.

Let me repeat that, Mr. President. Not only did 95 percent of incumbent Senators win reelection last November, most of these elections weren't even close. On average, 17 percentage points separated the winners from the losers.

Mr. President, while Rome burns and our campaign finance system crumbles all around us, the junior Senator from Kentucky characterizes the chaos of the 1996 elections as a healthy sign of a vibrant democracy.

Mr. President, as the U.S. Senate continues to duck and weave and dodge around the issue of campaign finance reform, the American people are becoming more and more convinced that we here in this body do not have the courage or the will to reform a system that has provided Members of this institution with a consistent reelection rate of well over 90 percent.

As we all know, Mr. President, this week hearings will begin in the Governmental Affairs Committee on the abuses and possible illegalities that occurred in the last election. I can think of no better time for us to make a major step forward to fundamentally overhaul our failed election laws.

Opponents of reform will surely assert that we should wait until the conclusion of these hearings before we consider reform legislation, so we can adequately identify the loopholes and the gaps and holes in our campaign finance system. But, Mr. President, in the last 10 years on this issue alone, we have had 15 reports by 6 different congressional committees, over 1,000 pages of committee reports, 29 sets of hearings, 49 days of testimony, over 6,700 pages of hearings, 522 witnesses, 446 different legislative proposals, more than 3,300 floor speeches, 76 CRS reports, 113 Senate votes, and 17 different filibusters.

So I think it is safe to assume that we have probably reviewed this issue more than almost any other issue pending before this body.

So, Mr. President, it is time now for serious consideration of reform legislation. I have joined with the senior Senator from Arizona, and others, in authoring the only comprehensive, bipartisan plan to be introduced in the Senate this year.

Mr. President, we are very aware that this bill is not perfect. Some have voiced their concerns or objections about this or that provision, or have criticized the legislation for not addressing particular areas. As we have said—and I think as we have shown all along—this legislation is primarily a vehicle for reform, and we are more than willing to consider additions, deletions, or modifications to the package.

We do have some bottom lines, though. First, we should have a full and robust debate on the issue, with all Senators having the opportunity both to debate the many complicated issues involved here and, also, to have the opportunity they didn't have last year to offer amendments.

Second, it is imperative that any legislative vehicle ban on so-called party soft money. These are the monstrous, unlimited and unregulated contributions that have poured in from labor unions, corporations, and wealthy individuals to the political parties.

It is these multihundred-thousand-dollar campaign contributions that were, more than anything else, at the root of the abuses and outrage stemming from the 1996 elections. Individuals and organizations certainly should have the opportunity to contribute to their parties with funds that can be used for Federal elections. But all of those funds, Mr. President, should be raised and spent within the scope and context of Federal election law.

Finally, Mr. President, we must have provisions in this reform legislation that encourage candidates to spend less money on their campaigns and, if we can, to encourage them to raise most of their campaign funds from the people they intend to represent in their district or State.

We have to provide candidates, and particularly challengers who have less access to large financial resources, with the tools and means to effectively convey their message, without having to raise and spend millions of dollars.

Unless we take fundamental steps to change the 90 to 95 percent reelection rates for incumbents that are seemingly enshrined under current election laws, the American people will justifiably perceive such reform as little more than one more incumbent protection plan.

Mr. President, the senior Senator from Arizona and I have waited quite patiently for the opportunity to have this historic debate. It is my hope that we can sit down with the majority leader in the coming days and begin the process of bringing such a meaningful discussion to the Senate floor in the next few weeks.

I look forward to that discussion, and I hope that it will eventually lead to passage of bipartisan reform legislation that will result in what I like to call moderate, mutual disarmament.

I thank the Chair and I yield the floor.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I think we have 30 minutes set aside.

The PRESIDING OFFICER. The Senator from Wyoming is recognized. Under a previous order, the majority leader or his designee is to be recognized to speak for 30 minutes.

The Senator from Wyoming is recognized.

Mr. THOMAS. Thank you, Mr. President.

ORDER FOR CLOTURE VOTE AT 3 P.M.

Mr. THOMAS. Mr. President, may I first, in behalf of the leader, ask unanimous consent that the previously ordered cloture vote now occur at 3 p.m. today.

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

Mr. THOMAS. For the information of all Senators, the cloture vote earlier scheduled at 2:15 will now occur at 3 p.m.

Thank you, Mr. President.

TAX RELIEF

Mr. THOMAS. Mr. President, I want to take this time—and I am sure some of my colleagues will join me—to talk a little bit about one of the items that has been before us and will continue to be before us that I think is probably the premier legislature, and that is tax relief.

I hope, as we move toward the conference committee agreement and as we move toward voting again in the Senate and in the House on tax relief, that we will keep in mind the big picture; the idea that American taxpayers are working harder than ever before, and the concept and the fact that the typical family is now paying more in taxes than they do for food, shelter, and clothing. Too many families have to rely on two incomes, partially because of the burden of taxes. The typical worker faces nearly 3 hours of an 8-hour day to pay their taxes.

So that is what we are talking about. Of course, it is appropriate to talk about and of course it is appropriate to debate how this tax relief is designed. But we ought to keep in mind that we are talking about for the first time in 10 years significant reductions in taxes—tax relief for American families.

What are we talking about? First of all, a child tax credit; $500 per child tax credit, so the families can use their own money to spend in their own way to support their own children.

We are talking about educational tax incentives; tax credits so that tuition for higher education can be offset with tax credits. We are talking about the reduction so that families can send their kids to college.

We are talking about retirement savings; IRA's to encourage savings to cause people to prepare for their old age, to be able to put away money and have incentive to do that by the incentive of providing for tax-free savings.

Capital gains reduction; taxes on capital gains to be reduced in order to encourage investment so that we could create jobs and so we create an economy that is healthy and robust.

Estate and gift tax relief. I happen to come from a State where there are a large number of small businesses, where we have lots of farmers and ranches, and families work their entire lives to put together a business or put together a farm or ranch, and when the time comes when there is a death in the family, they often have to sell these assets to pay 50 percent in taxes. That ought to be changed.

So I hope we can focus on those things that are beneficial and those things that are useful. I hope we don't allow this idea to be politicized. I hope we don't allow ourselves to enter into this political class conflict which, frankly, the administration is moving toward.

I was disappointed that the Secretary of the Treasury has gotten into sort of political class warfare. It seems to me if there is one office in the Cabinet that ought to be one that you can sort of depend on for facts, that it ought to be the person who is in charge of monetary policy, who is in charge of our money. Unfortunately, that has not been the case. I hope that it changes. The idea that some opposition, those who really do not want tax relief has been to make it a class warfare thing. And indeed it isn't.

According to Robert Novak, in his article, economist Gary Robbins showed that 75 percent of the tax cuts go to people who make $57,000 or less in adjusted income. I think that is interesting. Those are the people who pay 38 percent of the total taxes. Taxpayers who get more than $200,000 in income would get but one dime of relief for every $100 in total taxes.

This is not a tax break for the rich. Interestingly enough, in the same article he indicates—this is a congressional Joint Economic Committee using Treasury data—that the upper fifth of income now pays 63 percent of all income taxes. After the proposed tax cuts, the figure remains exactly 63 percent.

Similarly, the share paid by the bottom two-fifths of the income earners remains unchanged.

This is not a tax break for the rich.

We will hear some things about the tax cuts for the rich. Actually, 75 percent of the taxes, as I said, go to families who make less than $75,000. Families with two kids making $30,000 a year, their tax bill will be cut in half; less than half.

So, Mr. President, we have the first opportunity since early in the 1980's to have some tax relief for people who are heavily burdened with taxes.

If in fact the era of big Government is over, then we need to have big taxes to be over as well. We have the highest percentage of gross national product paid now in taxes in history —the highest percentage.

So, as we move away from big Government, we ought to allow American families to spend more of their own money.

Mr. President, I yield to my friend from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. Mr. President, I thank my friend and colleague from Wyoming for an opportunity to speak this morning about something that is rather important to Americans, all Americans, Americans who pay the bill, the forgotten American, I think, as we enter this next phase of debate in this country about tax relief. Make no mistake, Mr. President, this is what it is about. This is not about social tinkering. It is not about environmental policy. It is about tax relief—tax relief for those people who pay taxes, those people who have been footing the bill in this country for a long time. So, let's first of all put this in perspective.

I say that especially in light of the news conference that I saw yesterday and again this morning held by the Vice President and Secretary Rubin. I have the highest regard for Vice President Gore and Secretary Rubin, but I was astounded that much of the focus in that news conference was not about tax relief for the average middle-class American. It was about brownfields. It was about inner cities. It was about other policies.

This policy is about providing Americans tax relief, providing relief for the forgotten American.

The bill that we passed in this body 2 weeks ago, and the bill that was passed in the House 2 weeks ago, is not perfect, but it is a very significant first step. As my friend and colleague from Wyoming just said, it is the first significant tax relief legislation in 16 years.

We are here to do the Nation's business. We are here to focus on the average man and woman who pay their taxes, raise their family, and need to keep more of their income. You heard all of the numbers. You heard the statistics. But I think it is worth noting that we talk a little bit about what is in fact—in fact, not theory, not fabrication, not imputed income, not phony economic tax models that we are hearing from some corners—but in fact what is in this bill. Let's just take a moment to review some of this.

This is about helping the 6 in 10 Americans who must file Federal tax returns, the people who work hard to make a good life for themselves, their families, and their communities.

It is about helping the 3 in 4 Americans who file tax returns and earn less than $50,000 a year. Three-fourths of all taxpayers make less than $50,000 a year. In fact, three-fourths of all the tax cuts in the Taxpayer Relief Act that the Senate and the House passed overwhelmingly in a very strong, bipartisan way go to people making less than $75,000 a year.

This act has a number of provisions that will help families, small businesses, students, farmers, ranchers, and single parents who earn less than $75,000 a year. Couples earning less than $110,000 will get the full benefit of the family tax relief in this bill.

Parents with children age 12 and under get a $500 per child tax credit against their taxes—keeping more of their money. Parents with children ages 13 to 16 also get a tax credit. The Taxpayer Relief Act allows parents to set up special tax-deferred savings accounts to help with their children's education. It allows single people with incomes under $50,000 and couples with incomes under a $100,000 a tax credit for part of their children's college expenses.

Mr. President, come on. This is not a rich person's tax bill. This is a middle-class, average-American tax bill. And anyone who says to the contrary doesn't understand what we are doing here.

This also allows recent college graduates who are struggling to get established to deduct up to $2,500 in student

loan interest payments during each of their first few years after graduation.

Capital gains tax cuts will help anyone who owns property—not rich people. Come on. Anyone who owns property is affected by the capital gains tax in this country. A capital gains tax cut helps middle-class Americans. Fifty-six percent of all tax returns reporting capital gains come from taxpayers with total incomes below $50,000. We move in this bill capital gains taxes from 28 percent to 20 percent.

Estate tax cuts will help millions of Americans. Both the House and Senate bills raised the estate tax exemptions to $1 million. It is not perfect. We need more. Of course, we do. But it is a good, strong beginning. It is a start. We need to phase these out. These estate taxes are not only unfair but they are un-American. You work all of your life. You work hard. You pay taxes. And at the end automatically the Government comes in and takes half of your estate.

You tell me, Mr. President, where that is fair. Some people think it is. I don't. I don't think most Americans think it is fair.

There are many, many other tax provisions in this bill to help farmers with livestock killed by severe weather and farmers hurt by unwarranted IRS rulings regarding the alternative minimum tax. Truckers are restored with the business meal deduction to 80 percent.

These are not rich people.

This bill helps small businesses by delaying a new, burdensome requirement that they file their income tax returns on anything other than electronic payroll tax means.

It helps universities and other researchers by extending the research and experimentation tax credit.

It helps people suffering from rare diseases by permanently extending the orphan drug tax credit.

This is real America. This is for real Americans.

We need to pass this tax relief bill. None of us likes everything in this bill. But we can either squabble ourselves into total stalemate or we can pass this bill and get the first real tax cuts since 1981.

Congress needs to reconcile this, move ahead in our conference, and send it to the President. He needs to sign it. America expects us to do this business. Mr. President, we have a responsibility and an obligation to do America's business.

I encourage my colleagues in the U.S. Senate and in the House to do the right thing and vote for a conference report and bring real tax relief to the American public.

Mr. President, I yield the floor.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I think it is interesting that new Members, such as the Senator from Nebraska, who come from the private sector come here and feel very passionate about this and come more recently talking in behalf of people who are paying taxes. That is great. I appreciate it.

Another Senator who has worked most diligently on tax relief since he has been in the Senate is the Senator from Minnesota. I yield 5 minutes to him.

The PRESIDING OFFICER. The Senator from Minnesota is recognized to speak for 5 minutes.

Mr. GRAMS. Thank you, Mr. President.

Mr. President, Washington has undergone a remarkable transformation since the people of Minnesota first sent me here in 1993. Back then, no one was talking about tax relief. Certainly no one was talking about family tax relief. And with both the White House and Congress under Democratic control, the chances were slim that we would ever have an opportunity to give working Americans the tax relief they so desperately need.

My good friend and colleague from Arkansas, Senator HUTCHINSON, and I were freshman Members of the House in 1993 when we came together to develop a budget proposal that could serve as the taxpayers' alternative to the higher taxes and bigger government plan offered by President Clinton. The key component of our legislation at that time was family tax relief, and that was through the $500-per-child tax credit.

We were able to convince the House and the Senate leadership to make our families-first bill—with the $500-per-child tax credit as its centerpiece—the Republican budget alternative back in 1994. That November it became known as the crown jewel of the Contract With America. The Washington crowd was finally beginning to listen to the people and to talk about tax relief. In 1995, the $500-per-child tax credit seemed certain to finally be passed into law, with a Republican congressional majority and a President who had campaigned at that time on family tax relief. Unfortunately, however, it never made it past the President's desk.

In 1996, the voters again asked us to enact the taxpayers' agenda, but this time they wanted Congress and the President to come together to complete the work that we started in the 104th Congress. So this May, both President Clinton and the congressional leadership agreed on a number of tax-cutting measures built around the $500-per-child tax credit. The House and Senate passed them in a reconciliation package just before the Fourth of July recess.

Mr. President, working families need tax relief today more than ever, and Minnesotans have asked me to make it a top priority because taxes dominate the family budget. In fact, a survey just released in Minnesota last week showed that the main concern of Minnesota families was taxes.

Now, you factor in State and local taxes and also those hidden taxes that result from the high cost of Government regulation, and a family today gives up more than 50 percent—50 percent—of its annual income to the Government.

So all we are saying is let us allow the working people of this Nation to keep a little bit more of their own money in their pockets.

It is hard to believe that there are some who say we are offering too much in the way of tax relief in our Senate budget plan, and that is just plain wrong. Working families are not getting nearly the amount of tax relief we promised them.

Over the next 5 years, as we know, the Federal Government will take in about $8.7 trillion in taxes from the American people. What we are asking in this bill is just that 1 cent of every dollar the Government plans to take from the taxpayer be left in their hands.

That is what the $500-per-child tax credit and other tax cuts are all about, and that is making sure that a penny earned by working Americans would be a penny kept.

Unfortunately, by imposing severe restrictions on who can receive it, the $500-per-child tax credit proposal passed by the Senate falls still well short of delivering meaningful tax relief to working families that are trying to raise children.

The $500-per-child tax credit that I introduced originally says families are eligible for the credit as long as their children are under the age of 18. The bill passed by the Senate, however, cuts the tax credit once a child reaches the age of 13. If your children are between the ages of 13 and 16, the Senate bill says we will give you a tax credit but only if you spend it the way Washington thinks it should be spent. In this case, it would have to be spent on education.

I applaud the parents who take the $500-per-child tax credit and dedicate it to their child's college education fund, but that is a decision that belongs with parents, not with Washington.

It is not our place to tell families what they can and what they cannot do with their own money. Some may elect to spend that $500 on braces for their child or groceries or maybe health insurance, and that is fine because it is their money. An unrestricted $500-per-child tax credit takes the power out of the hands of Washington's big spenders, and it would put it back where it could do the most good, and that is with families.

The second unreasonable restriction in the Senate bill was to deny the child tax credit to families with children at the age of 17. According to the Agriculture Department, this age group is the most expensive one in the typical middle-income household, and it makes no sense to cut off the tax relief just when working families need it most.

The hard-working families of Minnesota and the Nation have been waiting far too long since Congress last cut

their taxes—16 years ago. And we have yet to prove to them that we understand and, more importantly, we appreciate the hardships they face every day. I know we cannot increase the level of tax relief we are offering in the fiscal 1998 budget, but I urge my colleagues, the conferees, to take whatever steps they can to repair the $500-per-child tax credit so that it benefits the maximum number of Americans.

This debate will be revisited many times in the months ahead and the years ahead, and I look forward to working again with my fellow Senators to finally deliver on the tax relief promise that we made to the people.

I thank the Chair. I yield the floor.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, I wish to thank you and those who are participating in this discussion for bringing this up. This is a very difficult and frustrating time for all of us, and I think the Senator from Nebraska, Mr. HAGEL, gave a pretty good outline of what this is all about, what we want to accomplish, and what we have offered. And when I say ''we,'' I am not talking about the Republican Party. I am talking about Congress.

To put it in perspective, the House passed the tax cut bill on June 26—just June 26—and it passed by a fairly substantial margin, 253 to 179. There was a substitute that was offered by Congressman RANGEL that has come in the nature of what the President is announcing now, and it was rejected by 197 to 235. Then the Senate, on the following day, June 27, passed a tax cut bill 80 to 18. When the minority leader, Senator DASCHLE, offered a substitute, it was rejected 38 to 61.

So we went through a long and arduous process of having 29 amendments. We finally came up with a product, and we went out for the Fourth of July recess. And after we were out, the President announced a different, totally different tax cut plan while Congress was out of town, when we did not have any chance to react to it, and now he is saying that he wants his plan. His plan doesn't really provide tax cuts that are meaningful and will have a positive effect on our economy.

I have to ask the question, Mr. President, what has happened to the Democrats in their philosophy? The whole idea that we can cut taxes and increase revenue is not a Republican idea, and yet it is totally rejected by this administration. I can remember when President Clinton was first elected. His chief financial adviser, Laura Tyson, was quoted as having said there is no relationship between the level of taxes that a country pays and its economic productivity.

I suggest that if that is true, if you carry that to its logical extreme, you could tax everybody 100 percent and they will work just as hard, but we know that does not happen. And up until this administration, the Democrats knew that that could not happen.

I have to credit a Democrat with the whole idea that you can increase revenue by cutting taxes, exactly what we are trying to do, looking at taxes in general. President Kennedy said in 1962, and this is a direct quote:

> It is a paradoxical truth that tax rates are too high today and tax revenues are too low, and the soundest way to raise the revenues in the long run is to cut rates now.

The soundest way to raise revenues is to cut rates now. That is exactly what we are trying to do. And we remember what happened during the Kennedy administration. The first year he was in office, the total revenues that came in to support government, that we used to spend on government, amounted to $79 billion. After he went through his series of tax reductions, it had grown to $112 billion. We remember what happened during the Reagan administration. And we always hear from the other side that the Reagan administration came up with tax cuts and the deficits went up.

Well, sure, the deficits went up—not because of the tax cuts but because the liberals who dominated the Congress at that time voted for more government spending. And so in 1980, the total revenues that came in to run Government amounted to $517 billion. In 1990, the total revenues that came in were $1.03 trillion. It exactly doubled during that 10-year period.

Now, what happened during that 10-year period? During that 10-year period, we had the largest tax reductions in contemporary history. It has been shown—in fact, if you look at marginal tax rates, the revenues developed in 1980 were $244 billion; in 1990, it was $466 billion. And that happened during the time the tax rates were cut. So we know that we can increase revenues by reducing taxes and also relieve the burden on the American people to allow them to have more money—and not the rich. We know better than that. We have been playing that game and demagoging it for so long now that I think the American people are aware we are not talking about the rich.

With just a couple minutes remaining, I want to be more specific as to one of the particular tax cuts I feel very strongly about. In fact, Mr. President, you had made a comment about some of the farms in Wyoming. I had the same experience over the break. I was down in Lawton, OK, and I had a guy come up to me saying they were selling their family farm to a corporate farm because they could not get the price for some of their acreage in order to pay the estate taxes, and that's happening all over the country. They say, what is happening to the family-owned farm? That is what is happening.

I remember in our history, when this country was first founded and the pilgrims came over here and risked their lives—half of them did die—they came over for economic and for religious freedom. When they got over here, they established a system where each one had a plot of land to do with as he wanted and to be able to pass that wealth on from generation to generation. And it was so great, the wealth that was accumulated as a result of that, that in one of his letters back home John Smith said, now 1 farmer can grow more corn than 10 could before—because of that freedom that they had to be able to pass it on. It is called productivity, motivation, knowing the Government is not going to come in and take the money away from you that you have worked so hard to pass on to future generations.

Mr. President, I have six grandchildren, four children. I quit working for me. The motivation is for the future generations. When the estate tax was first formed, it was formed as a temporary tax. The maximum rate was 10 percent, and it was supposed to be dropped down.

I conclude by reading something that I found, an excerpt from a 1996 Heritage Foundation study that said if the estate tax were repealed, over the next 9 years the Nation's economy would average as much as $1.1 billion per year in extra output and an average of 145,000 additional jobs would be created, personal income would rise by an average of $8 billion per year above current projections, and the deficit would actually decline due to the growth generated by its abolishment.

So I think we need to reject the failed notion that has been proposed and stated over and over again by members of this administration, including Laura Tyson and the President himself, that we need to raise taxes and not lower taxes. We could actually raise revenues by lowering tax rates, and that is exactly what we intend to do and should do for ourselves, for the American people and for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized to speak for up to 10 minutes.

Mrs. MURRAY. I thank the Chair.

FUNDING ENVIRONMENTAL CLEANUP

Mrs. MURRAY. Mr. President, as a country we have congratulated ourselves time and time again on our enormous victory in winning the cold war. But today I want to remind my colleagues that the cold war was won at a cost, a very steep cost, and one of the biggest debts owed remains unpaid: the environmental devastation created at places like Hanford Nuclear Reservation in south-central Washington State.

Later today, the Energy and Water Development Appropriations Subcommittee will mark up its fiscal year 1998 appropriations bill. We will have a lot of work to do to make up the shortfalls found in both the Senate Armed Services defense authorization bill and the House national defense authorization bill. Rather than funding the cleanup bills, the authorizing committees have taken nearly $1 billion—billion—from the defense environmental

management accounts of the Department of Energy and moved them into procurement and other Department of Defense accounts.

Let me tell you the effect this move will have on one place in my State. Probably the single biggest environmental problem on any of our former defense nuclear weapons sites is the 177 storage tanks filled with chemical and high-level radioactive waste at Hanford. Each of these tanks contains from a half million to a million gallons of toxic waste. Some of that waste is rock solid, some of it is soupy sludge, some of it is liquid, and some is poisonous gas. Several tanks have ''burped'' their noxious gases.

We have only recently begun making real progress in learning what chemicals and radioactive waste were put into these tanks and what substances have now been created through indiscriminate mixing of wastes.

The most troubling aspect of these tanks is that they are leaking, moving these vile substances into ground water and toward the Columbia River.

Let me say it again. These tanks are leaking, and they are located next to one of this Nation's greatest rivers. They are upstream from Richland, Kennewick, Pasco, Portland, and many smaller communities in Washington and Oregon. And their toxic waste is slowly migrating toward the Columbia River, which many view as the lifeblood of the Pacific Northwest because it provides fish, irrigation, power generation, recreation, and much more.

In this year's budget, the Department of Energy requested $427 million in budget authority to continue a privatization initiative, called the tank waste remediation system, and another $500 million plus for other environmental management privatization efforts. My colleague in the Washington delegation, Representative ADAM SMITH, was successful in getting the House National Security Committee to place $70 million in the defense authorization bill for tank waste, nearly $350 million short of the budget request, but the House gave no other sites any funds. Our Senate Armed Services Committee bill provides $215 million for four privatization projects, including $109 million targeted to tank waste. This is simply not adequate.

Yesterday, I submitted an amendment to the Department of Defense authorization bill that would increase these privatization accounts by about $250 million. Most of that money goes toward solving the tank waste problem which almost everyone familiar with this issue agrees must be our top priority, but money is also added at Savannah River, Oak Ridge, Idaho Falls, and Fernald.

In addition, my amendment would facilitate the riskiest part of this privatization venture by helping to ensure DOE is able to meet its time lines for delivery of this toxic waste to a private company for vitrification or immobilization. I added $50 million for this initial stage of characterization and remediation of the tank waste. The offsets come from noncleanup programs and another privatization effort within the Departments of Energy and Defense.

Mr. President, I am talking about deadly risks to human health and the environment, and so far, this Congress is choosing to ignore them. Simply wishing that these enormously costly projects will go away will not make them disappear. It will only make them worse and more costly to clean up later.

The Department of Energy has proposed an innovative method of solving these problems by privatizing them and letting some of the best, most established companies in the world use their expertise to clean up these sites. In order for industry to succeed, this Congress must demonstrate its commitment to the privatization program by funding it. Going from a Presidential request of $1 billion to $70 million in the House and $215 million in the Senate will not give the capital markets or private industry the confidence they need to make this work.

We need more money for the tank waste remediation system and other cleanup priorities. Let me remind my colleagues that even if my amendment prevails, this authorization bill will still contain about $500 million less than was agreed upon by the President and Congress in the recent historic budget agreement. The President finds this funding shortfall so serious that he has issued veto threats on both defense authorization bills, citing this as one of his primary concerns.

I urge my colleagues to stand with me as we work to get our former defense nuclear weapons sites restored or at least stop them from causing further harm to our rivers, our air and our land. We cannot turn our backs on the nearby communities that have sacrificed so much for this Nation in the past. Let's make our victory of the cold war complete by leaving our children and our grandchildren a safe, healthy environment, not a contaminated wasteland that sites, like Hanford, will become without sufficient Federal cleanup dollars.

Thank you, Mr. President. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. INHOFE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ENZI). Without objection, it is so ordered.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, July 7, 1997, the Federal debt stood at $5,355,915,100,573.58. (Five trillion, three hundred fifty-five billion, nine hundred fifteen million, one hundred thousand, five hundred seventy-three dollars and fifty-eight cents)

Five years ago, July 7, 1992, the Federal debt stood at $3,970,574,000,000. (Three trillion, nine hundred seventy billion, five hundred seventy-four million)

Ten years ago, July 7, 1987, the Federal debt stood at $2,326,212,000,000. (Two trillion, three hundred twenty-six billion, two hundred twelve million)

Fifteen years ago, July 7, 1982, the Federal debt stood at $1,071,078,000,000. (One trillion, seventy-one billion, seventy-eight million)

Twenty-five years ago, July 7, 1972, the Federal debt stood at $429,537,000,000. (Four hundred twenty-nine billion, five hundred thirty-seven million) which reflects a debt increase of nearly $5 trillion—$4,926,378,100,573.58 (Four trillion, nine hundred twenty-six billion, three hundred seventy-eight million, one hundred thousand, five hundred seventy-three dollars and fifty-eight cents) during the past 25 years.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 936, which the clerk will report.

The bill clerk read as follows:

A bill (S. 936) to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Cochran/Durbin amendment No. 420, to require a license to export computers with composite theoretical performance equal to or greater than 2,000 million theoretical operations per second.

Grams amendment No. 422 (to Amendment No. 420), to require the Comptroller General of the United States to conduct a study on the availability and potential risks relating to the sale of certain computers.

Coverdell (for Inhofe/Coverdell/Cleland) amendment No. 423, to define depot-level maintenance and repair, to limit contracting for depot-level maintenance and repair at installations approved for closure or realignment in 1995, and to modify authorities and requirements relating to the performance of core logistics functions.

Lugar Modified amendment No. 658, to increase (with offsets) the funding, and to improve the authority, for cooperative threat reduction programs and related Department of Energy programs.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington.

AMENDMENT NO. 645

Mr. GORTON. Mr. President, I call up amendment No. 645 and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments will be set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Washington [Mr. GORTON] proposes amendment numbered 645.

Mr. GORTON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

Page 217, after line 15, insert the following new subtitle heading:

SUBTITLE A—HEALTH CARE SERVICES

Page 226, after line 2, insert the following new subtitle:

SUBTITLE B—UNIFORMED SERVICES TREATMENT FACILITIES

SEC. 711. IMPLEMENTATION OF DESIGNATED PROVIDER AGREEMENTS FOR UNIFORMED SERVICES TREATMENT FACILITIES.

(a) COMMENCEMENT OF HEALTH CARE SERVICES UNDER AGREEMENT.—Subsection (c) of section 722 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201, 10 U.S.C. 1073 note) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting ''(1)'' before ''Unless''; and

(3) by adding at the end the following new paragraph:

''(2) The Secretary may modify the effective date established under paragraph (1) for an agreement to permit a transition period of not more than six months between the date on which the agreement is executed by the parties and the date on which the designated provider commences the delivery of health care services under the agreement.''.

(b) TEMPORARY CONTINUATION OF EXISTING PARTICIPATION AGREEMENTS.—Subsection (d) of such section is amended by inserting before the period at the end the following: '', including any transitional period provided by the Secretary under paragraph (2) of such subsection''.

(c) ARBITRATION.—Subsection (c) of such section is further amended by adding at end the following new paragraph:

''(3) In the case of a designated provider whose service area has a managed care support contract implemented under the TRICARE program as of September 23, 1996, the Secretary and the designated provider shall submit to binding arbitration if the agreement has not been executed by October 1, 1997. The arbitrator, mutually agreed upon by the Secretary and the designated provider, shall be selected from the American Arbitration Association. The arbitrator shall develop an agreement that shall be executed by the Secretary and the designated provider by January 1, 1998. Notwithstanding paragraph (1), the effective date of such agreement shall be not more than six months after the date on which the agreement is executed.''.

(d) CONTRACTING OUT OF PRIMARY CARE SERVICES.—Subsection (f)(2) of such section is amended by inserting at the end the following new sentence: ''Such limitation on contracting out primary care services shall only apply to contracting out to a health maintenance organization, or to a licensed insurer that is not controlled directly or indirectly by the designated provider, except in the case of primary care contracts between a designated provider and a contractor in force as of September 23, 1996. Subject to the overall enrollment restriction under section 724 and limited to the historical service area of the designated provider, professional service agreements or independent contractor agreements with primary care physicians or groups of primary care physicians, however organized, and employment agreements with such physicians shall not be considered to be the type of contracts that are subject to the limitation of this subsection, so long as the designated provider itself remains at risk under its agreement with the Secretary in the provision of services by any such contracted physicians or groups of physicians.''.

(e) UNIFORM BENEFIT.—Section 723(b) of the National Defense Authorization Act for Fiscal Year 1997 (PL 104–201, 10 USC 1073 note) is amended—

(1) in subsection (1) by inserting before the period at the end the following: '', subject to any modification to the effective date the Secretary may provide pursuant to section 722(c)(2)'', and

(2) in subsection (2), by inserting before the period at the end the following: '', or the effective date of agreements negotiated pursuant to section 722(c)(3)''.

SEC. 712. LIMITATION ON TOTAL PAYMENTS.

Section 726(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201, 10 U.S.C. 1073 note) is amended by adding at the end the following new sentence: ''In establishing the ceiling rate for enrollees with the designated providers who are also eligible for the Civilian Health and Medical Program of the Uniformed Services, the Secretary of Defense shall take into account the health status of the enrollees.''.

SEC. 713. CONTINUED ACQUISITION OF REDUCED-COST DRUGS.

Section 722 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended by adding at the end the following new subsection:

''(g) CONTINUED ACQUISITION OF REDUCED-COST DRUGS.—A designated provider shall be treated as part of the Department of Defense for purposes of section 8126 if title 38, United States Code, in connection with the provision by the designated provider of health care services to covered beneficiaries pursuant to the participation agreement of the designated provider under section 718(c) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 42 U.S.C. 248c note) or pursuant to the agreement entered into under subsection (b).''.

Mr. GORTON. Mr. President, I ask unanimous consent that Senators HUTCHISON of Texas, D'AMATO, and MURRAY be added as cosponsors to the amendment.

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

Mr. GORTON. Mr. President, this amendment refines legislation enacted last year to transition the uniformed services treatment facilities [USTF's] into the DOD's new health care program called TRICARE.

I hope that the managers of the bill, Senator THURMOND, chairman of the committee, and Senator KEMPTHORNE, chairman of the operative subcommittee, will accept it.

Mr. President, I am proud to have been associated with the USTF's since the program's inception over 15 years ago. I was an original cosponsor of the amendment offered on this floor in 1981 by the late Senator Henry M. ''Scoop'' Jackson that transitioned these former public health service hospitals and clinics to facilities of the uniformed services to provide health care to dependents of active duty personnel as well as military retirees and their dependents. Most recently last summer on this floor, I sponsored the amendment that provided the future authority for the USTF's to continue providing care to military beneficiaries through the integration of their facilities into DOD's military health care delivery system.

The USTF's currently serve about 120,000 beneficiaries at facilities located in seven States: Maine, Maryland, Massachusetts, New York, Ohio, Texas, and Washington. The facilities provide high-quality care that has been judged by every major study done to date as cost-effective when compared to CHAMPUS and other DOD health care alternatives. The USTF's pioneered managed care principles such as enrollment and capitation that have become the hallmarks of the new TRICARE program.

The USTF's are very popular with the beneficiaries, many of whom would never consider receiving their health care from any other provider. Satisfaction surveys just completed by an independent firm conclude that the USTF's as a whole have a 91 percent satisfaction rate, 7 percentage points higher than the norm for civilian HMO's. The USTF in my State, Pacific Medical Center, enjoys the highest overall satisfaction rate of nearly 95 percent. I doubt that any DOD health care provider program can match the USTF's for satisfying the medical needs of military personnel and their families.

The introduction of TRICARE, however, has brought the USTF program to a crossroads. TRICARE has been operating in my State of Washington for over 2 years and started in Texas in November 1995. Its introduction has heightened interest within DOD to integrate the USTF's into TRICARE to ensure consistent application of the so-called uniform benefit. The amendment I offered last year which was enacted as part of the fiscal year 1997 National Defense Authorization Act set out the process for this integration of the USTF's into TRICARE to protect the beneficiary interests as well as to preserve the separate designated status of the USTF's. My amendment, which reflected the position passed by the House, called for an orderly process for negotiation of new agreements so Pacific Medical Center and the other USTF's could continue offering high-quality and cost-effective health care to military beneficiaries.

Despite my earlier amendment's good intentions, unforeseen problems have developed, largely because of institutional delays and the Defense Department's unconventional interpretation of some of the key provisions. Accordingly, I feel compelled to offer an amendment today that updates and perfects last year's language.

In a similar fashion to last year, my amendment today includes four straight-forward provisions already contained in the House-passed fiscal year 1998 Defense authorization bill. It is important to note that these four provisions are in every way substantively identical to subtitle C of title VII of the House-passed bill.

The first House-passed provision provides authority for a 6-month transition period in the implementation of the new USTF program to allow adequate time to educate the beneficiaries. The 6-month transition is entirely reasonable given that new TRICARE contracts provide at least 7 months for a proper transition. As we learned from the TRICARE transition in Washington, a compressed time period for transition will cause confusion and frustration for the beneficiaries.

The second House-passed provision provides authority to continue the existing USTF agreements during the transition period. The Seattle and Texas USTF's technically lose their statutory designation effective October 1 unless they have new agreements executed. But because of delays in commencing the negotiations with DOD, these two USTF's will not have new agreements implemented by October. An extension of the current agreement and all its provisions until the transition period is complete seems fair and appropriate.

The third House provision clarifies that the ceiling for capitation payments provided to the USTF's takes into account the health status of the enrolled beneficiaries who are under age 65. This reflects last year's clear intent that the actuarial benchmark for developing rates to reimburse the USTF's should be the health status of the actual USTF enrollees, not a national average of military health care patients.

The fourth and final House provision clarifies last year's provision so that USTF's still qualify to purchase pharmaceuticals under the preferred pricing levels applicable to military health care providers. All parties agree that last year's legislation was not intended to take away the right to continued acquisition of these reduced-cost drugs.

In addition to these four House-passed provisions, my amendment includes three other items to ensure that DOD negotiates fairly with the USTF's on the new agreements. These provisions would not be necessary if the Defense Department were earnestly negotiating in good faith with Pacific Medical Center and the Houston, TX, USTF. These two facilities are on the firing line because TRICARE is already in their regions and they are therefore required by law to have a new agreement executed by October 1, 1997. DOD, however, has chosen to negotiate first with three other USTF's that will not see TRICARE in their regions until mid-1998 at the earliest and consequently do not face the same immediacy faced by Seattle and Texas.

The first new provision tries to prod the negotiations with DOD with a requirement for binding arbitration for up to 90 days if DOD and the Washington and Texas USTF's do not reach an agreement with DOD by October 1, 1997. This arbitration amendment encourages both sides to work out their differences without giving extra leverage to either side. Without arbitration, DOD has no incentive to negotiate because it can literally run the clock out and present the Washington and Texas USTF's with a ''take-or-leave-it'' contract in late September just before the October 1 deadline arrives.

Binding arbitration is an eminently fair device to break an impasse and push the negotiations to completion by a date certain. The Seattle and Houston USTF's are fully prepared to accept the judgment of an independent arbiter. If DOD wants to avoid arbitration, the Department's Health Affairs Division should commence immediately good-faith negotiations with Seattle and Houston leading toward a fair agreement.

This was the result the last time Congress threatened to impose arbitration to push DOD and the USTF to an agreement. The conference report language accompanying the fiscal year 1991 National Defense Authorization Act stressed that Congress was prepared to require mandatory arbitration if the managed care model was not negotiated by DOD and the USTF's by a statutory deadline. This threat of arbitration was instrumental in pushing DOD back to the negotiating table.

The second new provision contained in my amendment clarifies how the USTF's can contract out their physician services. The clarification permits contracting out to primary care physicians provided the USTF's retain all risk and don't exceed their enrollment cap and their historical service area. The provision serves the beneficiary interest by allowing the USTF's to place primary care physicians where they are needed to enhance the convenience and accessibility of care. This change will also level the playing field with the TRICARE contractors that can contract out their primary care services.

The third and last new provision in my amendment is a conforming change that applies to the uniform benefit, with the accompanying higher enrollment fee and higher cost shares, when the new USTF agreements are fully implemented. This clarification is needed to ensure consistency with the 6-month transition of the arbitration period.

Finally, Mr. President, I implore DOD to respond favorably to the request of Pacific Medical Center and the other USTF's for open enrollment season so that military retirees can sign up this summer for the USTF program. Since DOD did not permit Pacific Medical Center to conduct an open season last year, if there is no open enrollment this summer the effect will be to deny military retirees a chance to enroll in this program for 2 consecutive years. The result is substantial pent-up demand and frustration by retirees who are simply looking for another choice in meeting their military health care needs. I urge DOD to adhere to the request in a recent Washington State congressional delegation letter to permit an open season, as clearly provided for in the USTF contracts.

Overall, Mr. President, this set of legislative refinements, as well as providing for an open season, should enable the USTF program to continue to serve the health care needs of its military beneficiaries. I appreciate the committee's understanding and hope it will soon be able to accept this amendment. Of course, I urge the full Senate to pass it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent we lay aside the pending amendment.

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

AMENDMENT NO. 669

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

Mr. WELLSTONE. Mr. President, I have two amendments I will discuss. The first is an amendment numbered 669.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself and Mr. ROCKEFELLER, proposes an amendment numbered 669.

Mr. WELLSTONE. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

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

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

(a) NUCLEAR TEST PERSONNEL PROGRAM.—Of the amount provided in section 201(4), $50,000 shall be available for testing described in subsection (b) at the Brookhaven National Laboratory in support of the Nuclear Test Personnel Program conducted by the Defense Special Weapons Agency.

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

Mr. WELLSTONE. Mr. President, I will be relatively brief and take just several hours—just take a few minutes to speak about this. I wanted to see if everyone was awake today.

This is an amendment that would assist atomic veterans. Mr. President, I

actually could talk for several hours about the atomic veterans. But I would just say that I think the most moving and most emotional times for me as a Senator has been time spent with atomic veterans in Minnesota. These are veterans who were asked to go to ground zero during the atomic testing in States like Nevada and were put in harm's way by our Government, and no one told them what they might be facing, and no one gave them protective gear.

For many of these atomic veterans it has been a nightmare. This all started in the 1950's, and for decades many of them have had a pattern of illness in their families. I could go on for hours talking about what has happened to them, including high incidences of cancer for the atomic veterans themselves, and all sorts of problems of cancer and deformities with children and grandchildren.

And to this day they still wait for adequate compensation. They wait for justice. I think it is one of the most shameful things that has happened in our country. These are veterans.

I actually want to focus on just one small piece of this amendment. I am hoping to be able to receive good support from both Democrats and Republicans, and I am hoping this amendment may indeed be accepted. I know Congressman LANE EVANS has worked on this in the House, and I believe this provision has been accepted in the House of Representatives.

This amendment would authorize $500,000 for the third and final phase of a Defense Special Weapons Agency program at Brookhaven National Laboratory to conduct—this will sound technical, Mr. President, but it is actually pretty important—to conduct internal dose reconstructions of veterans exposed to ionizing radiation while serving in the Armed Forces. DSWA is responsible for providing dose reconstructions for most atomic veterans filing claims with the VA. Out of the funding provided to DSWA—this, again, is the Defense Special Weapons Agency—for R&D under section 201(4), $500,000 would be available for bioassay testing at Brookhaven National Laboratory for the purpose of conducting internal dose reconstructions of atomic veterans to find out what has happened to them.

That is what this is all about. This program is crucial to atomic veterans because it provides the means, I say to my colleague from South Carolina, who has been so supportive of veterans, for more accurate reconstruction of radiation dosage. This is a vital step in ensuring that atomic veterans receive the compensation they deserve and in reassuring veterans who did not inhale or ingest radioactive particles in quantities sufficient to cause cancer. In other words, they need to know where they stand. This is a terribly important test. We do not want to eliminate the funding for this. Many veterans who have radiogenic diseases have been denied compensation often based on flawed dose reconstructions.

Mr. President, out of the hundreds of thousands of atomic veterans—I would like my colleagues to hear this, even if they are not on the floor now as they consider how to vote on this—out of the hundreds of thousands of atomic veterans, merely 15,000 have filed claims for service-connected compensation with the VA based on disability stemming from radiogenic diseases. Of these, only 1,438 have been approved, or less than 10 percent. Just imagine this, hundreds of thousands of atomic veterans, only 15,000 claims, and only a little over 1,000 have been approved. Of this low percentage, an indeterminate percentage may have had their claims granted for diseases unrelated to radiation exposure.

Mr. President, we have to make sure that we provide funding, a small amount of funding within the Department of Defense—that is where we have been doing this funding—to make sure that we continue this very critical test undertaken for atomic veterans.

The White House Advisory Committee on Human Radiation Experiments found ''that the Government did not create or maintain adequate records regarding the exposure of all participants [in nuclear weapons tests and] the identity and test locales of all participants.'' This finding calls into question the current capability of the Government to come up with accurate dose reconstructions on which the approval of claims for VA compensation for many atomic veterans depend. Again, the advisory committee has said we do not have adequate data. We have not been able to keep the records. If we do not have this dose reconstruction done well, then a lot of the atomic veterans who deserve compensation for the terrible illnesses that have been inflicted upon them or their family members are not going to have the chance to get the compensation.

The DSWA program at Brookhaven uses a technology called fission tracking analysis. It analyzes the results of urine samples from atomic veterans to arrive at internal dose reconstructions. The program seeks to improve the technique first used to establish the Marshall Islanders' exposure to ionizing radiation from atmospheric nuclear testing, the same tests that we have been using with Marshall Islanders. During the third and final phase of the program, Brookhaven plans to conduct bioassays of atomic veterans and provide technical assistance to DSWA in internal dose reconstruction.

Here is what has happened, here is the reason for this amendment, colleagues. Unfortunately, a conflict has now taken place between DOD and VA, and it has developed on funding the final phase of the program. DSWA declines to continue funding the program because it contends that it is not in the business of medical testing, even though the agency has performed medical testing for Marshall Islanders. The VA simply claims it lacks the necessary funding. In the interests of the atomic veterans who served this country bravely and unquestionably, we need to end the bickering and ensure the program is carried out to fruition. The VFW, the National Association of Atomic Veterans, and the Disabled American Veterans agree and strongly back this amendment. It is a little bit outrageous that we have this bickering going on and at the same time you have these veterans for whom this test is the only way that they are ever going to be able to get any compensation.

Mr. President, in closing, I note that for many years the cover of the Atomic Veterans Newsletter, the official publication of the National Association of Atomic Veterans, contained the simple but eloquent statement: ''The atomic veteran seeks no special favor, simply justice.'' Their fight for justice has been too long, it has been too hard, and it has been too frustrating. But these patriotic and deserving veterans have persevered and they retain their faith in America.

I urge all of my colleagues to join me in helping atomic veterans with their struggle for justice and supporting my amendment. It is a matter of simple justice. Mr. President, Congressman LANE EVANS, who has been such a strong advocate for atomic veterans, has done this on the House side. I think the Senate should join in this effort. I think it would be absolutely unconscionable if we eliminated this funding for this small but very, very important program where we can have adequate data as to what kind of radiation dosage these atomic veterans were, in fact, vulnerable to, affected by, and what this means for them now. That, Mr. President, is the meaning of this amendment.

I ask unanimous consent this amendment be set aside.

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

AMENDMENT NO. 668

(Purpose: To require the Secretary of Defense to transfer $400,000,000 to the Secretary of Veterans' Affairs to provide funds for veterans' health care and other purposes)

Mr. WELLSTONE. Mr. President, I call up amendment number 668.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 668.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. . TRANSFER FOR VETERANS' HEALTH CARE AND OTHER PURPOSES.

(a) TRANSFER REQUIRED.—The Secretary of Defense shall transfer to the Secretary of

Veterans' Affairs $400,000,000 of the funds appropriated for the Department of Defense for fiscal year 1998.

(b) USE OF TRANSFERRED FUNDS.—Funds transferred to the Secretary of Veterans' Affairs shall be for the purpose of providing benefits under the laws administered by the Secretary of Veterans' Affairs, other than compensation and pension benefits provided under Chapters 11 and 13 of title 38, United States Code.

Mr. WELLSTONE. Mr. President, this amendment would not be subject to any point of order. It authorizes the Secretary of Defense to transfer some $400 million to the VA budget for the health care for veterans.

Mr. President, this amendment is an effort to ameliorate some damage that was done in the budget resolution that—I say to my colleagues, I do not think any Senator was really familiar with—made significant cuts in VA health care.

My amendment to the Department of Defense authorization bill would, again, authorize the Secretary of Defense to transfer $400 million from the DOD budget to restore cuts in VA discretionary health care spending. This amendment responds to the health care needs of veterans by restoring some badly needed funding for programs to the fiscal year 1997 level.

Mr. President, even with this restoration, chances are remote that the VA health care funding for fiscal year 1998 will exceed fiscal year 1997. We all know—I just want to make this clear to my colleagues—that we have an aging veteran population. We all know that as more veterans live to be over 65 and over 85, there is more of a strain on the health care budget. We want to be sure that the cut that took place in the budget resolution—which I don't think hardly any Senator was aware of, although all of the veterans organizations were aware, and there is a fair amount of indignation around the country on this question—we want to make sure that these cuts in veterans health care don't end up forcing veterans who were either disabled, ill, or poor to have to shift from VA health care to other health care. That would be a travesty for the veterans and their families, and it would also have negative consequences for VA health care in our country.

Mr. President, it has become clear that the cuts in the veterans' discretionary programs that were agreed to as part of the budget resolution are going to have some severe, if not devastating, consequences on the quality and availability of VA health care for disabled and needy veterans. The fiscal year 1998 cuts will limit VA's ability to serve all patients entitled to VA health care. If veterans health care benefits are delayed because of reduced staffing—you have to make your cuts somewhere—or a longer waiting period, then we are going to be shortchanging men and women who have risked their lives for our country.

Let me give you some sense of the impact of the $400 million reduction in VA discretionary spending in fiscal year 1998. Mr. President, to give you some idea about it, a $400 million reduction in VA discretionary spending in fiscal year 1998 is roughly equivalent to the cost of operating one of the smaller of the VA's 22 integrated service networks.

I held a forum, I say to my colleagues, in May. It was unbelievable. We had a huge turnout of veterans representing, I think, all of the veterans organizations that I can think of—Vietnam Veterans of America, Disabled Americans, Paralyzed Veterans, Military for the Purple Heart, American Legion, Veterans of Foreign Wars, atomic veterans, you name it.

The Minnesota veterans were unanimous in denouncing the cuts in some really essential VA health care resources. Like my colleagues, I supported the sense-of-the-Senate amendment that was introduced by Senators DASCHLE, DOMENICI and ROCKEFELLER on May 21, which called for full funding of the VA discretionary programs, including medical care for fiscal year 1998. I supported it for two reasons. First, I don't think many of us were aware that in the budget resolution there were going to be cuts in our investment in resources for VA health care. Second, I think it is simply the wrong thing to do. I think there is a sacred contract with our veterans, and if we are going to be making cuts and do deficit reduction, we ought not to be doing it on their backs.

So, Mr. President, I am convinced that this amendment is appropriate. I am convinced that it is really quite appropriate to pass an amendment that gives the Secretary of Defense the authorization to authorize this transfer of funding because, after all, these veterans were fighting for the defense of the Nation. That is what it was all about. I think it is critically important that we live up to this commitment.

Mr. President, let me just finish up again and say to colleagues that I am just introducing these amendments because, as I understand this process, we are going to have a cloture vote this afternoon and we may not have votes for about a day and there will be more time to discuss these amendments. At least, that is my understanding. I do want colleagues to be familiar with each of them.

I think that the atomic veterans, unfortunately, have been out of sight and out of mind for all too many people in the country. This is a critically important amendment to those veterans so that they can know what happened to them. That is the very least we can do for those veterans, their children and grandchildren.

On the second amendment, I am absolutely convinced that very few Senators were aware of the fact that the budget resolution made these cuts. It was all done in good conscience. Some of my closest friends worked on the budget resolution and supported it. My amendment simply says that we should take $400 million and heal these cuts. My amendment authorizes the Secretary of Defense to do that. I know Dr. Ken Kaiser came out to Minnesota and met with veterans, and he wasn't aware of these cuts. I have not met one person in charge of delivering health care for veterans who believes that this can be done in such a way that it will not seriously damage the quality of health care. I am not just giving some kind of trump speech on the floor of the Senate. This is very important. We ought to, at the very least, be able to transfer this small amount of money and restore this funding for our VA health care.

With that, Mr. President, I yield the floor. I see my colleague from Georgia.

Mr. CLELAND addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CLELAND. Mr. President, I ask unanimous consent to lay aside the pending amendment.

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

AMENDMENT NO. 712

(Purpose: To express the sense of Congress reaffirming the commitment of the United States to provide quality health care for military retirees)

Mr. CLELAND. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. CLELAND] proposes an amendment numbered 712.

Mr. CLELAND. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of title VII, add the following:

SEC. 708. SENSE OF CONGRESS REGARDING QUALITY HEALTH CARE FOR RETIREES.

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

(1) Many retired military personnel believe that they were promised lifetime health care in exchange for 20 or more years of service.

(2) Military retirees are the only Federal Government personnel who have been prevented from using their employer-provided health care at or after 65 years of age.

(3) Military health care has become increasingly difficult to obtain for military retirees as the Department of Defense reduces its health care infrastructure.

(4) Military retirees deserve to have a health care program at least comparable with that of retirees from civilian employment by the Federal Government.

(5) The availability of quality, lifetime health care is a critical recruiting incentive for the Armed Forces.

(6) Quality health care is a critical aspect of the quality of life of the men and women serving in the Armed Forces.

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

(1) the United States has incurred a moral obligation to provide health care to retirees from service in the Armed Forces;

(2) it is, therefore, necessary to provide quality, affordable health care to such retirees; and

(3) Congress and the President should take steps to address the problems associated with health care for such retirees within two years after the date of the enactment of this Act.

Mr. CLELAND. Mr. President, one of the reasons I sought membership on the Senate Armed Services Committee is my commitment to supporting our men and women in the Armed Forces. I am particularly pleased to be the ranking Democratic member of the Personnel Subcommittee.

My focus on that committee has been and will be to improve the overall quality of life of our military personnel. Where possible, the level of the compensation they receive, improve military health care, and expand access to educational benefits.

One of the areas that I am most concerned about is the availability and adequacy of military health care. In particular, I believe this Nation has incurred a fundamental responsibility to provide for the health care of military retirees. We must adhere to this commitment.

I am especially concerned about what happens to retirees when they reach the age of 65. They are ineligible to participate in TRICARE. In addition, as the military begins to close and downsize its military treatment facilities, retirees over 65 are unable to seek and obtain treatment on a space available basis. Medicare does not currently reimburse the Department of Defense for health care services. The retirees over 65 are, in effect, being shut out of the medical facilities promised to them.

I am reminded of the quote from one of Wellington's troops: ''In time of war and not before, God and soldier men a adore. But in time of peace with all things righted, God is forgotten and the soldier slighted.''

I know we live in an environment in which resources are constrained. We are going to have to make some tough choices between people, modernization, and procurement while maintaining readiness. We are going to have to strike a balance between these competing priorities. But we must not allow budget constraints to force us to slight our soldiers. This is morally wrong. We have a sacred responsibility to take care of those who took care of us. We have incurred a moral obligation to attempt to provide health care to military retirees who believed they were promised lifetime health care in exchange for a lifetime of military service.

One alternative is Medicare subvention. It would appear that subvention would be fiscally beneficial to Medicare and would improve the ability of the Department to provide health care to military retirees over 65. However, I have several questions regarding possible shortcomings of subvention:

First, does subvention meet the needs of military retirees over 65 who do not live near military treatment facilities?

Second, as the Department continues to reduce its health care infrastructure, will maintaining access to all beneficiaries increase in difficulty?

I understand the Department has expressed concern that, under certain circumstances, Medicare subvention could result in diminished access to military treatment facilities for other DOD health care beneficiaries. That raises my third question. Will subvention increase access to some beneficiaries at the expense of others? If so, is this what we really want?

Another option that has been discussed is the idea of allowing retirees over 65 the option of enrolling in the Federal Employees Health Benefit Program [FEHBP].

The Congressional Budget Office has estimated that the cost of enrolling Medicare-eligible military retirees in the FEHBP is between $3.7 and $4.2 billion. The primary advantage to FEHBP enrollment is the ability of beneficiaries to seek and obtain healthcare anywhere in the Nation that insurers in the FEHBP provide service. I am concerned about additional cost this program would incur especially if offered in addition to the benefits currently available to retirees over 65. My question: Is there a better way to provide similar levels of service while not adding significantly high levels of cost to the Department of Defense?

A third option would be to allow military retirees over 65 to enroll in TRICARE. This would require additional resources to be made available to military treatment facilities to ensure that all TRICARE beneficiaries were guaranteed access. The Armed Services Committee was presented with an estimated $274 million shortfall in the budget request to fund the Military Health Service System. Frankly, without corresponding changes in the TRICARE system, continued enrollment in TRICARE will only exacerbate the current difficulties TRICARE faces in meeting all the needs of Military Health Service System beneficiaries. Under this option, we might also face the prospect of providing new access to some at the expense of those presently in the system.

Mr. President, I know there are significant difficulties involved with choosing the optimal approach to addressing military health care concerns. We have to deal with this problem. It is one of the highest priorities listed by the men and women in the armed forces. It is also the highest priority of those who represent the retired military population in this nation.

I believe that a comprehensive approach to reforming the DOD health care system is required. In addition to ensuring access to health care coverage, it is also necessary to ensure that health care is available to beneficiaries wherever they serve or retire.

In 1995, the Congressional Budget Office prepared a report entitled ''Restructuring Military Medical Care.'' The report estimated that the total cost to the Department of Defense of providing the Federal Employees Health Benefit Program for all non-active duty beneficiaries ranged between $5.9 billion and $10.7 billion annually depending upon the percentage the Government pays for the average premium. The report also estimated the total cost of maintaining a wartime combat medicine capability for active duty personnel at $6.5 billion. Some have asked if it would be feasible to replace the bulk of the Department of Defense Health service system with FEHBP while maintaining a combat medicine capability given that the Department of Defense spends approximately $16 billion per year for health care.

I sponsored language in the Senate Armed Services Committee report that directed the Department of Defense to conduct a study of this issue. I believe this is an important step toward gathering the necessary information we need to make an intelligent decision which honors our commitment to the personnel in the military. We need to know what impact this would have on the entire medical infrastructure in the military. I hope we can begin to find the answers that will allow us to resolve this matter. Our men and women in uniform and those who have served deserve nothing less.

I look forward to working with my colleagues here in the Senate, especially my good friend Senator KEMPTHORNE, who is the chairman of the Personnel Subcommittee, on this most important matter.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, we are on the defense authorization bill. I have been privileged to listen to a number of presentations. They deal with, in many instances, very significant and very important issues for the future of this country.

Mr. President, I rise today to talk about two issues. One is an amendment that I intend to offer later in the consideration of this bill. The second is to support an amendment that is to be offered by Senator LUGAR and, I believe, cosponsored by Senator BINGAMAN and a group of others, dealing with the Cooperative Threat Reduction Program and the funding for it.

Before I discuss those two, let me indicate, however, that it is curious to see a cloture motion filed on a bill like the defense authorization bill this early in the process. A cloture motion suggests somehow that we should have a vote cutting off debate when debate has hardly begun on this defense authorization bill. This is a very significant piece of legislation. There needs

to be time for significant debate on issues that are very substantial.

I hope this is not going to be habit forming—filing cloture motions virtually at the same pace when a piece of legislation like this comes to the floor of the Senate. A desire to shut off debate ought not be initiated before there is some demonstration that debate is going to go on forever. If a bill is moving at a reasonable pace, there is no reason, in my judgment, for anyone to be offering cloture motions or shut off debate. I just say that is a curious thing to have happen on this bill right at the start of the legislation. I hope that won't be a habit.

Now to the issue of the Cooperative Threat Reduction Program, Mr. President, folks in my hometown, in most cases, won't know much about this program because the American people have not been given much information about the Cooperative Threat Reduction Program. It is kind of a foreign title to a program that in most cases benefits the lives of every American citizen.

I want to describe what it is and why it is important and why I support the amendment that was offered, I believe, by Senator LUGAR, along with many other distinguished colleagues, and is now pending before the Senate.

The Cooperative Threat Reduction Program is a program by which we engage with our resources under an arms control agreement to help a former adversary, the former Soviet Union, now Russia, and its surrounding States to reduce the number of nuclear weapons and warheads that were previously in place aimed at the United States of America. Doing so reduces the threat against our country. I think it makes eminent good sense to see a missile destroyed in its silo rather than having a missile fired and have to deal with a missile that is flying toward a target of the United States.

Obviously, things have changed dramatically with the Soviet Union now being gone, and we now have Russia and other independent States. We are dealing with a new world, and we have a cold war that is largely ended. We have a circumstance in which we want to work with what had been a former adversary to reduce the amount of nuclear weapons that that adversary now possesses in concert with the arms control agreements that we have already had with them and that we have negotiated and signed with that former adversary.

Mr. President, let me ask unanimous consent to have an object on the floor that I might use to demonstrate to my colleagues that this, in fact, works.

Mr. President, I want to show my colleagues a picture. This is a picture of some workers in Russia with power saws sawing the wings off Russian bombers. These folks are bent over a wing of a bomber sawing the wings off Russian bombers. Why are they sawing the wings off Russian bombers and sending these bombers, now unable to fly, to the boneyard? Because of arms control agreements. They are required under arms control agreements to reduce the number of bombers they possess in their arsenal.

A smaller picture shows former Secretary of Defense Perry inspecting an SS–24 silo. This is a missile silo in the Ukraine. This silo had 550-kiloton warheads on top of a missile—nuclear warheads capable of being delivered over 6,200 miles. This silo is now empty of warheads. There are no nuclear warheads in that silo. And our former Secretary of Defense Perry is inspecting a silo that is now cleared of its missile and its nuclear warheads.

Finally, this picture. This is a picture of silo No. 110 near Pervomaisk in the Ukraine which held an SS–19 missile. As you can see, it is now only a hole. And, in fact, if you saw a later picture you would see sunflowers planted where missiles were previously planted poised and aimed at the United States of America. This is a hole. The hole is now covered up. There is no missile, no warhead. And, in fact, sunflowers are now planted there.

Mr. President, this piece of metal comes from that missile and the missile silo. This piece of metal was removed from this missile silo in the Ukraine. This little piece of metal is a demonstration of the success of the Cooperative Threat Reduction Program. This was part of an armament in the ground on an intercontinental ballistic missile with nuclear warheads aimed at the United States of America. Now it is here in this Chamber. And where this silo and missile with a warhead used to sit there is now planted sunflowers.

Why? Why at silo 110 near Pervomaisk in the Ukraine is there now a planting of sunflowers rather than a nuclear missile or an intercontinental ballistic missile with a nuclear warhead aimed at the United States? Because this program works. This program makes sense. This program reduces the number of missiles, the number of bombers, and the number of nuclear warheads in an arms control agreement. It reduces the number of those weapons that previously had been poised to strike at the United States of America.

Let me describe the facts about how this program has worked. We have seen the elimination of 212 submarine launchers, 378 intercontinental ballistic missile silos, 25 heavy bombers, more than 500 ICBM's.

Fiscal year 1997: 131 additional ICBM silos—70 of them in Russia, 61 of them Kazakhstan—and 43 heavy bombers gone under this program; and 80 submarine launchers, all in Russia, gone; 84 missiles—48 in Ukraine, 36 in Russia—gone under this program. In effect, we helped a former adversary destroy weapons that had previously been poised and aimed at us.

I can't think of anything that makes more sense than to destroy a missile by dismantling its silo, the missile and the warhead, and it is gone.

That is exactly what the Cooperative Threat Reduction Program has done. Senators LUGAR and Nunn were the authors of this program. Many others in the Chamber have worked hard on this program.

There is an amendment pending that will restore the money for this program which is necessary to continue the progress to reduce the number of nuclear arms in Russia and the independent states under this program. It is a bargain by any stretch. It makes eminent good sense for this country to do it.

I am proud to say that I support the amendment. I commend Senator LUGAR, Senator BINGAMAN, and so many others for offering the amendment today.

Mr. President, let me turn then to one other item. We will in the context of debating this piece of legislation also discuss whether we wish to authorize two additional rounds of military base closings or whether we want, to say it another way, create a base realignment and closing commission that would recommend, in two rounds, closing certain military installations in our country.

I am not here to support having more capability in military bases than we need. That would be wasteful. I understand that. On the other hand, we have had three full rounds of base closings and one abbreviated round. In the three rounds of closing military installations, we have ordered the closure of over 100 military installations in this country. My understanding is that only 50 of them have been finally and completely closed. We have no accounting at all—none—of what the costs and the benefits have been from the closings that have occurred so far.

I think it is far better for us to decide that we should finish the job on the previous rounds of base closings before we authorize two additional rounds.

I have another motive, obviously. I am concerned about what the rounds of base closings that are authorized do to communities in our country. We have had a couple of Air Force bases put on the list and taken off the list, put on the list and taken off the list. What happens in communities when you have a base closing round is that the minute your community or your facility is remotely involved in that round of base closings, economic growth is stunted and new investment is stopped.

There isn't anyone who will come to Cheyenne, WY, or to Grand Forks, ND, or Minot, ND, or Rapid City, SD, or you name it, where they have military installations, and say, ''Oh, by the way, there are going to be new rounds of base closings here.''

So what we want to do is make a new investment in the community of apartment buildings or commercial property, or a plant here or a plant there. That is not the way it works. What they say is, ''Gee, we do not know what the future is going to bring.'' You

might have 30 percent unemployment in that region 2 years from now because they might close that military installation, and if they do, the last thing I want to have done is to have made an investment in that community and find that investment going belly up. It terribly stunts economic growth in these communities while you have these base closing rounds.

In fact, at the Defense Appropriations Subcommittee hearing, the subcommittee of which I am a member, General Fogleman, who indicated in response to a question of mine that he would not likely be here when we have additional base closing rounds and said he would not recommend that we have two additional rounds. If we have additional rounds, and he indicated that he felt there would be some overcapacity, we should have only one, he said. That would be his recommendation. But I believe very strongly that we should not authorize two additional base closing rounds in this defense authorization bill for a number of reasons.

The Congressional Budget Office stated the following. The Congressional Budget Office said:

The Congress could consider authorizing an additional round of base closures if DOD believes there are surplus military capacity after all rounds of BRAC have been carried out. That consideration, however, should follow an interval during which DOD and independent analysts examine the actual impact of measures that have been taken thus far. Such a pause would allow DOD to collect the data necessary to evaluate the effectiveness of initiatives and to determine the actual costs incurred and savings achieved.

The Congressional Budget Office thinks it would be unwise to initiate additional base closing rounds without having the information available about what have been the costs and the benefits of the previous three rounds. I think we would be wise to heed the admonition of the Congressional Budget Office on this issue.

A good many Senators have expressed an interest in this amendment on both sides of the aisle—Senator DASCHLE, Senator CONRAD, Senator LOTT, Senator DOMENICI, Senator FEINSTEIN, Senator DODD, and others. I know we will likely have a significant and robust debate when this occurs.

I simply wanted to alert my colleagues that some of us feel very strongly that we should not initiate additional base closing rounds in this defense authorization bill until we receive the information that we think we should have about costs and benefits on previous rounds.

Let me close with a word about the subject that I originally discussed; that is, the Cooperative Threat Reduction Program.

There are those who are critical of the political process, and I suppose in many cases justifiably, because there are a lot of things that are done in the democratic process that are not efficient, some not effective. It is not a very efficient form of government—the best form of government but not the most efficient form of government. But I say to all of those who question the effectiveness or the efficiency of Government that the program called the Cooperative Threat Reduction Program in which we help finance the destruction of weapons—bombers, missiles, and nuclear warheads—that previously were aimed at the United States of America is a program that is a bargain by any standard of measure. That makes this world safer; it makes it a better world; and to the extent that we can continue this program and fund it the way it should be funded, I want to be a part of that. I hope very much we can get a vote on the amendment that is now pending, and when we do I hope very much the amendment will prevail.

Mr. President, I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. WELLSTONE. I would ask unanimous consent that the pending amendment be laid aside.

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

AMENDMENT NO. 670

(Purpose: To require the Secretary of Defense to transfer $5,000,000 to the Secretary of Agriculture to provide funds for outreach and startup for the school breakfast program)

Mr. WELLSTONE. Mr. President, I call up amendment 670.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows.

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 670.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. . TRANSFER FOR OUTREACH AND STARTUP FOR THE SCHOOL BREAKFAST PROGRAM.

(a) TRANSFER REQUIRED.—In each of fiscal years 1998, 1999, 2000, 2001, and 2002, the Secretary of Defense shall transfer to the Secretary of Agriculture—

(1) $5,000,000 of the funds appropriated for the Department of Defense for that fiscal year; and

(2) any additional amount that the Secretary of Agriculture determines necessary to pay any increase in the cost of the meals provided to children under the school breakfast program as a result of the amendment made by subsection (b).

(b) USE OF TRANSFERRED FUNDS.—Section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) is amended by adding at the end the following:

''(f) STARTUP AND EXPANSION COSTS.—

''(1) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE SCHOOL.—The term 'eligible school' means a school—

''(i) attended by children, a significant percentage of whom are members of low-income families;

''(ii)(I) as used with respect to a school breakfast program, that agrees to operate the school breakfast program established or expanded with the assistance provided under this subsection for a period of not less than 3 years; and

''(II) as used with respect to a summer food service program for children, that agrees to operate the summer food service program for children established or expanded with the assistance provided under this subsection for a period of not less than 3 years.

''(B) SERVICE INSTITUTION.—The term 'service institution' means an institution or organization described in paragraph (1)(B) or (7) of section 13(a) of the National School Lunch Act (42 U.S.C. 1761(a)).

''(C) SUMMER FOOD SERVICE PROGRAM FOR CHILDREN.—The term 'summer food service program for children' means a program authorized by section 13 of the National School Lunch Act (42 U.S.C. 1761).

''(2) USE OF FUNDS.—Out of any amounts made available under section ___(a)(1) of the National Defense Authorization Act for Fiscal Year 1998, the Secretary of Agriculture shall make payments on a competitive basis and in the following order of priority (subject to the other provisions of this subsection), to—

''(A) State educational agencies in a substantial number of States for distribution to eligible schools to assist the schools with nonrecurring expenses incurred in—

''(i) initiating a school breakfast program under this section; or

''(ii) expanding a school breakfast program; and

''(B) a substantial number of States for distribution to service institutions to assist the institutions with nonrecurring expenses incurred in—

''(i) initiating a summer food service program for children; or

''(ii) expanding a summer food service program for children.

''(3) PAYMENTS ADDITIONAL.—Payments received under this subsection shall be in addition to payments to which State agencies are entitled under subsection (b) of this section and section 13 of the National School Lunch Act (42 U.S.C. 1761).

''(4) STATE PLAN.—To be eligible to receive a payment under this subsection, a State educational agency shall submit to the Secretary of Agriculture a plan to initiate or expand school breakfast programs conducted in the State, including a description of the manner in which the agency will provide technical assistance and funding to schools in the State to initiate or expand the programs.

''(5) SCHOOL BREAKFAST PROGRAM PREFERENCES.—In making payments under this subsection for any fiscal year to initiate or expand school breakfast programs, the Secretary shall provide a preference to State educational agencies that—

''(A) have in effect a State law that requires the expansion of the programs during the year;

''(B) have significant public or private resources that have been assembled to carry out the expansion of the programs during the year;

''(C) do not have a school breakfast program available to a large number of low-income children in the State; or

''(D) serve an unmet need among low-income children, as determined by the Secretary.

''(6) SUMMER FOOD SERVICE PROGRAM PREFERENCES.—In making payments under this subsection for any fiscal year to initiate or expand summer food service programs for children, the Secretary shall provide a preference to States—

''(A)(i) in which the numbers of children participating in the summer food service program for children represent the lowest

percentages of the number of children receiving free or reduced price meals under the school lunch program established under the National School Lunch Act (42 U.S.C. 1751 et seq.); or

''(ii) that do not have a summer food service program for children available to a large number of low-income children in the State; and

''(B) that submit to the Secretary a plan to expand the summer food service programs for children conducted in the State, including a description of—

''(i) the manner in which the State will provide technical assistance and funding to service institutions in the State to expand the programs; and

''(ii) significant public or private resources that have been assembled to carry out the expansion of the programs during the year.

''(7) RECOVERY AND REALLOCATION.—The Secretary shall act in a timely manner to recover and reallocate to other States any amounts provided to a State educational agency or State under this subsection that are not used by the agency or State within a reasonable period (as determined by the Secretary).

''(8) ANNUAL APPLICATION.—The Secretary shall allow States to apply on an annual basis for assistance under this subsection.

''(9) GREATEST NEED.—Each State agency and State, in allocating funds within the State, shall give preference for assistance under this subsection to eligible schools and service institutions that demonstrate the greatest need for a school breakfast program or a summer food service program for children, respectively.

''(10) MAINTENANCE OF EFFORT.—Expenditures of funds from State and local sources for the maintenance of the school breakfast program and the summer food service program for children shall not be diminished as a result of payments received under this subsection.''.

Mr. WELLSTONE. Mr. President, before I go any further, I ask unanimous consent that Justin Page, who is an intern, be allowed to be in the Chamber during the duration of this debate.

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

Mr. WELLSTONE. I thank the Chair.

Mr. President, I rise today to introduce some amendments so that my colleagues have some knowledge of them. We will get back to them when there is more time to debate these amendments.

The School Breakfast Program was established back in 1966 as a pilot program. It was primarily located in rural districts. The idea was that children who lived in rural areas with long bus rides might not be able to have time to eat breakfast at home. Since then, the School Breakfast Program has really become a wonderful program upon which parents and students heavily rely. In many families, a single parent is working or both parents are working, and school breakfasts are recognized as one of the most beneficial nutrition programs we have.

Let me make it clear that a hungry child cannot learn and will likely grow up to be an adult who cannot earn. We are talking about a very wise investment. One more time. Sometimes we debate in this Chamber and we make issues out to be so complex. This is simple. A hungry child cannot learn and later on that child is quite likely to end up being an adult who cannot earn.

To give some context, we still have some 27,000 schools that are not able to make breakfast available or that do not make breakfast available to eligible students, and 8 million low-income children who need breakfast but do not participate. What my amendment does is correct an action that we as Congress took which was egregious. In the welfare bill that we passed, we eliminated a $5 million fund which was an outreach and start-up grant for school breakfast programs. It was created in 1990, and it was made permanent in 1994. These outreach grants are one-time grants that help States develop school breakfast programs.

Let me be crystal clear as to what is going on here. Every low-income student who is eligible for a free lunch is eligible for breakfast as well but only 40 percent of those students are able to get the assistance they need for a healthy and nutritious breakfast. The $5 million grant program was eliminated because it was an effective catalyst toward school districts expanding both their School Breakfast Programs. The welfare bill eliminated it because it was a success.

Now, why in the world do we want to eliminate a small grant program which was such an important tool in providing a nutritious breakfast for low-income children in America? What this amendment does is to point out that in the budget plan we have $2.6 billion for the Pentagon above and beyond what the President requested. Can we not authorize the Secretary of Defense to take $5 million out of $2.6 billion more than the President even requested and put that into a grant program for States and local school districts so they can start up school breakfast programs?

I submit that part of our definition of national security has to be the security of local communities—where every child is able to reach her and his full potential—because when our children do well, we do well. It is unconscionable that we eliminated an effective, crucial $5 million grant program when so many low-income children who need a nutritious and healthy breakfast are not able to have it.

So this is an amendment which gives the Secretary of Defense the authority to transfer to the Secretary of Agriculture $5 million from the $2.6 billion above and beyond what the President requested for the Pentagon. Is that too much to ask, $5 million to help State and local school districts expand the School Breakfast Program so more of the vulnerable children in this country can at least have a nutritious breakfast? That is what this amendment speaks to. This is amendment 670.

Mr. President, I now would ask unanimous consent that this amendment be laid aside.

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

AMENDMENT NO. 666

(Purpose: To increase funding for Federal Pell Grants)

Mr. WELLSTONE. I call up amendment 666.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows.

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 666.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. . TRANSFER OF FUNDS FOR FEDERAL PELL GRANTS.

(a) TRANSFER REQUIRED.—The Secretary of Defense shall transfer to the Secretary of Education $2,600,000,000 of the funds appropriated for the Department of Defense for fiscal year 1998.

(b) USE OF TRANSFERRED FUNDS.—Funds transferred to the Secretary of Education pursuant to subsection (a) shall be available to carry out subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a) for fiscal year 1998.

Mr. WELLSTONE. Mr. President, we have a budget plan that provides an excess $2.6 billion to the Pentagon above and beyond what the President requested. This amendment would authorize the Secretary of Defense to invest that $2.6 billion in Pell grants instead of $2.6 billion into the Pentagon budget.

If this amendment passes, we would see the maximum Pell grant go up to $3,800, and Pell grants stretch to reach 4,278,000 students.

This would make a huge difference. There was an excellent piece by Larry Gladieux in Monday's New York Times. Gladieux made the argument that what is now being proposed—and by the way, I am trying to provide a rigorous, if you will, critique of both Republicans' and Democrats' plans on this—both the President's plan and what is being done here in the Congress through tax deductions and tax credits does not reach those families for whom higher education really has not been attainable. He pointed out, for example, that if a tax credit program is not refundable, many families with incomes under $28,000 and many community college students are not going to benefit at all.

Talk to your financial aid offices. Talk to your students. Talk to people in your States. I know this is the case in New Mexico as well. I know that Senator BINGAMAN has been a huge advocate of the Pell Grant Program. You talk to many in these community college programs, many of whom are older and going back to school, and they will tell you that the Pell Grant Program is the most effective, efficient way of meeting their needs.

Mr. President, I do not remember exactly the statistics, but there has been something like a flat 8 percent graduation rate for women and men coming

from families with incomes under $20,000 a year since the late 1970's. That is a disgrace. We know higher education is key to economic success. All of us wish that higher education will be there for our children and our grandchildren, but still we have a lot of families for whom it is not affordable. The best way to make sure they have the assistance they need, the best way to make sure the Pell Grant Program can help working families, moderate-income families, even reach into the middle-income range, is to expand the Pell Grant Program. I suggest that when we have all sorts of reports that there are tens of billions of dollars the Pentagon cannot even account for in its expenditures—Senator GRASSLEY from Iowa has done an excellent job in continuing to focus on this issue—and when you have a situation where the Pentagon in the budget resolution receives more money than the President even requested, it would seem to me we could take that $2.6 billion in excess of what is needed or has been requested and instead put it into a very successful higher education program which is all about our national defense.

We do not do well as a nation unless we have a skilled work force. As we look to the next millennium, when so many of the industries are going to be womenmade and manmade—and many of them, Mr. President, since you are a strong advocate of small business, are small businesses—let us make sure that higher education is affordable. Let us do something that will make a huge difference. And one of the things we do is take a small amount of money—it is a small amount of money in the context of the Pentagon budget—and put it into expanding the Pell Grant Program.

There is not one of my colleagues, Democrat or Republican, who is going to hear from the higher education community, the students or their families that more of an investment in the Pell Grant Program is not extremely important to them. It is very important to the families we represent. It is very important to the future of our States. It is very important to the future of our country. I look forward to a full debate about our priorities as we go forward with this defense authorization bill and get back to debate on each of these amendments.

With that, Mr. President, I thank my colleagues for their graciousness in letting me introduce these amendments today and I will yield the floor.

Mr. THURMOND. Mr. President, I rise today to oppose the amendment offered by Senator WELLSTONE to reduce defense spending. The budget agreement represents what is available for defense spending, not what is required. This amendment reduces defense funding below the amount that was agreed to by both the congressional and administrative budget negotiators.

Mr. President, we have been down this road before, but it seems that some of my colleagues have forgotten where it leads. Those who oppose a strong defense often attempt to justify their position by reminding us that the cold war is over. They conclude that defense spending should be lower because we do not face an obvious danger from a threat like the Soviet Union. They make a simple argument. This argument is appealing because it provides an easy solution to our funding problems—but the argument is wrong and dangerous.

While our Nation no longer faces a cold war danger, the world is still a dangerous place. The belief that continual reductions to defense are in order is not only ignoring reality, it also overlooks requirements for both present and future force readiness. We ask our men and women in uniform to respond to crises all over the world every day. Right now, we have United States troops on duty in Bosnia, in the skies over Iraq, and on ships at sea near any actual or potential trouble spot in the world.

The Chief of Staff of the Army, General Reimer, testified that,

> Requirements have risen 300 percent. . . . Excessive time away from home is often cited by quality professionals as the reason for their decision to leave the military. It is common to find soldiers that have been away from home . . . for 140, 160 or 190 days of this past year.

The Secretary of the Air Force, Dr. Widnall, testified that,

> Since Desert Storm, we have averaged three to four times the level of overseas deployment as we did during the Cold War.

The problem remains that we will not require less of our servicemen and women. At the same time, some of my colleagues seek to continue to reduce defense spending. This is not right. Deployments to trouble spots have not slowed down. We have not stopped sending our young service people all over the world.

Arguments are made that the Pentagon could find all the money it needs by eliminating wasteful spending. Mr. President, this is probably true of many programs, not just defense. No one supports wasteful spending. But concerning the Defense Department, Secretary Cohen is taking action. He has just finished and delivered the Department's report on the Quadrennial Defense Review [QDR], a review of the national military strategy, force structure, and assets necessary to carry out it out. He has recently established another panel to push the Defense Department toward more business-like operations. The Armed Services Committee has already held one hearing concerning the QDR. More hearings will be held.

Mr. President we must remember that the QDR is an attempt to define our military requirements for our future military security, but we must deter wars with ships, planes, and tanks today. There is a price for freedom. This is the price for world leadership. As Secretary Cohen stated:

> Having highly ready forces that can go anywhere at any time really spells the difference between victory and defeat and it also spells the difference between being a superpower and not being one.

Mr. President, I strongly urge all of my colleagues to oppose this amendment that would intend to cut defense spending. It is absolutely necessary that we maintain defense for the security of this Nation. I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, just a very brief response. I appreciate the comments of my colleague from South Carolina. I always appreciate what he has to say.

I do want to point out that one of my amendments—and I am hoping we can have some agreement on it—just says we should really follow the action of the House and do not eliminate a program within DOD which is a critical testing program for atomic veterans to find out what happened to them.

The second amendment I have has a lot to do with defense. It has to do with veterans who found out after the fact that in the budget resolution we essentially put into effect cuts in veterans' health care. I just have to say to all my colleagues, these veterans are very much about our national defense. I don't think it is too much out of a $2.6 billion excess of what the President and Pentagon even asked for to say, look, let's take $400 million and put that into the VA health care budget. These veterans are all about our national defense. I think this is going to be a critically important vote, and I look forward to the debate on it.

The third amendment I offered was an amendment which dealt with the School Breakfast Program. I again have to say, it would seem to me when we are talking about $2.6 billion more than what the President asked for, it is not so much to take $5 million which is so critical to enabling States to start up school breakfast programs and put it towards making sure that children have a nutritious breakfast before they go to school. This is all about priorities. It is not a question, I say to other Senators, of not wanting a strong defense. This is a small amount of money we are saying the Secretary might be authorized to transfer, a small amount of money with a very big bang.

I just finished talking about how my Pell grant amendment, too, impacts our national defense.

So, again, these amendments all focus on the $2.6 billion above and beyond what the President requested for the Pentagon. These amendments say we ought to at least give the Secretary the authority to transfer some of the small amount of funding to make sure veterans get the health care that they need or to make sure that we re-establish startup grants for the School Breakfast Program, to make sure we keep the program that we have had for the atomic veterans, and, finally, I

have raised questions about an investment in education, but it is all done within the framework of an excess $2.6 billion. This is a debate about priorities, it is not a debate about who is for a strong defense.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BINGAMAN. Mr. President, since there is no other Senator wishing to speak right now, let me say a word about the procedure that we seem to be agreed upon of having a cloture vote this afternoon at 3 o'clock. I know the majority leader has requested unanimous consent to do that and has been granted unanimous consent to do that. I certainly did not object. But I have to say, Mr. President, that the procedures in the Senate, as is said in Alice in Wonderland, get curiouser and curiouser. Having a cloture vote at this stage in our deliberations on this Defense authorization bill seems to me the most curious of any procedure I can recall.

We are, as I understand it, being advised by the leadership, the majority leadership, Senator LOTT, that we do not want any votes on this bill until at least 6 o'clock tomorrow evening when the absent Members who are in Madrid with the President attending the meeting on NATO return. I understand that is a very important meeting, and I certainly commend them for being there to attend that. I do not object to postponing votes on this important defense authorization bill until they return.

But for us to be, on one hand, being told that we should not vote because Members are absent and, on the other hand, being told that we should invoke cloture because someone is delaying the Senate in concluding action on this bill, the only people delaying the Senate in concluding action are the absent Senators or the leadership in trying to protect them from votes. So I have great difficulty understanding why we are having this cloture vote today.

Obviously, if that is the majority leader's will or desire, he has that right under Senate rules. But for people who try to understand the proceedings around the Senate, I think they need to understand that invoking cloture does cut off debate. That is the purpose of it. It limits the number of amendments each Senator can offer. It limits the length of time each Senator can speak. It prevents us from seriously considering legitimate proposals that may be made to improve or alter this bill.

So I think it would be a big mistake for us to invoke cloture. As I said in my early comment, I think it is really very confusing to this Senator to understand why we are having the vote at all. I hope that the majority leader will reconsider and vitiate the yeas and nays and put off any votes on cloture until such time as there is some evidence at least that some Senator is trying to delay action on the bill. I see no evidence of that at the present time. I think all of the Senators who have come to the floor this morning to offer amendments have had those amendments set aside because of their agreement with the majority leader's position that we should postpone votes until tomorrow evening after our colleagues return from Madrid.

Mr. President, I wanted to make that statement because I have great difficulty understanding myself the procedure that is being followed.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LOTT. Mr. President, for the information of all Senators, the cloture vote scheduled for today will occur at 3 p.m. It is my hope that cloture will be invoked so that the Senate can complete action on this very important Department of Defense authorization bill this week.

It is my understanding that perhaps as many as 150 first-degree amendments have been filed to the bill. Needless to say, there remains a tremendous amount of work to be done in order to complete action this week.

SENATOR ENZI RECEIVES GOLDEN GAVEL AWARD

Mr. LOTT. Mr. President, today, the Senate pauses to recognize a colleague who has now presided over the Senate for 100 hours during this session of Congress. It has been a longstanding tradition in the U.S. Senate to honor those Senators who preside 100 hours in a single session. To those individuals who achieve this height, we bestow the Golden Gavel Award.

While many Senators have won this prestigious honor, few have done so as swiftly as Senator MIKE ENZI of Wyoming. Indeed, Senator ENZI has surpassed all other records that have been set by Republican Senators in the history of the Golden Gavel Award. Today he completes his 100th presiding hour. The Senate has been in session this year for approximately 615 hours, and the freshman Senator from Wyoming, as Presiding Officer, has filled 100 of those hours with matchless enthusiasm and dedication.

So, on behalf of my colleagues, I extend my congratulations to the first Golden Gavel recipient of the 105th Congress, Senator MIKE ENZI, who is presiding at this time.

Congratulations, Senator ENZI. Thank you for all the time that you have spent in the chair. The week before the Fourth of July recess period I had noted what an excellent job you had been doing as a Presiding Officer, having been in the chair late, I think it was, on Thursday night and back in the chair through a long, extended period of time on Friday morning.

We appreciate your good work. Now that you have reached this milestone, we hope you will continue on. You are doing such a good job we will just keep this pattern going in the future.

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, Senators should be on notice that the Senate will begin having rollcall votes on Mondays and Fridays in order to make substantial progress on appropriations bills prior to the August recess. I have discussed this with the Democratic leader. He understands and agrees we should be prepared to have these votes on Mondays and Fridays so that we can make substantial progress on appropriations bills.

We hope to do a minimum of five appropriations bills as well as the balanced budget and the tax fairness conference reports before the Senate adjourns for the August recess.

Consequently, Senators need to be aware that votes should be anticipated on Mondays and Fridays, at least up until noon on Fridays. We will need the cooperation of all Senators.

We also, of course, could have some Executive Calendar nominations that would be required to either get clearance or to actually have them called up and have votes on them. We will be providing more information on that as the week goes forward.

I yield the floor, Mr. President.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m. today.

Thereupon, at 12:38 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. HAGEL).

Mr. INHOFE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent there now be a period for morning business during which Senators may speak for up to 5 minutes each, lasting until the hour of 3 p.m.

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

HONORING THE GIBSONS ON THEIR 60TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, families are the cornerstone of America. The data are undeniable: Individuals from strong families contribute to the society. In an era when nearly half of all couples married today will see their union dissolve into divorce, I believe it is both instructive and important to honor those who have taken the commitment of ''till death us do part'' seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

For these important reasons, I rise today to honor Clarence and Rena Gibson of Independence, Missouri, who on August 7, 1997, will celebrate their 60th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. The Gibsons' commitment to the principles and values of their marriage deserves to be saluted and recognized.

MICHIGAN TRAGEDIES

Mr. ABRAHAM. Mr. President, late on Wednesday, July 2, the State of Michigan was the recipient of an uninvited guest for the holiday weekend: Namely, a series of intense thunderstorms which ripped through the south-central and south-eastern portions of our State.

Heavy rains, accompanied by 13 confirmed tornado touchdowns, and powerful straight line winds in excess of 70 to 100 miles per hour caused extensive damage, injury and some deaths in our State. I have had the chance since then to tour a number of the damaged sites in our State, and I know that Senator LEVIN has likewise been visiting some of these communities. I can attest to the level of destruction which has taken place in Michigan.

Just to put some statistics to the descriptions, all told we had 13 people who were killed as a result of the storms, approximately 117 others as of this morning who were injured, and some 1,482 people are homeless today as a result of the storm. Public damage estimates at this point are now close to $135 million, and are expected to rise.

To put it in even a more personal perspective, in Grosse Pointe Farms, MI, winds in excess of 75 miles per hour caused the collapse of an occupied picnic pavilion gazebo. It actually swept the gazebo across the park, lifted it and those in it through a fence and into Lake St. Clair. Five people, including several very young children, were killed as a result. In Wayne and Macomb, Counties, flooding caused by the intense rainfalls resulted in nearly 52 million dollars' worth of damage to the public water and sewer systems. In the city of Detroit, the headquarters of Focus:HOPE, a volunteer organization that feeds over 50,000 people a month in Michigan, sustained $10 million in damages when a tornado tore the roof off several of its buildings and blew out dozens of windows. In the city of Hamtramck, another community I visited, the scene was reminiscent of a Hollywood set, with cars up-ended, houses destroyed, and roofs ripped off buildings. It was an incredible act of nature which, at one point, left approximately 325,000 people in our State without power.

I appear today, really, just to give the Senate an update. Michigan is a resilient place and the people in all of these communities have risen to this challenge. People have been volunteering, helping neighbors, and coming from all over our State to lend a hand in places such as Chesaning, a city in Saginaw County, and in Genesee, Wayne, Macomb and Oakland Counties. I am very proud of those people, Mr. President. I appear today to thank all of those who have stepped up to this challenge.

Government officials, led by our Governor John Engler, Detroit Mayor Dennis Archer, Mayor Kozaren of Hamtramck, Mayor Danaher of Grosse Pointe Farms, Supervisor Kirsh of Washington Township, Supervisor DePalma of Groveland Township, Supervisor Walls of Springfield Township, Mayor Jester of East Lansing, Supervisor Miesle of Cohoctah Township, Supervisor Kingsley of Conway Township, Supervisor Wendling of Maple Grove Township, Village President Mahoney of Chesaning and numerous other local officials have pulled together the State and local resource teams to get out and help distressed folks. The Michigan State emergency personnel, the State police, and FEMA have already begun the public damage assessments and they have been stalwarts in addressing these problems. I want to commend them, but I especially want to commend the volunteers from all over our State who have joined together to provide these first few days the kind of neighbor-to-neighbor help that truly makes the difference when crises of this type occur.

Our office is very actively involved, along with the other congressional offices, in trying to provide assistance. We have made it clear to those in need, if there is anything we can do we will be there to help. We also intend to continue the efforts to work with our State and with FEMA to provide whatever assistance we can, and if a decision to seek Federal aid is made, certainly I urge the President to move quickly to approve it. My wife, today, in fact, is in the State working with the Red Cross in a number of the shelters that have been provided. People from our staff and other congressional staffs, I know, are likewise performing various volunteer services.

So, Mr. President, I want to send a heartfelt thanks to those in our State who have donated their time and energy. To the families of those who have lost loved ones, we send our prayers and condolences. And to the many others who have been affected by this, we want you to know that people are committed to working to do everything we can to return things to normal and to overcome this tragedy. It was an incredible storm, but Michigan is an incredible State, and I know we will successfully rebuild and put things back on track in a very short period of time.

I yield the floor.

ARE POLITICAL CONTRIBUTIONS VOLUNTARY?

Mr. NICKLES. Mr. President, on behalf of Mr. David Stewart and millions of workers like him, who hold their political freedoms in this country in the highest regard, I send the June 25, 1997 Rules Committee testimony of Mr. David Stewart of Owasso, Oklahoma to the desk and ask unanimous consent that it be printed in the RECORD.

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

TESTIMONY OF DAVID STEWART, TRANSPORT WORKERS UNION OF AMERICA-LOCAL 514, REGARDING SENATE BILL S. 9, THE PAYCHECK PROTECTION ACT

My name is David Stewart, I am a member of the Transport Workers Union of America, Local 514 located in Tulsa, Oklahoma. I am here today to support changes in legislation that will protect the hard earned money of myself, and my co-workers. We are tired of funding political agendas and/or candidates that we do not endorse or vote for. I want to first make the point that I am not anti-union, I have received decent wages and benefits as a result of my membership with the T.W.U. and believe that union membership is beneficial and would recommend that all working men and women of the United States join in a union.

Let me submit a brief overview of my history in Organized Labor. I became a union member (Transport Workers Union of America) in September 1983, when I was hired as a welder at American Airlines Inc. I was very interested in the affairs of the union and attended all union meetings and quickly became a Shop Steward around December 1983. As my interest continued, I was offered Labor Study classes in the evenings at Tulsa Junior College in 1984. I accepted and attended the following courses: History, Organization, and Functions of Unions, Labor and Politics, Labor Laws, and Grievance Handling and Arbitration.

In 1985–86 I was elected Vice-President of the Northeastern Oklahoma Labor Council. This was a very short lived position as I am the father of three boys and the time needed to perform these duties conflicted with my requirements as a father and resigned this position after about eight months. In any event, my involvement with the union continued as a member. I continued my duties as Shop Steward and was very involved with the Political Wing of the Union. This Political Wing has a ''sign factory'' behind the Union Hall where volunteers print, assemble, and distribute yard signs for political campaigns. I spent many hours in this building learning of political issues and candidates that the union supported.

In 1991, I transferred to a newly created local in Fort Worth, Texas. As I spent time away from Tulsa and the strong political wing of the Tulsa local union, my personal

political views began to change toward a more conservative position and I began to realize that I really do not agree with some of the agendas and the candidates that the union endorses. Yet, we are all required to fund these agendas and campaigns just by virtue of our membership in the union. As I searched for relief from this unjust requirement, I found out about the ''Beck Supreme Court Decision'' which in effect gives a union member the right to a refund of the non-bargaining expenditures of the union. The problem is, I must relinquish my union membership and the rights associated with that membership to seek this refund. It is absurd to require me to fund the contract bargaining, contract enforcement and administration of the Local, yet require me to forfeit my rights to a voice in these affairs, only because I oppose the political expenditures of the union. I still attend the union meetings and enjoy having a voice in the affairs of the union and my career, I am not willing to give up this activity to receive the refund afforded me by the ''Beck Decision.''

In September of 1996, I transferred back to Tulsa as a Crew Chief. I have duties and responsibilities covering the assignments of 20 mechanics and welders. I have attended about six union meetings in the past eight months, I have had no conflicts with the union that would influence my decision to come to Washington and testify. I would like to believe that my status as a union member of the T.W.U. will not be affected by my testimony before this committee.

My options under current law are best described as follows:

Option A:

During the month of January, of any given year I can send a notice of my objection to the International Secretary Treasurer. I must first assume non-member status in my union. I am required to renew this objection in January of each year to object for the subsequent twelve months. As an objector, I shall have neither a voice nor a vote in the internal affairs of the Local Union or of the International Union; nor shall I have a voice or a vote in the ratification of or in any matter connected with the collective bargaining agreement, whether or not it covers my employment. My paycheck shall continue to have a fee equal to full union dues deducted by my employer and transmitted to the union. The Local and the International, place these fees in an interest bearing escrow account. After completion of an audit, I will receive a rebate equal to an amount ascribed by the audit to non-chargeable activities. This rebate of course does not include any portion of the interest applied to the escrow account. I can at my own expense challenge the validity of the audit. This procedure is very cumbersome and probably cost more than the challenge would change the audit report.

Option B:

I can continue to fund all of the non-germane and political expenditures of my union. This option allows me to maintain the very important voice and vote in the affairs of the Local and International Union. More importantly, as a bonus for funding these activities, I have a voice and a vote in the ratification of the collective bargaining agreement. It should be pointed out here, that I will fund the collective bargaining process regardless of which option I choose. I only get a voice and a vote as a reward for funding the other non-germane expenses.

Option C:

Seek assistance from my government representatives and attempt to get the laws changed that hold my voice and vote hostage as a result of the Supreme Court Beck Decision of 1988. The bottom line is this, I continue to fund the non-germane expenditures so that I can receive the reward for voice and vote in the union business associated with the germane.

I am currently a participant for Option B, and I appear before this committee today to exercise Option C.

It is my understanding that Organized Labor will oppose this legislation. I find this to be an interesting position, because it will not outlaw expenditures, only require consent from each member. If Labor is convinced that the membership supports their non-germane spending, they should also be convinced that the consent to continue, and even an increase in this spending should be very easy to obtain. I have no pride in the 35 Million Dollar attack on members of Congress in the election of last fall. I was disgusted to watch the misleading television ads attacking decent members of Congress, and I know many of my co-workers feel the same. On the other hand, an active campaign has begun to garner support for changes to the Federal Aviation Regulations, a bill to equalize regulations between domestic and foreign Aviation Repair Stations, this is a political expenditure that myself, and my co-workers must spend whatever it takes to seek support, this is one issue I should not oppose expenditures and volunteer funds for. This is where I stop and think to myself . . . why does everything require political funding for passage? Or, why don't we just do the right thing for the voter anymore? However, these hearings are not about Federal Aviation Regulation changes, Republican vs. Democrat, Pro-Union vs. Anti-Union, Right-to-Work Laws vs. Union Security Agreements. The issue is about allowing a union member to object to political expenditures and retain the right to vote on issues associated with the germane expenditures of the union that he will fund regardless of which option described above is exercised.

I feel privileged to sit before this committee today, as the debate over the campaign finance becomes the focus of our government. Very few Americans today believe that a single voter as myself without a huge bankroll of cash to fund the next campaign could ever reach this level of participation. I have already, and will continue to spread the word that indeed with persistence and knowledge of the issue, a constituent is still welcome on the hill.

I believe very strongly that the Paycheck Protection Act introduced by Senator NICKLES is the answer to my woe as a union member. I can object to the collection by intimidation of my hard earned money for political views and agendas I oppose, yet continue to have involvement and support those affairs of my union that I have no opposition to. It is refreshing to see that my Senator, has the insight and courage to help the union members of this country by authoring ''the Paycheck Protection Act'' Senate Bill No. 9.

Mr. KENNEDY. I ask unanimous consent that Tom Perez on my staff be given floor privileges.

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

PRESIDENTIAL RACE INITIATIVE AND AFFIRMATIVE ACTION

Mr. KENNEDY. Mr. President, I commend President Clinton for his impressive Presidential initiative on race, which he announced in his recent commencement address at the University of California, San Diego.

This initiative combines constructive dialog, study and action. It carries forward the President's longstanding concern that the country must remain One America, and that all Americans must have an opportunity to share in the American dream.

Too often, the race issue is used as a wedge to divide America.

President Clinton's goal is to unite America by examining where we have been, and where we need to go, in order to achieve lasting racial reconciliation. President Clinton correctly recognizes that our Nation's diversity is our greatest strength, and that we must improve the ability of all Americans to realize their full potential.

Civil rights is still the unfinished business of America. We have come a long way toward the goal of equal justice and opportunity. But as the church arson epidemic, the Texaco debacle, the O.J. Simpson trial and the Good Ol' Boys Roundup demonstrate, we are not there yet.

Incredibly, there appear to be some who believe that discrimination is a thing of the past, and that the playing field is now level for women, for people of color, and for other victims of discrimination. The facts clearly belie this claim.

The unemployment rate for African-Americans is twice that of whites. Women still earn only 72 percent as much as men.

The average income of a Latina woman with a college degree is far less than that of a white man with a high school degree. The Glass Ceiling Commission reported that 97 percent of the top executive positions in Fortune 500 companies are held by white men, although they are just 43 percent of the work force. In the Nation's largest companies, only 1 percent—1 percent—of senior management positions are held by Latinos or African-Americans.

Hate crimes continue to occur at alarming rates.

The scales of justice are supposed to be blind, but these figures demonstrate that race and gender discrimination are distorting the balance.

Yet, there are those who want to eliminate all affirmative action programs, claiming that they have outlived their usefulness. It's time to dispel the barrage of misinformation about affirmative action.

Affirmative action is not about promoting or hiring unqualified women and minorities, admitting unqualified students, or awarding contracts to unqualified businesses.

Affirmative action has clearly worked in the Armed Forces. Does anybody doubt the qualifications of Gen. Colin Powell?

Affirmative action has clearly worked in education. College admissions practices that allow universities to consider race as a factor—not the main factor or the controlling factor—have a positive impact on the ability of minorities to escape the cycle of poverty through education.

The overwhelming majority of educators feel that colleges and universities are failing in their mission if

they ignore the diversity that is the essence of the American experience.

Done right, affirmative action works. President Clinton's impressive and exhaustive review concluded that affirmative action is still an effective tool to expand economic and educational opportunities, and to combat bigotry, exclusion and ignorance. I strongly support President Clinton's ''mend it, don't end it'' prescription for affirmative action.

There has always been bipartisan support for affirmative action. From President Kennedy to President Nixon to President Clinton, there has been bipartisan support in the White House and Congress, because no one can say with a straight face that the playing field is level for women and minorities.

In addition, President Clinton's nomination of Bill Lee to head the Civil Rights Division is also significant step in ensuring equal justice for all Americans. Bill Lee has dedicated his entire career to finding real-life solutions to real life problems of discrimination. The son of Chinese immigrants, Bill Lee grew up dirt poor in New York City. His parents operated a laundry in a poor section of New York. Bill Lee and his family suffered discrimination first hand, and know how it feels to be taunted and excluded simply because of one's appearance.

But he overcame their barriers and graduated from Yale University and Columbia Law School with honors.

For the past 22 years, he has worked on behalf of all victims of discrimination —African Americans, Asian Americans, Latinos, women, and the poor. He has won remedies that have aided them financially, and given them hope that they too can be part of America.

His ability to forge consensus has earned him the respect of all Americans. Republicans and Democrats alike, including Mayor Richard Riordan, and Senators WARNER and THURMOND, have written letters of support on his behalf. I hope that he will be confirmed expeditiously so that he can help lead the effort to ensure that civil rights guarantees do not remain hollow promises.

The issue of discrimination is too important to become a political football in Congress. As we continue the discussion of race and gender, I urge my colleagues to support President Clinton's initiative, and continue the tradition of bipartisan support that has served this country well in recent decades. Our goal is still to guarantee equal opportunity for all Americans. Let us be sure that when we say ''all,'' we mean ''all.''

SUPPORT FOR THE ARTS ENDOWMENT

Mr. KENNEDY. Mr. President, this week the House of Representatives will take up the Department of Interior appropriations bill, which includes funding for the National Endowment for the Arts.

It will be a watershed debate in Congress, because Republican extremists in the House are trying to eliminate Federal support for this important agency. The House Appropriations Committee has recommended only $10 million for the Endowment, and these funds would be used only to phase out the agency. The misguided Republican goal is to eliminate direct Federal support for music, dance, symphonies, and other arts in communities across America.

The Republican position is so weak on the merits that the House leadership is attempting to use the parliamentary rules to block an up-or-down vote on the merits of this important issue.

Clearly, this unacceptable attack on the Arts Endowment deserves to be rejected. The Endowment has raised the quality of the arts in America. It has also strengthened support for the arts and interest in the arts by Americans in all walks of life in cities, towns, and villages in all parts of America.

For example, under the Endowment's tenure the number of orchestras in America has doubled and the number of dance companies has increased tenfold. Other arts have witnessed similar expansions and earned broad public approval.

An eloquent op-ed article in today's New York Times by the renowned actor, Alec Baldwin and Robert Lynch discusses the extraordinary record of achievement by the Arts Endowment. The article reminds each of us how much is at risk in the current debate, and the cynical Republicans strategy to prevent a vote on the merits. I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, July 8, 1997]

TYRANNY OF THE MINORITY

(By Alec Baldwin and Robert Lynch)

Whether or not you believe the National Endowment for the Arts should be eliminated, there is one basic principle upon which we should all agree: Congress should at least vote on the matter, and the majority should prevail.

This notion may seem obvious, but it is the very principle that the House leadership is undermining. The House Appropriations Committee recommended giving the endowment $10 million for the fiscal year beginning Oct. 1—only enough to shut it down.

We believe that a clear majority of House members want to reject this scheme. After all, poll after poll shows that the public supports the endowment. The Senate leadership has indicated that it is willing to continue the N.E.A.'s current level of financing, and the White House has threatened to veto any bill eliminating the agency altogether.

Despite these clear signals, House leaders are using parliamentary rules to block an open and fair vote. The leadership is requiring advocates for the N.E.A. to win a procedural vote—before the bill can even be debated on the House floor. If this sounds unfair, that's because it is.

Why does the House leadership want to drive this train into a head-on collision? If Congress can't eliminate a small agency like the N.E.A., conservatives argue, it can never cut big-ticket items that will help balance the budget and reduce the deficit. As Representative John Doolittle of California put it, ''It is gut-check time for the entire House.''

This statement sounds compelling, but it's a red herring. If anything, the N.E.A. actually helps balance the budget. The endowment has helped a booming nonprofit arts industry, which each year generates $36.8 billion in revenue and pays $3.4 billion in Federal income taxes.

Every argument for elimination of the endowment crumbles under scrutiny. Conservatives say the agency is elitist, but the facts show that the N.E.A. actually helps average American families gain more access to the arts. When extremists argue that the Government should not be deciding what is good art, the facts show that it is not the Government, but panels of everyday citizens with working knowledge and expertise in the arts who are the ones making grant recommendations.

And although the agency is depicted as nothing but the purveyor of pornography, the reality is far different. The N.E.A. has made more than 112,000 grants supporting everything from the design competition for the Vietnam Memorial in Washington, to gospel music in Lyon, Miss. Fewer than 40 grants have caused controversy—that means 99.96 percent of the endowment's grants have been an unquestioned success. Moreover, two years ago Congress tightened the rules for N.E.A. grants to prevent further controversy.

Facts, however, no longer seem relevant when it comes to the N.E.A. Some members of Congress continue to invent one myth after another as a pretext for eliminating the N.E.A., just so they can claim victory in some form, any form.

Dick Armey, the House majority leader, claims that a handful of Republicans worked out a budget agreement two years ago that pledged partial financing for the N.E.A. in exchange for a phase-out of the agency over two years. As a result, he is now calling for this new Congress to uphold this alleged deal.

But Mr. Armey doesn't point out that this agreement was specifically excluded in the final appropriations bill two years ago. In fact, it was never included in any bill enacted into law.

Even if the agreement were valid, Mr. Armey himself provides a reason not to support it. Explaining why he was not bound by the recent balanced budget agreement, he recently said: ''The basic rule around this town is that if you're not in the room and you don't make the agreement, you're not bound by it.''

Mr. Armey makes an excellent point. He and other House leaders should stop bullying rank-and-file members to eliminate the N.E.A. After all, will Americans think that using arcane parliamentary rules to eliminate the endowment is an achievement worthy of the 105th Congress?

Mr COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KEMPTHORNE). Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

The Senate continued with the consideration of the bill.

CLOTURE MOTION

The PRESIDING OFFICER. The hour of 3 o'clock having arrived, under the previous order, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 88, S. 936, the National Defense Authorization Act for fiscal year 1998: Trent Lott, Strom Thurmond, Jesse Helms, Pete Domenici, R.F. Bennett, Dan Coats, John Warner, Phil Gramm, Thad Cochran, Larry E. Craig, Ted Stevens, Tim Hutchinson, Jon Kyl, Rick Santorum, Mike DeWine, and Spencer Abraham.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on S. 936, the Department of Defense authorization bill, shall be brought to a close? The yeas and nays are required. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS], the Senator from Akansas [Mr. HUTCHINSON], the Senator from Vermont [Mr. JEFFORDS], the Senator from Arizona [Mr. MCCAIN], the Senator from Delaware [Mr. ROTH], and the Senator from Oregon [Mr. SMITH] are necessarily absent.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Louisiana [Ms. LANDRIEU], and the Senator from Maryland [Ms. MIKULSKI] are necessarily absent.

The yeas and nays resulted—yeas 46, nays 45, as follows:

[Rollcall Vote No. 161 Leg.]

YEAS—46

Abraham	Faircloth	Murkowski
Allard	Frist	Nickles
Ashcroft	Gramm	Roberts
Bennett	Grams	Santorum
Bond	Grassley	Sessions
Brownback	Gregg	Shelby
Burns	Hagel	Smith (NH)
Campbell	Hatch	Snowe
Chafee	Helms	Specter
Collins	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Kempthorne	Thompson
D'Amato	Kyl	Thurmond
DeWine	Lott	Warner
Domenici	Mack	
Enzi	McConnell	

NAYS—45

Akaka	Durbin	Kohl
Baucus	Feingold	Lautenberg
Bingaman	Feinstein	Leahy
Boxer	Ford	Levin
Breaux	Glenn	Lieberman
Bryan	Gorton	Lugar
Bumpers	Graham	Moseley-Braun
Byrd	Harkin	Moynihan
Cleland	Hollings	Murray
Cochran	Inouye	Reed
Conrad	Johnson	Reid
Daschle	Kennedy	
Dodd	Kerrey	
Dorgan	Kerry	
Robb	Sarbanes	Wellstone
Rockefeller	Torricelli	Wyden

NOT VOTING—9

Biden	Jeffords	Mikulski
Coats	Landrieu	Roth
Hutchinson	McCain	Smith (OR)

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The pending question is amendment No. 666, offered by the Senator from Minnesota.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 658, AS MODIFIED

Mr. KENNEDY. Mr. President, I would like to and will speak briefly on an issue that I think is of significance and importance as we are addressing the defense authorization bill, and that is the amendment of the Senator from Indiana, Senator LUGAR.

I urge that the Senate support his amendment to restore the cuts made in the Nunn-Lugar cooperative threat reduction programs in the Department of Defense and related nuclear material security programs in the Department of Energy. The funds spent on these programs are the most important cost-effective contribution to our national security that we can make.

Today, and for the foreseeable future, the greatest threat to national security involves potential terrorist acts using weapons of mass destruction. And it is ironic that after living for 40 years under the specter of a cold war nuclear holocaust, the prospect of a nuclear explosion taking place within the United States has actually increased since the dissolution of the former Soviet Union. This is the ominous view of both the intelligence community and the Department of Defense. Any defense bill we enact must deal responsibly with this threat.

We have taken significant steps to do so in recent years. In 1991, Senator Nunn and Senator LUGAR initiated the Cooperative Threat Reduction Program. The basic concept of that program and the nuclear materials safety programs at the Department of Energy is that paying for the destruction and safeguarding of nuclear weapons in the states of the former Soviet Union increases the security of America itself.

The accomplishments of these programs offer convincing evidence that the Nunn-Lugar program works. The Defense Department has already helped to fund the elimination of 6,000 nuclear warheads in nations of the former Soviet Union. Never again will these weapons threaten the United States.

The funds for the Nunn-Lugar and related programs are the most cost-effective dollars spent in the entire defense budget.

They support the complete destruction of nuclear weapons in the nations of the former Soviet Union.

They strengthen border controls to prevent the illegal transport of nuclear bomb-making materials.

They support efforts to protect these materials from theft at their storage sites or during transport.

They provide employment and economic incentives for former Soviet weapons scientists to avoid the temptation that they will sell their know-how to buyers from nations and organizations that support international terrorism.

They fund cooperative efforts to match U.S. commercial applications with the Russian defense industry.

Since these programs began, Congress has fully funded the administration's budget requests until this year. The current committee bill reduces the President's request by $135 million. The bill takes $60 million from the Defense Department's Cooperative Threat Reduction Program, which the department intended to use to help Ukraine destroy its SS–24 intercontinental ballistic missiles.

We specifically encouraged the new Government of Ukraine to take this step because these missiles pose a clear and present danger to our national security. It is a costly operation, but few are more worthwhile. It is imperative that we maintain fully funded and well-structured programs to deal with all aspects of this serious threat.

The initiatives undertaken in this area by the Department of Energy are equally essential. The International Nuclear Safety Program upgrades safety devices on Chernobyl-era nuclear reactors. Yet, its funding has been cut by $50 million.

The Materials Protection, Control, and Accounting Program supports efforts to identify and store the nuclear materials that are most likely to be stolen. Yet, its funding is cut by $25 million.

Under these two programs, the Department of Energy has succeeded in making tons of nuclear weapons materials secure, primarily plutonium and highly enriched uranium. Previously, these materials had not been protected by even the most elementary security precautions. These materials posed grave threats to our national security, and they still do.

Alarming public reports in recent years have mentioned cases where nuclear materials were intercepted at border crossings. We can only wonder how many shipments have gone undetected at border crossings and whether terrorists even now have custody of these materials.

The National Research Council released a report this spring on U.S. proliferation policy and the former Soviet Union. Its first and strongest recommendation is full funding for the Materials Protection, Control, and Accounting Program.

The report goes on to express strong support for the overall Departments of Defense and Energy CTR Programs. But the material protection program was specifically singled out as the most important area for additional funding.

The reason is clear. Bomb-grade nuclear weapon material poses so great a threat to national security that the United States should do all we can to work with Russia to guarantee these materials are safely stored—no ifs, ands, or buts. There is no margin for error, none whatsoever.

The design and manufacture of a crude homemade nuclear weapon is a relatively easy task if the needed uranium or plutonium is available. It takes just 10 pounds of plutonium—about a single handful—to utterly destroy any American city.

Without a major ongoing effort to identify, catalog, transport, store, and eventually reprocess or destroy Russia's nuclear material, it is just a matter of time before some terrorist group becomes a nuclear power. That is why these programs are so important. That is what restoring these funds is all about. The last thing we need is to look the other way as the next Timothy McVeigh prepares to destroy an entire American city.

Over the years we have spent billions of dollars building our nuclear weapons and implementing strategies to prevent nuclear war. Now when a relatively small sum of money can deal with this current threat, how can we afford not to? If a terrorist explodes a nuclear weapon in the United States, we may well never know who to retaliate against.

It may already be too late. But we hope and pray it is not. We must do more—much more—to see that the current loose controls over nuclear weapons and bomb-making materials in the nations of the former Soviet Union do not result in a nuclear terrorist attack on the United States or any other nation.

There will be no comfort in saying the morning after, ''If only we had done more.'' Now is the time to do more. Restoring these funds is the indispensable first step toward doing more, doing it, and doing it as soon as possible.

I commend the Senator from Indiana for his leadership on this issue.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THURMOND. Mr. President, I ask unanimous consent that Senator KYL and Senator COVERDELL be added as cosponsors to amendment No. 420 offered by Senator COCHRAN.

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

Mr. THURMOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I understand, and I have been briefed that there will be an amendment proposed on behalf of several Senators to increase the amount for National Guard Civilian Youth Opportunity Program to $48 million and to provide a substitute for the provision extending and revising the authority of the program.

Mr. President, I strongly object to this amendment. It is already at $20 million. The fundamental question here arises when we are complaining about the fact that there is not enough money for flying time, there is not enough money for pay raises, there is not enough money for quality of life for men and women who are in the military who are serving, and there is not enough money for modernization of the force—and every military leader will tell you that—and now we want to add $28 million to a program which, really, the National Guard has no business being in. It has no business being in a Civilian Youth Opportunity Program.

Oftentimes we refer to the job and role of our Founding Fathers, Mr. President. Who in our Founding Fathers thought that the job of the National Guard was to administer Civilian Youth Opportunity Programs?

The National Guard, I am told by my colleagues who are in areas where there have been floods, devastation, and other disasters, has its hands full. The National Guard has a great deal of difficulty in maintaining training levels of efficiency. We found that out during Operation Desert Storm. Now we want to add $28 million to a program that the National Guard has no business being in.

Mr. President, I am sure when we have a recorded vote on this—and I will demand a recorded vote—that it will carry overwhelmingly, just like the military construction appropriations bill that is coming before us will carry overwhelmingly that has billions of dollars of wasteful and pork barrel spending, but sooner or later, sooner or later, Mr. President, the American people are going to be fed up. They are going to stop supporting spending for national defense and they will stop because they see this kind of unnecessary and wasteful and pork barrel spending.

I read in the newspaper today the military construction bill has some $900 million additional for projects that the administration or the Department of Defense could not find anywhere on their priority list—nowhere to be found on their priority list as being necessary, but they also happen to match up to districts of powerful Members of the other body's committee.

It has to stop, Mr. President. A lot of people are getting tired of it. I am sure, as has happened on many other occasions, that when we have a recorded vote on this, it will carry overwhelmingly, but sooner or later we will ask ourselves the question, When are we going to spend the money where the priorities are, according to the leaders of the military, both military and civilian? It certainly isn't in this program. Is $28 million a lot of money? Certainly not in this entire bill. But it is symptomatic of the problem that has afflicted defense spending for too long and is becoming epidemic. The House overwhelmingly wants to spend what potentially would be $27 billion additionally for B–2 bombers that they can't find a military leader who will say we need. $27 billion. We hear time after time that we are not modernizing the force, that we are losing quality men and women out of the military, we are having to lower our recruitment standards in order to meet our quotas. What are we going to do to solve it? Spend $27 billion on B–2 bombers, add $28 million to the National Guard, and the pork barrel list goes on and on and on.

I am telling you, from talking to my constituents, people are getting a little weary of it, Mr. President. So when this amendment comes up, I tell the chairman and the Democrat manager, I will want to talk again on it, not because it is a lot of money—$28 million is not a lot of money in a defense bill—but it is the wrong thing to do. It is wrong what we are doing in military construction in the bill and wrong what we are doing authorizing projects and programs that we don't need, when at the same time there are severe and fundamental problems in the military that are not being addressed, which means that the Congress of the United States isn't performing its responsibilities in a mature fashion and in a way that will provide for the national security of this country.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 744

(Purpose: To extend the chiropractic health care demonstration Project for two years)

Mr. THURMOND. Mr. President, I offer an amendment that would extend the Chiropractic Health Care Demonstration Project for 2 years.

Mr. President, I believe this amendment has been cleared by the other side.

Mr. President, I urge that the Senate adopt this amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND] proposes an amendment numbered 744.

Mr. THURMOND. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of title VII, add the following:

SEC. 708. CHIROPRACTIC HEALTH CARE DEMONSTRATION PROGRAM.

(a) TWO-YEAR EXTENSION.—Subsection (b) of section 731 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2809; 10 U.S.C. 1092 note) is amended by striking out ''1997'' and inserting in lieu thereof ''1999''.

(b) EXPANSION TO AT LEAST THREE ADDITIONAL TREATMENT FACILITIES.—Subsection (a)(2) of such section is amended by striking out ''not less than 10'' and inserting in lieu thereof ''the National Naval Medical Center, the Walter Reed Army Medical Center, and not less than 11 other''

(c) REPORTS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking out ''Committees on Armed Services of the Senate and'' and inserting in lieu thereof ''Committee on Armed Services of the Senate and the Committee on National Security of'';

(2) by redesignating paragraph (3) as paragraph (4);

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3)(A) Not later than January 30, 1998, the Secretary of Defense shall submit to the committees referred to in paragraph (1) a report that identifies the additional treatment facilities designated to furnish chiropractic care under the program that were not so designated before the report required by paragraph (1) was prepared, together with the plan for the conduct of the program at the additional treatment facilities.

''(B) Not later than May 1, 1998, the Secretary of Defense shall modify the plan for evaluating the program submitted pursuant to paragraph (2) in order to provide for the evaluation of program at all of the designated treatment facilities, including the treatment facilities referred to in subparagraph (B).''; and

(4) in paragraph (4), as redesignated by paragraph (2), by striking out ''The Secretary'' and inserting in lieu thereof ''Not later than May 1, 2000, the Secretary''.

Mr. THURMOND. Mr. President, I propose an amendment that would extend the Chiropractic Health Care Demonstration Program for 2 years and would include the National Capitol region as a demonstration site.

In the National Defense Authorization Act for fiscal year 1995, Congress directed the Secretary of Defense to conduct a demonstration program to determine whether chiropractic health care should be provided as part of the military health care system. The legislation requires a comprehensive evaluation of the program. Representatives of the chiropractic health care community are required to be included in the evaluation process.

The National Capitol region was not one of the 10 sites selected to be part of the demonstration. My amendment would expand the demonstration to include the National Capitol region. In order to include the experiences of chiropractic care in the National Capitol region in the evaluation, I propose to extend the demonstration program for 2 additional years. I am confident that this amendment will result in a better evaluation of the chiropractic care demonstration.

I urge my colleagues to support this amendment.

Mr. LEVIN. Mr. President, the amendment has been cleared on this side.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 744) was agreed to.

Mr. THURMOND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 648

(Purpose: To require a report on Department of Defense policies and programs to promote healthy lifestyles among members of the Armed Forces and their dependents)

Mr. LEVIN. Mr. President, on behalf of Senator BINGAMAN, I offer an amendment No. 648 that would require a report on the Department of Defense policies and programs to promote healthy lifestyles among members of the Armed Forces and their dependents.

I believe this amendment has been cleared by the other side.

Mr. THURMOND. Mr. President, we favor the amendment.

We urge it be agreed to.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. BINGAMAN, proposes an amendment numbered 648.

Mr. LEVIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. 1041. REPORT ON POLICIES AND PROGRAMS TO PROMOTE HEALTHY LIFESTYLES AMONG MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) REPORT.—Not later than March 30, 1998, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report on the effectiveness of the policies and programs of the Department of Defense intended to promote healthy lifestyles among members of the Armed Forces and their dependents.

(b) COVERED POLICIES AND PROGRAMS.—The report under subsection (a) shall address the following:

(1) Programs intended to educate members of the Armed Forces and their dependents about the potential health consequences of the use of alcohol and tobacco.

(2) Policies of the commissaries, post exchanges, service clubs, and entertainment activities relating to the sale and use of alcohol and tobacco.

(3) Programs intended to provide support to members of the Armed Forces and dependents who elect to reduce or eliminate their use of alcohol or tobacco.

(4) Any other policies or programs intended to promote healthy lifestyles among members of the Armed Forces and their dependents.

Mr. LEVIN. Mr. President, we urge the Senate adopt the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 648) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 745

(Purpose: To authorize the Secretary of the Army to donate excess furniture, and other excess property, of closed Army chapels to religious organizations that have suffered damage or destruction of property as a result of acts of arson or terrorism)

Mr. THURMOND. Mr. President, on behalf of Senator HELMS, I offer an amendment which would authorize the Secretary of the Army to transfer excess religious articles formerly in chapels of the Department of the Army to churches that have been damaged or destroyed as a result of an act of arson or terrorism.

Mr. President, I believe this amendment has been cleared by the other side.

Mr. LEVIN. Mr. President, the amendment has, indeed, been cleared, and we support it.

Mr. THURMOND. Mr. President, I urge the Senate adopt this amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. HELMS, proposes an amendment numbered 745.

Mr. THURMOND. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. 1075. DONATION OF EXCESS ARMY CHAPEL PROPERTY TO CHURCHES DAMAGED OR DESTROYED BY ARSON OR OTHER ACTS OF TERRORISM.

(a) AUTHORITY.—Notwithstanding any other provisions of law, the Secretary of the Army may donate property described in subsection (b) to an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is a religious organization in order to assist the organization in restoring or replacing property of the organization that has been damaged or destroyed as a result of an act of arson or terrorism, as determined pursuant to procedures prescribed by the Secretary.

(b) PROPERTY COVERED.—The property authorized to be donated under subsection (a) is furniture and other property that is in, or

formerly in, chapels or being closed and is determined as being excess to the requirements of the Army. No real property may be donated under this section.

(c) DONEES NOT TO BE CHARGED.—No charge may be imposed by the Secretary on a donee of property under this section in connection with the donation. However, the donee shall defray any expense for shipping or other transportation of property donated under this section from the location of the property when donated to any other location.

Mr. HELMS. Mr. President, when the Pilgrims boarded the Mayflower and set sail for a new world, they were searching for a land where they would be free to worship God as they wished. Our Founding Fathers, inspired by their example, incorporated the principle of religious freedom into our national fabric. The importance of this principle to our national character is emphasized by its honored place in the first clause of our Bill of Rights which reads ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.''

In spite of this protection, some citizens have, at times, sought to deny others the right to worship. In extreme cases, this intolerance has turned to violence as houses of worship were desecrated by fire or vandalism. Last month, the National Church Arson Task Force released a report that found no evidence of a nationwide conspiracy behind the fires. I never believed there was a conspiracy but that finding does not diminish the suffering of the congregations in my home State and across the United States who have been victimized in these incidents.

Let there be no doubt, Mr. President, no act is more despicable than the desecration of a house of worship. It is fitting that the perpetrators of such a heinous crime be apprehended and prosecuted to the full extent of the law, I commend the Federal, State, and local law enforcement officials who work diligently to investigate these shameless acts and to prevent their recurrence.

Mr. President, while stories of church burnings are no longer on the front page of every newspaper or the lead story on the evening news, the victims remain. The pastor of one of those congregations, Pastor Brenda Stevenson of the New Outreach Christian Center in Charlotte, which was destroyed by an arsonist in 1995, recently wrote me about her church's effort to rebuild. She informed me that her congregation was able to rebuild with the help of the Christian Coalition's Samaritan project and the Save the Churches fund but that further help was needed. Specifically, Pastor Stevenson requested that excess religious property, formerly used in closed military chapels, be made available to churches that have suffered these terrible acts.

I am told that precisely such property has been found at Fort Bragg, NC, where several old wooden chapels were closed as part of a consolidation. The approximately $25,000 worth of property, including 65 oak pews, 3 altars, 2 pulpits, communion sets, and other religious property, has been declared excess to the needs of Fort Bragg and would ordinarily be sold at auction to the highest bidder. Similar property may also be available at other Army installations.

I agree with Pastor Stevenson that the Army should be allowed to donate this surplus property to some of the churches damaged or destroyed as a result of arson or terrorism. The amendment I am introducing gives the Secretary of the Army authority to donate such property as it becomes available at Army installations.

Mr. President, I know this matter may seem of little consequence to some considering that Congress is considering a budget in excess of $1.7 trillion dollars. However, the gift of this furniture and religious property can mean a very great deal to congregations such as the New Outreach Christian Center that are struggling to rebuild.

Moreover, it is appropriate that Fort Bragg, home of the XVIII Airborne Corps, 82d Airborne Division, and special operations force, which have done so much to protect our liberties abroad, be permitted to contribute to the defense of those liberties at home. I invite my colleagues to join in support of this bill so that some small measure of relief can be provided to these victims.

Mr. President, I ask unanimous consent that a copy of Pastor Stevenson's letter be printed in the RECORD.

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

NEW OUTREACH CHRISTIAN CENTER,
Charlotte, NC, June 6, 1997.

Hon. JESSE HELMS,
U.S. Senator,
Washington, DC.

DEAR SENATOR HELMS: The New Outreach Christian Center was desecrated by an arson March 14, 1995. This horrific act shocked our community and the county. With the assistance of the ''Save the Churches Fund'' grant of the Christian Coalition we were able to rebuild our house of worship.

The Samaritan Project, an outgrowth of the ''Save the Churches Fund'' has notified us that the military may have furniture, materials and equipment which could be of further help to our church. I ask that legislation be initiated that would allow churches that have been harmed by acts of violence to receive the items from these closed chapels. This could assist my church and others throughout the country.

Please move forward on this issue. As a country we cannot accept violence against any house of worship, and must unite to help rebuild them. If there are any questions please call Pastor Brenda Stevenson.

Thank you and God Bless,

BRENDA STEVENSON,
Pastor.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 745) was agreed to.

Mr. THURMOND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 649

(Purpose: To provide for increased administrative flexibility and efficiency in the management of the Junior Reserve Officers' Training Corps)

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, on behalf of Senator BINGAMAN, I offer an amendment numbered 649 that would provide for increased administrative flexibility and efficiency in the management of the Junior ROTC Program.

I think this amendment has been cleared by the other side.

Mr. THURMOND. Mr. President, the amendment is accepted on our side.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. BINGAMAN, proposes an amendment numbered 649.

Mr. LEVIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. . FLEXIBILITY IN MANAGEMENT OF JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) AUTHORITY OF THE SECRETARY OF DEFENSE.—Chapter 102 of title 10, United States Code, is amended by adding at the end the following:

''§ 2032. Responsibility of the Secretary of Defense

''(a) COORDINATION BY SECRETARY OF DEFENSE.—The Secretary of Defense shall coordinate the establishment and maintenance of Junior Reserve Officers' Training Corps units by the Secretaries of the military departments in order to maximize enrollment in the Corps and to enhance administrative efficiency in the management of the Corps. The Secretary may impose such requirements regarding establishment of units and transfer of existing units as the Secretary considers necessary to achieve the objectives set forth in the preceding sentence.

''(b) CONSIDERATION OF NEW SCHOOL OPENINGS AND CONSOLIDATIONS.—In carrying out subsection (a), the Secretary shall take into consideration openings of new schools, consolidation of schools, and the desirability of continuing the opportunity for participation in the Corps by participants whose continued participation would otherwise be adversely affected by new school openings and consolidations of schools.

''(c) FUNDING.—If amounts available for the Junior Reserve Officers' Training Corps are insufficient for taking actions considered necessary by the Secretary under subsection (a), the Secretary shall seek additional funding for units from the local educational administration agencies concerned.''.

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

''2032. Responsibility of the Secretary of Defense.''.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 649) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 746

(Purpose: To require the procurement of recycled copier paper by the Department of Defense)

Mr. THURMOND. Mr. President, on behalf of Senator JEFFORDS, I offer an amendment that would codify and extend the Executive Order 12873 requirement regarding Federal agency use of recycled content paper by providing for increased Department of Defense purchases of such paper for copy machines.

Mr. President, I believe this amendment has been cleared by the other side. I urge the Senate to adopt it.

Mr. LEVIN. Mr. President, this amendment has been cleared on this side. We support it. It is a good amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. JEFFORDS, proposes an amendment numbered 746.

Mr. THURMOND. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 84, after line 23, add the following:

SEC. 340. PROCUREMENT OF RECYCLED COPIER PAPER.

(a) REQUIREMENT.—(1) Except as provided in subsection (b), a department or agency of the Department of Defense may not procure copying machine paper after a date set forth in paragraph (2) unless the percentage of post-consumer recycled content of the paper meets the percentage set forth with respect to such date in that paragraph.

(2) The percentage of post-consumer recycled content of paper required under paragraph (1) is as follows:

(A) 20 percent as of January 1, 1998.

(B) 30 percent as of January 1, 1999.

(C) 50 percent as of January 1, 2004.

(b) EXCEPTIONS.—A department or agency may procure copying machine paper having a percentage of post-consumer recycled content that does not meet the applicable requirement in subsection (a) if—

(1) the cost of procuring copying machine paper under such requirement would exceed by more than 7 percent the cost of procuring copying machine paper having a percentage of post-consumer recycled content that does not meet such requirement;

(2) copying machine paper having a percentage of post-consumer recycled content meeting such requirement is not reasonably available within a reasonable period of time;

(3) copying machine paper having a percentage of post-consumer recycled content meeting such requirement does not meet performance standards of the department or agency for copying machine paper; or

(4) in the case of the requirement in paragraph (2)(C) of that subsection, the Secretary of Defense makes the certification described in subsection (c).

(c) CERTIFICATION OF INABILITY TO MEET GOAL IN 2004.—If the Secretary determines that any department or agency of the Department will be unable to meet the goal specified in subsection (a)(2)(C) by the date specified in that subsection, the Secretary shall certify that determination to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives. The Secretary shall submit such certification, if at all, not later than January 1, 2003.

Mr. JEFFORDS. Mr. President, more than 20 years ago Congress passed the Resource Conservation and Recovery Act to promote Government purchases of products made from recycled materials. Since then, State and local governments throughout the country have enacted similar policies. Ten years ago, only 13 States and a handful of local governments had buy recycled laws. Today, at least 45 States and more than 500 local governments have established legal requirements to purchase recycled content products. In 1993, the administration issued Executive Order 12873 which reinforced the principle of increasing the Federal Government's use of recycled-content products, especially paper products.

Yet in 1996, the Department of Defense, the single largest consumer of copy paper in the world, had a compliance record of only 14 percent regarding its procurement of copy paper. Although DOD should be complimented for recently volunteering to buy only recycled-content copy paper, its decision was due to the General Services Administration's initiative to set the price of recycled paper at 5 cents cheaper than virgin paper. History leads us to assume that DOD will revert to the policy of buying virgin paper should the price shift a nickel.

Well, Mr. President, price is important, but it is only one factor in the equation. As the largest user, DOD must be the role model for other Government agencies and comply with the intent of Congress and the administration. This amendment affords DOD the flexibility of buying nonrecycled paper if the price differential is unreasonable compared to virgin paper, while defining the term ''unreasonable'' as ''greater than 7 percent''.

Additionally, the intent of this amendment is to cause Defense Department procurement offices to buy copy paper in an environmentally responsible manner and is not meant to place unreasonable constraints on the process. It, therefore, contains provisions which allow procuring agencies to choose not to buy the recycled paper if the product is unavailable within a reasonable period of time, or if the product does not meet reasonable performance standards.

Finally, this amendment builds on the intent of the executive order and extends it into the 21st century. Under this amendment, the required postconsumer content will rise to 50 percent in 2004. This initiative is based upon ongoing technological advances within the paper industry and the expectation that they will push down the cost of recycled paper in future years. If DOD cannot meet this requirement, a provision is included in the amendment which will allow them to report to Congress for purposes of gaining a deferment.

Mr. President, only through legislative action can we ensure that DOD will continue to shoulder its environmental responsibilities and serve as the role model it must be.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 746) was agreed to.

Mr. THURMOND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 747

(Purpose: To improve the provisions on depot inventory, and financial management reform)

Mr. LEVIN. Mr. President, on behalf of Senators HARKIN and DURBIN, I offer an amendment which would modify language in the bill addressing inventory management, depot management, and financial management issues.

I understand this amendment has been cleared on the other side.

Mr. THURMOND. Mr. President, the amendment is cleared on our side.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. HARKIN, for himself and Mr. DURBIN, proposes an amendment numbered 747.

Mr. LEVIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 59, after line 14, add the following new paragraph (3):

''(3) The Secretary of a military department may conduct a pilot program, consistent with applicable requirements of law, to test any practices referred to in paragraph (2) that the Secretary determines could improve the efficiency and effectiveness of depot-level operations, improve the support provided by depot-level activities for the armed forces user of the services of such activities for the armed forces user of the services of such activities, and enhance readiness by reducing the time that it takes to repair equipment.''

On page 101, between lines 21 and 22, insert the following:

''(3) For the purposes of this section, the term 'best commercial inventory practice' includes a so-called prime vendor arrangement and any other practice that the Director determines will enable the Defense Logistics Agency to reduce inventory levels and holding costs while improving the responsiveness of the supply system to user needs.''

On page 268, line 8, strike out ''(L)'' and insert in lieu thereof the following:

''(L) Actions that can be taken to ensure that each comptroller position and each comparable position in the Department of Defense, whether filled by a member of the

Armed Forces or a civilian employee, is filled by a person who, by reason of education, technical competence, and experience, has the core competencies for financial management.

''(M)''.

Mr. HARKIN. Mr. President, I offer an amendment with Senator RICHARD DURBIN regarding some much needed reforms in the way the Department of Defense manages its inventory of goods, as well as its financial management systems. Our amendment modifies some very useful language that is included in the Senate Armed Services Committee version of the Defense Authorization bill.

I first would like to applaud the members of the Armed Services Committee for including provisions in the bill that moves the DOD toward better management of its finances and inventories. These provisions are important steps toward fixing some critical problems. We believe that our amendment adds a few simple improvements to the committee provisions.

One element of our amendment requires that the DOD take actions to ensure that its comptrollers are adequately trained. Afterall, the comptroller is the key technical expert who overseas and manages the day-to-day financial operations. For example, the comptroller of the Pacific Fleet, billeted for a Navy captain, is responsible for the financial management and financial reporting of an annual budget of about $5 billion, comparable in size to a Fortune 500 corporation.

Earlier this year, I released a General Accounting Office report, entitled ''Financial Management: Opportunities to Improve Experience and Training of Key Navy Comptrollers.'' The GAO report states that the Navy's financial and accounting systems have been substantially hampered by the fact that the Navy has no specific career path for financial officers, has inadequate financial management and accounting education standards for comptroller jobs, and has a policy of rotating officers too often through key accounting positions. In the report, GAO pointed to these personnel practices as one cause of GAO findings of misstatements in almost all of the Navy's major accounts.

The GAO report recommended that the Secretary of Defense ensure that the following steps are taken by the Navy, all of which are applicable to the other Armed Services:

Identify which key military comptroller positions can be converted to civilian status in order to gain greater continuity, technical competency, and cost savings.

For those comptroller positions identified for conversion to civilian status, ensure that those positions are filled by individuals who possess both the proper education and experience.

For those comptroller positions that should remain in military billets, establish a career path in the financial management and ensures that military officers are prepared, both in terms of education and experience, for comptrollership responsibilities.

This year, I also released, along with Senator DURBIN, Congressman PETER DEFAZIO and Congresswoman MALONEY, a second GAO report that addressed some critical problems with the DOD's inventory practices. ''Defense Logistics: Much of the Inventory Exceeds Current Needs'' detailed billions of dollars in unneeded supplies and equipment within the DOD's inventory. Although DOD has made some progress in reducing the overstock in its inventory, much more needs to be done. This is especially true in its overstock of spare parts and hardware items.

I agree with the committee's attempt to institutionalize best commercial practices in the management of DOD's inventory, especially for the inventory of spare parts. Our amendment simply requires the DOD to implement pilot programs when needed. It also clarifies the definition of best commercial practices to include the so-called prime vendor arrangements which have proven very successful.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 747) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 748

(Purpose: To streamline electronic commerce requirements and for other purposes)

Mr. THURMOND. Mr. President, on behalf of Senators THOMPSON and GLENN, I offer an amendment which would amend the requirements in the Federal Acquisition Streamlining Act of 1994 to allow electronic commerce at DOD and other Federal agencies to be implemented in a cost-effective manner consistent with commercial practices.

The amendment would also make changes to current procurement law to conform civilian agency statutes to DOD statutes regarding the performance-based contracting and to revise a pilot program for the purchase of information technology to make it more competitive by allowing more than one vendor to participate in the program.

Mr. President, I believe this amendment has been cleared by the other side, and I urge that the Senate adopt this amendment.

Mr. LEVIN. Mr. President, the amendment has been cleared on this side. It is a good amendment. We support it.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. THOMPSON, for himself, and Mr. GLENN, proposes an amendment numbered 748.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. THOMPSON. Mr. President, I offer this amendment on behalf of myself as chairman of the Governmental Affairs Committee and Senator GLENN, the committee's ranking minority member. We thank the chairman and ranking member of the Armed Services Committee for their cooperation and assistance in preparing this amendment which will benefit not only the procurement process within the Department of Defense, but other agencies across the Federal Government as well.

The amendment which we offer today began as a request from the administration to include additional procurement-related reforms to those enacted over the last 4 years and those already included in S. 936. Our amendment includes the following provisions:

First, it would amend current Governmentwide procurement law which requires the development and implementation of a Governmentwide Federal Acquisition Computer Network architecture—called FACNET and enacted as part of the Federal Acquisition Streamlining Act of 1994 [FASA]. At the time, Congress intended to require the Government to evolve its acquisition process from a paper-based process to an electronic process. The specific intent of FACNET was to provide a common architecture to implement electronic commerce within the Governmentwide procurement system.

However, GAO recently reviewed the Government's progress in developing and implementing FACNET, and concluded that, in the short time since passage of FASA, alternative electronic purchasing methods have become readily available to the Government and its vendors. Given these advances in technology, the overly proscriptive requirements of FASA and problems with implementation by the agencies, GAO questioned whether and to what extent FACNET makes good business sense. GAO recommended that if the FACNET requirements were an impediment to the implementation of a Governmentwide electronic commerce strategy, then legislative changes should be enacted. This amendment would provide those changes to give flexibility to implement electronic commerce at DOD and other Federal agencies in an efficient and cost-effective manner consistent with commercial practice.

Further, the amendment would make technical changes to current procurement law to: First, conform civilian agency statutes to DOD statues regarding performance-based contracting; and second, revise a pilot program for the purchase of information technology to make it more competitive by allowing more than one vendor in the pilot.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 748) was agreed to.

Mr. THURMOND. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 749

(Purpose: To require the Secretary of Defense to review the command selection process for District Engineers of the Army Corps of Engineers)

Mr. LEVIN. Mr. President, on behalf of Senator GRAHAM of Florida, I offer an amendment that would require the Secretary of Defense to report to Congress concerning the process that the Army Corps of Engineers uses to assign officers as district engineers, and I believe this amendment has been cleared by the other side.

Mr. THURMOND. Mr. President, the amendment has been cleared on our side.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. GRAHAM, proposes an amendment numbered 749:

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

SEC. 10 . REPORT ON THE COMMAND SELECTION PROCESS FOR DISTRICT ENGINEERS OF THE ARMY CORPS OF ENGINEERS.

(a) FINDINGS.—Congress finds that—

(1) the Army Corps of Engineers—

(A) has served the United States since the establishment of the Corps in 1802;

(B) has provided unmatched combat engineering services to the Armed Forces and the allies of the United States, both in times of war and in times of peace;

(C) has brilliantly fulfilled its domestic mission of planning, designing, building, and operating civil works and other water resources projects;

(D) must remain constantly ready to carry out its wartime mission while simultaneously carrying out its domestic civil works mission; and

(E) continues to provide the United States with these services in projects of previously unknown complexity and magnitude, such as the Everglades Restoration Project and the Louisiana Wetlands Restoration Project;

(2) the duration and complexity of these projects present unique management and leadership challenges to the Army Corps of Engineers;

(3) the effective management of these projects is the primary responsibility of the District Engineer;

(4) District Engineers serve in that position for a term of 2 years and may have their term extended for a third year on the recommendation of the Chief of Engineers; and

(5) the effectiveness of the leadership and management of major Army Corps of Engineers projects may be enhanced if the timing of District Engineer reassignments were phased to coincide with the major phases of the projects.

(b) REPORT.—Not later than March 31, 1998, the Secretary of Defense shall submit a report to Congress that contains—

(1) an identification of each major Army Corps of Engineers project that—

(A) is being carried out by each District Engineer as of the date of the report; or

(B) is being planned by each District Engineer to be carried out during the 5-year period beginning on the date of the report;

(2) the expected start and completion dates, during that period, for each major phase of each project identified under paragraph (1);

(3) the expected dates for leadership changes in each Army Corps of Engineers District during that period;

(4) a plan for optimizing the timing of leadership changes so that there is minimal disruption to major phases of major Army Corps of Engineers projects; and

(5) a review of the impact on the Army Corps of Engineers, and on the mission of each District, of allowing major command tours of District Engineers to be of 2 to 4 years in duration, with the selection of the exact timing of the change of command to be at the discretion of the Chief of Engineers who shall act with the goal of optimizing the timing of each change so that it has minimal disruption on the mission of the District Engineer.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 749) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 750

(Purpose: To extend by two years the applicability of fulfillment standards developed for purposes of certain defense acquisition workforce training requirements)

Mr. THURMOND. Mr. President, on behalf of Senators SANTORUM and LIEBERMAN, I offer an amendment which would extend for an additional 2 years the requirement under section 812 of the Defense Authorization Act for Fiscal Year 1993 and for the Department of Defense to develop and implement alternative standards for fulfilling training requirements under the Defense Acquisition Work Force Improvement Act.

Mr. President, I believe this amendment has been cleared by the other side, and I urge the Senate to adopt it.

Mr. LEVIN. It has been cleared.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for Mr. SANTORUM, for himself and Mr. LIEBERMAN, proposes an amendment numbered 750:

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

SEC. 844. TWO-YEAR EXTENSION OF APPLICABILITY OF FULFILLMENT STANDARDS FOR DEFENSE ACQUISITION WORKFORCE TRAINING REQUIREMENTS.

Section 812(c)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2451; 10 U.S.C. 1723 note) is amended by striking out ''October 1, 1997'' and inserting in lieu thereof ''October 1, 1999''.

Mr. SANTORUM. Mr. President, I rise to offer an amendment for myself and Senator LIEBERMAN that would extend the authority of the Department of Defense to consider alternative approaches to the fulfillment of the education and training requirements in the Defense Acquisition Workforce Improvement Act in chapter 87 of title 10, United States Code. In the report to accompany the Defense Authorization Act for Fiscal Year 1998, the Armed Services Committee noted its continuing concern with ensuring that our defense acquisition workforce has the necessary education and training support for the new environment in Government acquisition.

Section 812 of the Defense Authorization Act for Fiscal Year 1993 directed the Department of Defense to develop alternative standards for the fulfillment of the training requirements for the acquisition workforce under the Defense Acquisition Workforce Improvement Act. These standards will sunset on October 1 of this year. The amendment I am offering would extend the life of these fulfillment standards for an addition 2 years. This extension will allow the DOD to explore alternatives to formal internal training programs, including completion of courses outside of the Department of Defense educational system.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 750) was agreed to.

Mr. THURMOND. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 712

Mr. LEVIN. Mr. President, on behalf of Senator CLELAND, I call up amendment No. 712 that would express the sense of Congress to reaffirm the commitment of the United States to provide quality health care for military retirees, and I believe this amendment has been cleared by the other side.

Mr. THURMOND. Mr. President, the amendment has been cleared on our side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 712) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 751

(Purpose: To require the Secretary of Defense to initiate actions to eliminate or mitigate the need for some military families to subsist at poverty level standards of living)

Mr. LEVIN. Mr. President, on behalf of Senator HARKIN, I offer an amendment that would require the Secretary of Defense to initiate actions to eliminate or mitigate the need for some military families to subsist at poverty level standards of living.

I ask also unanimous consent that Senator KEMPTHORNE be listed as an original cosponsor of this amendment.

I understand it has been cleared on the other side.

Mr. THURMOND. Mr. President, this amendment has been cleared on our side.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. HARKIN, for himself and Mr. KEMPTHORNE, proposes an amendment numbered 751:

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

SEC. 664. SUBSISTENCE OF MEMBERS OF THE ARMED FORCES ABOVE THE POVERTY LEVEL.

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

(1) The morale and welfare of members of the Armed Forces and their families are key components of the readiness of the Armed Forces.

(2) Several studies have documented significant instances of members of the Armed Forces and their families relying on various forms of income support under programs of the Federal Government, including assistance under the Food Stamp Act of 1977 (7 U.S.C. 2012(o) and assistance under the special supplemental nutrition program for women, infants, and children under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should strive—

(1) to eliminate the need for members of the Armed Forces and their families to subsist at, near, or below the poverty level; and

(2) to improve the wellbeing and welfare of members of the Armed Forces and their families by implementing, and programming full funding for, programs that have proven effective in elevating the standard of living of members and their families significantly above the poverty level.

(c) STUDY REQUIRED.—(1) The Secretary of Defense shall conduct a study of members of the Armed Forces and their families who subsist at, near, or below the poverty level.

(2) The study shall include the following:

(A) An analysis of potential solutions for mitigating or eliminating the need for members of the Armed Forces and their families to subsist at, near, or below the poverty level, including potential solutions involving changes in the systems and rates of basic allowance for subsistence, basic allowance for quarters, and variable housing allowance.

(B) Identification of the populations most likely to need income support under Federal Government programs, including—

(i) the populations living in areas of the United States where housing costs are notably high;

(ii) the populations living outside the United States; and

(iii) the number of persons in each identified population.

(C) The desirability of increasing rates of basic pay and allowances over a defined period of years by a range of percentages that provides for higher percentage increases for lower ranking personnel that for higher ranking personnel.

(d) IMPLEMENTATION OF DEPARTMENT OF DEFENSE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR PERSONNEL OUTSIDE THE UNITED STATES.—(1) Section 1060a(b) of title 10, United States Code, is amended to read as follows:

''(b) FEDERAL PAYMENTS AND COMMODITIES.—For the purpose of obtaining Federal payments and commodities in order to carry out the program referred to in subsection (a), the Secretary of Agriculture shall make available to the Secretary of Defense the same payments and commodities as are made for the special supplemental food program in the United States under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786). Funds available for the Department of Defense may be used for carrying out the program under subsection (a).''.

(2) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report regarding the Secretary's intentions regarding implementation of the program authorized under section 1060a of title 10, United States Code, including any plans to implement the program.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 751) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GORTON. Mr. President, what is the pending business?

The PRESIDING OFFICER. Amendment No. 666 offered by the Senator from Minnesota [Mr. WELLSTONE].

AMENDMENT NO. 424

(Purpose: To require the Secretary of the Navy to set aside the previous selection of a recipient for donation of the USS Missouri and to carry out a fair process for selection of a recipient for the donation)

Mr. GORTON. I ask unanimous consent that the pending amendment be set aside so that I can call up amendment No. 424 and ask for its immediate consideration.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Washington [Mr. GORTON] for himself and Mrs. MURRAY, proposes an amendment numbered 424.

Mr. GORTON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. 1014. SELECTION PROCESS FOR DONATION OF THE USS MISSOURI

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

(1) The USS Missouri is a ship of historical significance that commands considerable public interest.

(2) The Navy has undertaken to donate the USS Missouri to a recipient that would memorialize the ship's historical significance appropriately and has selected a recipient pursuant to that undertaking.

(3) More than one year after the applicants for selection began working on their proposals in accordance with requirements previously specified by the Navy, the Navy imposed two additional requirements and afforded the applicants only two weeks to respond to the new requirements, requirement, never previously used in any previous donation process.

(4) Despite the inadequacy of the opportunity afforded applicants to comply with the two new requirements, and without informing the applicants of the intent to do so, the Navy officials gave three times as much weight to the new requirements than they did to their own original requirements in evaluating the applications.

(5) Moreover, Navy officials revised the evaluation subcriteria for the ''public benefits'' requirements after all applications had been submitted and reviewed, thereby never giving applicants an opportunity to address their applications to the revised subcriteria.

(6) The General Accounting Office criticized the revised process for inadequate notice and causing all applications to include inadequate information.

(7) In spite of the GAO critria, the Navy has refused to reopen its donations process for the Missouri

(b) NEW DONEE SELECTION PROCESS.—(1) the Secretary of the Navy shall—

(A) set aside the selection of a recipient for donation of the USS Missouri;

(B) initiate a new opportunity for application and selection of a recipient for donation of the USS Missouri that opens not later than 30 days after the date of the enactment of this Act; and

(C) in the new application of selection effort—

(i) disregard all applications received, and evaluations made of those applications, before the new opportunity is opened;

(ii) permit any interested party to apply for selection as the donee of the USS Missouri; and

(iii) ensure that all requirements, criteria, and evaluation methods, including the relative importance of each requirement and criterion, are clearly communicated to each applicant.

(2) After the date on which the new opportunity for application and selection for donation of the USS Missouri is opened, the navy may not add to or revise the requirements and evaluation criteria that are applicable in the selection process on that date.

Mr. GORTON. Mr. President, I ask unanimous consent that Senator FEINSTEIN be added as a cosponsor to the amendment.

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

Mr. GORTON. Mr. President, the U.S.S. *Missouri*, the battleship on which the Japanese surrender was signed in 1945, was decommissioned, mothballed and home ported in Bremerton, WA, from 1954 until it was recommissioned in 1986. It was during that period of time, of course, a major and treasured tourist attraction located relatively conveniently in the continental United States.

In 1995, the *Missouri* was decommissioned for a second time and returned to Bremerton. The U.S. Navy then made the *Missouri* available for donation to a community willing and able to transform the ship into a world class maritime museum honoring the men and women who served in World War II.

The Save the Missouri Committee in Bremerton competed with four other applicants in Hawaii and California under the same rules that had been applied to all previous Navy donations.

I want to emphasize that once again, Mr. President. These were general Navy donation rules under which Bremerton and the other four cities competed.

At the last minute, however, when it was likely that Bremerton would be chosen under those rules, the Navy added two new requirements, failing to tell any of the applicants that the two new requirements would count for 75 percent of the ultimate decision and that the earlier rules were only 25 percent.

The applicants had 2 weeks to respond. None of the applicants, according to the Navy's own evaluation team, responded adequately. Nevertheless, the Navy awarded the *Missouri* to Honolulu based exclusively on those new requirements.

The General Accounting Office then reviewed the Navy process. It criticized it on just the grounds that I have outlined. The Navy nevertheless has refused to reopen the process for the four losing applicants, Bremerton and the three in California.

Mr. President, during this entire process, I never interfered and told the Navy what answer it should come up with. I simply assumed that the Navy would do so on an objective and on a nonpolitical basis.

Now, however, I must say that, based on my own experience and the report of the General Accounting Office, I am outraged at the Navy's lack of objectivity and its indifference to fairness.

This amendment, therefore, sponsored by myself, my colleague from Washington, and Senator FEINSTEIN from California, will not decide the question in favor of one of our cities. It simply requires the Navy to reopen the question and to treat all five applicants fairly and under the same rules that were imposed at the beginning of the process rather than being added at the end. It is as simple as that. Mr. President, something that the Navy should have done in the first place it would be required to do by this amendment.

Obviously, the location of the *Missouri*, given its historic nature, is a matter of significance to all of the applicants and, I think, to all Americans and most especially to those who served in World War II.

Obviously, I would prefer the ultimate location to be in my own State. But I have not demanded in the past, nor do I demand now, that the Navy decide in my favor. I simply ask that it make this decision objectively—nothing more and nothing less.

For that reason, I ask for the support of my colleagues for this modest proposal.

Mrs. MURRAY. Mr. President, I am pleased to join my Washington State colleague in offering this amendment to require the Navy to revisit the awarding of the U.S.S. *Missouri*. I have followed closely the Navy's handling of the *Missouri*; working with Senator GORTON, Congressman NORM DICKS, the Washington congressional delegation, and my constituents. I am also pleased that California Senators have joined this effort to question the Navy's *Missouri* decision.

The history of the ''Mighty Mo'' is known all across our country and throughout the world. This is a relic of immense importance and historical significance. It was on the decks of this great battleship that World War II came to a welcome end. The *Missouri* is particularly valued by the residents of my State where she has been berthed for most of the last 40 years in Bremerton. She is a source of great pride to veterans in my State; many of whom served in World War II including in the Pacific theater and aboard the ''Mighty Mo.''

Following the Navy's decision to remove the *Missouri* from the Naval Vessel Register, five proposals were submitted to the Navy from communities interested in taking ownership of the famed battleship. Bremerton, WA was among the five applicants seeking to display and honor the *Missouri*. San Diego, San Francisco and Honolulu all submitted proposals.

Each community vying for the *Missouri* submitted voluminous applications to the Navy responding within a year's time to a set of Navy criteria previously used in the disposition of the U.S.S. *Lexington*. While I cannot speak for the other applicants, I know of the care, the time, and the commitment demonstrated by the Bremerton community in preparing its proposal to the Navy. Bremerton's proposal to permanently display the *Missouri* was delivered to the Navy in October 1995.

Last August, the Secretary of the Navy announced the decision to award the *Missouri* to Honolulu, HI. Following the Navy's decision, significant questions were raised regarding the Navy's process in awarding the battleship. Congressman NORM DICKS in his capacity as a senior member of the House Appropriations Committee requested a General Accounting Office study on the Navy's donation process of the *Missouri*.

It is the results of this GAO study that bring us here today. Since coming to the Congress, I have sought to let the Sun shine on the political process—to share with the public the great decisions before this body. The GAO study demonstrates that the Navy also needs a little sunshine.

Here's what the GAO found in reviewing the Navy process. Following the review of applications, the Navy added new and previously unused criteria to the selection process. And, according to the GAO, the Navy did not do a good job communicating the relative importance of the new evaluation criteria. According to the GAO, several of the applicants reported that the Navy gave them the mistaken impression that the additional requirements were not that significant.

Shockingly, these new criteria were actually given 75 percent of the donation award weight. After more than 1 year of discussion among the interested communities, the Navy changed the rules and failed to explain the importance of the new rules. Then the Navy gave the competing communities 12 days to respond to the new rules which turned out to be decisive in awarding the battleship.

Clearly, the Navy bungled the process—either innocently or with other motives in mind. I am not here to accuse either the Navy or another applicant of behaving inappropriately. Rather, I do believe the facts of the case as established by the GAO argue for our amendment.

Let me state clearly what our amendment seeks to accomplish today. We simply seek the Senate's support to instruct the Navy to conduct a new donee selection process. We do not seek to influence or prejudge that selection process. We only want a fair competition, administered by the Navy in a manner worthy of this great battleship.

Like all of my colleagues interested in displaying the *Missouri*, I have every confidence in the proposal from my home State. Bremerton continues to host the *Missouri* today and the community is devoted to remaining the steward of this unique historic monument. The *Missouri* is a passion for the residents of Bremerton, Kitsap County, and indeed all of Washington State.

I recognize that the interests of Washington State may not be enough to sway the Senate to overturn the Navy's decision. However, I do want my colleagues to know that this is not a small, regional competition. Veterans all across this country care about the *Missouri*. Those who served aboard this great battleship live in every State in the country; many are now elderly and incapable of traveling great distances to commemorate their service. It is for our veterans and particularly for those that served aboard the ''Mighty Mo'' that we must ensure that the process is fair to all.

All World War II vets recognize and revere the ''Mighty Mo.'' Just recently, Bremerton hosted a group of 110 families and survivors from the Death March of Bataan and Corregidor. These veterans, many in poor health, could travel to Bremerton. And they wanted to see the ''Mighty Mo.'' This reverence for the battleship demands that the Senate stand for a process fair to all.

I urge my colleagues to support the Gorton-Murray amendment.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER [Ms. SNOWE]. The Senator from Hawaii.

Mr. INOUYE. Madam President, briefly, it displeases me to be standing here speaking in opposition to my distinguished friend from Washington. But I think it should be remembered by all of us that under current law, the law that is in place, the Secretary of the Navy is authorized to donate any stricken vessel to any organization which can demonstrate its financial means to support it.

The Navy is not required to hold a competition nor is it required to select a winning proposal. However, as my

friend from Washington noted, when it became apparent that there were several cities vying for the *Missouri,* such as San Francisco, Bremerton, and Pearl Harbor, the Secretary determined that he would very carefully examine how he would dispose of the ship.

In a lengthy competition, the Navy kept all participants equally informed. Nowhere in the GAO report does it say that any city got favorable treatment. They were equally informed of how it would judge the applicants.

It determined that in the unique situation at hand it should ensure that this historic ship should be located where it would best serve the Navy and the Nation. Those were the two additional criteria.

I think that even without stating that, that should be the first criteria: How best can the interests of this Nation be served? How will the Navy's interests be served?

The Secretary issued these new requirements to all of the applicants. According to the GAO, no one received favorable or preferential treatment. The Navy Secretary then had his staff evaluate the criteria. He chose the best proposal as the winning location. Under the current law the Secretary could have selected the losing proposal, but he did not. He chose the winning proposal. And the winner was Pearl Harbor.

Now, those that lost say that is not fair. If one would objectively look at the GAO report, it does not suggest that it was not fair. All applicants operated under the same rules. We did not know that the Navy would change the interests which best served their interests.

They argue that the competition should be reopened. What is the basis of this argument? The GAO did not recommend that the competition be reopened, nor did the Secretary recommend that the competition be reopened. Instead, they believe, since none of the parties had enough time to consider how their location was the best location for the ship, that we should go back and redo the competition.

Madam President, I believe that is completely unfair to the winning team. We have made countless—hundreds—of decisions of this nature. Did we go back to MacDonnell Douglas and say we are going to reopen the competition for the joint strike fighter because they lost to Boeing? No. Did the Navy reopen the competition of the sealift ship contracts when Newport News and Ingalls lost to Avondale? No.

Madam President, the amendment by the Senator from Washington, I believe, is unfair and it is bad for all of us. Each of us has had constituents which won and also lost competitions. If we are to go back and reconsider awards even when the GAO does not recommend reopening matters, then I believe we will be in very serious trouble.

I believe that the Pearl Harbor applicants won the contest and competition for one simple reason: The Pearl Harbor applicants did not look upon the *Missouri* as a mere tourist attraction. We have a very sacred ship in Pearl Harbor at this moment, the *Arizona*. There are over 1,700 men who are still in the ship. It is a memorial. And it happens that more tourists visit the *Arizona* than they do the Tomb of the Unknown Soldier. But it was not built, Madam President, as a tourist attraction. It was built as a memorial to remind all of us that on this dark morning of December 7, 1941, we were suddenly thrust into a bloody and terrible war.

The battleship *Missouri* is a ship upon which the surrender terms were signed by the representatives of the Imperial Government of Japan. The most logical spot for the location is Pearl Harbor. On one hand, you will see the *Arizona* where the war began, and down Battleship Row you will see the U.S.S. *Missouri* where the war ended. It would constantly remind us of the many sacrifices that men and women of the United States were called upon to make during that terrible war.

I have visited Bremerton. It is a nice place. But I am certain that my colleagues realize that Bremerton is also looked upon by Navy personnel, and others, as the graveyard of ships, where dozens upon dozens of destroyers and cruisers are parked and put in cover hoping that someday they can be used.

The *Missouri* deserves much more than a graveyard, Madam President. The *Missouri* should be respected with dignity; it should be revered as a memorial.

So, Madam President, I hope that my colleagues will follow the suggestions of the GAO. The GAO said it should stand as is. The Secretary of the Navy said his decision stands. Why go through the misery again of spending countless dollars to come up with the same result?

I thank the Chair.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Madam President, with almost all of the factual statements about how the selection process was made, I agree with my friend and colleague from Hawaii. With his unwarranted characterization of Bremerton and, by implication, of San Francisco and of the California applicants, I most decidedly do not.

Pearl Harbor is in fact a memorial to World War II and to its beginning. But Pearl Harbor, no more than Bremerton or San Francisco, was the location of the surrender of the Japanese on board the *Missouri* at the end of the war.

Under the logic of the Senator from Hawaii, the *Missouri* should be sent to Tokyo Bay and be a memorial and a reminder there. Obviously, that is not going to be the case. But from the point of view of its availability to primarily American tourists, it is obviously more conveniently located in one of the west coast ports than it is Honolulu.

But, Madam President, the true difference between the Senator from Hawaii and myself is not that. The Senator from Hawaii, as apparently he did to the Navy himself, is making the case for his location. I simply depended on the Navy to make that decision objectively.

The Navy, of course, can set up whatever criteria it wishes for making a donation of a ship or any other artifact to a community, but the Navy, like every other American institution, should do so fairly and on the basis of rules that are not changed at the beginning of the game without telling the participants in the game what the new rules mean or what weight they will be given. Had the Navy followed its original rules, the rules it applied itself to all previous donations, Bremerton was the most likely winner by reason of the deep concern on the part of the community for what had been a part of its history for more than 40 years. But at the very end, the Navy comes up with two other criteria, informs no one of their importance, gives them 75 percent of the weight in making its decision, and comes out, I presume, where someone in the Navy wanted to come out in the first place but could not without changing those rules.

My amendment does not even require that those rules be changed, though I think they should be, Madam President. It simply requires the Navy to treat the citizens of the five communities that applied to be the permanent home of the *Missouri* on the basis of the same rules at the end of the process that it had at the beginning of the process and to inform those communities of what the rules are and what their relative weight is. That is asking for the most minimal fairness, Madam President, the most minimal fairness in the world.

The General Accounting Office did not take a position one way or the other on whether or not the process should be reopened, said that none of the communities were adequately informed about the nature and the weight of the new criteria. That is the fundamental answer that should have caused the Navy to reopen this process on its own.

Madam President, it is interesting to note that the fairness of this request, the request I am making in this amendment, is recognized even by the Honolulu Advertiser. Now, the Honolulu newspaper, a month ago tomorrow, wrote an editorial on the subject which, of course, takes Senator INOUYE's position on the merits, that Pearl Harbor is practically the only logical place and certainly the most logical place for the location of the *Missouri*. But it does say, in part,

Officials from Bremerton, WA, cite a General Accounting Office report that says there were a number of last minute changes in the Navy's selection process that skewed it in

favor of Honolulu. They want the selection process reopened. Hawaii Senator DAN INOUYE, whose enthusiasm was very obvious in the effort to get the *Missouri* at Pearl Harbor, says the GAO report in itself is skewed. He promises the great battleship will come to Pearl. Let's hope so. But if the proposed Pearl Harbor resting place makes so much sense, as we believe, then there should be no problem in reopening the selection process so that all questions are answered.

It concludes, ''And no one can claim Hawaii stole it. We can proudly say we earned the right to host the *Missouri*.''

I am not sure that would be the result. I hope that would not be the result. The very newspaper in Honolulu itself acknowledges that this competition should be a fair one and carries the implication that it was an unfair one. We ask no more than that. This is not a tremendously complicated process. It will not take a long time to do justice. But justice has not been done, Madam President, and it can only be done by the acceptance of this amendment.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays have been ordered.

Mr. INOUYE. Madam President, I suggest that to call upon the Navy as being unfair and not objective is not fair. There is nothing in the record to suggest that they have been less than objective or less than fair.

I think it should be pointed out that the GAO report stated that no one received preferential treatment, no one received advance notice. It was objective, it was fair to all, and the Secretary of the Navy just recently stated he stands by his decision, and the GAO report itself says the decision should be left where it is. It should not be reopened.

So I hope my colleagues will defeat this amendment.

Mr. GORTON. Madam President, one correction. The GAO makes no recommendation with respect to whether or not this question should be reopened whatever. It does say the Navy should change its donation procedures in the future, but it does not say that the selection should stand.

Mr. LEVIN. Madam President, I oppose the amendment to reopen the Navy's decision to donate the U.S.S. *Missouri* to Pearl Harbor.

These are obviously very difficult decisions for all of us to make because of the friendships with the Senators from the States involved. I do believe, under these circumstances, the GAO found that the Navy's donation process was impartially applied, to use their words. They are critical of some aspects of the process and many of these processes are not perfect in their application. But to me, the key words of the GAO report are that the Navy's donation process appears to have been impartially applied, and the GAO's statement on page 10 where they say that on June 5, 1996, each of the five applicants was notified for the first time that ''In addition to the financial and technical information that you've provided, your application will also be evaluated in terms of its overall public benefit to the Navy and to the historical significance associated with each location to include the manner in which the ship will be used as a naval museum or memorial.'' Notification was made in writing, with telephone confirmation.

The GAO also reports on page 12 that none of the applicants requested clarification of the June 5 letter or expressed concern about the additional requirements at the time, and all responded to the letter.

That, to me, is a very critical fact, that when the additional requirements were spelled out in that June 5 notification, that all the applicants responded to the letter with the additional requirements and none requested clarification or expressed concern.

Was this a perfect process? It was not. The GAO acknowledges that, and indeed, the Navy acknowledges that. Was this process sufficiently fair so that we should not reopen the Navy's decision to donate the *Missouri* to Pearl Harbor? It seems to me that it does meet that test.

I will oppose the amendment and vote against reopening the Navy's selection process.

I yield the floor.

Mr. INOUYE. Madam President, I ask unanimous consent that a letter dated June 10, 1997, from the Secretary of the Navy to the Honorable NORMAN D. DICKS, a Member of the House of Representatives, be printed in the RECORD.

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

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, DC, 10 June 1997.

Hon. NORMAN D. DICKS,
House of Representatives,
Washington, DC.

DEAR MR. DICKS: Thank you for your letter of June 3, 1997, regarding the General Accounting Office report concerning the Navy's donation selection process for the battleship ex-MISSOURI.

I have reviewed the General Accounting Office report you enclosed, and I find that it contains nothing that would warrant reopening the process. The General Accounting Office stated that the Navy ''impartially applied'' the donation selection process, and that all applicants received the same information at the same time. The report's chronology documents that scoring for the financial, technical, historical and public affairs evaluation of each application did not begin until after all criteria weighting was established and all information was received from the applicants. The initial evaluation scores developed by each of the three independent scoring teams were maintained throughout the process. I remain confident that my selection of Pearl Harbor was in the best interest of the Navy and our Nation, based on the impartial review of the relative merits of the four acceptable applications.

The General Accounting Office found the initial phase of the donation selection process was well-handled, but that the Navy could have done a better job of communicating information about the two additional evaluation criteria of Public Affairs Benefit and Historical Significance. The General Accounting Office also noted, however, that none of the applicants requested clarification on any aspect of these two criteria. When the General Accounting Office forwards their report to me, I will consider and provide a written response to any specific recommendations they make regarding how to improve the process for future competitive donation selections.

I am sensitive to the concerns of those American veterans who have expressed their desire to keep ex-MISSOURI on the mainland. Others, including the American Legion's Department of Missouri, have endorsed the Pearl Harbor site. I regret that it is not possible to accommodate all groups who are interested in the location of the ex-MISSOURI display. As I said at the time my selection was announced last summer, this was a very tough decision since all the proposals were so impressive. I hope that other groups interested in displaying a Navy ship will consider that there are several other ships currently available for donation.

As always, if I can be of any further assistance, please let me know.

Sincerely,

JOHN H. DALTON,
Secretary of the Navy.

Mr. AKAKA. Madam President, I rise in opposition to the amendment offered by Senator GORTON.

The ''*Mighty Mo*'' is a historical icon of World War II in the Pacific. It began its service in World War II by providing gunfire support during the battles of Iwo Jima and Okinawa. The U.S.S. *Missouri* took its place in world history when it became the site for the formal signing of Japan's surrender.

Continuing its auspicious beginnings, the *Missouri* participated in the Korean war, was decommissioned, then recommissioned, and saw its final battles during the Persian Gulf conflict. She was finally decommissioned on March 31, 1992.

In January 1995, the Department of the Navy declared *Iowa* class battleships in excess to its requirements. The people of Hawaii have always believed that the *Missouri*'s home is Hawaii. We supported having her homeported in Hawaii before she was decommissioned in 1992. Since then, our community has been diligently working to bring the *Missouri* to Hawaii to fulfill its final mission—as a memorial museum in the Pacific. It is a fitting tribute to those we honor at the *Arizona* Memorial to have the *Missouri* become a part of our memorial in the Pacific.

The Senator from Washington believes that the Navy's evaluation process was unfair because the criteria were changed during the evaluation stage. However, the General Accounting Office found that the Navy provided all applicants the same information on the additional criteria at the same time. Although all interested parties were provided the same information, none of the applicants requested clarification of the additional requirement.

The Navy conducted an impartial and fair review in determining the site location for the *Missouri*. There is no reason to reopen the selection process. I

urge my colleagues to reject the amendment offered by the Senator from Washington, and let us move forward in establishing a memorial to those who so gallantly fought in the Pacific.

Mr. MURKOWSKI. Madam President, I ask unanimous consent that the pending amendment be temporarily set aside.

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

AMENDMENT NO. 753

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

Mr. MURKOWSKI. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI] proposes an amendment numbered 753.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

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

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

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

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

(1) a description of each option evaluated;

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

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

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

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

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

Mr. MURKOWSKI. Madam President, let me explain very briefly the amendment that I put before the Senate. This amendment would direct the Department of Defense to conduct a study of alternatives to our present approach to chemical weapons disposal. Depending on the conclusion of this study and its evaluation, there is a potential savings to the taxpayer, somewhere in the area of $3 billion to $5 billion, and perhaps much more, in the costs of disposing of these weapons.

The Chair might wonder why the chairman of the Energy and Natural Resources Committee is interested and involved with this issue, and to what degree does he have expertise in this area that falls under the auspices of the Department of Defense and under the Defense authorization bill. The Chairman would respond, Madam President, by noting that, as chairman of the Energy and Natural Resources Committee, I spend a great deal of time and energy in the area of nuclear waste and nuclear waste disposal and the transportation of nuclear waste.

I might add that there has been moved globally about 25,000 tons of high-level nuclear waste throughout the world. We have, currently, in some 80 reactors in 31 sites in the United States, high-level nuclear waste that we are contemplating at some time moving to Yucca Mountain in Nevada. So I think the qualifications for a contribution to the area of disposing of chemical weapons is appropriate in the body of the amendment. This amendment simply calls for a study. It does not mandate changes in the program at this time, but will provide the Congress with an important and needed opportunity to responsibly evaluate alternatives to our chemical weapons disposal program in the future.

Surprisingly enough, there is no authority to evaluate alternatives at this time for the Department of Defense. It was my hope this amendment would be accepted by the floor managers.

I think it is noteworthy, Madam President, that prior to the Senate's ratification of the Chemical Weapons Treaty, the United States did adopt the policy that we would dispose of our chemical weapons in a safe and environmentally responsible manner. As most of my colleagues know, the disposal process is now underway, but it is becoming clear that we cannot afford to continue this program as it is currently constructed because of the costs.

According to the General Accounting Office, the costs of the stockpile disposal program have escalated sevenfold, from an initial estimate of $1.7 billion to a current estimate of $12.4 billion. The costs of the nonstockpile program, which consists of the location and destruction of chemical weapons ordinance that was disposed of through burial or other means in the past, could cost an additional $15.1 billion and take up to 40 years to complete.

Well, that is a total of about $27.5 billion to dispose of our chemical weapons. However, the GAO indicates that both the costs and the disposal schedules are highly uncertain and that it will likely take more time and likely take more money to get this job done.

Well, as a consequence of that dilemma, Madam President, I think the program needs a fresh look, a new comprehensive evaluation by the program managers in the Department of Defense.

Today, we have stockpiled chemical weapons stored at 9 locations. On the chart on my right, one can see that we start out with the Johnston Atoll, an island in the Pacific, roughly 700 miles southwest of Hawaii. We have another in Tooele, UT. Umatilla, OR; Pueblo, CO; Pine Bluff, AR; Anniston, AL; Blue Grass, KY; Aberdeen, MD, and Newport, IN.

The chemical consistencies of the weapons stored there are abbreviated here by GB, which is a sarin nerve agent, and HD, which is a mustard blister agent, and VX, which is a nerve gas agent.

Now, I have had the opportunity to visit the facility at Johnston Island on two occasions in the last 3 years. The chemical weapons are stored in capsules that look like hundred pound bombs. And within the bomb itself, or the casing, we have two components. One is an agent that is separate and distinct from the other nerve gas agents, and there is a triggering mechanism. Of course, the chemical reaction takes place when the two are mixed, or the exterior shell is punctured or broken. It is rather revealing to contemplate the terrible consequences of this type of weaponry, Madam President. It was explained that these can be fired from a Howitzer in ground activity, exploding perhaps 300 or 400 feet in the air, and the mist of the vapors, upon contact with the skin, will take a life within 30 seconds. Now, when you see this stored, you come to grips with the reality of the devastation of this type of weaponry and the necessity of proper disposal.

It is also important to recognize how it got there because this stuff wasn't made at Johnston Island. It was shipped there from Europe, and some was shipped from some of our bases in the Pacific. It was shipped under the observation of the Army Corps of Engineers. It was shipped safely and met the criteria for shipment, which was evaluated to ensure its safety.

So it is important to keep in mind in this discussion that these weapons we are now disposing of at Johnston Island, for the most part, were weapons that were part of the NATO capability, shipped from Germany, and have been safely transported to Johnston Island and are under the process of being destroyed.

Now, at Johnston island, we have this capability for weapons demilitarization and incineration. This complies, as it must, with all applicable environmental laws, including the Resource Conservation and Recovery Act, the Clean Air Act, the Clean Water Act, and the Toxic Substances Control Act. It is a superbly safe, state-of-the-art facility. It is also very expensive. This plant cost approximately $1 billion.

What they have there are chambers where they take these things that look like bombs with the chemical in them and they actually take, in parts, the Chamber—that is, the inner Chamber,

remove that, and put it in an area where they are able to dispose, through heat, of the volatility of the particular chemical agent. The other part goes in another Chamber and is burned at a very high temperature in an enclosed cycle process. So there is nothing that gets into the atmosphere.

Now, we have recently opened another $1 billion facility in Tooele, UT. The theory is that we are going to have to build some seven more of these plants, capable of disposing of this chemical waste at each of the locations where stockpiled chemical weapons are stored. So while we have operational facilities at Johnston Atoll and Tooele, UT, we are prepared to put in seven more at a billion dollars each, simply because we are prohibited from even considering shipping this to safe disposal sites already on line.

As I said, we have a perfectly functioning facility on Johnston Island, which has been operational for a number of years. Should we move or even consider moving chemical weapons to Johnston Island and dispose of all of them in that plant we have already built? The answer clearly is no. There are objections from California and objections from Hawaii. Nobody wants this to happen in their own backyard. These States that have the chemical weapons stored are in kind of a catch-22. They don't want them there anymore. If they want to get rid of them, they have to build a plant at a cost of over a billion dollars, as opposed to the alternative of shipping them to one or two sites.

Well, the answer to this $5 billion question is simple. Under current law, the Department of Defense cannot move chemical weapons across State lines. In fact, they can't even study the concept of transporting the munitions to an existing plant and thus build fewer plants. So if you look at the practicality of where we are, we are of one mind set. Reality: If we want to get rid of this stuff, we have to build seven plants rather than move the stuff because we have a law that prohibits us from moving these agents across State lines for disposal at one or two plants.

In other words, the Department of Defense can't even think about saving money by having this process occur in just a couple of plants instead of—well, it would be a total of nine. My amendment is designed to allow the Department of Defense to study the transportation issue, as well as whatever other approaches might be available to help bring down program costs consistent with the safe disposal of these chemical weapons.

My amendment does not repeal the provision in the 1995 defense authorization bill that prohibits the movement of chemical weapons munitions across the State lines.

At this time, we are only seeking a study to identify and evaluate options. This study will assess lifecycle costs as well as risks. We are not moving beyond the study phase because I, for one, will await the results of the study before reaching any firm conclusions.

But I have a hunch—and it is more than a hunch—that we can save money by reassessing this process. I am not suggesting it should go to any one place. But the reality is that we are designing a framework here for disposal in seven new additional sites which still need to be built. Given that we have two state of the art, fully operational facilities at Johnston Island and Tooele, UT, is it really necessary that we need to build seven additional sites? Or can we consolidate this process, perhaps with one site on the east coast and one site in the middle of the country? Our technical people have proven the competency of disposing of this, as we have had this process underway at Johnston Island and Tooele for some time. We seem to be so paranoid over the fact that we have this stuff and we are caught, if you will, in a dilemma of, well, if we want to get rid of it, we have to build a plant where it is stationed because nobody wants to see it moved across to someplace else where it can be disposed of. But nobody addresses what the experts tell us relative to the ability to move this stuff safely. We moved it safely from Germany to Johnston Island, it can be done and has been done. To suggest that we can't move it 400 or 500 miles by putting it in the type of containers that will alleviate virtually any exposure associated with an accident, I think, sells American technology and ingenuity short. We can move chemical weapons in a safe and environmentally responsible manner, and we can save a lot of money by reducing the number of facilities that we are committed to build.

So I urge the Senate to adopt my amendment. Again, I urge my colleagues to reflect on the reality that this amendment does not mandate any changes in the program. It will not mandate the movement of any chemical weapons from one place to another or remove the prohibitions to move weapons across State lines. It would merely allow the Department of Defense to study alternatives and report back to Congress by March 15, 1998. I know of the sensitivity of Members whose States are affected. But I ask them to consider the merits of a study to evaluate, indeed, whether we can move some of this to some places and reduce the number of facilities that we are going to build at a billion dollars a crack. What are we going to do with these facilities when the weapons have been deactivated and destroyed? We are going to destroy the facilities. I urge adoption of the amendment.

Madam President, if I may, it is my intention to ask for the yeas and nays on my amendment at the appropriate time. The floor managers can address it at their convenience.

Mr. LEVIN. Will the Senator withhold on that for a moment?

Mr. MURKOWSKI. Yes.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MURKOWSKI. Madam President, I am not sure whether the Parliamentarian recorded my request for the yeas and nays. I would like to withdraw asking for the yeas and nays on my amendment at this time.

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. MURKOWSKI. I thank the Chair.

AMENDMENT NO. 753, AS MODIFIED

Mr. MURKOWSKI. Madam President, I ask unanimous consent that I be allowed to modify my amendment which is pending at the desk at this time.

The PRESIDING OFFICER. The Senator has the right to modify his amendment at this time.

Mr. MURKOWSKI. I thank the Chair.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 753), as modified, is as follows:

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

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

Notwithstanding any provision of law:

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

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

(1) a description of each option evaluated;

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

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

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

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

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

Mr. MURKOWSKI. I thank the Chair. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

MODIFICATIONS TO AMENDMENTS NOS. 666, 667, 668, AND 670, EN BLOC

Mr. LEVIN. Mr. President, on behalf of Senator WELLSTONE, I ask unanimous consent that it be in order to modify his amendments numbered 666, 667, 668, and 670, en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LEVIN. I thank the Chair. Mr. President, on behalf of Senator WELLSTONE, I send his modifications to the desk.

The PRESIDING OFFICER. The amendments are so modified.

The modifications are as follows:

MODIFICATION TO AMENDMENT NO. 666

On page 1, line 5, strike ''shall'' and insert in lieu thereof ''is authorized to''.

MODIFICATION TO AMENDMENT NO. 667

On page 7, line 13, strike ''shall'' and insert in lieu thereof ''is authorized to''.

AMENDMENT NO. 668, AS MODIFIED

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

SEC. . TRANSFER FOR VETERANS' HEALTH CARE AND OTHER PURPOSES.

(a) TRANSFER REQUIRED.—The Secretary of Defense is authorized to transfer to the Secretary of Veterans' Affairs $400,000,000 of the funds appropriated for the Department of Defense for fiscal year 1998.

(b) USE OF TRANSFERRED FUNDS.—Funds transferred to the Secretary of Veterans' Affairs shall be for the purpose of providing benefits under the laws administered by the Secretary of Veterans' Affairs, other than compensation and pension benefits provided under Chapters 11 and 13 of title 38, United States Code.

MODIFICATION TO AMENDMENT NO. 670

On page 1, line 6, strike ''shall'' and insert in lieu thereof ''is authorized to''.

Mr. LEVIN. I thank the Chair and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KYL. Mr. President, I have two amendments that I would like to lay down. Both are at the desk.

AMENDMENT NO. 607

(Purpose: To impose a limitation on the use of Cooperative Threat Reduction funds for destruction of chemical weapons)

Mr. KYL. Mr. President, the first amendment at the desk is amendment No. 607.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 607.

Mr. KYL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

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

SEC. 1075. LIMITATION ON USE OF COOPERATIVE THREAT REDUCTION FUNDS FOR DESTRUCTION OF CHEMICAL WEAPONS.

(a) LIMITATION.—No funds authorized to be appropriated under this or any other Act for fiscal year 1998 for Cooperative Threat Reduction programs may be obligated or expended for chemical weapons destruction activities, including for the planning, design, or construction of a chemical weapons destruction facility or for the dismantlement of an existing chemical weapons production facility, until the date that is 15 days after a certification is made under subsection (b).

(b) PRESIDENTIAL CERTIFICATION.—A certification under this subsection is a certification by the President to Congress that—

(1) Russia is making reasonable progress toward the implementation of the Bilateral Destruction Agreement;

(2) the United States and Russia have resolved, to the satisfaction of the United States, outstanding compliance issues under the Wyoming Memorandum of Understanding and the Bilateral Destruction Agreement;

(3) Russia has fully and accurately declared all information regarding its unitary and binary chemical weapons, chemical weapons facilities, and other facilities associated with chemical weapons;

(4) Russia has deposited its instrument of ratification of the Chemical Weapons Convention; and

(5) Russia and the United States have concluded an agreement that—

(A) provides for a limitation on the United States financial contribution for the chemical weapons destruction activities; and

(B) commits Russia to pay a portion of the cost for a chemical weapons destruction facility in an amount that demonstrates that Russia has a substantial stake in financing the implementation of both the Bilateral Destruction Agreement and the Chemical Weapons Convention, as called for in the condition provided in section 2(14) of the Senate Resolution entitled ''A resolution to advise and consent to the ratification of the Chemical Weapons Convention, subject to certain conditions'', agreed to by the Senate on April 24, 1997.

(c) DEFINITIONS.—In this section:

(1) The term ''Bilateral Destruction Agreement'' means the Agreement Between the United States of America and the Union of Soviet Socialist Republics on Destruction and Nonproduction of Chemical Weapons and on Measures to Facilitate the Multilateral Convention on Banning Chemical Weapons, signed on June 1, 1990.

(2) The term ''Chemical Weapons Convention'' means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature on January 13, 1993.

(3) The term ''Cooperative Threat Reduction program'' means a program specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201: 110 Stat. 2731; 50 U.S.C. 2362 note).

(4) The term ''Wyoming Memorandum of Understanding'' means the Memorandum of Understanding Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding a Bilateral Verification Experiment and Data Exchange Related to Prohibition on Chemical Weapons, signed at Jackson Hole, Wyoming, on September 23, 1989.

Mr. KYL. Mr. President, let me briefly describe what this amendment does. Then I will discuss it in further detail later.

In summary, this amendment establishes five conditions for the assistance that is to be provided to Russia for destruction of its chemical weapons, the so-called Nunn-Lugar funding. Very briefly, this resolution is called for because the funding that we have provided to Russia to date does not appear to be adequately supported by the Government of Russia for its part of its own chemical weapons destruction program. If one could view this in the nature of matching funds, I think it is easy to understand. We have provided a great deal of money, of Nunn-Lugar funding, to Russia, much of it for destruction of their chemical weapons. They have not reciprocated by allocating or spending any of their own money for the destruction of their chemical weapons.

In addition, they have not ratified the Chemical Weapons Convention. They have not complied with the terms of the so-called Wyoming Memoranda, which is one of the methods by which we exchange information about our chemical stocks in furtherance of an agreement to destroy them. They have backed out of the bilateral destruction agreement, which was our bilateral agreement to destroy our mutual stocks of chemical weapons. They have not advanced a penny toward the development of the facilities for the destruction of their weapons that are currently being designed with U.S. Government money. In effect, they have not shown any willingness to join us in the destruction of those weapons which pose the most threat to the United States and other people around the world.

As a result, partially in conformance with the terms of the chemical weapons treaty, which was earlier adopted, and in conformance with S. 495, which had other specific requirements, and consistent with requirements that the House of Representatives placed on the House-passed version of the defense authorization bill, we provide five specific requirements that the Russian Government will have to meet in order to receive this funding.

First, that they show reasonable progress toward implementation of the 1990 Bilateral Destruction Agreement; second, that resolution of outstanding compliance issues related to the Wyoming Memorandum of Understanding and the BDA, that be resolved—at least that there be progress toward that; third, a full and accurate Russian accounting of its own CW program, as required by those previously mentioned agreements; fourth, Russian ratification of the Chemical Weapons Convention; and, fifth, bilateral agreement to cap the United States CW destruction assistance and Russian commitment to pay for a portion of their part of their own CW destruction costs.

As I said, these are reasonable requirements to be attached to U.S. taxpayer dollars going to the country of Russia for the destruction of their chemical weapons. I will discuss it in

further detail later, but it seems to me to be more than reasonable for us to attach these conditions. If we do not, then additional taxpayer money is going to be sent to Russia with no indication whatsoever that Russia will ever support the program funded with U.S. taxpayer dollars to support their chemical weapons destruction program.

Perhaps most important, the most that it appears right now that Russia is inclined to do is to destroy those old chemical weapons that pose an environmental concern to Russia with United States dollars at the same time that they are using Russian dollars to continue a covert development and production program of new chemical weapons. So it makes no sense for us to be spending U.S. taxpayer dollars to help them destroy the stocks of the old environmentally unsafe weapons that they would like to get rid of anyway, at the same time they are using their money to develop new chemical weapons and produce those new chemical weapons that could someday be used against the United States—all in violation of the chemical weapons treaty, I might add.

So that is the nature of the first amendment.

AMENDMENT NO. 605

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

Mr. KYL. If there is no objection, the second amendment is amendment No. 605. I call up that amendment at this time.

The PRESIDING OFFICER. If there is no objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 605.

Mr. KYL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

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

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

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

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

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

(3) Effective as of September 30, 1996, the United States is prohibited by relevant provisions of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–377) from conducting underground nuclear tests ''unless a foreign state conducts a nuclear test after this date, at which time the prohibition on United States nuclear testing is lifted''.

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

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

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

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

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

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

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

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

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

(b) POLICY.—

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

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

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

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

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

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

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

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

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

(d) EXPRESSION OF INDIVIDUAL VIEWS.—No representative of a government agency or managing contractor for a nuclear weapons laboratory may in any way constrain a director of a nuclear weapons laboratory, a member of the Joint Nuclear Weapons Council, or the Commander of United States Strategic Command from presenting individual views to the President, the National Security Council, or Congress regarding the safety, security, and reliability of the nuclear weapons stockpile.

(e) PROHIBITED PERSONNEL ACTIONS.—No representative of a government agency or managing contractor may take any administrative or personnel action against a director of a nuclear weapons laboratory, a member of the Joint Nuclear Weapons Council, or the Commander of the United States Strategic Command, in order to prevent such individual from expressing views under subsection (c) or (d) or as retribution for expressing such views.

(f) DEFINITIONS.—

(1) REPRESENTATIVE OF A GOVERNMENT AGENCY.—The term ''representative of a government agency'' means any person employed by, or receiving compensation from, any department or agency of the Federal Government.

(2) MANAGING CONTRACTOR.—The term ''managing contractor'' means the non-government entity specified by contract to carry out the administrative functions of a nuclear weapons laboratory.

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

(A) Los Alamos National Laboratory.

(B) Livermore National Laboratory.

(C) Sandia National Laboratories.

Mr. KYL. Mr. President, the purpose of this amendment—and this is really a very simple amendment that I think specific language will be worked out on with members of the committee and hopefully could be included as part of the managers' amendment—is simply to ensure that the President of the United States receives direct and objective and unencumbered advice regarding the safety and reliability and security of the U.S. nuclear force from the directors of the national laboratories and the members of the Nuclear Weapons Council.

Just one bit of background here. Both the national laboratories and the Nuclear Weapons Council are supposed to give the President advice about the safety, reliability, and security of our nuclear force. For them to be able to do that in an objective way, they obviously need to tell it as it is, ''tell it like it is,'' without any fear that they are not adhering to any party line with respect to those issues.

This, in effect, extends the Goldwater-Nichols-like protection that has previously been provided to members of the armed services, the Joint Chiefs, for example, to the lab directors and the members of the Nuclear Weapons Council so they can give the President unvarnished, objective, accurate information, and that information can also come to the Congress, all for the purpose of enabling us to set proper national policy with respect to our nuclear weapons.

Mr. President, I will have more to say about this later. As I said, I hope the amendment can be worked on and included as part of the managers' amendment. We will discuss this amendment further later.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business for 9 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GRASSLEY. I thank the Chair.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 996 and S. 997 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GRASSLEY. Mr. President, I yield the floor.

The PRESIDING OFFICER. Who seeks time?

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 88, S. 936, the National Defense Authorization Act for fiscal year 1998:

Trent Lott, Strom Thurmond, Jesse Helms, Pete V. Domenici, R.F. Bennett, Dan Coats, John Warner, Spencer Abraham, Thad Cochran, Larry E. Craig, Ted Stevens, Tim Hutchinson, Jon Kyl, Rick Santorum, Mike DeWine, Phil Gramm.

Mr. LEVIN. Would the majority leader yield?

Mr. LOTT. Mr. President, I yield to the distinguished manager of the bill on that side of the aisle.

Mr. LEVIN. I want to thank the majority leader for yielding. I have had a brief conversation with the majority leader because we are in a rather unusual situation where there will be no rollcall votes, further rollcall votes, until late tomorrow, and that we will be then having a whole series of rollcall votes that could occur I believe as early as 5 o'clock tomorrow afternoon, or whatever the UC reads.

But in my conversation with the majority leader, I was led to believe—and I think this would be very helpful—that if we are making good progress on getting rollcall votes late tomorrow and the next day, that there is a possibility at least that there will be no need to proceed with the cloture vote on Thursday. And I want to thank him for that.

Mr. LOTT. Mr. President, if I could respond.

Of course you always have the option of vitiating a cloture vote. My only goal is trying to get this very important legislation moved through to completion this week. I know that that is the desire on both sides of the aisle. I am concerned about the number of amendments that have been suggested, as many as 150 first-degree amendments. I know a lot of those will fall very quickly once we start moving through the process and getting to the end of the week. But I certainly will consult with the Democratic leader, with the Senator from Michigan, and Senator THURMOND, to see how we are doing. And we can take that into consideration when we get to Thursday and see what the prospects are at that time.

Mr. LEVIN. I thank the majority leader.

Mr. LOTT. This cloture vote will occur sometime Thursday unless it is vitiated. I will consult with the Democratic leader for the exact time of the vote.

I do ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

MORNING BUSINESS

Mr. LOTT. Mr. President, I now ask unanimous consent that there be a period for the transaction of morning business with Senators permitted to speak for up to 5 minutes each.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting treaties and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2390. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, a rule entitled ''Tuberculosis in Cattle and Bison'', received on June 30, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2391. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Annual Report for fiscal year 1996 under the Youth Conservation Corps Act; to the Committee on Energy and Natural Resources.

EC–2392. A communication from the Railroad Retirement Board, transmitting, a draft of proposed legislation entitled ''Railroad Retirement and Railroad Unemployment Insurance Amendments Act of 1997''; to the Committee on Labor and Human Resources.

EC–2393. A communication from the Director, Regulations Policy Management Staff, Office of Policy Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule entitled ''Medical Devices; Reclassification of the Infant Radiant Warmer'', received on June 27, 1997; to the Committee on Labor and Human Resources.

EC–2394. A communication from the Deputy Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule entitled ''Indirect Food Additives: Adhesives and Components of Coatings; and Adjuvants, Production Aids, and Sanitizers'', received on June 27, 1997; to the Committee on Labor and Human Services.

EC–2395. A communication from the Chairman of the Federal Housing Finance Board, transmitting, pursuant to law, a report of the Federal Home Loan Banks and the Financing Corporation for calendar year 1996 under the Chief Financial Officers Act; to the Committee on Governmental Affairs.

EC–2396. A communication from the Director Morale, Welfare and Recreation Support

Activity, Department of the Navy, Department of Defense, transmitting, pursuant to law, the annual reports for calendar years 1995 and 1996 of the Retirement Plan for Civilian Employees; to the Committee on Governmental Affairs.

EC–2397. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Washington Convention Center Authority Accounts and Operation for Fiscal Years 1995 and 1996''; to the Committee on Governmental Affairs.

EC–2398. A communication from the Director, Regulations Policy Management Staff, Office of Policy Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule entitled ''Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers'', received on July 7, 1997; to the Committee on Labor and Human Resources.

EC–2399. A communication from the Director, Regulations Policy Management Staff, Office of Policy Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule entitled ''Postmarketing Expedited Adverse Experience Reporting for Human Drug and Licensed Biological Products; Increased Frequency Reports'', received on July 7, 1997; to the Committee on Labor and Human Resources.

EC–2400. A communication from the Director, Regulations Policy Management Staff, Office of Policy Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule entitled ''Indirect Food Additives: Polymers; Technical Amendment'', received on July 7, 1997; to the Committee on Labor and Human Resources.

EC–2401. A communication from the Director, Regulations Policy Management Staff, Office of Policy Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule relative to expanded safe use of triisopropanolamine, received on July 7, 1997; to the Committee on Labor and Human Resources.

EC–2402. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to violations of the Antideficiency Act; to the Committee on Appropriations.

EC–2403. A communication from the Architect of the Capitol, transmitting, pursuant to law, a report of expenditures during the period October 1, 1996 through March 30, 1997; to the Committee on Appropriations.

EC–2404. A communication from Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report relative to Revenue Ruling 97–29; to the Committee on Finance.

EC–2405. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report of a rule relative to guidance for income tax benefits (RIN 1545–AV33), received on June 30, 1997; to the Committee on Finance.

EC–2406. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report relative to Announcement 97–70; to the Committee on Finance.

EC–2407. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report of a notice relative to Home Health Agency costs; to the Committee on Finance.

EC–2408. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to staff-assisted home dialysis under the Omnibus Budget Reconciliation Act; to the Committee on Finance.

EC–2409. A communication from the Congressional Affairs Officer of the Federal Election Commission, transmitting, pursuant to law, a report relative to the National Voter Registration Act for the calendar years 1995 and 1996; to the Committee on Rules and Administration.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MURKOWSKI (by request):

S. 991. A bill to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CAMPBELL:

S. 992. A bill to amend chapter 44 of title 18, United States Code, to increase the maximum term of imprisonment for offenses involving stolen firearms; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself and Mr. DODD) (by request):

S. 993. A bill to assist States and secondary and postsecondary schools to develop, implement, and improve career preparation education so that every student has an opportunity to acquire academic and technical knowledge and skills needed for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers, and for other purposes; to the Committee on Labor and Human Resources.

S. 994. A bill to provide assistance to States and local communities to improve adult education and literacy, to help achieve the National Educational Goals for all citizens, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. LAUTENBERG (for himself, Mr. GRAHAM, Mr. KENNEDY, Mrs. BOXER, Mr. MOYNIHAN, Mr. TORRICELLI, and Mrs. MURRAY):

S. 995. A bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself and Mr. SPECTER):

S. 996. A bill to provide for the authorization of appropriations in each fiscal year for arbitration in United States district courts; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 997. A bill to amend chapter 44 of title 28, United States Code, to authorize the use of certain arbitration procedures in all district courts, to modify the damage limitation applicable to cases referred to arbitration, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BREAUX:

S. Con. Res. 36. A concurrent resolution commemorating the bicentennial of Tunisian-American relations; to the Committee on Foreign Relations.

By Mr. COVERDELL:

S. Con. Res. 37. A concurrent resolution expressing the sense of the Congress that Little League Baseball Incorporated was established to support and develop Little League baseball worldwide and should be entitled to all of the benefits and privileges available to nongovernmental international organizations; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (by request):

S. 991. A bill to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996, and for other purposes; to the Committee on Energy and Natural Resources.

THE OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996

Mr. MURKOWSKI. Mr. President, I rise today to introduce legislation, at the request of the administration, to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996.

Mr. President, I would like to submit a copy of the administration's letter of transmittal along with a copy of the bill and section-by-section analysis, and I ask unanimous consent that they be printed in the RECORD.

At the end of the 104th Congress, legislation was enacted making a number of changes to various laws affecting the national parks and other public lands. This new law, Public Law 104–333, the Omnibus Parks and Public Lands Management Act of 1996, included over 100 titles. With over 119 individual bills being included in this package, a number of cross-references need changing, along with some spelling and grammatical errors.

Mr. President, this bill, when enacted will make the necessary technical corrections.

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

S. 991

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

The table of contents in section 1 of division I of the Omnibus Parks and Public Lands Management Act of 1996 (110 Stat. 4094; 16 U.S.C. 1 note; hereinafter referred to as the ''Omnibus Parks Act'') is amended by striking—

''Sec. 504. Amendment to Boston National Historic Park Act.
''Sec. 505. Women's Rights National Historic Park.''

and inserting—

''Sec. 504. Amendment to Boston National Historical Park Act.
''Sec. 505. Women's Rights National Historical Park.''.

SEC. 2. THE PRESIDIO OF SAN FRANCISCO.

(a) Section 101(2) of Division I of the Omnibus Parks Act of 1996 (110 Stat. 4097; 16 U.S.C. 460bb note) is amended by striking ''the Presidio is'' and inserting ''the Presidio was''.

(b) Section 103(b)(1) of Division I of the Omnibus Parks Act (110 Stat. 4099; 16 U.S.C. 460bb note) is amended in the last sentence by striking ''other lands administrated by the Secretary.'' and inserting ''other lands administered by the Secretary.''.

(c) Section 105(a)(2) of Division I of the Omnibus Parks Act (110 Stat. 4104; 16 U.S.C.

460bb note) is amended by striking ''in accordance with section 104(h) of this title.'' and inserting ''in accordance with section 104(i) of this title.''.

SEC. 3. COLONIAL NATIONAL HISTORICAL PARK.

Section 211(d) of Division I of the Omnibus Parks Act (110 Stat. 4109; 16 U.S.C. 81p) is amended by striking ''depicted on the map dated August 1993, numbered 333/80031A,'' and inserting ''depicted on the map dated August 1996, numbered 333/80031B,''.

SEC. 4. BIG THICKET NATIONAL PRESERVE.

(a) Section 306(d) of Division I of the Omnibus Parks Act (110 Stat. 4132; 16 U.S.C. 689 note) is amended by striking ''until the earlier of the consummation of the exchange of July 1, 1998,'' and inserting ''until the earlier of the consummation of the exchange or July 1, 1998,''.

(b) Section 306(f)(2) of Division I of the Omnibus Parks Act (110 Stat. 4132; 16 U.S.C. 689 note) is amended by striking ''located in Menard Creek Corridor'' and inserting ''located in the Menard Creek Corridor''.

SEC. 5. LAMPREY WILD AND SCENIC RIVER.

The second sentence of the unnumbered paragraph relating to the Lamprey River, New Hampshire in Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking ''through cooperation agreements'' and inserting ''through cooperative agreements''.

SEC. 6. VANCOUVER NATIONAL HISTORIC RESERVE.

Section 502(a) of Division I of the Omnibus Parks Act (110 Stat. 4154; 16 U.S.C. 461 note) is amended by striking ''published by the Vancouver Historical Assessment' published by the Vancouver Historical Study Commission'' and inserting ''published by the Vancouver Historical Study Commission''.

SEC. 7. AMENDMENT TO BOSTON NATIONAL HISTORICAL PARK ACT.

Section 504 of Division I of the Omnibus Parks Act (110 Stat. 4155, 16 U.S.C. 1 note) is amended by striking **''SEC. 504. AMENDMENT TO BOSTON NATIONAL HISTORIC PARK ACT.''** and inserting **''SEC. 504. AMENDMENT TO BOSTON NATIONAL HISTORICAL PARK ACT.''.**

SEC. 8. MEMORIAL TO MARTIN LUTHER KING, JR.

Section 508(d) of Division I of the Omnibus Parks Act (110 Stat. 4157, 40 U.S.C. 1003 note) is amended by striking ''section 8(b) of the Act referred to in section 4401(b)),'' and inserting ''section 8(b) of the Act referred to in section 508(b),''.

SEC. 9. ADVISORY COUNCIL ON HISTORIC PRESERVATION REAUTHORIZATION.

The first sentence of Sec. 205(g) of Title II of the National Historic Preservation Act (16 U.S.C. 470 et seq.) is amended by striking ''and are otherwise available for the purpose.'' and inserting ''and are otherwise available for that purpose.''.

SEC. 10. GREAT FALLS HISTORIC DISTRICT, NEW JERSEY.

Section 510(a)(1) of Division I of the Omnibus Parks Act (110 Stat. 4158; 16 U.S.C. 461 note) is amended by striking ''the contribution of our national heritage'' and inserting ''the contribution to our national heritage''.

SEC. 11. NEW BEDFORD NATIONAL HISTORIC LANDMARK DISTRICT.

(a) Section 511(c) of Division I of the Omnibus Parks Act (110 Stat. 4160; 16 U.S.C. 410ddd) is amended as follows:

(1) in paragraph (1) by striking ''certain districts structures, and relics'' and inserting ''certain districts, structures, and relics.''

(2) in clause (2)(A)(i) by striking ''The area included with the New Bedford National Historic Landmark District, known as the'' and inserting ''The area included within the New Bedford Historic District, a National Landmark District, also known as the''.

(b) Section 511 of Division I of the Omnibus Parks Act (110 Stat. 4159; 16 U.S.C. 410ddd) is amended—

(1) by striking ''(e) GENERAL MANAGEMENT PLAN.'' and inserting ''(f) GENERAL MANAGEMENT PLAN.''; and

(2) by striking ''(f) AUTHORIZATION OF APPROPRIATIONS.'' and inserting ''(g) AUTHORIZATION OF APPROPRIATIONS.''.

(c) Section 511(g) of Division I of the Omnibus Parks Act (110 Stat. 4159; 16 U.S.C. 410ddd) is further amended—

(1) by striking ''to carry out the activities under section 3(D).'' and inserting ''to carry out the activities under subsection (d).''; and

(2) by striking ''pursuant to cooperative grants under subsection (d)(2).'' and inserting ''pursuant to cooperative grants under subsection (e)(2).''.

SEC. 12. NICODEMUS NATIONAL HISTORIC SITE.

Section 512(a)(1)(B) of Division I of the Omnibus Parks Act (110 Stat. 4163; 16 U.S.C. 461 note) is amended by striking ''African-Americans'' and inserting ''African-Americans''.

SEC. 13. UNALASKA.

Section 513(c) of Division I of the Omnibus Parks Act (110 Stat. 4165; 16 U.S.C. 461 note) is amended by striking ''whall be comprised'' and inserting ''shall be comprised''.

SEC. 14. REVOLUTIONARY WAR AND WAR OF 1812 HISTORIC PRESERVATION STUDY.

Section 603(d)(2) of Division I of the Omnibus Parks Act (110 Stat. 4172; 16 U.S.C. 1a–5 note) is amended by striking ''The study under subsection (b) shall—'' and inserting ''The study shall—''.

SEC. 15. SHENANDOAH VALLEY BATTLEFIELDS.

(a) Section 606(d) of Division I of the Omnibus Parks Act (110 Stat. 4175; 16 U.S.C. 461 note) is amended as follows:

(1) in paragraph (1) by striking ''established by section 5.'' and inserting ''established by subsection (e).'';

(2) in paragraph (2) by striking ''established by section 9.'' and inserting ''established by subsection (h).''; and

(3) in paragraph (e) by striking ''under section 6.'' and inserting ''under subsection (f).''.

(b) Section 606(g)(5) of Division I of the Omnibus Parks Act (110 Stat. 4177; 16 U.S.C. 461 note) is amended by striking ''to carry out the Commission's duties under section 9.'' and inserting ''to carry out the Commission's duties under subsection (i).''.

SEC. 16. WASHITA BATTLEFIELD.

Section 607(d)(2) of Division I of the Omnibus Parks Act (110 Stat. 4181; 16 U.S.C. 461 note) is amended by striking ''will work with local land owners'' and inserting ''will work with local landowners''.

SEC. 17. SKI AREA PERMIT RENTAL CHARGE.

Section 701 of Division I of the Omnibus Parks Act (110 Stat. 4182; 16 U.S.C. 497c) is amended as follows:

(1) in subsection (d)(1) and in subsection (d) last paragraph, after ''1994–1995 base year,'' insert ''AGR'';

(2) in subsection (f) by striking ''sublessees'' and inserting ''subpermittees''; and

(3) in subsection (f) by striking ''(except for bartered goods and complimentary lift tickets)'' and inserting ''except for bartered goods and complimentary lift tickets offered for commercial or other promotion purposes)''.

SEC. 18. ROBERT J. LAGOMARSINO VISITOR CENTER.

Section 809(b) of Division I of the Omnibus Parks Act (110 Stat. 4189; 16 U.S.C. 410ff note) is amended by striking ''referred to in section 301'' and inserting ''referred to in subsection (a)''.

SEC. 19. NATIONAL PARK SERVICE ADMINISTRATIVE REFORM.

(a) Section 814(a) of Division I of the Omnibus Parks Act (110 Stat. 4190; 16 U.S.C. 17o. note) is amended as follows:

(1) in paragraph (7) by striking ''(B) COMPETITIVE LEASING.—'' and inserting ''(B) COMPETITIVE LEASING.—'';

(2) in paragraph (9) by striking ''granted by statue'' and inserting ''granted by statute'';

(3) in paragraph (11)(B)(ii) by striking ''more cost effective'' and inserting ''more cost-effective'';

(4) in paragraph (13) by striking ''established by the agency under paragraph (13),'' and inserting ''established by the agency under paragraph (12),''; and

(5) in paragraph (18) by striking ''under paragraph (7)(A)(i)(I), any lease under paragraph (11)(B), and any lease of seasonal quarters under subsection (l),'' and inserting ''under paragraph (7)(A), and any lease under paragraph (11),''.

(b) Section 7(c)(2) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9(c)) is amended as follows:

(1) in subparagraph (C) by striking ''The sum of the total appraised value of the lands, water, and interest therein'' and inserting ''The sum of the total appraised value of the lands, waters, and interests therein''; and

(2) in subparagraph (F) by striking ''all property owners whose lands, water, or interests therein, or a portion of whose lands, water, or interests therein,'' and inserting ''all property owners whose lands, waters, or interests therein, or a portion of whose lands, waters, or interests therein,''.

(c) Section 814(d)(2)(E) of Division I of the Omnibus Parks Act (110 Stat. 4196; 16 U.S.C. 431 note) is amended by striking ''(Public Law 89–665; 16 U.S.C. 470w–6(a)), is amended by striking'' and inserting ''(Public Law 89–665; 16 U.S.C. 470w–6(a)), by striking''.

(d) Section 814(g)(1)(A) of Division I of the Omnibus Parks Act (110 Stat. 4199; 16 U.S.C. 1f) is amended by striking ''(as defined in section 2(a) of the Act of August 8, 1953 (16 U.S.C. 1c(a))),'' and inserting ''(as defined in section 2(a) of the Act of August 8, 1953 (16 U.S.C. 1(c)(a)),''.

SEC. 20. BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR.

Section 10 of the Act entitled ''An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island'', approved November 10, 1986 (Public Law 99–647; 16 U.S.C. 461 note), is amended as follows:

(1) in subsection (b) by striking ''For fiscal years 1996, 1997 and 1998,'' and inserting ''For fiscal years 1998, 1999, and 2000,''; and

(2) in subsection (d)(2) by striking ''may be made in the approval plan'' and inserting ''may be made in the approved plan''.

SEC. 21. TALLGRASS PRAIRIE NATIONAL PRESERVE.

(a) Section 1002(a)(4)(A) of Division I of the Omnibus Parks Act (110 Stat. 4204; 16 U.S.S. 689u) is amended by striking ''to purchase a portion of the ranch,'' and inserting ''to acquire a portion of the ranch,''.

(b) Section 1004(b) of Division I of the Omnibus Parks Act (110 Stat. 4205; 16 U.S.C. 689u-3) is amended by striking ''of June 3, 1994,'' and inserting ''on June 3, 1994,''.

(c) Section 1005(g)(3)(A) of Division I of the Omnibus Parks (110 Stat. 4207; 16 U.S.C. 689u-3) is amended by striking ''Maintaining and enhancing the tall grass prairie'' and inserting ''Maintaining and enhancing the tallgrass prairie''.

SEC. 22. RECREATION LAKES.

(a) Section 1021(a) of Division I of the Omnibus Parks (110 Stat. 4210; 16 U.S.C. 4601-10e note) is amended by striking ''for recreational opportunities at federally-managed manmade lakes'' and inserting ''for recreational opportunities at federally managed manmade lakes''.

(b) Section 13 of the Land and Water Conservation Fund Act of 1965 (Public Law 88–578, 78 Stat. 897) is amended as follows:

(1) in subsection (b)(6) by striking ''the economics and financing of recreation related infrastructure.'' and inserting ''the economics and financing of recreation-related infrastructure.'';

(2) in subsection (e) by striking ''The report shall review the extent of water related recreation'' and inserting ''The report shall review the extent of water-related recreation''; and

(3) in subsection (e)(2) by striking ''at federally-managed lakes'' and inserting ''at federally managed lakes''.

SEC. 23. BOSTON HARBOR ISLANDS RECREATION AREA.

(a) Section 1029(d)(6) of Division I of the Omnibus Parks Act of 1996 (110 Stat. 4235; 16 U.S.C. 460kkk) is amended by striking ''(6) RELATIONSHIP OF RECREATION AREA TO BOSTON-LOGAN INTERNATIONAL AIRPORT.'' and by inserting ''(6) RELATIONSHIP OF RECREATION AREA TO BOSTON-LOGAN INTERNATIONAL AIRPORT.''.

(b) Section 1029(e)(3)(B) of Division I of the Omnibus Parks Act of 1996 (110 Stat. 4235; 16 U.S.C. 460kkk) is amended by striking ''pursuant to subsections (b)(3), (4), (5), (6), (7), (8), (9), and (10).'' and inserting ''pursuant to subparagraphs (e)(2)(C), (D), (E), (F), (G), (H), (I), and (J).''.

(c) Section 1029(f)(2)(A)(I) of Division I of the Omnibus Parks Act (110 Stat. 4236; 16 U.S.C. 460kkk) is amended by striking ''and a delineation of profit sector roles and responsibilities.'' and inserting ''and a delineation of private-sector roles and responsibilities.''.

(d) Section 1029(g)(1) of Division I of the Omnibus Parks Act (110 Stat. 4238; 16 U.S.C. 460kkk) is amended by striking ''and revenue raising activities.'' and inserting ''and revenue-raising activities.''.

SEC. 24. NATCHEZ NATIONAL HISTORICAL PARK.

Section 3(b)(1) of the Act of October 8, 1988, entitled ''An Act to create a national park at Natchez, Mississippi'' (16 U.S.C. 410oo et seq.), is amended by striking ''and visitors' center for Natchez National Historical Park.'' and inserting ''and visitor center for Natchez National Historical Park.''.

SEC. 25. REGULATION OF FISHING IN CERTAIN WATERS OF ALASKA.

Section 1035 of Division I of the Omnibus Parks Act (110 Stat. 4240; 16 U.S.C. 1 note) is amended by striking **''SEC. 1035. REGULATIONS OF FISHING IN CERTAIN WATERS OF ALASKA.''** and inserting **''SEC. 1035. REGULATION OF FISHING IN CERTAIN WATERS OF ALASKA.''.**

SEC. 26. NATIONAL COAL HERITAGE AREA.

(a) Section 104(4) of Division II of the Omnibus Parks Act (110 Stat. 4244; 16 U.S.C. 461 note) is amended by striking ''that will further history preservation in the region.'' and inserting ''that will further historic preservation in the region.''.

(b) Section 105 of Division II of the Omnibus Parks Act (110 Stat. 4244; 16 U.S.C. 461 note) is amended by striking ''The resources eligible for the assistance under paragraphs (2) and (5) of section 104'' and inserting ''The resources eligible for the assistance under paragraph (2) of section 104''.

(c) Section 106(a)(3) of Division II of the Omnibus Parks Act (110 Stat. 4244; 16 U.S.C. 461 note) is amended by striking ''or Secretary to administer any properties'' and inserting ''or the Secretary to administer any properties''.

SEC. 27. TENNESSEE CIVIL WAR HERITAGE AREA.

(a) Section 201(b)(4) of Division II of the Omnibus Parks Act (110 Stat. 4245; 16 U.S.C. 461 note) is amended by striking ''and associated sites associated with the Civil War'' and insert ''and sites associated with the Civil War''.

(b) Section 207(a) of Division II of the Omnibus Parks Act (110 Stat. 4248; 16 U.S.C. 461 note) is amended by striking ''as provide for by law or regulation.'' and inserting ''as provided for by law or regulation.''.

SEC. 28. AUGUSTA CANAL NATIONAL HERITAGE AREA.

Section 301(1) of Division II of the Omnibus Parks Act (110 Stat. 4249; 16 U.S.C. 461 note) is amended by striking ''National Historic Register of Historic Places,'' and inserting ''National Register of Historic Places,''.

SEC. 29. ESSEX NATIONAL HERITAGE AREA.

Section 501(8) of Division II of the Omnibus Parks Act (110 Stat. 4257; 16 U.S.C. 461 note) is amended by striking ''a visitors' center'' and inserting ''a visitor center''.

SEC. 30. OHIO & ERIE CANAL NATIONAL HERITAGE CORRIDOR.

(a) Section 805(b)(2) of Division II of the Omnibus Parks Act (110 Stat. 4269; 16 U.S.C. 461 note) is amended by striking ''One individuals,'' and inserting ''One individual,''.

(b) Section 808(a)(3)(A) of Division II of the Omnibus Parks Act (110 Stat. 4272; 16 U.S.C. 461 note) is amended by striking ''from the Committee.'' and inserting ''from the Committee,''.

SEC. 31. HUDSON RIVER VALLEY NATIONAL HERITAGE AREA.

Section 908(a)(1)(B) of Division II of the Omnibus Parks act (110 Stat. 4279; 16 U.S.C. 461 note) is amended by striking ''directly on nonfederally owned property'' and inserting ''directly on non-federally owned property''.

SECTION-BY-SECTION ANALYSIS

Section 1 corrects the names of two historical parks in the Table of Contents.

Section 2(a) corrects the historical fact that the U.S. Army had already stopped using the Presidio as a military base at the time this Act was introduced in the 104th Congress. The current language was taken from a previous bill that was drafted prior to the Army leaving the Presidio. Section 2(b) corrects a misspelling. Section 2(c) corrects an erroneous cross-reference.

Section 3 provides a new map reference for Colonial National Historical Park. The correct map includes all of Lot 49 that was part of the Page Landing Addition authorized to be made to the park, but only half of which was included on the map referenced in the Omnibus Parks Act.

Section 4(a) corrects the bill language to reflect the intent of Congress that the report is due until the land exchange at Big Thicket National Preserve is completed or by July 1, 1998, whichever comes first. Section 4(b) inserts a word to allow the sentence to read correctly.

Section 5 provides the correct name for cooperative agreements.

Section 6 eliminates duplicative language in the sentence.

Section 7 corrects the name of the park in the title to the section.

Section 8 corrects a cross-reference.

Section 9 changes ''the purpose'' to ''that purpose'' which references related language in the sentence.

Section 10 changes a preposition in the sentence.

Section 11(a) inserts a comma between two distinct items in the sentence. Section 11(b) corrects a duplicative subsection reference by relettering two subsections. Section 11(c) corrects two erroneous cross-references.

Section 12 corrects a misspelling.

Section 13 corrects a misspelling.

Section 14 eliminates a redundant subsection reference.

Section 15 corrects four cross-references.

Section 16 corrects a spelling error.

Section 17 clarifies a time period, changes an incorrect word, and clarifies a term.

Section 18 corrects a cross-reference.

Section 19(a) corrects the spelling of the paragraph title. Section 19(b) makes the use of a similar phrase parallel in the two places it is used. Section 19(c) eliminates two unnecessary words, making this subparagraph parallel to the others. Section 19(d) corrects the punctuation for a U.S. Code citation.

Section 20(1) revises the years for which development funds are authorized to be appropriated to the Blackstone River Valley National Heritage Corridor. Since the Omnibus Parks Act was not enacted until November of 1996 after appropriations has already been enacted for fiscal year 1997, the Act's language eliminated two of the three years for which funds would have been authorized. The new language reinstates the intended three-year authorization. Section 20(2) corrects a misspelling.

Section 21(a) would change the word in the bill's findings describing the secretary's authority to obtain land at Tallgrass Prairie NP to make it consistent with the actual authority in Section 1006 that allows acquisition of land only by donation, not purchase. Section 21(b) changes a preposition in the sentence. Section 21(c) corrects the spelling of a word, making it parallel throughout the section.

Section 22 inserts hyphens in two compound adjectives and removes hyphens in two compound adjectives where its use is incorrect.

Section 23(a) capitalizes the name of the airport in the title to the paragraph. Section 23(b) corrects a cross-reference. Section 23(c) corrects a word in the compound adjective and inserts a hyphen. Section 23(d) inserts a hyphen in a compound adjective.

Section 24 uses a singular name for the visitor center making it parallel with similar references in the bill.

Section 25 changes a word in the title from the plural to the correct singular spelling.

Section 26(a) changes an incorrect adjective. Section 26(b) eliminates a redundant cross-reference that was left from a previous version of the bill that permitted land acquisition. Section 26(c) inserts a word to allow the sentence to read correctly.

Section 27(a) eliminates redundant language in the sentence. Section 27(b) corrects the verb tense.

Section 28 inserts the correct name of the National Register of Historic Places.

Section 29 uses a singular name for the visitor center making it parallel with similar references in the bill.

Section 30(a) makes the noun singular to agree with its pronoun. Section 30(b) replaces a period in the middle of sentence with a comma.

Section 31 inserts a hyphen in a word making it parallel to its use in the title of the section and in other places in the bill.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, June 3, 1997.

Hon. ALBERT GORE, Jr.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft of a bill ''to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996, and for other purposes.''

We recommend that the bill be introduced, referred to the appropriate committee for consideration, and enacted.

At the end of the 104th Congress, legislation was enacted making a number of changes to various laws affecting the national parks and other pubic lands. This new law, P.L. 104–333, the Omnibus Parks and Public Lands Management Act of 1996, included over 100 titles. With many individual bills being included in this package, a number of cross-references need changing, along with some spelling and grammatical errors. The attached draft bill would make these corrections.

The Office of Management and Budget has advised that there is no objection to the enactment of the enclosed draft legislation from the standpoint of the Administration's program.

Sincerely,

JANE LYDER,
Legislative Counsel, Office of Congressional and Legislative Affairs.

Enclosures.

By Mr. CAMPBELL:

S. 992. A bill to amend chapter 44 of title 18, United States Code, to increase the maximum term of imprisonment for offenses involving stolen firearms; to the Committee on the Judiciary.

THE STOLEN GUN PENALTY ENHANCEMENT ACT OF 1997

Mr. CAMPBELL. Mr. President, many crimes in our country are being committed with stolen guns. The extent of this problem is reflected in a number of recent studies and news reports. Therefore, today I am introducing the Stolen Gun Penalty Enhancement Act of 1997 to increase the maximum prison sentences for violating existing stolen gun laws.

Reports indicate almost half a million guns are stolen each year. As of March 1995, there were over 2 million reports in the stolen gun file of the FBI's National Crime Information Center including 7,700 reports of stolen machine guns and submachine guns. In a 5 year period between 1987 and 1992, the National Crime Victimization Survey notes that there were over 300,000 incidents of guns stolen from private citizens.

Studies conducted by the Bureau of Alcohol, Tobacco and Firearms note that felons steal firearms to avoid background checks. A 1991 Bureau of Justice Statistics survey of State prison inmates notes that almost 10 percent had stolen a handgun, and over 10 percent of all inmates had traded or sold a stolen firearm.

This problem is especially alarming among young people. A Justice Department study of juvenile inmates in four States shows that over 50 percent of those inmates had stolen a gun.

In my home State of Colorado, the Colorado Bureau of Investigation receives over 500 reports of stolen guns each month. As of this month, the Bureau has a total of 34,825 firearms on its unrecovered firearms list.

All of these studies and statistics show the extent of the problem of stolen guns. Therefore, the bill I am introducing today will increase the maximum prison sentences for violating existing stolen gun laws.

Specifically, my bill increases the maximum penalty for violating four provisions of the firearms laws. Under section 922(i) of title 18 of the United States Code, it is illegal to knowingly transport or ship a stolen firearm or stolen ammunition. Under section 922(j) of title 18, it is illegal to knowingly receive, possess, conceal, store, sell, or otherwise dispose of a stolen firearm or stolen ammunition.

The penalty for violating either of these provisions, as provided by section 924(a)(2) of title 18, is a fine, a maximum term of imprisonment of 10 years, or both. My bill increases the maximum prison sentence to 15 years.

The third provision, set forth in section 922(u) of title 18, makes it illegal to steal a firearm from a licensed dealer, importer, or manufacturer. For violating this provision, the maximum term of imprisonment set forth in 18 U.S.C. 924(i)(1) would be increased to a maximum 15 years under my bill.

And the fourth provision, section 924(l) of title 18, makes it illegal to steal a firearm from any person, including a licensed firearms collector. This provision also imposes a maximum penalty of 10 years imprisonment. As with the other three provisions, my bill increases this maximum penalty to 15 years.

In addition to these amendments to title 18 of the United States Code, the bill I introduce today directs the United States Sentencing Commission to revise the Federal sentencing guidelines with respect to these firearms offenses.

Mr. President, I am a strong supporter of the rights of law-abiding gun owners. However, I firmly believe we need tough penalties for the illegal use of firearms.

The ''Stolen Gun Penalty Enhancement Act of 1997'' will send a strong signal to criminals who are even thinking about stealing a firearm. And, I urge my colleagues to join in support of this legislation.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

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

S. 992

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STOLEN FIREARMS.

(a) IN GENERAL.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''(i), (j),''; and

(B) by adding at the end the following:

''(7) Whoever knowingly violates subsection (i) or (j) of section 922 shall be fined as provided in this title, imprisoned not more than 15 years, or both.'';

(2) in subsection (i)(1), by striking ''10 years'' and inserting ''15 years''; and

(3) in subsection (*l*), by striking ''10 years'' and inserting ''15 years''.

(b) SENTENCING COMMISSION.—The United States Sentencing Commission shall amend the Federal sentencing guidelines to reflect the amendments made by subsection (a).

By Mr. KENNEDY (for himself and Mr. DODD) (by request):

S. 993. A bill to assist States and secondary and postsecondary schools to develop, implement, and improve career preparation education so that every student has an opportunity to acquire academic and technical knowledge and skills needed for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers, and for other purposes; to the Committee on Labor and Human Resources.

THE CAREER EDUCATION REFORM ACT OF 1997

S. 994. A bill to provide assistance to States and local communities to improve adult education and literacy, to help achieve the national educational goals for all citizens, and for other purposes; to the Committee on Labor and Human Resources.

THE ADULT BASIC EDUCATION AND LITERACY FOR THE TWENTY-FIRST CENTURY ACT

Mr. KENNEDY. Mr. President, today, I am introducing two important education bills on behalf of Secretary Riley and the administration. One is designed to meet the changing needs of students in vocational education programs. The other outlines a comprehensive strategy for enhancing adult education and literacy services. Creating effective educational opportunities for these two student populations is essential if we are to make the American dream a reality for all our citizens.

The Career Preparation Education Reform Act restructures Perkins Act programs to promote student achievement in academic and technical skills. Only with both a strong academic background and training in an employable skill will students be fully prepared to compete in the 21st-century job market. Recognizing this core principle, the legislation supports broad-based career preparation education which meets high academic standards and links vocational education with wider educational reform efforts. It encourages learning in both classroom and workplace settings. This proposal also contains strong accountability provisions to ensure that local programs are actually achieving these goals.

The Adult Basic Education and Literacy for the Twenty-First Century Act recognizes that adult education is an integral component of our work force development system. Nearly 27 percent of the adult population has not earned a high school diploma or its equivalent. Their chances for career success are increasingly limited. Adult education programs open doors for those who successfully participate in them. They help participants to advance in the working world and to fully participate in every aspect of community life. This legislation streamlines existing adult education and literacy programs to maximize both access to educational opportunities and to enhance the quality of services. It seeks to target resources on those areas where the greatest need exists.

One of the highest priorities for the Labor and Human Resources Committee this year is the development of a comprehensive work force development strategy for our Nation. Effective vocational education and adult education programs must be major components of such a plan. These innovative proposals put forth by Secretary Riley should help us to achieve that goal.

Mr. President, I ask unanimous consent that each bill be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 993

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the ''Center Preparation Education Reform Act of 1997''.

TITLE I—AMENDMENTS TO THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT

AMENDMENT TO THE ACT

SEC. 101. The Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 *et seq.;* hereinafter referred to as ''the Act'') is amended in its entirety to read as follows:

''SHORT TITLE; TABLE OF CONTENTS

''SECTION 1. (a) SHORT TITLE.1—This Act may be cited as the 'Carl D. Perkins Career Preparation Education Act'.

''(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

''TABLE OF CONTENTS

''DECLARATION OF POLICY, FINDINGS, AND PURPOSE

''SEC. 2. (a) DECLARATION OF POLICY.—The Congress declares it to be the policy of the United States that, in order to meet new economic challenges brought about by technology, increasing international economic competition, and changes in production technologies and the organization of work, the Nation must enable every student to obtain the academic, technical, and other skills needed to prepare for, and make a transition to, postsecondary education, further learning, and a wide range of opportunities in high-skilled, high-wage careers.

''(b) DECLARATION OF FINDINGS.—The Congress finds that—

''(1) in order to be successful workers, citizens, and learners in the 21st century, individuals will need a combination of strong basic and advanced academic skills; computer and other technical skills; theoretical knowledge; communications, problem-solving, and teamwork skills; and the ability to acquire additional knowledge and skills throughout a lifetime;

''(2) students in the United States can achieve challenging academic and technical skills, and may learn better and retain more, when they learn in context, learn by doing, and have an opportunity to learn and understand how academic and technical skills are used outside the classroom;

''(3) a majority of high school graduates in the United States do not complete a rigorous course of study that prepares them for completing a two-year or four-year college degree or for entering high-skill, high-wage careers; adult students are an increasingly diverse group and often enter postsecondary education unprepared for academic and technical work; and certain individuals (including students who are members of special populations) often face great challenges in acquiring the knowledge and skills needed for successful employment.

''(4) education reform efforts at the secondary level are creating new American high schools that are committed to high academic standards for all students, and that ensure that all students have the academic and technical skills needed to pursue postsecondary education, provide students with opportunities to explore careers, use technology to enhance learning, and create safe, supportive learning environments;

''(5) community colleges are offering adults a gateway to higher education, access to quality occupational certificates and degrees that increase their skills and earnings, and continuing education opportunities necessary for professional growth by ensuring that the academic and technical skills gained by students adequately prepare them for the workforce, by enhancing connections with employers, and by obtaining sufficient resources so that students have access to state-of-the-art programs, equipment, and support services;

''(6) State initiatives to develop challenging State academic standards for all students are helping to establish a new framework for education reform, and States developing school-to-work opportunity systems are helping to create opportunities for all students to participate in school-based, work-based, and connecting activities leading to postsecondary education, further learning, and first jobs in high-skill, high-wage careers;

''(7) local, State, and national programs supported under the Carl D. Perkins Vocational and Applied Technology Education Act have assisted many students in obtaining technical and academic skills and employment, and technical preparation (tech-prep) education has promoted the integration of academic and vocational education, reinforced and stimulated improvements in classroom instruction, and forged strong secondary-postsecondary connections that serve as a catalyst for the reform of vocational education and the development of school-to-work systems;

''(8) career preparation education increases its effectiveness and better enables every student to achieve to challenging academic standards and industry-recognized skill standards and prosper in a highly competitive, technological economy when it is aligned with broader State and local education reforms and with challenging standards reflecting the needs of employers and the demands of high-skill, high-wage careers, and has the active involvement of employers, parents, and labor and community organizations in planning, developing, and implementing services and activities;

''(9) while current law has promoted important reforms in vocational education, it contains numerous set-asides and special programs and requirements that may inhibit further reforms as well as the proper implementation of performance management systems needed to ensure accountability for results;

''(10) the Federal Government can—through a performance partnership with States and localities based on clear programmatic goals, increased State and local flexibility, improved accountability, and performance goals, indicators, and incentives—provide to States and localities financial assistance for the improvement and expansion of career preparation education in all States, as well as for services and activities that ensure that every student, including those with special needs, has the opportunity to achieve the academic and technical skills needed to prepare for postsecondary education, further learning, and a wide range of careers; and

''(11) the Federal Government can also assist States and localities by carrying out nationally significant research, program development, dissemination, evaluation, capacity-building, data collection, professional development, and technical assistance activities that support State and local efforts to implement successfully programs, services, and activities that are funded under this Act, as well as those supported with their own resources.

''(c) DECLARATION OF PURPOSE.—The purpose of this Act is to assist all students, through a performance partnership with States and localities, to acquire the knowledge and skills they need to meet challenging State academic standards and industry-recognized skill standards, and to prepare for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers. This purpose shall be pursued through support for State and local efforts that—

''(1) build on the efforts of States and localities to develop and implement education reforms based on challenging academic standards;

''(2) integrate reforms of vocational education with State reforms of academic preparation in schools;

''(3) promote, in particular, the development of services and activities that integrate academic and occupational instruction, link secondary and postsecondary education, and promote school-based and work-based learning and connecting activities;

''(4) increase State and local flexibility in providing services and activities designed to develop, implement, and improve career preparation education, including tech-prep education, and in integrating these services and activities with services and activities supported with other Federal, State, and local education and training funds in exchange for clear accountability for results;

''(5) provide every student, including those who are members of special populations, with the opportunity to participate in the full range of career preparation education programs, services, and activities;

''(6) integrate career guidance and counseling into the educational processes, so that students are well prepared to make informed

education and career decisions, find employment, and lead productive lives; and

''(7) benefit from national research, program development, demonstration, dissemination, evaluation, capacity-building, data collection, professional development, and technical assistance activities supporting the development, implementation, and improvement of career preparation education programs, services, and activities.

''AUTHORIZATION OF APPROPRIATIONS

''SEC. 3. (a) PREPARING STUDENTS FOR CAREERS.—(1) There are authorized to be appropriated to carry out part A of title I, relating to career preparation education, $1,064,047,000 for the fiscal year 1998 and such sums as may be necessary for each of the fiscal years 1999 through 2002.

''(2) There are authorized to be appropriated to carry out part B of title I, relating to technical preparation education, $105,000,000 for the fiscal year 1998 and such sums as may be necessary for each of the fiscal years 1999 through 2002.

''(b) NATIONAL SUPPORT FOR STATE AND LOCAL REFORMS.—From the amount appropriated for any fiscal year under subsection (a) the Secretary shall reserve—

''(1) not more than 7 percent to carry out title II (except section 207, relating to career preparation education for Indians and Native Hawaiians), of which not more than 2 percent of the amount appropriated under subsection (a) for any fiscal year after the fiscal year 2000 shall be available to carry out activities under section 201, relating to awards for excellence; and

(2) 1.75 percent to carry out activities under sections 207(b) and 207(c), relating to career preparation education for Indians, and section 207(d), relating to career preparation education for Native Hawaiians.

''TITLE I—PREPARING STUDENTS FOR CAREERS

''PART A—CAREER PREPARATION EDUCATION

''CAREER PREPARATION EDUCATION; PRIORITIES

''SEC. 101. (a) CAREER PREPARATION EDUCATION.—(1) In order to enable every student to obtain the academic, technical, and other knowledge and skills that are needed to make a successful transition to postsecondary education and a wide range of career and further learning, as well as support, to the maximum extent possible, the integration of vocational education with broader educational reforms underway in States and secondary and postsecondary schools, funds under this part shall be used to support career preparation education programs, services, and activities.

''(2) As used in this Act, career preparation education programs, services, and activities means those that—

''(A) support the development, implementation, or improvement of State School-to-Work systems as set forth in title I of the School-to-Work Opportunities Act of 1994; or

''(B) otherwise prepare students for employment and further learning in technical fields.

''(b) PRIORITIES.—In using funds under this part, States and local recipients, as described in section 105(a), shall give priority to services and activities designed to—

''(1) ensure that every student, including those who are members of special populations, has the opportunity to achieve a combination of strong basic and advanced academic skills, computer and other technical skills, theoretical knowledge, communications, problem-solving, and other skills needed to meet challenging State academic standards and industry-recognized skill standards;

''(2) promote the integration of academic and vocational education;

''(3) support the development and implementation of courses of study in broad occupational clusters or industry sectors;

''(4) effectively link secondary and postsecondary education;

''(5) provide students, to the extent possible, with strong experience in, and understanding of, all aspects of an industry;

''(6) provide students with work-related experiences, such as internship, work-based learning, school-based enterprises, entrepreneurship, and job-shadowing that link to classroom learning;

''(7) provide schoolsite and worksite mentoring;

''(8) provide instruction in general workplace competences and instruction needed for students to earn a skill certificate;

''(9) provide career guidance and counseling for students, including the provision of career awareness, exploration, and planning services, and financial aid information to students and their parents;

''(10) ensure continuing parent and employer involvement in program design and implementation; and

''(11) provide needed support services, such as mentoring, opportunities to participate in student organizations, tutoring, the modification of curriculum, classrooms, and equipment, transportation, and child care.

''STATE LEADERSHIP ACTIVITIES

''SEC. 102. (a) RESPONSIBLE AGENCY OR AGENCIES.—Any State desiring to receive a grant under this part, as well as a grant under part B, shall, consistent with State law, designate an educational agency or agencies that shall be responsible for the administration of services and activities under this Act, including—

''(1) the development, submission, and implementation of the State plan;

''(2) the efficient and effective performance of the State's duties under this Act; and

''(3) consultation with other appropriate agencies, groups, and individuals that are involved in the development and implementation of services and activities assisted under this Act, such as employers, industry, parents, students, teachers, labor organizations, community-based organizations, State and local elected officials, and local program administrators, including the State agencies responsible for activities under the State's implementation grant under the School-to-Work Opportunities Act of 1994.

''(b) IN GENERAL.—Each State that receives a grant under this part shall, from amounts reserved for State leadership activities under section 109(c), conduct programs, services, and activities that further the development, implementation, and improvement of career preparation education within the State and that are integrated, to the maximum extent possible, with broader education reforms underway in the State, including such activities as—

''(1) providing comprehensive professional development (including initial teacher preparation) for vocational, academic, career guidance, and administrative personnel that—

''(A) will help such teachers and personnel to meet the goals established by the State under section 106; and

''(B) reflects the State's assessment of its needs for professional development, as determined under section 2205(b)(2)(C) the Elementary and Secondary Education Act of 1965, and is integrated with the professional development activities that the State carries out under title II of that Act;

''(2) developing and disseminating curricula that are aligned, as appropriate, with challenging State academic standards and industry-recognized skill standards;

''(3) monitoring and evaluating the quality of, and improvement in, services and activities conducted with assistance under this Act;

''(4) promoting equity in secondary and postsecondary education and, to the maximum extent possible, ensuring opportunities for all students, including students who are members of special populations, to participate in education activities that are free from sexual and other harassment and that lead to high-skill, high-wage careers;

''(5) supporting tech-prep education activities, including, as appropriate, activities described under part B of this title;

''(6) improving and expanding career guidance and counseling programs that assist students to make informed education and career decisions;

''(7) improving and expanding the use of technology in instruction;

''(8) supporting partnerships of local educational agencies, institutions of higher education, and, as appropriate, other entities, such as employers, labor organizations, parents, community-based organizations, and local workforce boards for enabling all students, including students who are members of special populations, to achieve to challenging State academic standards and industry-recognized skill standards;

''(9) promoting the dissemination and use of occupational information and one-stop career center resources;

''(10) providing financial incentives or awards to one or more local recipients in recognition of exemplary quality or innovation in education services and activities, or exemplary services and activities for students who are members of special populations, as determined by the State through a peer review process, using performance goals and indicators described in section 106 and any other appropriate criteria;

''(11) supporting vocational student organizations, especially with respect to efforts to increase the participation of students who are members of special populations in such organizations;

''(12) developing career preparation education curricula that provide students with understanding in all aspects of the industry; and

''(13) serving individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities.

''(c) SPECIAL POPULATIONS.—Any State that receives a grant under this part shall—

''(1) work to eliminate bias and stereotyping in education at the secondary and postsecondary levels;

''(2) disseminate data on the effectiveness of career preparation education programs, services, and activities in the State in meeting the educational and employment needs of women and students who are members of special populations;

''(3) review proposed actions on applications, grants, contracts, and policies of the State to help to ensure that the needs of women and students who are members of special populations are addressed in the administration of this part;

''(4) recommend outreach and other activities that inform women and students who are members of special populations about their education and employment opportunities; and

''(5) advise local educational agencies, postsecondary educational institutions, and other interested parties in the State on expanding career preparation opportunities for women and students who are members of special populations and ensuring that the needs of men and women in training for nontraditional jobs are met.

''(d) STATE REPORT.—(1) The State shall annually report to the Secretary on the quality and effectiveness of the programs,

services, and activities, provided through its grant under this part, as well as its grant under part B, based on the performance goals and indicators and the expected level of performance included in its State plan under section 103(e)(2)(B).

''(2) The State report shall also—

''(A) include such information, and in such form, as the Secretary may reasonably require, in order to ensure the collection of uniform data; and

''(B) be made available to the public.

''STATE PLANS

''SEC. 103. (a) IN GENERAL.—Any State desiring to receive a grant under this part, as well as a grant under part B, for any fiscal year shall submit to, or have on file with, the Secretary a five year plan in accordance with this section. The agency or agencies designated under section 102(a) may submit its State plan as part of a comprehensive plan that may include State plan provisions under the Goals 2000: Educate America Act, the School-to-Work Opportunities Act of 1994, and section 14302 of the Elementary and Secondary Education Act of 1965. Any State that receives an implementation grant under subpart B of title II of the School-to-Work Opportunities Act of 1994 shall make the plan that it submits or files under this section consistent with the approved plan for which it received its implementation grant.

''(b) APPROVALS.—(1) Notwithstanding the designation of the responsible agency or agencies under section 102(a), the agencies that shall approve the State plan under subsection (a) are—

''(A) the State educational agency; and

''(B) the State agency responsible for community colleges.

''(2) The Secretary shall approve a State plan under subsection (a), or a revision to an approved State plan, only if the Secretary determines that it meets the requirements of this section and the State's performance goals and expected level of performance under subsection (e)(2)(B) are sufficiently rigorous as to meet the purpose of this Act and to allow the Department of Education to make progress toward its performance objectives and indicators established under the Government Performance and Results Act. The Secretary shall establish a peer review process to make recommendations regarding approval of the State plan and revisions to the plan. The Secretary shall not finally disapprove a State plan before giving the State reasonable notice and an opportunity for a hearing.

''(c) CONSULTATION.—(1) In developing and implementing its plan under subsection (a), and any revisions under subsection (g), the designated agency or agencies under section 102(a) shall consult widely writhe employers, labor organizations, parents, and other individuals, agencies,. and organizations in the State that have an interest in education and training, including the State agencies responsible for activities under the State's implementation grant under the School-to-Work Opportunities Act of 1994, as well as individuals, employers, and organizations that have an interest in education and training for students who are members of special populations.

''(2) The designated agency or agencies under section 102(a) shall submit the State plan under this section, and any revisions to the State plan under subsection (g), to the Governor for review and comment, and shall ensure that any comments the Governor may have are included with the State plan or revision when the plan or revision is submitted to the Secretary.

''(d) ASSESSMENT.—The State plan under subsection (a), and any revisions to the State plan under subsection (a), shall be based upon a recent objective assessment of—

''(A) the academic and technical skills education, training and retraining needs of secondary, adult, and postsecondary students, including individuals who are members of special populations, that are necessary to meet the projected skill demands of high-wage high-skill careers during the period of the plan; and

''(B) the capacity of programs, services, and activities to meet those needs, taking into account the priorities under section 101(b) and the State's performance goals under section 106(a).

''(2) The assessment shall also include—

''(A) an analysis of the State's performance on its State and local standards and measures under Section 115 of the Carl D. Perkins Vocational and Applied Technology Education Act of 1990; and

''(B) an identification of any provisions of the State plan that have been included based on that analysis.

''(e) CONTENTS.—A State plan under subsection (a) shall describe how the State will use funds under this part to—

''(A) improve student achievement of academic, technical, and other knowledge and skills and address the priorities described in section 101(b);

''(B) help ensure that every student, including those who are members of special populations, has the opportunity to achieve to challenging State academic standards and industry-recognized skill standards and to be prepared postsecondary education, further learning, and high-skill, high-wage careers;

''(C) further the State's education reform efforts and school-to-work opportunities system; and

''(D) carry out State leadership activities under section 102.

''(2) A State plan under subsection (a) shall also—

''(A) describe how the State will integrate its services and activities under this title with the broad education reforms in the State and with relevant employment, training, technology, and welfare programs carried out in the State;

''(B) include a statement, expressed in terms of the performance indicators published by the Secretary under section 106(b), and any other performance indicators the State may choose, of the State's performance goals established under section 106(a) and the level of performance the State expects to achieve in progressing toward its performance goals during the life of the State plan;

''(C) describe how the State will ensure that the data reported to it from its local recipients under this Act and the data it reports to the Secretary are complete, accurate, and reliable;

''(D) describe how the State will provide incentives or rewards for exemplary programs, services, or activities under this Act, if the State elects to implement the authority under section 102(b)(10);

''(E) describe how funds will be allocated and used at the secondary and postsecondary level, the consortia that will be formed among secondary and postsecondary school and institutions, and how funds will be allocated to such consortia; and

''(F) be made available to the public.

''(f) ASSURANCES.—A State plan under subsection (a) shall contain assurances that the State will—

''(1) comply with the requirements of this Act and the provisions of the State plan; and

''(2) provide for the fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the State under this Act.

''(g) REVISIONS.—When changes in conditions or other factors require substantial revision to an approved State plan under subsection (a), the State shall submit revisions to the State plan to the Secretary after the State plan revisions have been approved by the agencies responsible for approving the plan under subsection (b).

''LOCAL ACTIVITIES

''SEC. 104. (a) GENERAL REQUIREMENTS.—Each recipient of a subgrant under this part shall—

''(1) conduct career preparation education programs, services and activities that further student achievement of academic, technical, and other knowledge and skills;

''(2) provide services and activities that are of sufficient size, scope, and quality to be effective;

''(3) give priority under this part to assisting schools or campuses that serve the highest numbers or percentages of students who are members of special populations; and

''(4) promote equity in career preparation education and, to the maximum extent possible, ensure opportunities for every student, including those who are members of special populations, to participate in education activities that are free from sexual and other harassment and that lead to high-skill, high-wage careers.

''(b) AUTHORIZED ACTIVITIES.—Each recipient of a subgrant under this part may use funds to—

''(1) provide programs, services, and activities that promote the priorities described in section 101(b), such as—

''(A) developing curricula and assessments that are aligned, as appropriate, with challenging State academic standards, as well as industry-recognized skill standards, and that integrate academic and vocational instruction, school-based and work-based instruction and connecting activities, and secondary and postsecondary level instruction;

''(B) acquiring and adapting equipment, including instructional aids;

''(C) providing professional development activities, including such activities for teachers, mentors, counselors, and administrators, and board members;

''(D) providing services, directly or through community-based or other organizations, that are needed to meet the needs of students who are members of special populations, such as mentoring, opportunities to participate in student organizations, tutoring, curriculum modification, equipment modification, classroom modification, supportive personnel, instructional aids and devices, guidance, career information, English language instruction, transportation, and child care;

''(E) supporting tech-prep education services and activities, career academies, and public charter, pilot, or magnet schools that have a career focus;

''(F) carrying out activities that ensure active and continued involvement of employers, parents, local workforce boards, and labor organizations in the development, implementation, and improvement of a career preparation education in the State, such as support for local school-to-work partnerships and intermediary organizations that support activities that link school and work;

''(G) assisting in the reform of secondary schools, including schoolwide reforms and schoolwide programs authorized under section 1114 of the Elementary and Secondary Education Act of 1965;

''(H) supporting vocational student organizations, especially with respect to efforts to increase the participation of students who are members of special populations in such organizations;

''(I) providing assistance to students who have participated in services and activities under this Act in finding an appropriate job

and continuing their education and training; and

''(J) developing and implementing performance management systems and evaluations; and

''(2) carry out other services and activities that meet the purposes of this Act.

''(c) EQUIPMENT.—Equipment acquired or adapted with funds under this part may be used for other instructional purposes when not being used to carry out this part if such acquisition or adaptation is reasonable and necessary for providing services or activities under this part and such other use is incidental to, does not interfere with, and does not add to the cost of, the use of such equipment under this part.

''LOCAL APPLICATIONS

''SEC. 105. (a) ELIGIBILITY.—Schools and other institutions or agencies eligible to apply, individually or as consortia, to a State for a subgrant under this part are—

''(1) local educational agencies;

''(2) area vocational education schools;

''(3) intermediate educational agencies;

''(4) institutions of higher education; and

''(5) postsecondary educational institutions controlled by the Bureau of Indian Affairs or operated by, or on behalf of, any Indian tribe that is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or the Act of April 16, 1934.

''(b) APPLICATION REQUIREMENTS.—Any applicant that is eligible under subsection (a) and that desires to receive a subgrant under this part shall, according to requirements established by the State, submit an application to the agency or agencies designated under section 102(a). In addition to including such information as the State may require and identifying the results the applicant seeks to achieve, each application shall also describe how the applicant will use funds under this part to—

''(1) develop, improve, or implement career preparation education programs, services, or activities in secondary schools and postsecondary institutions and address the priorities described in section 101(b), in accordance with section 103;

''(2) evaluate progress toward the results it seeks to achieve, consistent with the performance goals and indicators established under section 106;

''(3) coordinate its services and activities with related services and activities offered by community-based organizations, employers, and labor organizations, and, to the extent possible, integrate its services and activities under this title with broad educational reforms in the State and with relevant employment, training, and welfare programs carried out in the State; and

''(4) consult with students, their parents, employers, and other interested individuals or groups (including labor organizations and organizations representing special populations), in developing their services and activities.

''PERFORMANCE GOALS AND INDICATORS

''SEC. 106. (a) PERFORMANCE GOALS.—(1) Any State desiring to receive a grant under this part, as well as under part B, in consultation with employers, parents, labor organizations, and other individuals, agencies, and organizations in the State that have an interest in education and training, shall—

''(A) establish performance goals to define the level of performance to be achieved by students served under this title and to evaluate the quality and effectiveness of programs, services, and activities under this title; and

''(B) express such goals in an objective, quantifiable, and measurable form.

''(2) Any State may also use amounts it receives for State leadership activities under section 109(c) to evaluate its entire career preparation education program in secondary and postsecondary schools and to carry out activities under paragraph (1).

''(b) PERFORMANCE INDICATORS.—(1) After consultation with the Secretary of Labor, States, local educational agencies, institutions of higher education, representatives of business and industry, and other interested parties, the Secretary shall publish in the Federal Register performance indicators (including the definition of relevant terms and appropriate data collection methodologies) described in paragraph (2) that State and local recipients shall use in measuring or assessing progress toward achieving the State's performance goals under subsection (a).

''(2) The Secretary shall publish performance indicators for programs, services, and activities under this Act in the following areas:

''(A) achievement to challenging State academic standards, such as those established under Goals 2000: Educate America Act, and industry-recognized skill standards;

''(B) receipt of a high school diploma, skill certificate, and postsecondary certificate or degree;

''(C) job placement, retention, and earnings, particularly in the student's field of study; and

''(D) such other indicators as the Secretary determines.

''(c) TRANSITION.—A State shall use the performance goals and indicators established under subsections (a) and (b) not later than July 1, 1999. In order to provide a transition for State evaluation activities, each State receiving funds under this title shall use the system of standards and measures the State developed under section 115 of the Carl D. Perkins Vocational and Applied Technology Education Act as in effect prior to the enactment of this Act during the period that the State is establishing performance goals under subsection (a).

''(d) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to the States regarding the development of the State's performance goals under subsection (a), as well as use of uniform national performance data. The Secretary may use funds appropriated for title II to provide technical assistance under this section.

''EVALUATION, IMPROVEMENT AND ACCOUNTABILITY

SEC. 107. (a) LOCAL EVALUATION.—(1) Each recipient of a subgrant under this part shall—

''(A) annually evaluate, using the performance goals and indicators described in section 106, and report to the State regarding, its use of funds under this part to develop, implement, or improve its career preparation education program, services, and activities; and

''(B) biennially evaluate, and report to the State regarding the effectiveness of its programs, services, and activities under this part in achieving the priorities described in section 101(b), including the participation, progress, and outcomes of students who are members of special populations.

''(2) Such recipient may evaluate portions of its entire career preparation education program, including portions that are not supported under this part. If such recipient does so, it need not evaluate separately that portion of its entire career preparation education program supported with funds under this part.

''(b) IMPROVEMENT ACTIVITIES.—If a State determines, based on the local evaluation conducted under subsection (a) and applicable performance goals and indicators established under section 106, that a recipient of a subgrant under this part is not making substantial progress in achieving the purpose of this Act in accordance with the priorities described in section 101(b), the State shall work jointly with the recipient to develop a plan, in consultation with teachers, counselors, parents, students, employers, and labor organizations, for improvement for succeeding school years. If, after not more than 2 years of implementation of the improvement plan, the State determines that the local recipient is not making sufficient progress, the State shall take whatever corrective action it deems necessary, consistent with State law. The State shall take corrective action only after it has provided technical assistance to the recipient and shall ensure that any corrective action it takes allows for continued career preparation education services and activities for the recipient's students.

''(c) TECHNICAL ASSISTANCE.—If the Secretary determines that the State is not properly implementing its responsibilities under subsection (b), or is not making substantial progress in meeting the purpose of this Act or carrying out services and activities under this part that are in accord with the priorities described in section 101(b), based on the performance goals and indicators and expected level of performance included in its State plan under section 103(e)(2)(B), the Secretary shall work with the State to implement improvement activities.

''(d) WITHHOLDING OF FEDERAL FUNDS.—If, after a reasonable time, but not earlier than one year after of implementation of the improvement activities described in subsection (c), the Secretary determines that the State is not making sufficient progress, based on the performance goals and indicators and expected level of performance included in its State plan under section 103(e)(2)(B), the Secretary shall, after notice and opportunity for a hearing, withhold from the State all, or a portion, of the State's allotment under this part. The Secretary may use funds withheld under the preceding sentence to provide, through alternative arrangements, services and activities within the State that meet the purpose of this Act and are in accord with the priorities described in section 101(b).

''ALLOTMENTS

''SEC. 108. (a) ALLTOMENT TO STATES FOR CAREER PREPARATION EDUCATION.—Subject to subsection (b), from the remainder of the sums available for this part, the Secretary shall allot to each State for each fiscal year—

''(1) an amount that bears the same ratio to 50 percent of the sum being allotted as the product of the population aged 15 to 19, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States; and

''(2) an amount that bears the same ratio to 50 percent of the sum being allotted as the product of the population aged 20 to 24, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States.

''(b) HOLD-HARMLESS AMOUNTS.—(1) Notwithstanding any other provision of law and subject to paragraph (2), for fiscal year 1998 no State shall receive an allotment for services and activities authorized under this part that is less than 90 percent of the sum of the payments made to the State for fiscal year 1997 for programs authorized by title II of the Carl D. Perkins Vocational and Applied Technology Education Act, and for fiscal years 1998 through 2002 no State shall receive for services and activities authorized under

this part an allotment that is less than 90 percent of its allotment under this part for the preceding fiscal year.

''(2) If for any fiscal year the amount appropriated for services and activities authorized under this part and available for allotment under this section is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratably reduce the payments to all States for such services and activities as necessary.

''(3) Notwithstanding any other provision of law, the allotment for this part for each of American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands shall not be less than $200,000.

''(c) ALLOTMENT RATIO.—the allotment ratio of any State shall be 1.00 less the product of—

''(1) 0.50; and

''(2) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, and the Virgin Islands), except that—

''(A) the allotment ratio shall in no case be more than 0.60 or less than 0.40; and

''(B) the allotment ratio for American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, and the Virgin Islands shall be 0.60.

''(d) REALLOTMENT.—If the Secretary determines that any amount of any State's allotment under subsection (a) for any fiscal year will not be required for carrying out the services and activities for which such amount has been allotted, the Secretary shall make such amount available for reallotment to one or more other States. Any amount reallotted to a State under this subsection shall be deemed to be part of its allotment for the fiscal year in which it is obligated.

''(e) STATE GRANTS.—(1) From the State's allotment under subsection (a), the Secretary shall make a grant for each fiscal year to each State that has an approved State plan under section 103.

''(2) The Secretary may promulgate regulations with regard to indirect cost rates that may be used for grants and subgrants awarded under this title.

''(f) DEFINITIONS AND DETERMINATIONS.—For purposes of this section—

''(1) allotment ratios shall be computed on the basis of the average of the appropriate per capita incomes for the 3 most recent consecutive fiscal years for which satisfactory data are available;

''(2) the term 'per capita income' means, with respect to a fiscal year, the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year, and

''(3) population shall be determined by the Secretary on the basis of the latest estimates available to the Department that are satisfactory to the Secretary.

''WITHIN-STATE ALLOCATION AND DISTRIBUTION OF FUNDS

''SEC. 109. (a) IN GENERAL.—(1) For each of the fiscal years 1998 and 1999, the State shall award as subgrants to eligible recipients under section 105(a) at least 80 percent of its grant under section 108(e) for that fiscal year.

''(2) For each of the fiscal years 2000 through 2002, the State shall award as subgrants to eligible recipients under section 105(a) at least 85 percent of its grant under section 108(e) for that fiscal year.

''(b) STATE ADMINISTRATION.—(1) The State may use an amount not to exceed 5 percent of its grant under section 108(e) for each fiscal year for administering its State plan, including developing the plan, reviewing local applications for subgrants under this part and part B, supporting activities to ensure the active participation of interested individuals and organizations, and ensuring compliance with all applicable Federal laws.

''(2) Each State shall match, from non-Federal sources and on a dollar-for-dollar basis, the funds used for State administration under paragraph (1).

''(c) STATE LEADERSHIP.—The State shall use the remainder of its grant under section 108(e) for each fiscal year for State leadership activities described in section 102.

''(d) DISTRIBUTION OF PART A FUNDS AT THE SECONDARY LEVEL.—(1) Except as provided in subsections (f), (g), and (h), each State shall, each fiscal year, distribute to local educational agencies, or consortia of such agencies, within the State funds under this part available for secondary level education programs, services, and activities that are conducted in accordance with the priorities described in section 101(b). Each local educational agency or consortium shall be allocated an amount that bears the same relationship to the amount available as the amount that the local educational agency or consortium was allocated under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the total amount received under such subpart by all the local educational agencies in the State in such fiscal year.

''(2) In applying the provisions of paragraph (1), the State shall—

''(A) distribute those funds that, based on the distribution formula under paragraph (1), would have gone to a local educational agency serving only elementary schools, to the local educational agency that provides secondary school services to secondary school students in the same attendance area;

''(B) distribute to a local educational agency that has jurisdiction over secondary schools, but not elementary schools, funds based on the number of students that entered such secondary schools in the previous year from the elementary schools involved; and

''(C) distribute funds to an area vocational education school or intermediate educational agency in any case in which—

''(i) the area vocational education school or intermediate educational agency and the local educational agency or agencies concerned have an agreement to use such funds to provide services and activities in accordance with the priorities described in section 101; and

''(ii) the area vocational education school or intermediate educational agency serves an equal or greater proportion of students with disabilities or economically disadvantaged students than the proportion of these students under the jurisdiction of the local educational agencies sending students to the area vocational education school.

''(e) DISTRIBUTION OF PART A FUNDS AT THE POSTSECONDARY LEVEL.—(1) Except as provided in subsections (f), (g), and (h), each State shall, each fiscal year, distribute to eligible institutions, or consortia of such institutions, within the State funds under this part available for postsecondary level services and activities that are conducted in accordance with the priorities described in section 101(b). Each such eligible institution or consortium shall be allocated an amount that bears the same relationship to the amount of funds available as the number of Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in the preceding fiscal year by such institution or consortium in a career preparation education programs that does not exceed two years bears to the number of such recipients enrolled in such programs within the State in such fiscal year.

''(2) For the purposes of this subsection—

''(A) the term 'eligible institution' means—

''(i) an institution of higher education;

''(ii) a local educational agency providing education at the postsecondary level;

''(iii) an area vocational education school providing education at the postsecondary level; and

''(iv) a postsecondary educational institution controlled by the Bureau of Indian Affairs or operated by or on behalf of any Indian tribe that is eligible to contract with the Secretary of the Interior of the administration of programs under the Indian Self-Determination Act or the Act of April 16, 1934; and

''(B) the term 'Pell Grant recipient' means a recipient of financial aid under subpart 1 of part A of title IV of the Higher Education Act of 1965.

''(3) An eligible institution may use funds distributed in accordance with paragraph (1) to provide postsecondary level services and activities for students enrolled in a career preparation education program that exceeds two years through a written articulation agreement between the eligible institution and the administrators of that program.

''(f) ALTERNATIVE PART A DISTRIBUTION FORMULA.—The State may distribute funds under subsection (d) or (e) using an alternative formula if the State demonstrates to the Secretary's satisfaction that—

''(1) the alternative formula better meets the purposes of this Act;

''(2) the alternative formula is in accord with the priorities described in section 101(b);and

''(3)(A) the formula described in subsection (d) or (e) does not result in a distribution of funds to the eligible recipients or consortia that have the highest numbers or percentages of economically disadvantaged students, as described in subsection (j); and

''(B) the alternative formula would result in such a distribution.

''(g) MINIMUM SUBGRANT AMOUNTS.—(1)(A) Except as provided in subparagraph (B), no local educational agency shall be eligible for a subgrant under this part unless the amount allocated to that agency under subsection (c) or (d) equals or exceeds $15,000.

''(B) The State may waive the requirement in subparagraph (A) in any case in which the local educational agency—

''(i) enters into a consortium with one or more other local educational agencies to provide services and activities conducted in accordance with the priorities described in section 101(b) and the aggregate amount allocated and awarded to the consortium equals or exceeds $15,000; or

''(ii) is located in a rural, sparsely-populated area and demonstrates that the agency is unable to enter into a consortium for the purpose of providing services and activities conducted in accordance with the priorities described in section 101(b), but that the agency is able to provide services and activities that meet the purposes of this Act.

''(2)(A) Except as provided in subparagraph (B), no eligible institution shall be eligible for a subgrant under this part unless the amount allocated to that institution under subsection (d) or (e) equals or exceeds $50,000.

''(B) The State may waive the requirement in subparagraph (A) in any case in which the eligible institution—

''(i) enters into a consortium with one or more other eligible institutions to provide services and activities conducted in accordance with the priorities described in section 101 and the aggregate amount allocated and awarded to the consortium equals or exceeds $50,000; or

''(ii) is a tribally controlled community college.

''(h) PART A SECONDARY-POSTSECONDARY CONSORTIA.—The State may distribute funds

available for part A in any fiscal year for secondary and postsecondary level services and activities, as applicable, to one or more local educational agencies and one or more eligible institutions that enter into a consortium in any case in which—

''(1) the consortium has been formed to provide services and activities conducted in accordance with the priorities described in section 101(b); and

''(2) the aggregate amount allocated and awarded to the consortium under subsections (a), (b), and (c) equals or exceeds $50,000.

''(i) REALLOCATIONS.—The State shall reallocate to one or more local educational agencies, eligible institutions, and consortia any amounts that are allocated in accordance with subsections (d) through (f), but that would not be used by a local educational agency or eligible institution, in a manner the State determines will best serve the purpose of this Act and be in accord with the priorities described in section 101(b).

''(j) ECONOMICALLY DISADVANTAGED STUDENTS.—For the purposes of this section, the State may determine the number of economically disadvantaged students on the basis of—

''(1) eligibility for free or reduced-price meals under the National School Lunch Act or for assistance under part A of title IV of the Social Security Act;

''(2) the number of children counted for allocation purposes under title I of the Elementary and Secondary Education Act of 1965; or

''(3) any other index of disadvantaged economic status if the State demonstrates to the satisfaction of the Secretary that the index is more representative of the number of low-income students than the indices described in paragraphs (1) and (2).

''PART B—TECH-PREP EDUCATION

''PROGRAM ELEMENTS

''SEC. 111. Funds under this part shall be used only to develop, implement, and improve tech-prep education programs that—

''(1) include—

''(A) a non-duplicative sequence of study, with a common core of required proficiency in mathematics, science, communications, and technology, consisting of at least 2 years of secondary school preceding graduation and leading to an associate degree, an industry-recognized skill certificate, completion of a registered apprenticeship program, or a bachelor's degree in a specific career field;

''(B) an integrated academic and technical curriculum appropriate to the needs of the students enrolled in the secondary schools and postsecondary education institutions participating in a consortium.

''(C) curriculum and professional development to—

''(i) train academic, vocational, and technical teachers to use strategies and techniques effectively to support tech-prep education; and

''(ii) train counselors to advise students effectively, and to help ensure that students successfully complete their tech-prep education and enter into appropriate employment;

''(D) preparatory services, including outreach, career counseling, assessment, and testing, that assist students to enter into tech-prep education, as well as career awareness, exploration, and planning activities that help students in tech-prep education to make informed choices;

''(E) equal access for students who are members of special populations; and

''(F) work-based learning opportunities, for both students and educators, that are tied to the tech-prep curriculum; and

''(2) are conducted by a consortium—

''(A) of at least one public secondary school or local educational agency and at least one postsecondary educational institution; and

''(B) that displays strong, comprehensive institutional links within the consortium.

''STATE LEADERSHIP RESPONSIBILITIES

''SEC. 112. (a) IN GENERAL.—Each State that receives a grant under this part may use funds reserved for leadership activities under section 109(c) to conduct services and activities that further the development, implementation, and improvement of tech-prep education programs throughout the State in accordance with the purposes of this Act.

''(b) STATE PLAN.—Any State desiring to receive a grant under this part for any fiscal year shall—

''(1) have an approved State plan under section 103 for that fiscal year; and

''(2) include in such plan—

''(A) a description of how the State will use funds under this part only to make competitive subgrants to consortia to conduct services and activities that further the development, implementation, and improvement of tech-prep education programs throughout the State in accordance with the purposes of this Act; and

''(B) a description of how tech-prep education programs under this part will relate to, and be integrated with, the career preparation education programs, services, and activities supported in the State under part A of this title.

''(c) STATE REPORT.—Any State that receives a grant under this part shall annually report to the Secretary on the quality and effectiveness of its services and activities provided under the grant, based on the performance goals and indicators, as appropriate, established under section 106. Such report shall be part of the report that the State submits in accordance with section 102(d).

''LOCAL ACTIVITIES

''SEC. 113. (a) GENERAL AUTHORITY.—Each recipient of a subgrant under this part shall use such funds to develop, implement, or improve a tech-prep education program described in section 111.

''(b) ADDITIONAL ACTIVITIES.—A recipient of a subgrant under this part may use such funds to—

''(1) acquire tech-prep education program equipment, subject to subsection (c); and

''(2) obtain technical assistance from State or local entities that have successfully designed, established, and operated tech-prep programs.

''(c) EQUIPMENT.—Equipment acquired or adapted with funds under this part may be used for other instructional purposes when not being used to carry out this part if such acquisition or adaptation is reasonable and necessary for providing services or activities under this part and such other use is incidental to, does not interfere with, and does not add to the cost of, the use of such equipment under this part.

''LOCAL APPLICATIONS

''SEC. 114. (a) ARTICULATION AGREEMENT.—A consortium that desires to receive a subgrant under this part shall submit to the agency or agencies designated under section 102(a) a written articulation agreement among the consortium participants that describes each participant's role in carrying out the tech-prep education program.

''(b) APPLICATION REQUIREMENT.—(1) A consortium that desires to receive a subgrant under this part shall, according to requirements established by the State, submit an application to the agency or agencies designated under section 102(a). In addition to including such information as the State may require and identifying the results the consortium seeks to achieve, each application shall also describe how the consortium will—

''(A) use funds under this part to develop, improve, or implement a tech-prep education program;

''(B) evaluate progress toward the results it seeks to achieve, consistent with the performance goals and indicators established under section 106;

''(C) coordinate its services and activities with related services and activities offered by community-based organizations, employers, and labor organizations, and, to the extent possible, integrate its services and activities under this part with career preparation education programs, services, and activities, broad education reforms, and relevant employment, training, and welfare programs carried out in the State; and

''(D) consult with students, their parents, and other interested individuals or groups (including employers and labor organizations), in developing their services and activities.

''(2) A consortium may submit its application as part of the application for funds under part A of this title.

''(c) APPROVAL AND SPECIAL CONSIDERATION.—(1) The agency or agencies designated under section 102(a) shall approve applications based on their potential to create an effective tech-prep education program as described in section 111.

''(2) The designated agency or agencies shall give special consideration to applications that—

''(A) provide for effective employment placement activities and for the transfer of students to 4-year baccalaureate degree programs;

''(B) are developed in consultation with business, industry, labor organizations, and institutions of higher education that award bachelor's degrees;

''(C) address effectively the needs of special populations; and

''(D) demonstrate the use of tech-prep education programs as a primary strategy for systemic educational reform.

''EVALUATION, IMPROVEMENT AND ACCOUNTABILITY

''SEC. 115. (a) LOCAL EVALUATION.—(1) Each recipient of a subgrant under this part shall—

''(A) annually evaluate, using the performance goals and indicators described in section 106, as appropriate, and report to the State regarding, its use of funds under this part to develop, implement, or improve tech-prep education programs described under section 111; and

''(B) biennially evaluate and report to the State regarding, the effectiveness of its services and activities supported under this part in achieving the purposes of this Act, including the progress of students who are members of special populations.

''(2) Such recipient may evaluate portions of its entire tech-prep education program, including portions that are not supported under this part. If such recipient does so, it need not evaluate separately that portion of its entire tech-prep education program supported with funds under this part.

''(b) IMPROVEMENT ACTIVITIES.—If a State determines, based on the local evaluation conducted under subsection (a) and applicable performance goals and indicators established under section 106, that a recipient of a subgrant under this part is not making substantial progress in achieving the purpose of this Act, the State shall work jointly with the recipient to develop a plan, in consultation with teachers, parents, and students, for improvement for succeeding school years. If, after not more than 2 years of implementation of the improvement plan, the State determines that the recipient is not making sufficient progress, the State shall take

whatever corrective action it deems necessary, consistent with State law. The State shall take corrective action only after it has provided technical assistance to the recipient and shall ensure that any corrective action it takes allows for continued tech-prep services and activities for the recipient's students.

''(c) TECHNICAL ASSISTANCE.—If the Secretary determines that the State is not properly implementing its responsibilities under subsection (b), or is not making substantial progress in meeting the purpose of this Act, based on the performance goals and indicators and expected level of performance included in its State plan under section 103(e)(2)(B), the Secretary shall work with the State to implement improvement activities.

''(d) WITHHOLDING OF FEDERAL FUNDS.—If, after a reasonable time, but not earlier than one year after of implementation of the improvement activities described in subsection (c), the Secretary determines that the State is not making sufficient progress, based on the performance goals and indicators and expected level of performance included in its State plan under section 103(e)(2)(B), the Secretary shall, after notice and opportunity for a hearing, withhold from the State all, or a portion, of the State's allotment under this part. The Secretary may use funds withheld under the preceding sentence to provide, through alternative arrangements, tech-prep services and activities within the State that meet the purpose of this Act.

''ALLOTMENT AND DISTRIBUTION

''SEC. 116. (a) ALLOTMENT TO STATES FOR TECH-PREP EDUCATION.—(1) From the amount appropriated for this part under section 3(a)(2) for each fiscal year, the Secretary shall allot funds to each State for programs under this part based on the ratio that its allotment under section 108 bears to the sum of State allotments under part A for that fiscal year.

''(2) From the State's allotment under paragraph (1), the Secretary shall make a grant for each fiscal year to each State that has an approved State plan in accordance with section 112(b).

''(b) REALLOTMENT.—If the Secretary determines that any amount of any State's allotment under subsection (a) for any fiscal year will not be required for carrying out the tech-prep education services and activities for which such amount has been allotted, the Secretary shall make such amount available for reallotment to one or more other States to support tech-prep education services and activities. Any amount reallotted to a State under this subsection shall be deemed to be part of its allotment for the fiscal year in which it is obligated.

''(c) DISTRIBUTION OF FUNDS.—From the amount made available to each State under subsection (a)(2), the State agency or agencies designated in section 102(a) shall award subgrants to consortia of educational institutions on a competitive basis.

''(d) EQUITABLE DISTRIBUTION OF ASSISTANCE.—In making subgrants under this part, the agency or agencies designated under section 102(a) shall ensure an equitable distribution of assistance between urban and rural areas of the State.

''TITLE II—NATIONAL SUPPORT FOR STATE AND LOCAL REFORMS

''AWARDS FOR EXCELLENCE

''SEC. 201. The Secretary may, from the amount reserved under section 3(b)(1) for any fiscal year after the fiscal year 2000, and through a peer review process, make performance awards to one or more States that have—

''(1) exceeded in an outstanding manner their performance goals or expected level of performance under section 103(e)(2)(B);

''(2) implemented exemplary career preparation education programs, services, or activities in secondary and postsecondary schools in accordance with the priorities described in section 101(b); or

''(3) provided exemplary career preparation education programs, services, or activities for students who are members of special populations.

''NATIONAL ACTIVITIES

''SEC. 202. (a) GENERAL AUTHORITY.—(1) In order to carry out the purpose of this Act, the Secretary may, directly or through grants, contracts, or cooperative agreements, carry out research, development, dissemination, evaluation, capacity-building, and technical assistance activities in accord with the purposes of this Act, such as activities relating to—

''(A) challenging State academic standards and industry-recognized skill standards, including curricula and assessments aligned with such standards;

''(B) the improvement in academic, technical, communications and other skills of students participating in career preparation education;

''(C) best practices in career preparation education, including curricula, assessments, and supportive services;

''(D) effective career guidance and counseling practices, including the identification of components of such programs that meet the career preparation education needs of students;

''(E) the use of community- and work-based learning, job shadowing, internships, entrepreneurship, and school-based enterprises to further academic and technical skills development;

''(F) the use of technology, including distance learning, to enhance learning;

''(G) the preparation of students for new and advanced technologies and industries, such as information technology and telecommunications, biotechnology, and robotics;

''(H) enhancing employer-school partnerships;

''(I) the development of effective performance management systems;

''(J) the creation of innovative learning environments with a career focus, such as career academies, and public charter, magnet, and pilot schools;

''(K) ''whole school'' reforms, in which all students are expected to gain academic and computer and other technical skills, and be prepared for postsecondary education and career opportunities; and

''(L) improvements in technical education at the postsecondary level.

''(2) The Secretary shall coordinate activities carried out under this section with related activities under the School-to-Work Opportunities Act of 1994, the Goals 2000: Educate America Act, the Job Training Partnership Act, the Higher Education Act of 1965, and the Elementary and Secondary Education Act of 1965.

''(3) Research and development activities carried out under this section may include support for States in their development and implementation of performance goals and indicators established under section 106. The Secretary shall broadly disseminate information resulting from research and development activities carried out under this Act, and shall ensure broad access at the State and local levels to the information disseminated.

''(4) Activities carried out under this section may include support for occupational and career information systems, such as the system described in section 206.

''(b) PROFESSIONAL DEVELOPMENT.—(1) The Secretary may, directly, or through grants, contracts, or cooperative agreements, support professional development activities for educators (including teachers, administrators, counselors, mentors, and board members) to help to ensure that all students receive an education that prepares them for postsecondary education, further learning, and high-skill, high-wage careers.

''(2)(A) Professional development activities supported under this subsection shall—

''(i) be tied to challenging State academic standards and industry-recognized skill standards;

''(ii) take into account recent research on teaching and learning;

''(iii) be of sufficient intensity and duration to have a positive and lasting impact on the educator's performance;

''(iv) include strong academic and technical skills content and pedagogical components; and

''(v) be designed to improve educators' skills in such areas as integrating academic and vocational instruction, articulating secondary and postsecondary education, combining school-based and work-based instruction and connecting activities, using occupational and career information, computer literacy, innovative uses of educational technology, and all aspects of an industry.

''(B) Funds under this subsection may be used for such activities as pre-service and in-service training, including internships at employer sites, training of work-site supervisors, and support for development of local, regional, and national educator networks that facilitate the exchange of information relevant to the development of career preparation education programs.

''(3) In supporting activities under this subsection, the Secretary shall give priority to designing and implementing new models of professional development for educators, and preparing educators to use innovative forms of instruction, such as worksite learning and the integration of academic and vocational instruction.

''NATIONAL ASSESSMENT

''SEC. 203. (a) GENERAL AUTHORITY.—(1) The Secretary shall conduct a national assessment of services and activities assisted under this Act, through independent studies and analyses, including, when appropriate, studies based on data from longitudinal surveys, that are conducted through one or more competitive awards.

''(2) The Secretary shall appoint an independent advisory panel, consisting of administrators, educators, researchers, and representatives of employers, parents, counselors, students, special populations, labor, and other relevant groups, as well as representatives of Governors and other State and local officials, to advise the Secretary on the implementation of such assessment, including the issues to be addressed, the methodology of the studies, and the findings and recommendations. The panel, at its discretion, may submit to the Congress an independent analysis of the findings and recommendations of the assessment.

''(b) CONTENTS.—The assessment required under subsection (a) shall examine the extent to which services and activities assisted under this Act have achieved their intended purposes and results, including the extent to which—

''(1) State and local recipients are meeting the performance objectives for their programs established by the Secretary under the Government Performance and Results Act, using the performance indicators under section 106(b);

''(2) State and local services and activities have developed, implemented, or improved systems established under the School-to-Work Opportunities Act of 1994;

''(3) services and activities assisted under this Act succeed in preparing students, including students who are members of special populations, for postsecondary education, further learning, and entry into high-skill, high-wage careers;

''(4) students who participate in services and activities supported under this Act succeed in meeting challenging State academic standards and industry-recognized skill standards;

''(5) services and activities assisted under this Act are integrated with, and further, broad-based education reform; and

''(6) the program improvement, participation, local and State assessment, and accountability provisions of this Act, including the performance goals and indicators established under section 106, are effective.

''(c) REPORT.—The Secretary shall submit to the Congress an interim report on or before July 1, 2001, and a final report on or before July 1, 2002.

''NATIONAL RESEARCH CENTER

''SEC. 204. (a) GENERAL AUTHORITY.—(1) The Secretary may, through grants, contracts, or cooperative agreements, establish one or more national centers in the areas of—

''(A) applied research and development; and

''(B) dissemination and training.

''(2) The Secretary shall consult with States prior to establishing one or more such centers.

''(3) Entities eligible to receive funds under this section are institutions of higher education, other public or private nonprofit organizations or agencies, and consortia of such institutions, organizations, or agencies.

''(b) ACTIVITIES.—(1) The national center or centers shall carry out such activities as the Secretary determines to be appropriate to assist State and local recipients of funds under this Act to achieve the purpose of this Act, which may include activities in such areas as—

''(A) the integration of vocational and academic instruction, secondary and postsecondary instruction, and work-based and classroom-based instruction and connecting activities;

''(B) effective inservice and preservice teacher education that assists career preparation education systems at the elementary, secondary, and postsecondary levels;

''(C) performance goals and indicators that serve to improve career preparation education programs and student outcomes;

''(D) effects of economic changes on the kinds of knowledge and skills required for employment;

''(E) longitudinal studies of student achievement; and

''(F) dissemination and training activities related to the applied research and demonstration activities described in this subsection, which may also include—

''(i) serving as a repository for industry-recognized skill standards, State academic standards, and related materials; and

''(ii) developing and maintaining national networks of educators who facilitate the development of career preparation education systems.

''(2) The center or centers conducting the activities described in paragraph (1) shall annually prepare a summary of key research findings of such center or centers and shall submit copies of the summary to the Secretaries of Education, Labor, and Health and Human Services. The Secretary shall submit that summary to the Committee on Labor and Human Resources of the Senate, and the Committee on Education and the Workforce of the House of Representatives.

''(c) REVIEW.—From funds available for this title, the Secretary shall—

''(1) consult at least annually with the national center or centers and with experts in education to ensure that the activities of the national center or centers meet the needs of career preparation education programs; and

''(2) undertake an independent review of award recipients under this section prior to extending an award to such recipient beyond 5 years.

''DATA SYSTEMS

''SEC. 205. (a) IN GENERAL.—The Secretary shall maintain a data system to collect information about, and report on, the condition of career preparation education and on the effectiveness of State and local programs, services, and activities carried out under this Act in order to provide the Secretary and the Congress, as well as Federal, State, local, and tribal agencies, with information relevant to improvement in the quality and effectiveness of career preparation. The Secretary shall periodically report to the Congress on the Secretary's analysis of performance data collected each year pursuant to this Act.

''(b) CONTENTS.—The data system shall—

''(1) provide information on the participation and performance of students, including students who are members of special populations;

''(2) include data that are at least nationally representative;

''(3) report on career preparation in the context of education reform; and

''(4) be based, to the extent feasible, on data from general purpose data systems of the Department or other Federal agencies, augmented as necessary with data from additional surveys focusing on career preparation education.

''(c) COORDINATION.—(1) The Secretary shall consult with a wide variety of experts in academic and occupational education, including individuals with expertise in the development and implementation of career preparation education, in the development of data collections and reports under this section.

''(2) In maintaining the data system, the Secretary shall—

''(A) ensure that the system, to the extent practicable, uses comparable information elements and uniform definitions common to State plans, performance indicators, and State and local assessments; and

''(B) cooperate with the Secretaries of Commerce and Labor to ensure that the data system is compatible with other Federal information systems regarding occupational data, and to the extent feasible, allow for international comparisons.

''(d) ASSESSMENTS.—(1) As a regular part of its assessments, the National Center for Education Statistics shall, as appropriate, collect and report information on career preparation education for a nationally representative sample of students, including, to the extent feasible, fair and accurate assessments of the educational achievement of special populations. Such assessment may include international comparisons.

''(2) The Commissioner of Education Statistics may authorize a State educational agency, or consortium of such agencies, to use items and data from the National Assessment of Educational Progress for the purpose of evaluating a course of study related to services and activities under title I, if the Commissioner has determined in writing that such use will not—

''(A) result in the identification of characteristics or performance of individual schools or students;

''(B) result in the ranking or comparing of schools or local educational agencies;

''(C) be used to evaluate the performance of teachers, principals, or other local educators for reward or punishment; or

''(D) corrupt the use or value of data collected for the National Assessment.

''NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE

''SEC. 206. (a) IN GENERAL.—There is established a National Occupational Information Coordinating Committee (in this section referred to as the 'Committee') which shall consist of the Assistant Secretary for Vocational and Adult Education, the Commissioner of the Rehabilitation Services Administration, the Director of the Office of Bilingual Education and Minority Languages Affairs, the Assistant Secretary for Postsecondary Education, the Assistant Secretary for Elementary and Secondary Education, the Commissioner of the National Center for Education Statistics of the Department of Education, the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training of the Department of Labor, the Under Secretary for Research, Education, and Economics of the Department of Agriculture, the Assistant Secretary for Economic Development of the Department of Commerce, and the Assistant Secretary of Defense (Force Management and Personnel). The Committee shall provide funds, on an annual basis, to State occupational information coordinating committees and to eligible recipients and shall—

''(1) in the use of program and employment data, improve coordination and communication among administrators and planners of education and employment and training programs, including corrections and welfare programs, at the Federal, State, and local levels;

''(2) coordinate the efforts of Federal, State, and local agencies and tribal agencies with respect to such programs.

''(3) develop and implement, in cooperation with State and local agencies, an occupational information system to meet the common occupational information needs of education programs and employment and training programs at the national, State, and local levels;

''(4) conduct studies to improve the quality and delivery of occupational and career information; and

''(5) develop curricula and career information resources and provide training and technical assistance consistent with section 453(b)(2) of the Job Training Partnership Act in support of comprehensive guidance and counseling programs designed to promote improved career decision making by individuals.

''(b) STATE COMMITTEES.—Each State receiving assistance under this Act shall establish a State occupational information coordinating committee composed of representatives of the State education, vocational education, and postsecondary education agencies, the State employment security agency, the State economic development agency, the State job training coordinating council, and the agency administering the vocational rehabilitation program. Such committee shall, with funds available to it from the National Occupational Information Coordinating Committee established under subsection (a)—

''(1) implement an occupational information system in the State that will meet the common needs for the planning for, and the operation of, education and employment and training programs, including corrections and welfare;

''(2) implement a career information delivery system; and,

''(3) conduct training and technical assistance in support of personnel delivering career development services.

''(c) ALLOCATION.—Of amounts made available by the Secretary to carry out the provisions of this section, the Committee shall

use not less than 75 percent of such funds to support State occupational information coordinating committees for the purpose of operating State occupational information systems and career information delivery systems.

''(d) GIFTS, BEQUESTS, AND DEVISES.—The Committee may accept, administer, and use gifts or donations of services, money, or property, whether real or personal, tangible or intangible.

''(2) The responsible official shall establish written rules setting forth the criteria to be used by the Committee in determining whether the acceptance of contributions of services, money, or property would reflect unfavorably upon the ability of the Institute or any employee to carry out its responsibilities or official duties in a fair and objective manner, or would compromise the integrity, or the appearance of the integrity, of its programs or any official involved in those programs.

''(e) EXPERTS AND CONSULTANTS.—The Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

''CAREER PREPARATION EDUCATION FOR INDIANS AND NATIVE HAWAIIANS

''SEC. 207. (a) ALLOTMENT FOR INDIANS AND NATIVE HAWAIIANS.—In each fiscal year, from the amount the Secretary reserves under section 3(b)(2)—

''(1) 1.5 percent shall be available for carrying out subsections (b) and (c); and

''(2) 0.25 percent shall be available for carrying out subsection (d).

''(d) ASSISTANCE TO TRIBES OR BUREAU-FUNDED SCHOOLS.—(1)(A) From funds reserved under subsection (a)(1) for each fiscal year, the Secretary shall make grants to, or enter into cooperative agreements with, tribal organizations of eligible Indian tribes or Bureau-funded schools to develop and provide services and activities that are consistent with the purpose of this Act and conducted in accordance with the priorities described in section 101.

''(B) Any tribal organization or Bureau-funded school that receives assistance under this subsection shall—

''(i) establish performance goals and indicators to define the level of performance to be achieved by students served under this subsection;

''(ii) evaluate the quality and effectiveness of services and activities provided under this subsection;

''(iii) provide guidance and counseling services to students; and

''(iv) help to ensure that students served under this subsection have an opportunity to achieve to challenging academic and industry recognized skill standards, receive high school diplomas, skill certificates, and post-secondary certificates or degrees, and enter employment related to their course work.

''(2)(A) The Secretary shall make such a grant or cooperative agreement—

''(i) upon the request of any Indian tribe that is eligible to contract with the Secretary of the Interior for programs under the Indian Self-Determination Act or the Act of April 16, 1934; or

''(ii) upon the application (filed under such conditions as the Secretary may require) of any Bureau-funded school that offers secondary programs.

''(B)(i) A grant or cooperative agreement under this subsection with any tribal organizational shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act, except section 102(b), and shall be conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934 that are relevant to the services and activities administered under this subsection. An eligible applicant that receives written notification that the Secretary will not award it a grant or cooperative agreement may submit written objections to that notice in accordance with regulations of the Secretary.

''(ii) A grant or cooperative agreement under this subsection with any Bureau-funded school shall not be subject to the requirements of the Indian Self-Determination Act of the Act of April 16, 1934.

''(C) Any tribal organization or Bureau-funded school eligible to receive assistance under this subsection may apply individually or as part of a consortium with another tribal organizational or school.

''(D) The Secretary may not place upon such grants or cooperative agreements any restrictions relating to programs or results other than those they apply to grants or cooperative agreements to States under this Act.

''(3) Any tribal organization or Bureau-funded school receiving assistance under this subsection may provide stipends to students who are undertaking career preparation education and who have acute economic needs that cannot be met through work-study programs.

''(4) In making grants or cooperative agreements under this subsection, the Secretary shall give special consideration to awards that involve, are coordinated with, or encourage, tribal economic development plans.

''(c) ASSISTANT TO TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL INSTITUTIONS.—(1) The Secretary may make 4-year grants to tribally controlled postsecondary vocational institution to provide to Indian students services and activities that are consistent with the purpose of this Act and conducted in accordance with the priorities described in section 101(b), including support for the operation, maintenance, and capital expenses of such institution.

''(2) To be eligible for assistance under this subsection, a tribally controlled postsecondary vocational institution shall—

''(A) be governed by a board of directors or trustees, a majority of whom are Indians;

''(B) demonstrate adherence to stated goals, a philosophy, or a plan or operation that fosters individual Indian economic self-sufficiency;

''(C) have been in operation for at least 3 years;

''(D) hold accreditation with, or be a candidate for accreditation by, a nationally recognized accrediting authority for postsecondary vocational education;

''(E) offer technical degrees or certificate-granting programs; and

''(F) enroll the full-time equivalent of not less than 100 students, of whom a majority are Indians.

''(3) To receive assistance under this subsection, a tribally controlled postsecondary vocational institution shall apply to the Secretary in such manner and at such time as the Secretary may require.

''(4) The Secretary shall, based on the availability of appropriations, distribute to each tribally controlled vocational institution having an approved application an amount based on full-time equivalent Indian students at each such institution.

''(d) ASSISTANCE TO NATIVE HAWAIIANS.—(1) In recognition of the findings and declarations made by Congress in section 9202 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7902), the Secretary shall, from the funds reserved under subsection (a)(2) for each fiscal year, make one or more grants to, or enter into one or more cooperative agreements with, organizations, institutions, or agencies with experience providing educational and related services to Native Hawaiians to develop and provide, for the benefit of Native Hawaiians, services and activities that are consistent with the purpose of this Act and conducted in accordance with the priorities described in section 101(b).

''(2) To receive assistance under this subsection, the organization, institution, or agency shall apply to the Secretary in such manner and at such time as the Secretary may require.

''(e) ACCOUNTABILITY.—The Secretary shall require from each institution assisted under this section such information regarding fiscal control and program quality and effectiveness as is reasonable.

''(f) DEFINITIONS.—For the purposes of this section:

''(1) The term 'Bureau-funded school' has the same meaning given 'Bureau funded school' in section 1146(3) of the Education Amendments of 1978 (25 U.S.C. 2026(3)).

''(2) The term 'full-time equivalent Indian students' means the sum of the number of Indian student enrolled full time at an institution, plus the full-time equivalent of the number of Indian students enrolled part time (determined on the basis of the quotient of the sum of the credit hours of all part-time students divided by 12) at such institution.

''(3) The term 'Indian' means a member of an Indian tribe.

''(4) The term 'Indian tribe' has the meaning given that term in section 102(2) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a(2)).

''TITLE III—GENERAL PROVISIONS

''WAIVERS

''SEC. 301. (a) REQUEST FOR WAIVER.—Any State may request, on its own behalf or on behalf of a local recipient, a waiver by the Secretary of one or more statutory or regulatory provisions described in this section in order to carry out more effectively State efforts to reform education and develop, implement, or improve career preparation education, including tech-prep edcuation, in the State.

''(b) GENERAL AUTHORITY.—(1) Except as provided in subsection (d), the Secretary may waive any requirement of any statute listed in subsection (c), or of the regulations issued under that statute, for a State that requests such a waiver—

''(A) if, and only to the extent that the Secretary determines that such requirement impedes the ability of the State to carry out State efforts to reform education and develop, implement, or improve career preparation education in the State;

''(B) if the State waives, or agrees to waive, any similar requirements of State law;

''(C) if, in the case of a statewide waiver, the State—

''(i) has provided all local recipients of assistance under this Act in the State with notice of, and an opportunity to comment on, the State's proposal to request a waiver; and

''(ii) has submitted the comments of such recipients to the Secretary; and

''(D) if the State provided such information as the Secretary reasonably requires in order to make such determinations.

''(2) The Secretary shall act promptly on any request submitted under paragraph (1).

''(3) Each waiver approved under this subsection shall be for a period not to exceed five years, except that the Secretary may extend such period if the Secretary determines that the waiver has been effective in enabling the State to carry out the purpose of this Act.

''(c) PROGRAMS.—(1) The statutes subject to the waiver authority of the Secretary under this section are—

''(A) this Act;

''(B) part A of title I of the Elementary and Secondary Education Act of 1965 (authorizing programs and activities to help disadvantaged children meet high standards);

''(C) part B of title II of the Elementary and Secondary Education Act of 1965 (Dwight D. Eisenhower Professional Development Program);

''(D) title IV of the Elementary and Secondary Education Act of 1965 (Safe and Drug-Free Schools and Communities Act of 1994);

''(E) title VI of the Elementary and Secondary Education Act of 1965 (Innovative Education Program Strategies);

''(F) part C of title VII of the Elementary and Secondary Education Act of 1965 (Emergency Immigrant Education Program); and

''(G) the School-to-Work Opportunities Act of 1994.

''(2) The Secretary may not waive any requirement under paragraph (1)(G) without the concurrence of the Secretary of Labor.

''(d) WAIVERS NOT AUTHORIZED.—The Secretary may not waive any statutory or regulatory requirement of the programs listed in subsection (c) relating to—

''(1) the basic purposes or goals of the affected programs;

''(2) maintenance of effort;

''(3) comparability of services;

''(4) the equitable participation of students attending private schools;

''(5) parental participation and involvement;

''(6) the distribution of funds to States or to local recipients;

''(7) the eligibility of an individual for participation in the affected programs;

''(8) public health or safety, labor standards, civil rights, occupational safety and health, or environmental protection; or

''(9) prohibitions or restrictions relating to the construction of buildings or facilities.

''(e) TERMINATION OF WAIVERS.—The Secondary shall periodically review the performance of any State for which the Secretary has granted a waiver under this section and shall terminate such waiver if the Secretary determines that the performance of the State affected by the waiver has been inadequate to justify a continuation of the waiver, or the State fails to waive similar requirements of State law in accordance with subsection (b)(1)(B).

''EFFECT OF FEDERAL PAYMENTS

''SEC. 302. (a) STUDENT FINANCIAL ASSISTANCE.—(1) The portion of any student financial assistance received under this Act that is made available for attendance costs described in paragraph (2) shall not be considered as income or resources in determining eligibility for assistance under any program of welfare benefits, including the Temporary Assistance to Needy Families program, that is funded in whole or part with Federal funds.

''(2) For purposes of this subsection, attendance costs are—

''(A) tuition and fees normally assessed a student carrying the same academic workload, as determined by the institution, including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study; and

''(B) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.

''(b) INSTITUTIONAL AID.—No State shall take into consideration payments under this Act in determining, for any educational agency or institution in that State, the eligibility for State aid, or the among of State aid, with respect to public education within the State.

''MAINTENANCE OF EFFORT

''SEC. 303. (a) Except as provided in subsection (b), a State may receive its full allotment of funds under part A and part B for any fiscal year only if the Secretary finds that either the fiscal effort per student or the aggregate expenditures of such State for career preparation education, including tech-prep education programs, for the fiscal year preceding the fiscal year for which the determination is made was not less than 90 percent of such fiscal effort or aggregate expenditures for career preparation education for the second fiscal year preceding the fiscal year for which the determination is made.

(b) The Secretary shall reduce the amount of allotments of funds under part A and part B for any fiscal year in the exact proportion by which the State fails to meet the requirements of subsection (a) by falling below 90 percent of either the fiscal effort per student or aggregate expenditures (using the measure most favorable to the State), and no such lesser amount shall be used for computing the effort required under subsection (a) for subsequent years.

(c) The Secretary may waive, for one fiscal year only, the requirements of this section if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.

''IDENTIFICATION OF STATE-IMPOSED REQUIREMENTS

''SEC. 304. Any State rule or policy imposed on the provision of services or activities funded by this Act, including any rule or policy based on State interpretation of any Federal law, regulation, or guidelines, shall be identified as a State-imposed requirement.

''OUT-OF-STATE RELOCATIONS

''SEC. 305. No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one State to another if such relocation would result in a reduction in the number of jobs available in the State where the business enterprise is located before such incentives or inducements are offered.

''ENTITLEMENT

''SEC. 306. Nothing in this Act shall be construed to provide any individual with an entitlement to services under this Act.

''DEFINITIONS

''SEC. 307. As used in this Act, unless otherwise noted:

''(1) The term 'all aspects of an industry' has the same meaning as given that term under section 4(1) of the School-to-Work Opportunities Act of 1994.

''(2) The term 'area vocational education school' means—

''(A) a special public high school that provides vocational education to students who are preparing to earn a high school diploma or its equivalency and to enter the labor market, or

''(B) a public technical institute or vocational school that provides vocational education to individuals who have completed or left high school and who are preparing to enter the labor market.

''(3) The term 'career guidance and counseling' has the same meaning as given that term under section 4(4) of the School-to-Work Opportunities Act of 1994.

''(4) The term 'community-based organization' means any such organization of demonstrated effectiveness described in section 4(5) of the Job Training Partnership Act.

''(5) The term 'institution of higher education' has the same meaning as given that term under section 1201(a) of the Higher Education Act of 1965.

''(6) The term 'intermediate educational agency' means a combination of school districts or counties (as defined in section 14101(9) of the Elementary and Secondary Education Act of 1965) as are recognized in a State as an administrative agency for the State's career preparation education schools or for career preparation education programs within its public elementary or secondary schools.

''(7) The term 'limited English proficiency' has the meaning given such term in section 7501(8) of the Elementary and Secondary Education Act of 1965.

''(8) The term 'local educational agency' has the same meaning as given that term under section 4(10) of the School-to-Work Opportunities Act of 1994.

''(9) The term 'postsecondary educational institution' means—

''(A) an institution of higher education, as defined in section 1201(a) of the Higher Education Act of 1965, that provides not less than a 2-year program which is acceptable for full credit toward a bachelor's degree;

''(B) a tribally controlled community college; or

''(C) a not-for-profit educational institution offering apprenticeship programs of at least 2 years beyond the completion of secondary school.

''(10) The term 'school dropout' has the same meaning as given that term under section 4(17) of the School-to-Work Opportunities Act of 1994.

''(11) The term 'Secretary' means the Secretary of Education.

''(12) The term 'skill certificate' has the same meaning as given that term under section 4(22) of the School-to-Work Opportunities Act of 1994.

''(13) The term 'special populations' includes students with disabilities, educationally or economically disadvantaged students, students of limited English proficiency, displaced homemakers, teen parents, single pregnant women, foster children, migrant children, school dropouts, students who are identified as being at-risk of dropping out of secondary school, students who are seeking to prepare for occupations that are not traditional for their gender, and, to the extent feasible, individuals younger than age 25 in correctional institutions.

''(14) except as otherwise provided, the term 'State' includes, in addition to each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

''(15) The term 'State educational agency' has the same meaning as given that term under section 4(24) of the School-to-Work Opportunities Act of 1994.

''(16) The term 'students with disabilities' means students who have a disability or disabilities, as such term is defined in section 3(2) of the Americans With Disabilities Act of 1990.

''(17) The term 'tribally controlled community college' means an institution that receives assistance under the Tribally Controlled Community College Assistance Act of 1976 or the Navajo Community College Act.''.

TITLE II—EFFECTIVE DATES; TRANSITION

EFFECTIVE DATE

SEC. 201. This Act shall take effect on July 1, 1998.

TRANSITION

SEC. 202. Notwithstanding any other provisions of law—

(1) upon enactment of the Career Preparation Education Reform Act of 1997, a State or local recipient of funds under the Carl D. Perkins Vocational and Applied Technology Education Act may use any such unexpended funds to carry out services and activities that are authorized by either such Act or the Carl D. Perkins Career Preparation Education Act; and

(2) a State or local recipient of funds under the Carl D. Perkins Career Preparation Education Act for the fiscal year 1998 may use such funds to carry out services and activities that are authorized by either such Act or were authorized by the Carl D. Perkins Vocational and Applied Technology Education Act prior to its amendment.

TITLE III—AMENDMENTS TO OTHER ACTS

AMENDMENTS TO THE JOB TRAINING PARTNERSHIP ACT

SEC. 301. The Job Training Partnership Act (29 U.S.C. 1501 *et seq.*) is amended—

(1) in section (4)—

(A) in paragraph (14), by striking ''in section 521(22) of the Carl D. Perkins Vocational Education Act'' and inserting in lieu thereof ''section 4(10) of the School-to-Work Opportunities Act of 1994''; and

(B) in paragraph (28), by striking ''Vocational Education Act'' and inserting in lieu thereof ''Vocational and Applied Technology Education Act as in effect on the day prior to the date of enactment of the Career Preparation Education Reform Act of 1997'';

(2) in section 121(a)(2), by adding at the end thereof the following sentence: ''The State may submit such plan as part of a State plan, or amendment to a State plan, under the Carl D. Perkins Career Preparation Education Act or the School-to-Work Opportunities Act of 1994.'';

(3) in section 122(b)—

(A) by amending paragraph (8) to read as follows:

''(8) consult with the appropriate State agency under section 105 of the Carl D. Perkins Career Preparation Education Act to obtain a summary of activities and an analysis of result in training women in nontraditional employment under such Act, and annually disseminate such summary to service delivery areas, service providers throughout the State, and the Secretary;''; and

(B) in paragraph (11)(B), by striking ''section 113(b)(14) of the Carl D. Perkins Vocational Education Act'' and inserting in lieu thereof ''section 105(e)(2) of the Carl D. Perkins Career Preparation Education Act'';

(4) in section 123(c)—

(A) in paragraph (1)(E)(iii), by striking ''Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.)'' and inserting in lieu thereof ''Carl D. Perkins Career Preparation Education Act''; and

(B) in paragraph (2)(D)(iii), by striking ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation'';

(5) in section 125—

(A) in subsection (a), by inserting after ''coordinating committee'' a comma and ''as described in section 422(b) of the Carl D. Perkins Vocational and Applied Technology Education Act as in effect on the day prior to the date of enactment of the Career Preparation Education Reform Act of 1997,'';

(B) in subsection (b)(1), by striking out ''Vocational'' and inserting in lieu thereof ''Career Preparation''; and

(C) ion subsection (c), by inserting after ''Coordinating Committee'' a comma and ''as established in section 422(a) of the Carl D. Perkins Vocational and Applied Technology Education Act as in effect on the day prior to the date of enactment of the Career Preparation Education Reform Act of 1997,'';

(6) in section 205(a)(2), by striking ''Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.)'' and inserting in lieu thereof ''Carl D. Perkins Career Preparation Education Act'';

(7) in section 265(b)(3), by striking ''Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.)'' and inserting in lieu thereof ''Carl D. Perkins Career Preparation Education Act'';

(8) in section 314(g)(2), by striking out ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation'';

(9) in section 427(a)(1), by striking ''local agencies, including a State board or agency designated pursuant to section 111(a)(1) of the Carl D. Perkins Vocational Act which operates or wishes to develop area vocational education school facilities or residential vocational schools (or both) as authorized by such Act, or private organizations'' and inserting in lieu thereof ''local agencies, or private organizations'';

(10) in section 455(b), by striking ''Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.)'' and inserting in lieu thereof ''Carl D. Perkins Career Preparation Education Act'';

(11) in section 461(c), by striking out ''Vocational'' and inserting in lieu thereof ''Career Preparation'';

(12) in section 464—

(A) in subsection (a), by striking out ''Carl D. Perkins Vocational Education Act)'' and inserting in lieu thereof ''Carl D. Perkins Vocational and Applied Technology Education Act as in effect on the day prior to the date of enactment of the Career Preparation Education Reform Act of 1997)'';

(B) in subsection (b), by striking out ''In addition to its responsibilities under the Carl D. Perkins Vocational Education Act, the'' and inserting in lieu thereof ''The''; and

(C) in subsection (c), by striking out ''this Act, under section 422 of the Carl D. Perkins Vocational Education Act, and'' and inserting in lieu thereof ''this Act and'';

(13) in section 605(c), by striking out ''Vocational Education Act)'' and inserting in lieu thereof ''Vocational and Applied Technology Education Act as in effect on the day prior to the date of enactment of the Career Preparation Education Reform Act of 1995)'';

(14) in section 701(b)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—For purposes of this title, the term 'applicable Federal human resource program' includes any program authorized under the provisions of law described under paragraph (2)(A) that the Governor and the head of the State agency or agencies responsible for the administration of such program jointly agree to include within the jurisdiction of the State Council.''; and

(B) in paragraph (2)(A)(ii), by striking ''Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.)'' and inserting in lieu thereof ''Carl D. Perkins Career Preparation Education Act''; and

(15) in section 703(a)(2), by striking the comma after ''section 123(a)(2)(D)'' and ''except that, with respect to the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.), such State may use funds only to the extent provided under section 112(g) of such Act''.

AMENDMENTS TO THE ADULT EDUCATION ACT

SEC. 302. The Adult Education Act (20 U.S.C. 1201 et seq.) is amended—

(1) in section 322(a)(4), by striking ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation'';

(2) in section 342—

(A) in subsection (c)(11), by striking ''Carl D. Perkins Vocational Education Act of 1963'' and inserting in lieu thereof ''Carl D. Perkins Career Preparation Education Act''; and

(B) in subsection (d), by striking ''Vocational'' and inserting in lieu thereof ''Career Preparation''; and

(3) by amending section 384(d)(1)(D)(ii) to read as follows:

''(ii) be coordinated with activities conducted by other educational and training entities that provide relevant technical assistance;''.

AMENDMENTS TO THE SCHOOL-TO-WORK OPPORTUNITIES ACT OF 1994

SEC. 303. The School-to-Work Opportunities Act (20 U.S.C. 1601 et seq.) is amended—

(1) in section 202(a)(3), by striking ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation'';

(2) in section 203(b)(2), by striking clause (I) and redesignating clauses (J) and (K) as clauses (I) and (J), respectively;

(3) in section 213—

(A) in subsection (d)(6)(B), by striking ''Vocational and Applied technology'' and inserting in lieu thereof ''Career Preparation'', and

(B) in subsection (b)(4), by striking clause (I) and redesignating clauses (J) and (K) as clauses (I) and (J), respectively,

(4) in section 403(a), by striking ''the individuals assigned under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1)),'',

(5) in section 404—

(A) by inserting ''and'' after ''(29 U.S.C. 1733(b)),''; and

(B) by striking ''and the National Network for Curriculum Coordination in Vocational Education under section 402(c) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2402(C)),'';

(6) in section 502(b)(6), by striking ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation''; and

(7) in section 505—

(A) in subsection (a)(2)(B)(i), by striking ''section 102(a)(3) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2312(a)(3)'' and inserting in lieu thereof ''section 112(c) of the Carl D. Perkins Career Preparation Education Act''; and

(B) in subsection (e), by striking ''section 201(b) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2312(a)(3)'' and inserting in lieu thereof ''section 102 of the Carl D. Perkins Career Preparation Education Act''.

AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 304. The Elementary and Secondary Education At of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) in section 1114(b)(2)(C)(v), by striking ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation'';

(2) in section 9115(b)(5), by striking ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation'';

(3) by amending section 14302(a)(2)(C) to read as follows: ''(C) services and activities under section 102 of the Carl D. Perkins Career Preparation Education Act;'' and

(4) in section 14307(a)(1), by striking ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation''.

AMENDMENTS TO THE GOALS 2000: EDUCATE AMERICA ACT

SEC. 305. The Goals 2000: Educate America Act (20 U.S.C. 5801 et seq.) is amended—

(1) in section 306—

(A) in subsection (c)(1)(A), by inserting before the semicolon at the end thereof a comma and ''as in effect on the day prior to the date of enactment of the Career Preparation Education Reform Act of 1997, until not later than July 1, 2000, and the performance goals and indicators developed pursuant to section 107 of the Carl D. Perkins Career Preparation Education Act thereafter''; and

(B) in subsection (1), by striking out ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation''; and

(2) in section 311(b)(6), by striking out ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation''.

OTHER TECHNICAL AND CONFORMING AMENDMENTS

SEC. 306. (a) HIGHER EDUCATION ACT OF 1965.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) by amending section 127(2) to read as follows:

''(2) have, as one of the partners participating in an articulation agreement, an entity that uses funds under title I of the Carl D. Perkins Career Preparation Education Act to support tech-prep education services and activities;'';

(2) in section 481(a)(3)(A), by striking ''section 521(4)(C) of the Carl D. Perkins Vocational and Applied Technology Education Act'' and inserting in lieu thereof ''section 305(3)(B) of the Carl D. Perkins Career Preparation Education Act'';

(3) in section 484(l)(1), by striking ''section 521(4)(C) of the Carl D. Perkins Vocational and Applied Technology Education Act'' and inserting in lieu thereof ''section 305(3)(B) of the Carl D. Perkins Career Preparation Education Act''; and

(4) in section 503(b)(2)(B)(vi), by striking ''in a Tech-Prep program under section 344 of the Carl D. Perkins Vocational and Applied Technology Education Act'' and inserting in lieu thereof ''in a tech-prep program supported through services and activities under the Carl D. Perkins Career Preparation Education Act''.

(b) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Section 626(g) of the Individuals and Disabilities Education Act (20 U.S.C. 1400 et seq.) is amended by striking out ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation''.

(c) REHABILITATION ACT OF 1973.—Section 101(a)(11)(A) of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended by striking out ''Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.)'' and inserting in lieu thereof ''Career Preparation Education Act''.

(d) DISPLACED HOMEMAKERS SELF-SUFFICIENCY ASSISTANCE ACT.—Section 9(a)(2) of the displaced Homemakers Self-Sufficiency Assistance Act (29 U.S.C. 2301 et seq.) is amended by inserting ''as in effect on the day prior to the date of enactment of the Career Preparation Education Reform Act of 1997 or the State agency or agencies designated under section 102(a) of the Carl D. Perkins Career Preparation Education Act,''.

(e) WAGNER-PEYSER ACT.—Section 7(c)(2)(A) of the Act of June 6, 1933 (29 U.S.C. 49 et seq.) is amended by striking out ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation''.

(f) EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.—Section 533(c)(4)(A) of the Equity in Education Land-Grant Status Act of 1994 (7 U.S.C. 301 note; part C of title V of the Improving America's Schools Act) is amended by inserting after ''(20 U.S.C. 2397h(3))'' a comma and ''as in effect on the day prior to the date of enactment of the Career Preparation Education Reform Act of 1997.''.

(g) TITLE 31, CHAPTER 67, OF THE UNITED STATES CODE.—Section 6703(A)(12) of title 31, United States Code (as added by section 31001 of the Violent Crime Control and Law Enforcement Act of 1994) is amended by striking out ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation''.

(h) NONTRADITIONAL EMPLOYMENT FOR WOMEN ACT.—Section 2(b)(3) of the Nontraditional Employment for Women Act (29 U.S.C. 1501 note) is amended by striking out ''Vocational and Applied Technology'' and inserting in lieu thereof ''Career Preparation''.

(i) TRAINING TECHNOLOGY TRANSFER ACT OF 1988.—Section 6107(6) of the Training Technology Transfer Act of 1988 (20 U.S.C. 5091 et seq.) is amended by inserting before the semicolon at the end thereof a comma and ''as in effect on the day prior to the date of enactment of the Career Preparation Education Reform Act of 1997''.

(j) GENERAL REDESIGNATION.—Any other references to the Carl D. Perkins Vocational and Applied Technology Education Act shall be deemed to refer to the Carl D. Perkins Career Preparation Education Act.

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Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the ''Adult Basic Education and Literacy for the Twenty-First Century Act.''

TITLE I—AMENDMENT TO THE ADULT EDUCATION ACT AMENDMENT

SEC. 101. The Adult Education Act (20 U.S.C. 1201 et seq.; hereinafter referred to as ''the Act'') is amended in its entirety to read as follows:

''TITLE III—ADULT BASIC EDUCATION AND LITERACY PROGRAMS

''SEC. 301. (a) SHORT TITLE.—This title may be cited as the 'Adult basic Education and Literacy Act'.

''(b) TABLE OF CONTENTS.—The table of contents for this title is as follows:

''TABLE OF CONTENTS

''FINDINGS; PURPOSE

''SEC. 302. (a) FINDINGS.—The Congress finds that:

''(1) Our Nation's well-being is dependent on the knowledge and skills of all of its citizens.

''(2) Advances in technology and changes in the workplace are rapidly increasing the knowledge and skill requirements for workers.

''(3) Our social cohesion and success in combating poverty, crime, and disease also depend on the Nation's having an educated citizenry.

''(4) There is a strong relationship between parents' education and literacy and their children's educational achievement. The success of State and local educational reforms supported by the Goals 2000: Educate America Act and other programs that State and local communities are implementing requires that parents be well educated and possess the ability to be a child's first and most continuous teacher.

''(5) There is a strong relationship between literacy and poverty. Data from the 1993 National Adult Literacy Survey show that adults with very low levels of literacy are ten times as likely to be poor as those with high levels of literacy.

''(6) Studies, including the National Adult Literacy Survey, have found that more than one-fifth of American adults demonstrate very low literacy skills that make it difficult for them to be economically self-sufficient, much less enter high-skill, high-wage jobs, or to assist effectively in their children's education.

''(7) Many Americans desire English instruction to help them exercise their rights and responsibilities as citizens.

''(8) National studies have also shown that existing federally supported adult education programs have assisted many adults in acquiring basic literacy skills, learning English, or acquiring a high school diploma (or its equivalent), and that family literacy programs have shown great potential for breaking the intergenerational cycle of low literacy and having a positive effect on later school performance and high school completion, especially for children from low-income families.

''(9) Currently, the Adult Education Act lacks adequate accountability requirements, and contains set-asides and categorical programs that are often narrowly focused on specific populations or methods of service delivery, thus inhibiting the capacity of State and local officials to implement programs that meet the needs of individual States and localities.

''(10) The Federal Government, in partnership with States and localities, can assist States and localities to improve and expand their adult education and literacy programs through provision of clear performance goals and indicators, increased State and local flexibility, improved accountability, and incentives for performance.

''(11) The Federal Government can also assist States and localities by supporting research, development, demonstration, dissemination, evaluation, capacity-building, data collection, professional development, and technical assistance activities that further State and local efforts to improve student achievement in adult education and literacy programs.

''(b) PURPOSE.—(1) It is the purpose of this title to create a performance partnership that includes the Federal government, States, and localities to help provide for adult education and literacy services so that, as called for in the National Education Goals, all adults who need such services will, as appropriate, be able to—

''(A) become literate and obtain the knowledge and skills needed to compete in a global economy and exercise the rights and responsibilities of citizenship;

''(B) complete a high school education; and

''(C) become their children's first teacher and remain actively involved in their children's education in order to ensure their children's readiness for, and success in, school.

''(2) This purpose shall be pursued by—

''(A) building on State and local education reforms supported by the Goals 2000: Educate America Act and other Federal and State legislation;

''(B) consolidating numerous Federal adult education and literacy programs into a single, flexible State grant program;

''(C) tying local programs to challenging State-developed performance goals that are consistent with the purpose of this Act;

''(D) holding States and localities accountable for achieving such goals;

''(E) building program quality through such measures as improving instruction, encouraging greater use of technology in adult

education and literacy programs, and improving the professional development of educators working in those programs;

''(F) integrating adult education and literacy programs with States' school-to-work opportunities systems, secondary and postsecondary education systems, job training programs, welfare programs, early childhood and elementary school programs, and other related activities;

''(G) supporting State leadership and program improvement efforts; and

(H) supporting the improvement of State and local activities through nationally significant efforts in research, development, demonstration, dissemination, evaluation, capacity-building, data collection, professional development, and technical assistance.

''AUTHORIZATION OF APPROPRIATIONS

''SEC. 303. (a) STATE GRANTS FOR ADULT EDUCATION AND LITERACY.—For the purpose of carrying out this title there are authorized to be appropriated $394,000,000 for fiscal year 1998 and such sums as may be necessary for each of the fiscal years 1999 through 2005.

''(b) RESERVATIONS.—From the amount appropriated for any fiscal year under subsection (a), the Secretary shall reserve not more than 5 percent to carry out section 318(c)(2) and part B of this Act, of which not more than 3 percent of the amount appropriated for any fiscal year after 1999 under subsection (a) may be used for awards for national excellence under section 332.

''PART A—ADULT EDUCATION AND LITERACY

''PROGRAM AUTHORITY; PRIORITIES

''SEC. 311. (a) PROGRAM AUTHORIZED.—In order to provide adults with the skills they need as workers, citizens, and parents, funds under this part shall be used to support the development, implementation, and improvement of adult education and literacy programs at the State and local levels.

''(b) PROGRAM PRIORITIES.—In using funds under this part, States and local recipients shall give priority to adult education and literacy programs that—

''(1) are built on a strong foundation of research and effective educational practice;

''(2) effectively employ advances in technology, as appropriate, such as using computers in the classroom and technology that brings learning into the home;

''(3) provide learning in 'real life' contexts, such as work, the family, and citizenship;

''(4) are staffed by well-trained instructors, counselors, and administrators;

''(5) are of sufficient intensity and duration for participants to achieve substantial learning gains, such as by earning a basic skills certificate that reflects skills acquisition and has meaning to employers;

''(6) establish measurable goals for client outcomes, such as levels of literacy achieved and attainment of a high school diploma or its equivalent, that are tied to challenging State performance standards for literacy proficiency;

''(7) coordinate with other available resources in the community, such as by establishing strong links with elementary and secondary schools, postsecondary institutions, one-stop career centers, job training programs, and social service agencies;

''(8) offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including adults with disabilities or other special needs, to attend and complete programs; and

''(9) maintain a high-quality information management system that has the capacity to report client outcomes and to monitor program performance against the State goals and indicators.

''STATE GRANTS FOR ADULT EDUCATION AND LITERACY

''SEC. 312. (a) STATE GRANT.—From the funds available for State grants under section 303 for each fiscal year, the Secretary shall, in accordance with section 320, make a grant to each State that has an approved State plan under section 315, to assist that State in developing, implementing, and improving adult education and literacy programs within the State.

''(b) RESERVATION OF FUNDS.—(1) From the amount awarded to a State for any fiscal year under subsection (a), a State may, subject to paragraph (2), use up to 18 percent for State leadership activities under section 313 and the cost of administering its program under this part.

''(2) A State may not use more than 5 percent of the amount awarded to it for any fiscal year under subsection (a), or $80,000, whichever is greater, for the cost of administering its program under this part.

''(c) FEDERAL SHARE.—(1) The Federal share of expenditures to carry out a State plan under section 315 shall be paid from the State's grant under subsection (a).

''(2) The Federal share shall be no greater than 75 percent of the cost of carrying out the State plan for each fiscal year, except that with respect to Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands the Federal share may be 100 percent.

''(3) The State's share of expenditures to carry out a State plan submitted under section 315 may be in cash or in kind, fairly evaluated, and may include only non-Federal funds that are used for adult education and literacy activities in a manner that is consistent with the purposes of this title.

''(d) MAINTENANCE OF EFFORT.—(1) A State may receive funds under this part for any fiscal year only if the Secretary finds that the amount expended by the State for adult education and literacy, in the second preceding fiscal year, was not less than 90 percent of the amount expended for adult education and literacy, in the third preceding fiscal year.

''(2) The Secretary shall reduce the amount of the allocation of funds to a State under section 320 for any fiscal year in the proportion to which the State fails to meet the requirement of paragraph (1) by expending in the second preceding fiscal year for adult education and literacy less than 90 percent of the amount the State expended in the third preceding fiscal year for adult education and literacy.

''(3) The Secretary may waive the requirements of this subsection for one fiscal year only if the Secretary determines that a waiver would be equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or an unforeseen and precipitous decline in the financial resources of the State.

''(4) If the Secretary reduces a State's allocation under paragraph (2), or grants a waiver under paragraph (3), the level of effort required under paragraph (1) shall not be reduced in the subsequent fiscal year because of the reduction or waiver.

''STATE LEADERSHIP ACTIVITIES

''SEC. 313. (a) STATE LEADERSHIP.—(1) Each State that receives a grant under section 312(a) for any fiscal year shall use funds reserved for State leadership under section 312(b) to conduct activities of Statewide significance that develop, implement, or improve programs of adult education and literacy, consistent with its State plan under section 315.

''(2) In using funds reserved for State leadership activities, each State shall, to the extent practicable, avoid duplicating research and development efforts conducted by other States.

''(b) USES OF FUNDS.—(1) States shall use funds under subsection (a) for one or more of the following—

''(A) professional development and training;

''(B) developing and disseminating curricula for adult education and literacy programs;

''(C) monitoring and evaluating the quality of, and improvement in, services and activities conducted with assistance under this part, including establishing performance goals and indicators under section 318, in order to assess program quality and improvement;

''(D) establishing State content standards for adult education and literacy programs;

''(E) establishing challenging State performance standards for literacy proficiency;

''(F) promoting the integration of literacy instruction and occupational skill training, and linkages with employers;

''(G) promoting, and providing staff training in, the use of instructional and management software and technology;

''(H) establishing program and professional development networks to assist in meeting the purposes of this Act;

''(I) developing and participating in networks and consortia of States, and in cooperative Federal-State initiatives, that seek to establish and implement adult education and literacy programs that have significance to the State, region, or Nation; and

''(J) other activities of Statewide significance that promote the purposes of this title.

''(2)(A) beginning in fiscal year 2000, States may use funds under subsection (a) for financial incentives or awards to one or more eligible recipients in recognition of—

''(i) exemplary quality or innovation in adult education or literacy services and activities; or

''(ii) exemplary services and activities for individuals who are most in need of such services and activities, or are hardest to serve, such as educationally disadvantaged adults and families, immigrants, individuals with limited English proficiency, incarcerated individuals, homeless individuals, recipients of public assistance, and individuals with disabilities; or

''(iii) both.

''(B) The incentives or awards made under subparagraph (A) shall be determined by the State using the performance goals and indicators described in section 318 and, if appropriate, other criteria that are consistent with the purposes of this Act.

''STATE ADMINISTRATION

''SEC. 314. (a) STATE EDUCATIONAL AGENCY.—The State educational agency shall be responsible for the administration of services and activities under this part, including—

''(1) the development, submission, and implementation of the State plan;

''(2) consultation with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of programs assisted under this title, such as business, industry, labor organizations, corrections agencies, public housing agencies, and social service agencies; and

''(3) coordination with other State and Federal education, training, employment, corrections, public housing, and social services programs, and one-stop career centers.

''(b) STATE-IMPOSED REQUIREMENTS.—Whenever a State imposes any rule or policy relating to the administration and operation of programs funded by this part (including any rule or policy based on State interpretation of any Federal law, regulation, or guideline), it shall identify the rule or policy as a State-imposed requirement.

''STATE PLAN

''SEC. 315. (a) FOUR-YEAR PLANS.—(1) Each State desiring to receive a grant under this part for any fiscal year shall have the State educational agency submit to, or have on file with, the Secretary a four-year State plan in accordance with this section.

''(2) The State educational agency may submit the State plan as part of a comprehensive plan that includes State plan provisions under one or more of the following statutes: section 14302 of the Elementary and Secondary Education Act of 1965; the Carl D. Perkins Career Preparation Education Act of 1997; the Goals 2000: Educate America Act; the Job Training Partnership Act; and the School-to-Work Opportunities Act of 1994.

''(b) PLAN ASSESSMENT.—(1) In developing the State plan, and any revisions to the State plan under subsection (e), the State educational agency shall base its plan or revisions on a recent, objective assessment of—

''(A) the needs of individuals in the State for adult education and literacy programs, including individuals most in need or hardest to serve (such as educationally disadvantaged adults and families, immigrants, individuals with limited English proficiency, incarcerated individuals, homeless individuals, recipients of public assistance, and individuals with disabilities); and

''(B) the capacity of programs and providers to meet those needs, taking into account the priorities under section 311(b) and the State's performance goals under section 318(a).

''(2) In its second 4-year State plan, the State educational agency shall also include in its assessment—

''(A) an analysis of the State's performance in progressing toward its performance goals under the preceding 4-year State plan; and

''(B) any changes in the second 4-year State plan that have been made based on that analysis.

''(c) PUBLIC PARTICIPATION.—In developing the State plan, and any revisions under subsection (e), the State educational agency shall consult widely with individuals, agencies, organizations, and institutions in the State that have an interest in the provision and quality of adult education and literacy, including—

''(1) individuals who currently participate, or who want to participate, in adult education and literacy programs;

''(2) practitioners and experts in adult education and literacy, social services, and workforce development;

''(3) representatives of business and labor organizations; and

''(4) other agencies, such as volunteer and community-based organizations, State and local health, social service, public housing, public assistance, job training, and corrections agencies, and public libraries.

''(d) PLAN CONTENTS.—The plan shall be in such form and contain such information and assurances as the Secretary may require, and shall include—

''(1) a summary of the methods used to conduct the assessment under subsection (b) and the findings of that assessment;

''(2) a description of how, in addressing the needs identified in the State's assessment, funds under this title will be used to establish adult education and literacy programs, or improve or expand current programs, that will lead to high-quality learning outcomes, including measurable learning gains, for individuals in such programs;

''(3) a statement, expressed in terms of the performance indicators published by the Secretary under section 318(b), and any other performance indicators the State may choose, of the State's performance goals established under section 318(a) and the level of performance the State expects to achieve in progressing toward its performance goals during the life of the State plan;

''(4) a description of the criteria the State will use to award funds under this title to eligible applicants under section 316, including how the State will ensure that its selection of applicants to operate programs assisted under this Part will reflect the program priorities under section 311(b) and the findings of program evaluations carried out under section 319(a);

''(5) a description of how the State will integrate services and activities under this title, including planning and coordination of programs, with those of other agencies, institutions, and organizations involved in adult education and literacy, such as the public school system, early childhood and special education programs, institutions of higher education, vocational education programs, libraries, business and labor organizations, vocational rehabilitation programs, one-stop career centers, employment and training programs, and health, social services, public assistance, public housing, and corrections agencies, in order to ensure effective use of funds and to avoid duplication of services;

''(6) a description of how the State will ensure that the data reported to it from its recipients of funds under this part and the data it reports to the Secretary are complete, accurate, and reliable;

''(7) a State-wide plan for the leadership activities the State will carry out under section 313;

''(8) a description of how the State will provide incentives or rewards for exemplary services and activities under this part, if the State elects to implement the authority authorized under section 313(b)(2);

''(9) any comments the Governor may have on the State plan; and

''(10) assurances that—

''(A) the State will comply with the requirements of this part and the provisions of the State plan; and

''(B) the State will use such fiscal control and accounting procedures as are necessary for the proper and efficient administration of funds under this part.

''(e) PLAN REVISIONS.—When changes in conditions or other factors require substantial modifications to an approved State plan, the State educational agency shall submit a revision to the plan to the Secretary.

''(f) CONSULTATION.—The State educational agency shall—

''(1) submit the State plan, and any revision to the State plan, to the Governor for review and comment; and

''(2) ensure that any comments the Governor may have are included with the State plan, or revision, when the State plan, or revision, is submitted to the Secretary.

''(g) PLAN APPROVAL.—(1) The Secretary shall approve a State plan, or a revision to an approved State plan, only if the Secretary determines that it meets the requirements of this section and the State's performance goals and expected level of performance under subsection (d)(3) are sufficiently rigorous as to meet the purposes of this title and to allow the Department of Education to make progress toward its performance objectives and indicators established pursuant to the Government Performance and Results Act. The Secretary shall not finally disapprove a State plan, or a revision to an approved State plan, except after giving the State reasonable notice and an opportunity for a hearing.

''(2) The Secretary shall establish a peer review process to make recommendations regarding approval of State plans and revisions to the State plans.

''AWARDS TO ELIGIBLE APPLICANTS

''SEC. 316. (a). AWARDS.—(1) From funds available under section 312, States shall make subgrants and contracts, as appropriate, to eligible applicants under subsection (b) to develop, implement, and improve adult education and literacy programs within the State.

''(2) To the extent practicable, States shall make multi-year awards under this section.

''(b) ELIGIBILITY.—(1) The following entities shall be eligible to apply to the State for an award under this section:

''(A) local educational agencies;

''(B) community-based organizations;

''(C) institutions of higher education;

''(D) public and private nonprofit agencies (including State and local health, social service, public housing, public assistance, job training, and corrections agencies and public libraries); and

''(E) consortia of such agencies, organizations, institutions, or partnerships, including consortia that include one or more for-profit agencies, organizations, or institutions, if such agencies, organizations, or institutions can make a significant contribution to attaining the purposes of this title.

''(2) Each State receiving funds under this part shall ensure that all eligible applicants described under subsection (b)(1) receive direct and equitable access to awards under this section.

''APPLICATIONS FROM ELIGIBLE APPLICANTS

''SEC. 317. (a) APPLICATION.—Any eligible applicant under section 316(b)(1) that desires a subgrant or contract under this part shall submit an application to the State containing such information and assurances as the State may reasonably require, including—

''(1) a description of the applicant's current adult education and literacy programs, if any;

''(2) a description of how funds awarded under this part will be spent;

''(3) a description of how the applicant's program will help the State address the needs identified in the State's assessment under section 315(b);

''(4) the projected goals of the applicant with respect to participant recruitment, retention, and educational achievement, and how the applicant will measure and report to the State regarding the information required in section 319(a); and

''(5) any cooperative arrangements the applicant has with others (including arrangements with health, social services, public assistance, public housing, and corrections agencies, libraries, one-stop career centers, business, industry, labor, and volunteer literacy organizations) for the delivery of adult education and literacy programs.

''(b) FUNDING.—In determining which applicants receive funds under this part, the State, in addition to addressing the program priorities under section 311(b), shall—

''(1) give preference to those applicants that serve local areas with high concentrations of individuals in poverty or with low levels of literacy (including English language proficiency), or both; and

''(2) consider—

''(A) the results, if any, of the evaluations required under section 319(a); and

''(B) the degree to which the applicant will coordinate with and utilize other literacy and social services available in the community.

''PERFORMANCE GOALS AND INDICATORS

''SEC. 318. (a) PERFORMANCE GOALS.—Any State desiring to receive a grant under section 312(a), in consultation with individuals, agencies, organizations, and institutions described in section 315(c), shall identify performance goals that define the level of student achievement to be attained by adult education and literacy programs, and express such goals in an objective, quantifiable, and measurable form.

''(b) PERFORMANCE INDICATORS.—(1) After consultation with States, local educational agencies, service providers, representatives of business and industry, institutions of higher education, and other interested parties, the Secretary shall publish in the Federal Register performance indicators (including the definition of relevant terms) described in paragraph (2) that States and local recipients shall use in measuring or assessing progress toward achieving the State's performance goals under subsection (a).

''(2) The Secretary shall publish performance indicators for programs assisted under this part in the following areas:

''(A) achievement in the areas of reading, English language acquisition, and numeracy;

''(B) receipt of a high school diploma or its equivalent;

''(C) entry into a postsecondary school, job training program, employment, or career advancement; and

''(D) such other indicators as are determined by the Secretary.

''(c) TECHNICAL ASSISTANCE.—(1) The Secretary shall provide technical assistance to States regarding the development of—

''(A) the State's performance goals under subsection (a); and

''(B) uniform national performance data.

''(2) The Secretary may use funds reserved under section 303(b) to provide technical assistance under this section.

''EVALUATION, IMPROVEMENT, AND ACCOUNTABILITY

''SEC. 319. (a) LOCAL EVALUATION.—The adult education and literacy programs of each recipient of a subgrant or contract under this part shall be evaluated biennially, using the performance goals and indicators established under section 318, and the recipient shall report to the State regarding the effectiveness of its programs in addressing the priorities under section 311 and the needs identified in the State assessment under section 315(b).

''(b) IMPROVEMENT ACTIVITIES.—If, after reviewing the reports required in subsection (a), a State determines, based on the performance goals and indicators and expected level of performance included in its State plan under section 315(d)(3), and the evaluations under subsection (9), that a recipient is not making substantial progress in achieving the purposes of this title, the State may work jointly with the recipient to develop an improvement plan. If, after not more than two years of implementation of the improvement plan, the State determines that the recipient is not making substantial progress, the State shall take whatever corrective action it deems necessary, which may include termination of funding or the implementation of alternative service arrangements, consistent with State law. The State shall take corrective action under the preceding sentence only after it has provided technical assistance to the recipient and shall ensure, to the extent practicable, that any corrective action it takes allows for continued services to and activities for the recipient's students.

''(c) STATE REPORT.—(1) The State educational agency shall report annually to the Secretary on—

''(A) the quality and effectiveness of the adult education and literacy programs funded through its subgrants and contracts under this part, based on the performance goals and indicators and the expected level of performance included in its State plan under section 315(d)(3), and the needs identified in the State assessment under section 315(b); and

''(B) its State leadership activities under section 313.

''(2) The State educational agency shall include in such reports such information, and in such form, as the Secretary may reasonably require, in order to ensure the collection of uniform national data.

''(3) The State educational agency shall make available to the public its State plan under section 315 and its annual report under this subsection.

''(d) TECHNICAL ASSISTANCE.—If the Secretary determines that the State is not properly implementing its responsibilities under subsection (b), or is not making substantial progress in meeting the purposes of this title, based on the performance goals and indicators and expected level of performance included in its State plan under section 315(d)(3), the Secretary shall work with the State to implement improvement activities.

''(e) WITHHOLDING OF FEDERAL FUNDS.—If, after a reasonable time, but not earlier than one year after implementing activities described in subsection (d), the Secretary determines that the State is not making sufficient progress, based on its performance goals and indicators and expected level of performance included in its State plan under section 315(d)(3), the Secretary shall, after notice and opportunity for a hearing, withhold from the State all, or a portion, of the State's allotment under this part. The Secretary may use funds withheld under the preceding sentence to provide, through alternative arrangements, services and activities within the State that meet the purposes of this title.

''ALLOTMENTS; REALLOTMENT

''SEC. 320. (a) ALLOTMENT TO STATES.—(1) From the funds available under section 312(a) for each fiscal year, the Secretary shall allot to the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands, the amount that each would have been allotted under section 313(b) of the Adult Education Act as it was in effect the day before the enactment of the Adult Basic Education and Literacy for the Twenty-First Century Act.

''(2) From the remainder of such sums, the Secretary shall allot—

''(A) $250,000 to each of the States; and

''(B) from the remainder—

''(i) 95 percent of such remainder to each of the States in an amount that bears the same ratio to such amount as the number of adults in the State who are 16 years of age or older and not enrolled, or required to be enrolled, in secondary school and who do not possess a high school diploma or its equivalent, bears to the number of such adults in all the States; and

''(ii) 5 percent of such remainder to each of the States in an amount that bears the same ratio to such amount as the number of adults with limited English proficiency in the State bears to the number of such adults in all the States.

''(3) The numbers of adults specified in paragraph (2)(B) shall be determined by the Secretary, using the latest estimates, satisfactory to the Secretary, that are based on the U.S. population demographic data produced and published by the Bureau of the Census.

''(b) HOLD-HARMLESS.—(1) Notwithstanding subsection (a)—

''(A) for fiscal year 1998, no State shall receive under this part an allotment that is less than 90 percent of the payments made to the State for the fiscal year 1997 for programs authorized by section 313 of the Adult Education Act as it was in effect prior to the enactment of the Adult Basic Education and Literacy for the Twenty-First Century Act; and

''(B) for fiscal year 1999 and each succeeding fiscal year, no State shall receive under this part an allotment that is less than 90 percent of the amount it received for the preceding fiscal year for programs under this part.

''(2) If for any fiscal year the amount available for allotment under this section is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratably reduce the payments to all States for such services and activities as necessary.

''(c) REALLOTMENT.—If the Secretary determines that any amount of a State's allotment under this section for any fiscal year will not be required for carrying out the program for which such amount has been allotted, the Secretary shall make such amount available for reallotment to one or more other States or the basis that the Secretary determines would best serve the purposes of this title. Any amount reallotted to a State under this subsection shall be deemed to be part of its allotment for the fiscal year in which it is obligated.

''PART B—NATIONAL LEADERSHIP

''NATIONAL LEADERSHIP ACTIVITIES

''SEC. 331. (a) AUTHORITY.—From the amount reserved under section 303(b) for any fiscal year, the Secretary is authorized to establish a program of national leadership and evaluation activities to enhance the quality of adult education and literacy nationwide.

''(b) METHOD OF FUNDING.—The Secretary may carry out national leadership and evaluation activities directly or through grants, contracts, and cooperative agreements.

''(c) USES OF FUNDS.—Funds reserved under this section may be used for—

''(1) research and development, such as estimates of the numbers of adults functioning at the lowest levels of literacy proficiency;

''(2) demonstration of model and innovative programs, such as the development of models for basic skill certificates, identification of effective strategies for working with adults with learning disabilities and with limited English proficient adults, and development of case studies of family literacy and workplace literacy programs;

''(3) dissemination, such as information on promising practices resulting from federally funded demonstration programs;

''(4) evaluations and assessments, such as periodic independent evaluations of services and activities assisted under this title an assessments of the condition and progress of literacy in the United States;

''(5) efforts to support capacity building at the State and local levels, such as technical assistance in program planning, assessment, evaluation, and monitoring of programs under this title;

''(6) data collection, such as improvement of both local and State data systems through technical assistance and development of model performance data collection systems;

''(7) professional development, such as technical assistance activities to advance effective training practices, identify professional development projects, and disseminate new findings in adult education training;

''(8) technical assistance, such as endeavors that aid distance learning, promote and improve the use of technology in the classroom, and assist States in meeting the purposes of this title; and

''(9) other activities designed to enhance the quality of adult education and literacy nationwide.

''AWARDS FOR NATIONAL EXCELLENCE

''SEC. 332. The Secretary may, from the amount reserved under section 303(b) for any fiscal year after fiscal year 1999, and through a peer review process, make performance awards to one or more States that have—

''(1) exceeded in an outstanding manner their performance goals or expected level of performance under section 315(d)(3);

''(2) made exemplary progress in developing, implementing, or improving their adult education and literacy programs in accordance with the priorities described in section 311; or

''(3) provided exemplary services and activities for those individuals within the State who are most in need of adult education and literacy services, or are hardest to serve.

''NATIONAL INSTITUTE FOR LITERACY

''SEC. 333. (a) PURPOSE.—The National Institute for Literacy shall—

''(1) provide national leadership;

''(2) coordinate literacy services; and

''(3) be a national resource for adult education and family literacy, by providing the best and most current information available and supporting the creation of new ways to offer improved services.

''(b) ESTABLISHMENT.—(1) There shall be a National Institute for Literacy (in this section referred to as the 'Institute'). The Institute shall be administered under the terms of an interagency agreement entered into by the Secretary with the Secretary of Labor and the Secretary of Health and Human Services (in this section referred to as the 'Interagency Group'). The Secretary may include in the Institute any research and development center, institute, or clearinghouse established within the Department of Education whose purpose is determined by the Secretary to be related to the purpose of the Institute.

''(2) The Interagency Group shall consider the recommendations of the National Institute for Literacy Advisory Board (the 'Board') under subsection (e) in planning the goals of the Institute and in the implementation of any programs to achieve such goals. The daily operations of the Institute shall be carried out by the Director.

''(c) DUTIES.—(1) In order to provide leadership for the improvement and expansion of the system for delivery of literacy services, the Institute is authorized to—

''(A) establish a national electronic data base of information that disseminates information to the broadest possible audience within the literacy and basic skills field, and that includes—

''(i) effective practices in the provision of literacy and basic skills instruction, including the integration of such instruction with occupational skills training;

''(ii) public and private literacy and basic skills programs and Federal, State, and local policies affecting the provision of literacy services at the national, State, and local levels;

''(iii) opportunities for technical assistance, meetings, conferences, and other opportunities that lead to the improvement of literacy and basic skills services; and

''(iv) a communication network for literacy programs, providers, social service agencies, and students;

''(B) coordinate support for the provision of literacy and basic skills services across Federal agencies and at the State and local levels;

''(C) coordinate the support of research and development on literacy and basic skills in families and adults across Federal agencies, especially with the Office of Educational Research and Improvement in the Department of Education, and carry out basic and applied research and development on topics that are not being investigated by other organizations or agencies;

''(D) collect and disseminate information on methods of advancing literacy that show great promise;

''(E) work with the National Education Goals Panel, assist local, State, and national organizations and agencies in making and measuring progress toward the National Education Goals, as established by P.L. 103–227;

''(F) coordinate and share information with national organizations and associations that are interested in literacy and workforce development;

''(G) inform the development of policy with respect to literacy and basic skills; and

''(H) undertake other activities that lead to the improvement of the Nation's literacy delivery system and that complement other such efforts being undertaken by public and private agencies and organizations.

''(2) The Institute may enter into contracts or cooperative agreements with, or make grants to, individuals, public or private institutions, agencies, organizations, or consortia of such institutions, agencies, or organizations to carry out the activities of the Institute. Such grants, contracts, or agreements shall be subject to the laws and regulations that generally apply to grants, contracts, or agreements entered into by Federal agencies.

''(d) LITERACY LEADERSHIP.—(1) The Institute may, in consultation with the Board, award fellowships, with such stipends and allowances that the Director considers necessary, to outstanding individuals pursuing careers in adult education or literacy in the areas of instruction, management, research, or innovation.

''(2) Fellowships awarded under this subsection shall be used, under the auspices of the Institute, to engage in research, education, training, technical assistance, or other activities to advance the field of adult education or literacy, including the training of volunteer literacy providers at the national, State, or local level.

''(3) The Institute, in consultation with the Board, is authorized to award paid and unpaid internships to individuals seeking to assist in carrying out the Institute's mission and to accept assistance from volunteers.

''(e) NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD.—(1)(A) There shall be a National Institute for Literacy Advisory Board, which shall consist of 10 individuals appointed by the President.

''(B) The Board shall comprise individuals who are not otherwise officers or employees of the Federal Government and who are representative of such entities as—

''(i) literacy organizations and providers of literacy services, including nonprofit providers, providers of English as a second language programs and services, social service organizations, and providers receiving assistance under this title;

''(ii) businesses that have demonstrated interest in literacy programs;

''(iii) literacy students, including those with disabilities;

''(iv) experts in the area of literacy research;

''(v) State and local governments;

''(vi) State Directors of adult education; and

''(vii) labor organizations.

''(2) The Board shall—

''(A) make recommendations concerning the appointment of the Director and staff of the Institute; and

''(B) provide independent advice on the operation of the Institute.

''(3)(A) Appointments to the Board made after the date of enactment of the Adult Basic Education and Literacy for the Twenty-First Century Act shall be for three-year terms, except that the initial terms for members may be established at one, two, or three years in order to establish a rotation in which one-third of the members are selected each year.

''(B) Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that members' term until a successor has taken office.

''(4) The Chairperson and Vice Chairperson of the Board shall be elected by the members.

''(5) The Board shall meet at the call of the Chairperson or a majority of its members.

''(f) GIFTS, BEQUESTS, AND DEVISES.—(1) The Institute may accept, administer, and use gifts or donations of services, money, or property, whether real or personal, tangible or intangible.

''(2) The responsible official shall establish written rules setting forth the criteria to be used by the Institute in determining whether the acceptance of contributions of services, money, or property whether real or personal, tangible or intangible, would reflect unfavorably upon the ability of the Institute or any employee to carry out its responsibilities or official duties in a fair and objective manner, or would compromise the integrity or the appearance of the integrity of its programs or any official involved in those programs.

''(g) MAILS.—The Board and the Institute may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

''(h) STAFF.—The Interagency Group, after considering recommendations made by the Board, shall appoint and fix the pay of a director.

''(i) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director and staff of the Institute may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for level IV of the Executive Schedule.

''(j) EXPERTS AND CONSULTANTS.—The Institute may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

''(k) REPORT.—The Institute shall submit a biennial report to the Interagency Group and the Congress.

''(l) NONDUPLICATION.—The Institute shall not duplicate any functions carried out by the Secretaries of Education, Labor, and Health and Human Services under this title. This subsection shall not be construed to prohibit the Secretaries from delegating such functions to the Institute.

''(m) FUNDING.—Any amounts appropriated to the Secretary, the Secretary of Labor, the Secretary of Health and Human Services, or any other department that participates in the Institute for purposes that the Institute is authorized to perform under this section may be provided to the Institute for such purposes.

''PART C—GENERAL PROVISIONS

''WAIVERS

''SEC. 341. (a) REQUEST FOR WAIVER.—A State educational agency may request, on its own behalf or on behalf of a local recipient, a waiver by the Secretary of one or more statutory or regulatory provisions described in subsection (c) in order to carry out adult education and literacy programs under part A more effectively.

''(b) GENERAL AUTHORITY.—(1) Except as provided in subsection (d), the Secretary may waive any requirement of a statute listed in subsection (c), or of the regulations issued under that statute, for a State that requests such a waiver—

''(A) if, and only to the extent that, the Secretary determines that such requirement impedes the ability of the State or a subgrant or contract recipient under part A to carry out adult education and literacy programs or activities in an effective manner;

''(B) if the State waives, or agrees to waive, any similar requirements of State law;

''(C) if, in the case of a statewide waiver, the State—

''(i) has provided all subgrant or contract recipients under part A in the State with notice of, and an opportunity to comment on, the State's proposal to request a waiver; and

''(ii) has submitted the comments of such recipients to the Secretary; and

''(D) if the State provides such information as the Secretary reasonably requires in order to make such determinations.

''(2) The Secretary shall act promptly on any request submitted under paragraph (1).

''(3) Each waiver approved under this subsection shall be for a period not to exceed five years, except that the Secretary may extend such period if the Secretary determines that the waiver has been effective in enabling the State to carry out the purposes of this title.

''(c) EDUCATION PROGRAMS.—The statutes subject to the waiver authority of the Secretary under this section are—

''(1) this title;

''(2) part A of title I of the Elementary and Secondary Education Act of 1965 (authorizing programs and activities to help disadvantaged children meet high standards);

''(3) part B of title II of the Elementary and Secondary Education Act of 1965 (Dwight D. Eisenhower Professional Development Program);

''(4) title VI of the Elementary and Secondary Education Act of 1965 (Innovative Education Program Strategies);

''(5) part C of title VII of the Elementary and Secondary Education Act of 1965 (Emergency Immigrant Education Program);

''(6) the School-to-Work Opportunities Act of 1994, but only with the concurrence of the Secretary of Labor; and

''(7) the Carl D. Perkins Career Preparation Education Act of 1997.

''(d) WAIVERS NOT AUTHORIZED.—The Secretary may not waive any statutory or regulatory requirement of the programs listed in subsection (c) relating to—

''(1) the basic purposes or goals of the affected programs;

''(2) maintenance of effort;

''(3) comparability of services;

''(4) the equitable participation of students attending private schools;

''(5) parental participation and involvement;

''(6) the distribution of funds to States or to local recipients;

''(7) the eligibility of an individual for participation in the affected programs;

''(8) public health or safety, labor standards, civil rights, occupational safety and health, or environmental protection; or

''(9) prohibitions or restrictions relating to the construction of buildings or facilities.

''(e) TERMINATION OF WAIVERS.—The Secretary shall periodically review the performance of any State or local recipient for which the Secretary has granted a waiver under this section and shall terminate such waiver if the Secretary determines that the performance of the State affected by the waiver has been inadequate to justify a continuation of the waiver, or the State fails to waive similar requirements of State law in accordance with subsection (b)(1)(B).

''DEFINITIONS

''SEC. 342. For the purposes of this title—

''(1) except under section 320(a)(2)(B)(ii), the term 'adult' means an individual who is 16 years of age, or beyond the age of compulsory school attendance under State law, and who is not enrolled, or required to be enrolled, in secondary school;

''(2) the term 'adult education' means services or instruction below the college level for adults who—

''(A) lack sufficient education or literacy skills to enable them to function effectively in society; or

''(B) do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education;

''(3) the term 'community-based organization' means a private nonprofit organization that is representative of a community or significant segments of a community and that provides education, vocational rehabilitation, job training, or internship services and programs;

''(4) the term 'individual of limited English proficiency' means an adult or out-of-school youth who has limited ability in speaking, reading, writing, or understanding the English language and—

''(A) whose native language is a language other than English; or

''(B) who lives in a family or community environment where language other than English is the dominant language;

''(5) the term 'institution of higher education' means any such institution as defined by section 1201(a) of the Higher Education Act of 1965;

''(6) the term 'literacy' means an individual's ability to read, write, and speak in English, and compute and solve problems at levels of proficiency necessary to function on the job and in society, to achieve one's goals, and develop one's knowledge and potential;

''(7) the term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, except that, if there is a separate board or other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority;

''(8) the term 'public housing agency' means a public housing agency as defined in section 3(b)(6) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(6));

''(9) the term 'Secretary' means the Secretary of Education;

''(10) the term 'State' means each of the 50 States and the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands, except that for purposes of section 320(a)(2) the term shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands; and

''(11) the term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is a separate State agency or officer primarily responsible for supervision of adult education in public schools, then such agency or officer may be designated for the purposes of this title by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this title by the Governor.''.

TITLE II—EFFECTIVE DATE; TRANSITION

EFFECTIVE DATE

SEC. 201. This Act shall take effect on July 1, 1998.

TRANSITION

SEC. 202. Notwithstanding any other provisions of law—

(1) upon enactment of the Adult Basic Education and Literacy for the Twenty-First Century Act, a State or local recipient of funds under the Adult Education Act as it was in effect prior to the enactment of the Adult Basic Education and Literacy for the Twenty-First Century Act, may use any such unexpended funds to carry out services and activities that are authorized by the Adult Education Act or part A of the Adult Basic Education and Literacy Act; and

(2) a State or local recipient of funds under part A of the Adult Basic Education and Literacy Act for the fiscal year 1998 may use such funds to carry out services and activities that are authorized either by such part or were authorized by the Adult Education Act as it was in effect prior to the enactment of the Adult Basic Education and Literacy for the Twenty-First Century Act.

TITLE III—REPEALS OF OTHER ACTS

REPEALS

SEC. 301. (a) NATIONAL LITERACY ACT.—The National Literacy Act of 1991 (20 U.S.C. 1201 *et seq.*) is repealed.

(b) GRANTS TO STATES FOR WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED YOUTH OFFENDERS.—Part E of title X of the Higher Education Act of 1965 (20 U.S.C. 1135g) is repealed.

By Mr. LAUTENBERG (for himself, Mr. GRAHAM, Mr. KENNEDY, Mrs. BOXER, Mr. MOYNIHAN, Mr. TORRICELLI, and Mrs. MURRAY):

S. 995. A bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals; to the Committee on the Judiciary.

THE CAPTIVE EXOTIC ANIMAL PROTECTION ACT OF 1997

Mr. LAUTENBERG. Mr. President, today I am introducing legislation to prevent the cruel and unsporting practice of ''canned'' hunting, or caged kills. I am pleased to be joined by Senators GRAHAM, KENNEDY, BOXER, MOYNIHAN, TORRICELLI, and MURRAY.

In a canned hunt, a customer pays to shoot a captive exotic animal on a small game ranch where the animal typically is trapped inside a fenced-in enclosure. The enclosed space prevents the animal from escaping and making it an easy prey. The so-called hunter returns home with the animal's head to mount on his or her wall and the ranch owner collects a large fee. No hunting, tracking or shooting skills are required. The animals are easy targets because they typically are friendly to humans, having spent years in captivity, and having been cared for and fed by the canned hunt ranch owners.

There are reported to be more than 1,000 canned hunting operations in the United States. At these ranches, a customer can, for example, ''hunt'' a Dama gazelle for $3,500, a Cape Buffalo for $6,000 or a Red Deer for $6,000. The rarer the animal, the higher the price.

My bill is similar to legislation I introduced in the 104th Congress, S. 1493.

It is directed only at true canned hunts. It does not affect cattle ranching, the hunting or breeding of any animals that live in the wild in the United States, rodeos, livestock shows, petting zoos, or horse or dog racing. It merely bans the procuring and transport of non-native, exotic mammals for the purpose of shooting them for entertainment, or to collect a trophy. The bill would not affect larger ranches, where animals have some opportunity to escape hunters. Nor does the bill affect the hunting of any animals that live in the wild in the United States.

Many hunters believe that canned hunts are unethical and make a mockery of their sport. For example, the Boone and Crockett Club, a hunting organization founded by Teddy Roosevelt, has called canned hunts ''unfair'' and ''unsportsmanlike.'' Bill Burton, the former outdoors writer for the Baltimore Sun and a hunter, testifying last year in support of this legislation, stated, ''There is a common belief that the hunting of creatures which have no reasonable avenue to escape is not up to traditional standards. Shooting game in confinement is not within these standards.''

Canned hunts also are strongly opposed by animal protection groups. As the Humane Society of the United States has said about animals in canned hunts, ''the instinct to flee, their greatest natural defense, has been replaced by trust—trust that is rewarded with a cruel and brutal death.'' Indeed, many animals killed in canned hunts suffer immeasurably as they receive shot after shot to non-vital organs. This practice is intended to preserve the head and chest regions intact so that the animals will make more attractive trophies.

The practice of keeping captive animals for canned hunts may also pose a danger to native wildlife or livestock if the captive animals escape. John Talbott, acting director of the Wyoming Department of Fish and Game, stated that ''Tuberculosis and other disease documented among game ranch animals in surrounding States'' pose ''an extremely serious threat to Wyoming's native big game.'' This is one reason why Wyoming has banned canned hunts. Other States that have banned these hunts include California, Connecticut, Georgia, Maryland, Massachusetts, Nevada, New Jersey, North Carolina, Rhode Island, and Wisconsin.

Unfortunately, in most States, canned hunts are largely unregulated. The lack of State laws, and the fact that many of these animals move in interstate commerce, make Federal legislation necessary.

I urge my colleagues who want to understand the cruelty involved in a canned hunt to visit my office and view a videotape of an actual canned hunt. You will witness a defenseless Corsican ram, cornered near a fence, being shot over and again with arrows, and clearly experiencing an agonizing death, then only to be dealt a final blow by a firearm. Then I urge you to join me in support of this legislation which will put an end to this needless suffering.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 995

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Captive Exotic Animal Protection Act of 1997''.

SEC. 2. TRANSPORT OR POSSESSION OF EXOTIC ANIMALS FOR PURPOSES OF KILLING OR INJURING THEM.

(a) IN GENERAL.—Chapter 3 of title 18, United States Code, is amended by adding at the end the following:

''§ 48. Exotic animals

''(a) PROHIBITION.—Whoever, in or affecting interstate or foreign commerce, knowingly transfers, transports, or possesses a confined exotic animal, for the purposes of allowing the killing or injuring of that animal for entertainment or for the collection of a trophy, shall be fined under this title, imprisoned not more than 1 year, or both.

''(b) DEFINITIONS.—In this section—

''(1) the term 'confined exotic animal' means a mammal of a species not historically indigenous to the United States, that has been held in captivity for the shorter of—

''(A) the greater part of the life of the animal; or

''(B) a period of 1 year;

whether or not the defendant knew the length of the captivity; and

''(2) the term 'captivity' does not include any period during which an animal—

''(A) lives as it would in the wild, surviving primarily by foraging for naturally occurring food, roaming at will over an open area of not less than 1,000 acres; and

''(B) has the opportunity to avoid hunters.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 18, United States Code, is amended by adding at the end the following:

''48. Exotic animals.''.

By Mr. GRASSLEY (for himself and Mr. SPECTER):

S. 996. A bill to provide for the authorization of appropriations in each fiscal year for arbitration in U.S. district courts; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 997. A bill to amend chapter 44 of title 28, United States Code, to authorize the use of certain arbitration procedures in all district courts, to modify the damage limitation applicable to cases referred to arbitration, and for other purposes; to the Committee on the Judiciary.

ARBITRATION LEGISLATION

Mr. GRASSLEY. Mr. President, I rise at this time to introduce two bills. Both bills are designed to encourage what is known in the legal world as arbitration, which is a type of alternative dispute resolution and a means of settling differences instead of litigating them in the costly environment and adversarial environment of the courts.

Our great American leader, Abraham Lincoln, wrote over 140 years ago, in 1840: ''Discourage litigation. Persuade your neighbors to compromise whenever you can.'' That is exactly what these two bills are designed to do.

For over 20 years now, all three branches have looked for ways to alleviate the courts' crowded docket and to enable a civil litigant to have his complaint heard in a more expedient fashion. In 1976, in search of alternatives, Chief Justice Burger convened the Pound Conference on the Causes of Popular Dissatisfaction with the Administration of Justice and asked its members: ''Isn't there a better way?''

There is, and that way is called alternative dispute resolution. Most State and Federal bar associations now have alternative dispute resolution committees. Some have even elevated consideration of ADR approaches to a matter of professional ethics or its equivalent. Almost all law schools across the country now offer their students classes in ADR. Many graduate programs, especially business schools, have added ADR courses to their curriculum. And numerous legal and business publications are committed exclusively to the topic of alternative dispute resolution.

Contracts, be they between nations, major corporations, or even private individuals, now more often than not include arbitration clauses. There are numerous professional and trade associations under the umbrella of alternative dispute resolution. ADR is not a legal vogue, nor is it second-class justice. ADR is an intelligent and efficient alternative to litigation, and it is a way to ensure that civil matters can be handled as quickly as possible with low cost to the parties and with an outstanding settlement and satisfaction rate among all entities involved. Arbitration in particular combines procedural protections with the informality necessary for parties to discuss their positions in a manner that promotes settlement and allows for a detailed exploration of the issues.

In 1990, Congress enacted bills to authorize implementation of ADR programs throughout the administrative agency apparatus and to ask Federal courts to consider ADR as a means to reduce cost. For example, on November 15, 1990, President Bush signed into law a bill which I introduced called the Administrative Dispute Resolutions Act. This act authorized and promoted the use of alternative dispute resolution by Federal Government agencies.

Almost immediately, the success of the bill became evident. In 1992, for example, agencies reported that over 70 percent of the disputes submitted to ADR reached settlement. Often mere discussion of what ADR techniques to apply led to agreement between the parties. Last year, in a unified showing of support for the idea of ADR, including arbitration, we permanently reauthorized that 1990 act. 1990 also saw the passage of the Negotiated Rulemaking Act, which authorized the use of negotiated rulemaking as an alternative to

adversarial rulemaking in Federal agencies, and the Civil Justice Reform Act, which required every Federal district court to develop a civil justice expense and delay reduction plan.

To test the ADR waters in the article III courts, in 1988, Congress amended the Judiciary and Judicial Procedure Act and authorized pilot programs in 20 Federal district courts. The amendment made court-annexed, nonbinding arbitration mandatory in 10 districts and voluntary in the other 10. The results are in, and they are more than encouraging. Therefore, the first bill I am introducing today will permanently extend authorization of these pilot programs so that these courts can continue to provide litigants with efficient and successful alternatives to trial. Senator SPECTER, whose own home State of Pennsylvania has participated in this program, is joining me in this effort.

Over half of the Nation's 94 districts currently offer some type of alternative dispute resolution. This number seems low, and the reason for that is because many districts are not sure whether courts other than those authorized by statute may offer ADR. Therefore, to eliminate this uncertainty, the second bill I am introducing not only authorizes district courts across the Nation to implement arbitration programs and procedures, it demands such implementation. It will then be left to the discretion of each judge, however, whether to make use of the implemented programs and procedures.

The major goal of arbitration is to encourage litigants to settle their disputes without going through the lengthy and costly process of a full-blown trial. This will not only lessen the burden on the judicial branch, but also enable people who feel they have been wronged to get a decision without waiting months for the usual verdict and without spending tons of money on attorney's fees.

Let me just give an example, and this is according to the National Law Journal. It was an article that was published last year. It has been determined that out of every dollar spent in asbestos litigation, only 39 cents goes to victims, with approximately 33 to 50 percent of the awards collected allocated as attorney's fees.

My arbitration bills are designed to curb exactly this type of ''plaintiff-milking.'' In the pilot program districts, the majority of arbitration cases closed before even reaching the arbitration hearing level and over two-thirds did not return to the court's regular calendar, thus saving not only the litigants, but also the courts and, therefore, the public both time and money. In the New Jersey program, about 20 percent of the civil case filings qualified for mandatory arbitration over the 8-year period which the program operated. Less than 2 percent of those cases required trial; in other words, 98 percent of those cases could be settled via arbitration.

A majority of the attorneys involved in arbitration cases agreed that referring the case to the program directly resulted in earlier settlement discussions and, most important, in avoiding litigation. For the parties involved, that means their issues were resolved from 2 to 18 months sooner than if the case had gone to trial. In the Eastern District of Pennsylvania, as an example, the median time until a dispute is resolved through ADR is 5 months. Only 7 percent of the district's arbitration cases lasted beyond 9 months and the percentage of cases tried de novo is less than 10 percent.

Litigants, attorneys, and judges all are more than laudatory of the program's results. As a matter of fact, positive reaction could be documented almost as soon as the program was implemented. A 1990 report by the Federal Judicial Center illustrates this point. Over 80 percent of the litigants surveyed praised the fairness of the ADR process; 84 percent of attorneys surveyed said that they approved of arbitration both as a concept and, more important, as implemented in their specific districts.

Also, an overwhelming 97 percent of the judges involved in the program agreed that their civil caseload was reduced since less than a third of the arbitration caseload returns to the regular trial calendar. The resounding consensus was that other districts should also adopt this outstanding program as a result of this experiment.

Let me give you another example of the success of ADR. A November 1996 study of the Judicial Council of California, on California's Civil Action Mediation Act, showed that litigant satisfaction for arbitration in the Los Angeles County Superior Court was 84 percent and that 94 percent of the overall respondents would use arbitration again.

Incidentally, that same study showed that the program's mediation process within 2 years produced savings five times higher than what the California Legislature had targeted for 5 years. In other words, California had targeted $250,000 after 5 years to consider the mediation program a success. ADR saved the courts a total of $1.3 million in just 2 years. Whether it is mediation, arbitration, or any other of the ADR techniques, alternative dispute resolution undoubtedly is successful in creating huge savings for both the public and the litigants.

The benefits of arbitration, not only to the judicial branch, but, more important, to the litigants, are impossible to ignore. Skeptics argue that the litigant will feel he is being subjected to second-class justice, but, quite frankly, the opposite is the case. Litigants feel that they are much more closely involved in the process than would be the case if there was formal adjudication. Litigants can participate much more actively and have much more control over what is decided and how it is decided. Negotiation, rather than adjudication, is the goal. And when all is said and done, unlike after a trial, the parties on opposite sides of the table often still have some type of positive relationship.

On top of that, the process is private, unlike the public trial. In such a private, somewhat informal setting, the parties involved have much more flexibility, not only regarding procedure but also remedies. Generally, as we know, an article III court in a civil matter will limit remedies to a dollar figure. Arbitration can go beyond that. Often all a plaintiff wants might be an apology, or the injured worker who can't perform his job any more just wants another job. Arbitration can give a party those results.

Arbitration is a legal concept that makes sense, saves time, and saves money. As a matter of fact, the Eastern District of Pennsylvania, one of the pilot programs, estimates that arbitration has produced a 5-to-1 savings in private and public costs.

So the two bills that I am introducing today will, therefore, help give the public efficient and expedient access to the Federal courts and will help alleviate the caseload burden on the judicial branch.

I ask unanimous consent, Mr. President, that my two bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 996

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ARBITRATION IN DISTRICT COURTS.

Section 905 of the Judicial Improvements and Access to Justice Act (28 U.S.C. 651 note) is amended in the first sentence by striking ''for each of the fiscal years 1994 through 1997'' and inserting ''for each fiscal year''.

S. 997

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ARBITRATION IN DISTRICT COURTS.

(a) AUTHORIZATION OF ARBITRATION.—Section 651(a) of title 28, United States Code, is amended to read as follows:

''(a) AUTHORITY.—Each United States district court shall authorize by local rule the use of arbitration in any civil action, including adversary proceedings in bankruptcy, in accordance with this chapter.''.

(b) ACTIONS REFERRED TO ARBITRATION.—Section 652(a) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by striking ''and section 901(c)'' and all that follows through ''651'' and inserting ''a district court''; and

(B) in subparagraph (B) by striking ''$100,000'' and inserting ''$150,000''; and

(2) in paragraph (2) by striking ''$100,000'' and inserting ''$150,000''.

(c) CERTIFICATION OF ARBITRATORS.—Section 656(a) of title 28, United States Code, is amended by striking ''listed in section 658''.

(d) REMOVAL OF LIMITATION.—Section 658 of title 28, United States Code, and the item relating to such section in the table of sections at the beginning of chapter 44 of title 28, United States Code, are repealed.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. MOYNIHAN, the names of the Senator from Hawaii [Mr. INOUYE] and the Senator from Florida [Mr. GRAHAM] were added as cosponsors of S. 22, a bill to establish a bipartisan national commission to address the year 2000 computer problem.

S. 63

At the request of Mr. FEINGOLD, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 63, a bill to amend certain Federal civil rights statutes to prevent the involuntary application of arbitration to claims that arise from unlawful employment discrimination based on race, color, religion, sex, national origin, age, or disability, and for other purposes.

S. 102

At the request of Mr. BREAUX, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 102, a bill to amend title XVIII of the Social Security Act to improve Medicare treatment and education for beneficiaries with diabetes by providing coverage of diabetes outpatient self-management training services and uniform coverage of blood-testing strips for individuals with diabetes.

S. 208

At the request of Mr. BOND, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Georgia [Mr. CLELAND], the Senator from Arkansas [Mr. BUMPERS], the Senator from Wyoming [Mr. ENZI], the Senator from Idaho [Mr. KEMPTHORNE], the Senator from Montana [Mr. BURNS], and the Senator from Maine [Ms. SNOWE] were added as cosponsors of S. 208, a bill to provide Federal contracting opportunities for small business concerns located in historically underutilized business zones, and for other purposes.

S. 222

At the request of Mr. DOMENICI, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 222, a bill to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies.

S. 224

At the request of Mr. WARNER, the name of the Senator from Missouri [Mr. ASHCROFT] was added as a cosponsor of S. 224, a bill to amend title 10, United States Code, to permit covered beneficiaries under the military health care system who are also entitled to medicare to enroll in the Federal Employees Health Benefits program, and for other purposes.

S. 412

At the request of Mr. LAUTENBERG, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 412, a bill to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

S. 422

At the request of Mr. DOMENICI, the name of the Senator from North Dakota [Mr. DORGAN] was withdrawn as a cosponsor of S. 422, a bill to define the circumstances under which DNA samples may be collected, stored, and analyzed, and genetic information may be collected, stored, analyzed, and disclosed, to define the rights of individuals and persons with respect to genetic information, to define the responsibilities of persons with respect to genetic information, to protect individuals and families from genetic discrimination, to establish uniform rules that protect individual genetic privacy, and to establish effective mechanisms to enforce the rights and responsibilities established under this Act.

S. 509

At the request of Mr. BURNS, the name of the Senator from Colorado [Mr. ALLARD] was added as a cosponsor of S. 509, a bill to provide for the return of certain program and activity funds rejected by States to the Treasury to reduce the Federal deficit, and for other purposes.

S. 623

At the request of Mr. INOUYE, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 623, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 686

At the request of Mr. SARBANES, the names of the Senator from Kentucky [Mr. FORD], and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 686, a bill to establish the National Military Museum Foundation, and for other purposes.

S. 852

At the request of Mr. LOTT, the names of the Senator from Michigan [Mr. ABRAHAM], and the Senator from North Carolina [Mr. FAIRCLOTH] were added as cosponsors of S. 852, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

S. 916

At the request of Mr. COCHRAN, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 916, a bill to designate the U.S. Post Office building located at 750 Highway 28 East in Taylorsville, MS, as the ''Blaine H. Eaton Post Office Building''.

S. 927

At the request of Ms. SNOWE, the names of the Senator from Mississippi [Mr. COCHRAN], and the Senator from New Jersey [Mr. TORRICELLI] were added as cosponsors of S. 927, a bill to reauthorize the Sea Grant Program.

S. 950

At the request of Mr. MCCONNELL, the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of S. 950, a bill to provide for equal protection of the law and to prohibit discrimination and preferential treatment on the basis of race, color, national origin, or sex in Federal actions, and for other purposes.

S. 952

At the request of Mr. MCCONNELL, the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of S. 952, a bill to establish a Federal cause of action for discrimination and preferential treatment in Federal actions on the basis of race, color, national origin, or sex, and for other purposes.

AMENDMENT NO. 420

At the request of Mr. THURMOND the names of the Senator from Arizona [Mr. KYL], and the Senator from Georgia [Mr. COVERDELL] were added as cosponsors of amendment No. 420 proposed to S. 936, an original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 422

At the request of Mr. DASCHLE his name was added as a cosponsor of amendment No. 422 proposed to S. 936, an original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 424

At the request of Mr. GORTON the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of amendment No. 424 proposed to S. 936, an original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 645

At the request of Mr. GORTON the names of the Senator from Texas [Mrs. HUTCHISON], the Senator from New York [Mr. D'AMATO], and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of amendment No. 645 proposed to S. 936, an original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities

of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 648

At the request of Mr. LAUTENBERG his name was added as a cosponsor of amendment No. 648 proposed to S. 936, an original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 712

At the request of Mr. CLELAND the names of the Senator from Georgia [Mr. COVERDELL] and the Senator from Nebraska [Mr. HAGEL] were added as cosponsors of amendment No. 712 proposed to S. 936, an original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

SENATE CONCURRENT RESOLUTION 36—COMMEMORATING THE BICENTENNIAL OF TUNISIAN-AMERICAN RELATIONS

Mr. BREAUX submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations.

S. CON. RES. 36

Whereas August 28, 1997, will mark the 200th anniversary of the first Tunisian-American Treaty and the opening of diplomatic relations between Tunisia and the United States;

Whereas Tunisia guaranteed to the young American Republic freedom of navigation in Tunisia's territorial waters and freedom of trade with Tunisian citizens;

Whereas Tunisia supported the Allies politically and militarily during World War II and has become the final resting place of thousands of American soldiers fallen in battle;

Whereas the United States was the first great power to recognize Tunisia's independence from France in 1956;

Whereas Tunisia was a steady and reliable ally of the United States during the darkest days of the Cold War, providing naval facilities to the United States Sixth Fleet and supporting the United States at the United Nations and other international bodies;

Whereas Tunisia after independence received more aid from the United States than from any other donor country in the form of governmental loans and technical assistance;

Whereas Tunisia efficiently utilized American assistance and its own resources to drastically improve social conditions, further economic development, and establish an open market economy and a tolerant society based on the principles of democracy, social peace, and justice;

Whereas Tunisia has consistently supported a peaceful resolution to the Arab-Israeli conflict and United States efforts to bring peace to the Middle East; and

Whereas Tunisia and the United States have always shared mutual interests in regional security and have built a close partnership in that regard; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby acknowledges with gratitude and appreciation the bicentennial of the Tunisian-American Treaty of 1797 and expresses to the people of Tunisia its hopes and wishes for continued friendship and amity between our two great nations.

SEC. 2. The Secretary of the Senate shall transmit a copy of this concurrent resolution to the President with the request that he further transmit a copy to the Government of Tunisia.

AMENDMENTS SUBMITTED

THE DEPARTMENT OF DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

CONRAD (AND DORGAN) AMENDMENT NO. 730

(Ordered to lie on the table.)

Mr. CONRAD (for himself and Mr. DORGAN) submitted an amendment intended to be proposed by them to the bill, S. 936, to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 313, line 20, strike out ''(e)'' and insert in lieu thereof the following:

''(e) RETENTION OF B–52H AIRCRAFT ON ACTIVE STATUS.—(1) The Secretary of the Air Force shall maintain in active status (including the performance of standard maintenance and upgrades) the current fleet of B–52H bomber aircraft. For the purposes of subsection (a), the number specified for B–52H bomber aircraft in paragraph (1) of such subsection shall be deemed to be 94. The applicability of the limitation under that subsection to the 94 B–52H bomber aircraft may not be waived under subsection (b).

''(2) For purposes of carrying out upgrades of B–52H bomber aircraft during fiscal year 1998, the Secretary shall treat the entire current fleet of such aircraft as aircraft expected to be maintained in active status during the six-year period beginning on October 1, 1997.

''(f) ASSESSMENT OF PROPOSED REDUCTION OF B–52H BOMBER AIRCRAFT FLEET.—(1) Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff and the National Defense Panel established under section 924 of Public Law 104–201 (110 Stat. 2626), shall—

''(A) thoroughly assess the proposed retirement of B–52H bomber aircraft to reduce the fleet of B–52H bomber aircraft to 71 such aircraft; and

''(B) submit the assessment to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives.

''(2) The assessment under paragraph (1) shall include the following:

''(A) A discussion of the following matters:

''(i) The operational advantages, arms control implications, and budgetary impact of employing an additional combat-coded squadron of B–52H bomber aircraft above the level provided for in the future-years defense program submitted to Congress in fiscal year 1997, reconstituted out of the B–52H aircraft attrition reserve.

''(ii) The implications of designating and using such an additional squadron as an associate reserve squadron.

''(iii) The operational impact of an engine modernization program involving replacement of the engines on B–52H bomber aircraft with commercial, off-the-shelf engines, as assessed in accordance with the Department of Defense Appropriation Act, 1997 (title I through VIII section 101(b) of Public Law 104–208).

''(iv) The operational, arms control, and budgetary implications of modifying capabilities of aircraft comprising a portion of the fleet of B–52H bomber aircraft so that the modified aircraft have the capability to deliver only conventional munitions.

''(v) The number of B–52H aircraft that, together with other combat aircraft within the force structure, would be necessary, in a major theater war initiated with minimum advance warning, to disrupt the flow of enemy forces to the extent necessary for the United States (and any allies) to defeat advancing enemy forces in detail with the United States (or allied) forces in place as the advancing enemy forces arrive in locations to engage the United States (or allied) forces.

''(B) The views of the Chairman of the Joint Chiefs of Staff on the Secretary's assessment.

''(C) The views of the National Defense Panel on the Secretary's assessment.

''(3) If the Secretary submits the Secretary's annual report to Congress under section 113(c) of title 10, United States Code, within 120 days after the date of the enactment of this Act, the Secretary may include in that report the assessment required under paragraph (1).

''(g)''.

COVERDELL AMENDMENT NO. 731

(Ordered to lie on the table.)

Mr. COVERDELL submitted an amendment intended to be proposed by him to the bill, S. 936, supra; as follows:

At the end of the amendment add the following:

( ) LIMITATIONS ON AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF PERU AND COLOMBIA.—(1) The Secretary of Defense may exercise the authority provided in section 1022(a) only with the concurrence of the Secretary of State.

(2)(A) The Secretary may not obligate or expend funds to provide a government with support under section 1022 until the Secretary of Defense, in coordination with the heads of other Federal agencies involved in international counter-drug activities, has developed a riverine counter-drug plan and submitted the plan to the committees referred to in subsection (f)(2) of such section. The plan shall set forth a riverine counter-drug program that can be sustained by the supported governments within five years, a schedule for establishing the program, and a detailed discussion of how the riverine counter-drug program supports national drug control strategy of the United States.

(B) The limitation in subparagraph (A) is in addition to the limitation in section 1022(f)(1).

THURMOND AMENDMENTS NOS. 732–733

(Ordered to lie on the table.)

Mr. THURMOND submitted two amendments intended to be proposed

by him to the bill, S. 936, supra; as follows:

AMENDMENT NO. 732

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

On page 26, after line 24, add the following:

(b) EXCEPTIONS.—The prohibition in subsection (a) does not apply to the following:

(1) Any purchase, lease, upgrade, or modification initiated before the date of the enactment of this Act.

(2) Any installation of state-of-the-art technology for a drydock that does not also increase the capacity of the drydock.

On page 26, line 21, insert ''(a) PROHIBITION.—'' before ''None''.

AMENDMENT NO. 733

At the end of the matter relating to proposed section 2206, add the following:

(c) AMENDMENT.—The agreement of the Senate to the amendment proposing this subsection shall be deemed to constitute the agreement of the Senate to amendments to section 141 as follows:

(1) Insert ''(a) PROHIBITION.—'' before ''None''.

(2) Add at the end the following:

(b) EXCEPTIONS.—The prohibition in subsection (a) does not apply to the following:

(1) Any purchase, lease, upgrade, or modification initiated before the date of the enactment of this Act.

(2) Any installation of state-of-the-art technology for a drydock that does not also increase the capacity of the drydock.

LEVIN (AND OTHERS) AMENDMENT NO. 734

(Ordered to lie on the table.)

Mr. LEVIN (for himself, Mr. REED, and Mr. MCCAIN) submitted an amendment intended to be proposed by them to amendment No. 674 by Mr. FEINGOLD to the bill, S. 936, supra; as follows:

Strike out '' '; Provided,'' and all that follows and insert in lieu thereof the following: in section 301B.

SEC. 301A. SENSE OF CONGRESS REGARDING A FOLLOW-ON FORCE FOR BOSNIA AND HERZEGOVINA.

It is the sense of Congress that—

(1) United States ground combat forces should not participate in a follow-on force in Bosnia and Herzegovina after June 1998;

(2) the European Security and Defense Indentity, which, as facilitated by the Combined Joint Task Forces concept, enables the Western European Union, with the consent of the North Atlantic Alliance, to assume political control and strategic direction of NATO assets made available by the Alliance, is an ideal instrument for a follow-on force for Bosnia and Herzegovina;

(3) if the European Security and Defense Identity is not sufficiently developed or is otherwise deemed inappropriate for such a mission, a NATO-led force without the participation of United States ground combat forces in Bosnia, may be suitable for a follow-on force for Bosnia and Herzegovina;

(4) the United States may decide to appropriately provide support to a Western European Union-led or NATO-led follow-on force, including command and control, intelligence, logistics, and, if necessary, a ready reserve force in a neighboring country; and

(5) the President should inform our European NATO allies of this expression of the sense of Congress and should strongly urge them to undertake preparations for a Western European Union-led or NATO-led force as a follow-on force to the NATO-led Stabilization Force if needed to maintain peace and stability in Bosnia and Herzegovina.

SEC. 301B. AMOUNTS FOR OPERATION AND MAINTENANCE.

The amounts authorized to be appropriated under section 301 are as follows:

MCCAIN AMENDMENT NO. 735

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to amendment No. 618 submitted by Mr. GLENN to the bill, S. 936, supra; as follows:

Strike the period at the end of the amendment, and insert in lieu thereof the following:

''At the appropriate place in the bill, add the following new section:

''SEC. XXXX. ANNUAL REPORT ON CONGRESSIONAL AND NONCONGRESSIONAL ACTIVITIES OF THE GENERAL ACCOUNTING OFFICE.

(1) Section 719(b) of title 31, United States Code, is amended by adding at the end the following:

'(3)(A) The report under subsection (a) shall include, for the latest fiscal year ending before the date of the report, the amount and cost of the work that the General Accounting Office performed during the fiscal year for the following:

(i) Audits, evaluations, other reviews, and reports requested by the Chairman of a committee of Congress, the Chairman of a subcommittee of such a committee, or any other member of Congress.

(ii) Audits, evaluations, other reviews, and reports not described in clause (i) and not required by law to be performed by the General Accounting Office.

(B) In the report, amounts of work referred to in subparagraph (A) shall be expressed as hours of labor.'.

(2) Paragraph (1) of such section is amended—

(A) by striking out 'and' at the end of subparagraph (B);

(B) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof '; and'; and

(C) by adding at the end the following:

'(D) the matters required by paragraph (3).'.''.

CONRAD AMENDMENT NO. 736

(Ordered to lie on the table.)

Mr. CONRAD submitted an amendment intended to be proposed by him to amendment No. 696 submitted by Mrs. HUTCHINSON to the bill, S. 936, supra; as follows:

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

Subtitle ____—National Missile Defense

SEC. __01. SHORT TITLE.

This subtitle may be cited as the ''Common Sense National Missile Defense Act of 1997''.

SEC. __02. NATIONAL MISSILE DEFENSE POLICY.

(a) NATIONAL MISSILE DEFENSE POLICY.—It is the policy of the United States to develop a limited national missile defense system based on the Minuteman III missile system that could be deployed by 2003 at Grand Forks, North Dakota.

(b) GENERAL REQUIREMENTS.—The national missile defense system developed under subsection (a) for possible deployment should include the elements set forth in section __3 in a manner which—

(1) provides for the defense of the United States against a nuclear missile attack consisting of at least five nuclear warheads;

(2) is affordable;

(3) complies with the ABM Treaty; and

(4) maximizes the utilization of missile technology and infrastructure in use as of the date of enactment of this Act

(c) ASSESSMENT OF DEPLOYMENT.—Not later than March 31, 2000, the President shall submit to Congress a report on the deployment of the national missile defense system referred to in subsection (a). The report shall contain—

(1) the determination of the President as to the advisability of deploying the system; and

(2) if the President determines that the system should be deployed, a specification as to the preferred architecture for the system.

SEC. __3. SYSTEM ARCHITECTURE.

The national missile defense system developed under section __2 for possible deployment shall contain the following elements:

(1) An interceptor system that—

(A) utilizes a kinetic kill vehicle in development as of the date of enactment of this Act that is delivered by the Minuteman III missile system in existence as of such date;

(B) could be deployed in existing Minuteman III missile silos within the deployment area permitted under the ABM Treaty; and

(C) could consist of between 20 and 100 operational interceptors.

(2) Early warning ground-based radar utilizing ground-based radars in existence as of such date, or modifications or upgrades of such radars.

(3) To the maximum extent practicable, battle management, command, control, and communications systems in existence as of such date, or modifications or upgrades of such systems.

SEC. __4. IMPLEMENTATION OF DEVELOPMENT.

The Secretary of Defense shall—

(1) initiate promptly such preparatory and planning actions as are necessary to ensure that the national missile defense system developed under section __2 is deployable in accordance with subsection (a) of that section;

(2) not later than September 30, 2000, conduct an integrated systems test of the system; and

(3) prescribe such policies and procedures (including acquisition policies and procedures) as are necessary to eliminate unnecessary costs and inefficiencies in the development of the system.

SEC. __5. REPORT ON PLAN FOR DEVELOPMENT AND DEPLOYMENT.

(a) REQUIREMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Defense shall submit to Congress a report on the Secretary's plan for the development and deployment of the national missile defense system referred to in section __2.

(b) REPORT ELEMENTS.—The report shall include—

(1) the Secretary's plan for meeting the requirements of this subtitle, including a detailed description of the system architecture selected for development; and

(2) the Secretary's estimate of the funds required for research, development, test, and evaluation, and for procurement, in each of fiscal years 1998 through 2003 in order to ensure that the system is deployable in accordance with section __2(a).

SEC. __6. POLICY REGARDING THE ABM TREATY.

(a) POLICY.—It is the policy of the United States that—

(1) the ABM Treaty remains the foundation of stability among the nuclear powers and must not be abrogated or fundamentally altered;

(2) any United States national missile defense system raises concerns about United States compliance with the ABM Treaty; and

(3) the President should undertake such consultations with the Russian Federation as are necessary to achieve an agreement between the United States and the Russian

Federation on an amendment or clarification of the ABM Treaty in order to permit the deployment of the national missile defense system referred to in section __2.

(b) REVIEW OF SYSTEM.—In light of the policy set forth in subsection (a), it is the sense of Congress that the President initiate immediately a full review of the implications of the development and deployment of the national missile defense system referred to in section __2 on United States compliance with the ABM Treaty. The review should address any modifications to the system that may be required in order to ensure that the system meets United States obligations under the ABM Treaty.

(c) REPORT ON CONSULTATIONS.—The President shall include an assessment of the results, if any, of the consultations undertaken under subsection (a)(3) in the report submitted under section __2(c).

SEC. __7. DEFINITION.

In this subtitle, the term ''ABM Treaty'' means the Treaty Between the United States and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems, signed at Moscow on May 26, 1972, and includes the Protocols to that Treaty, signed at Moscow on July 3, 1974.

REID AMENDMENT NO. 737

(Ordered to lie on the table.)

Mr. REID submitted an amendment intended to be proposed by him to the bill, S. 936, supra; as follows:

On line 10, page 44, insert after ''$50,000,000'' the following: ''and shall include not less than $2,000,000 to be authorized for technology development for detecting, locating, and removing the threat of abandoned landmines and for operation of a test and evaluation facility at the Nevada Test Site for countermine proof-of-concept testing and performance evaluation.''

ALLARD AMENDMENT NO. 738

(Ordered to lie on the table.)

Mr. ALLARD submitted an amendment intended to be proposed by him to amendment No. 701 submitted by Mr. CAMPBELL to the bill, S. 936, supra; as follows:

Beginning on page 2, strike out line 14 and all that follows through ''any well,'' on page 4, line 22, and insert in lieu thereof the following:

Number 1 for purposes of mineral leasing and multiple use management.

''(2) Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 1998, the Secretary of Energy shall transfer to the Secretary of the Interior administrative jurisdiction over those public domain lands included within the developed tract of Oil Shale Reserve Numbered 3, which consists of approximately 6,000 acres and 24 natural gas wells, together with pipelines and associated facilities.

''(3)(A) Except as provided in subparagraph (B), the Secretary of Energy shall continue after the transfer of administrative jurisdiction over public domain lands within an oil shale reserve under this subsection to be responsible for taking any actions that are necessary to ensure that the oil shale reserve is in compliance with the requirements of Federal and State environmental laws that are applicable to the reserve.

''(B) The responsibility of the Secretary of Energy with respect to public domain lands of an oil shale reserve under subparagraph (A) shall terminate upon certification by the Secretary to the Secretary of the Interior that the oil shale reserve is in compliance with the requirements of Federal and State environmental laws that are applicable to the reserve.

''(4) Upon the transfer to the Secretary of the Interior of jurisdiction over public domain lands under this subsection, the other sections of this chapter shall cease to apply with respect to the transferred lands.

''(b) AUTHORITY TO LEASE.—(1) Beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 1998, or as soon thereafter as practicable, the Secretary of the Interior shall enter into leases with one or more private entities for the purpose of exploration for, and development and production of, petroleum (other than in the form of oil shale) located on or in public domain lands in Oil Shale Reserve Numbered 1 and the developed tract of Oil Shale Reserve Numbered 3. Any such lease shall be made in accordance with the requirements of the Act entitled ''An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain'', approved February 25, 1920 (commonly known as the ''Mineral Leasing Act'') (30 U.S.C. 181 et seq.), regarding the lease of oil and gas lands and shall be subject to valid existing rights.

''(2) Notwithstanding the delayed transfer of the developed tract of Oil Shale Reserve Numbered 3 under subsection (a)(2), the Secretary of the Interior shall enter into a lease under paragraph (1) with respect to the developed tract before the end of the one-year period beginning on the date of the enactment of this section.

''(c) MANAGEMENT.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall manage the lands transferred under subsection (a) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other laws applicable to the public lands.

''(d) TRANSFER OF EXISTING EQUIPMENT.—The lease of lands by the Secretary of the Interior under this section may include the transfer, at fair market value, of any well, production facility,

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BAUCUS AMENDMENT NO. 739

(Ordered to lie on the table.)

Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill, S. 936, supra; as follows:

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

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

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

(2) The authority in paragraph (1) applies to the following real property:

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

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

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

(1) That the Corporation—

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

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

(2) That the Corporation—

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

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

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

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

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

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

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

(3) That the Corporation—

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

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

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

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

(e) FUNDING FOR COSTS OF CORPORATION ASSOCIATED WITH CONVEYANCES.—Of the amounts authorized to be appropriated by this Act, the Secretary shall make available to the Corporation such sums as the Secretary and the Corporation jointly agree are necessary to cover the costs of the Corporation in meeting the conditions specified in subsection (b).

MURKOWSKI AMENDMENT NO. 740

(Ordered to lie on the table.)

Mr. MURKOWSKI submitted an amendment intended to be proposed by him to amendment No. 630 submitted by him to the bill, S. 936, supra; as follows:

Beginning on line 8, strike ''If the Secretary'' and all that follows and insert the following: ''If the Secretary purchases a facility for the production of tritium, the Nuclear Regulatory Commission shall have licensing and related regulatory authority pursuant to chapters 6, 7, 8, and 10 of this Act, and the Secretary shall be a person for purposes of section 103 of this Act, with respect to that facility.''.

SMITH OF NEW HAMPSHIRE AMENDMENT NO. 741

(Ordered to lie on the table.)

Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill, S. 936, supra; as follows:

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

SEC. 1009. INCREASED AMOUNTS FOR CHEMICAL AND BIOLOGICAL DEFENSE COUNTERPROLIFERATION PROGRAMS.

(a) INCREASE.—Notwithstanding any other provision of this Act the amount authorized to be appropriated under section 104 for chemical and biological defense counterproliferation programs is hereby increased by $67,000,000.

(b) DECREASE.—Notwithstanding any other provision of this Act, the total amount authorized to be appropriated under section 301(4) for Air Force Operations & Maintenance is hereby decreased by $51,000,000.

FAIRCLOTH AMENDMENT NO. 742

(Ordered to lie on the table.)

Mr. FAIRCLOTH submitted an amendment intended to be proposed by him to amendment No. 608 proposed by Mr. THURMOND to the bill, S. 936, supra; as follows:

Strike out all after the section heading and insert in lieu thereof the following:

Of the amount authorized to be appropriated under section 201(3), $1,651,000,000 is available for engineering manufacturing and development under the F–22 aircraft program.

SEC. 221. MULTITECHNOLOGY INTEGRATION IN MIXED-MODE ELECTRONICS.

(a) AMOUNT FOR PROGRAM.—Of the amount authorized to be appropriated under section 201(4), $9,000,000 is available for Multitechnology Integration in Mixed-Mode Electronics.

(b) ADJUSTMENTS TO AUTHORIZATIONS OF APPROPRIATIONS.—(1) The amount authorized to be appropriated under section 201(4) is hereby increased by $9,000,000.

(2) The amount authorized to be appropriated under section 2204(a)(2) is reduced by $9,000,000.

CRAIG AMENDMENT NO. 743

(Ordered to lie on the table.)

Mr. CRAIG submitted an amendment intended to be proposed by him to the bill, S. 936, supra; as follows:

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

SEC. 535. COLD WAR SERVICE MEDAL.

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

"§ 1131. Cold War service medal

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

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

''(1) A person who—

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

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

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

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

''(2) A person who—

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

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

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

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

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

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

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

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

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

(b) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by adding at the end the following: ''Sec. 1131. Cold War service medal.''.

THURMOND AMENDMENT NO. 744

Mr. THURMOND proposed an amendment to the bill, S. 936, supra; as follows:

At the end of title VII, add the following:

SEC. 708. CHIROPRACTIC HEALTH CARE DEMONSTRATION PROGRAM.

(a) TWO-YEAR EXTENSION.—Subsection (b) of section 731 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2809; 10 U.S.C. 1092 note) is amended by striking out ''1997'' and inserting in lieu thereof ''1999''.

(b) EXPANSION TO AT LEAST THREE ADDITIONAL TREATMENT FACILITIES.—Subsection (a)(2) of such section is amended by striking out ''not less than 10'' and inserting in lieu thereof ''the National Naval Medical Center, the Walter Reed Army Medical Center, and not less than 11 other''

(c) REPORTS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking out ''Committees on Armed Services of the Senate and'' and inserting in lieu thereof ''Committee on Armed Services of the Senate and the Committee on National Security of'';

(2) by redesignating paragraph (3) as paragraph (4);

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3)(A) Not later than January 30, 1998, the Secretary of Defense shall submit to the committees referred to in paragraph (1) a report that identifies the additional treatment facilities designated to furnish chiropractic care under the program that were not so designated before the report required by paragraph (1) was prepared, together with the plan for the conduct of the program at the additional treatment facilities.

''(B) Not later than May 1, 1998, the Secretary of Defense shall modify the plan for evaluating the program submitted pursuant to paragraph (2) in order to provide for the evaluation of the program at all of the designated treatment facilities, including the treatment facilities referred to in subparagraph (B).''; and

(4) in paragraph (4), as redesignated by paragraph (2), by striking out ''The Secretary'' and inserting in lieu thereof ''Not later than May 1, 2000, the Secretary''.

HELMS AMENDMENT NO. 745

Mr. THURMOND (for Mr. HELMS) proposed an amendment to the bill, S. 936, supra; as follows:

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

SEC. 1075. DONATION OF EXCESS ARMY CHAPEL PROPERTY TO CHURCHES DAMAGED OR DESTROYED BY ARSON OR OTHER ACTS OF TERRORISM.

(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of the Army may donate property described in subsection (b) to an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is a religious organization in order to assist the organization in restoring or replacing property of the organization that has been damaged or destroyed as a result of an act of arson or terrorism, as determined pursuant to procedures prescribed by the Secretary.

(b) PROPERTY COVERED.—The property authorized to be donated under subsection (a) is furniture and other property that is in, or formerly in, chapels closed or being closed and is determined as being excess to the requirements of the Army. No real property may be donated under this section.

(c) DONEES NOT TO BE CHARGED.—No charge may be imposed by the Secretary on a donee of property under this section in connection with the donation. However, the donee shall defray any expense for shipping or other transportation of property donated under this section from the location of the property when donated to any other location.

JEFFORDS AMENDMENT NO. 746

Mr. THURMOND (for Mr. HELMS) proposed an amendment to the bill, S. 936, supra; as follows:

On page 84, after line 23, add the following:

SEC. 340. PROCUREMENT OF RECYCLED COPIER PAPER.

(a) REQUIREMENT.—(1) Except as provided in subsection (b), a department or agency of the Department of Defense may not procure copying machine paper after a date set forth in paragraph (2) unless the percentage of post-consumer recycled content of the paper meets the percentage set forth with respect to such date in that paragraph.

(2) The percentage of post-consumer recycled content of paper required under paragraph (1) is as follows:

(A) 20 percent as of January 1, 1998.

(B) 30 percent as of January 1, 1999.

(C) 50 percent as of January 1, 2004.

(b) EXCEPTIONS.—A department or agency may procure copying machine paper having a percentage of post-consumer recycled content that does not meet the applicable requirement in subsection (a) if—

(1) the cost of procuring copying machine paper under such requirement would exceed by more than 7 percent the cost of procuring copying machine paper having a percentage of post-consumer recycled content that does not meet such requirement;

(2) copying machine paper having a percentage of post-consumer recycled content

meeting such requirement is not reasonably available within a reasonable period of time;

(3) copying machine paper having a percentage of post-consumer recycled content meeting such requirement does not meet performance standards of the department or agency for copying machine paper; or

(4) in the case of the requirement in paragraph (2)(C) of that subsection, the Secretary of Defense makes the certification described in subsection (c).

(c) CERTIFICATION OF INABILITY TO MEET GOAL IN 2004.—If the Secretary determines that any department or agency of the Department will be unable to meet the goal specified in subsection (a)(2)(C) by the date specified in that subsection, the Secretary shall certify that determination to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives. The Secretary shall submit such certification, if at all, not later than January 1, 2003.

HARKIN (AND DURBIN) AMENDMENT NO. 747

Mr. LEVIN (for Mr. HARKIN, for himself and Mr. DURBIN) proposed an amendment to the bill, S. 936, supra; as follows:

On page 59, after line 14, add the following new paragraph (3):

''(3) The Secretary of a military department may conduct a pilot program, consistent with applicable requirements of law, to test any practices referred to in paragraph (2) that the Secretary determines could improve the efficiency and effectiveness of depot-level operations, improve the support provided by depot-level activities for the armed forces user of the services of such activities, and enhance readiness by reducing the time that it takes to repair equipment.''

On page 101, between lines 21 and 22, insert the following:

''(3) For the purposes of this section, the term 'best commercial inventory practice' includes a so-called prime vendor arrangement and any other practice that the Director determines will enable the Defense Logistics Agency to reduce inventory levels and holding costs while improving the responsiveness of the supply system to user needs.''

On page 268, line 8, strike out ''(L)'' and insert in lieu thereof the following:

''(L) Actions that can be taken to ensure that each comptroller position and each comparable position in the Department of Defense, whether filled by a member of the Armed Forces or a civilian employee, is filled by a person who, by reason of education, technical competence, and experience, has the core competencies for financial management.

''(M)''.

THOMPSON (AND GLENN) AMENDMENT NO. 748

Mr. THURMOND (for Mr. THOMPSON, for himself and Mr. GLENN) proposed an amendment to the bill, S. 936, supra; as follows:

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

SEC. ___. USE OF ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT.

(a) POLICY.—Section 30 of the Office of Federal Procurement Policy Act (41 U.S.C. 426) is amended to read as follows:

''SEC. 30. USE OF ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT.

''(a) IN GENERAL.—The head of each executive agency, after consulting with the Administrator, shall establish, maintain, and use, to the maximum extent that is practicable and cost-effective, procedures and processes that employ electronic commerce in the conduct and administration of its procurement system.

''(b) APPLICABLE STANDARDS.—In conducting electronic commerce, the head of an agency shall apply nationally and internationally recognized standards that broaden interoperability and ease the electronic interchange of information.

''(c) AGENCY PROCEDURES.—The head of each executive agency shall ensure that systems, technologies, procedures, and processes established pursuant to this section—

''(1) are implemented with uniformity throughout the agency, to the extent practicable;

''(2) facilitate access to Federal Government procurement opportunities, including opportunities for small business concerns, socially and economically disadvantaged small business concerns, and business concerns owned predominantly by women; and

''(3) ensure that any notice of agency requirements or agency solicitation for contract opportunities is provided in a form that allows convenient and universal user access through a single, government-wide point of entry.

''(d) IMPLEMENTATION.—The Administrator shall, in carrying out the requirements of this section—

''(1) issue policies to promote, to the maximum extent practicable, uniform implementation of this section by executive agencies, with due regard for differences in program requirements among agencies that may require departures from uniform procedures and processes in appropriate cases, when warranted because of the agency mission;

''(2) ensure that the head of each executive agency complies with the requirements of subsection (c) with respect to the agency systems, technologies, procedures, and processes established pursuant to this section; and

''(3) consult with the heads of appropriate Federal agencies with applicable technical and functional expertise, including the Office of Information and Regulatory Affairs, the National Institute of Standards and Technology, the General Services Administration, and the Department of Defense.

''(e) ELECTRONIC COMMERCE DEFINED.—For the purposes of this section, the term 'electronic commerce' means electronic techniques for accomplishing business transactions, including electronic mail or messaging, World Wide Web technology, electronic bulletin boards, purchase cards, electronic funds transfers, and electronic data interchange.''.

(b) REPEAL OF REQUIREMENTS FOR IMPLEMENTATION OF FACNET CAPABILITY.—Section 30A of the Office of Federal Procurement Policy Act (41 U.S.C. 426a) is repealed.

(c) REPEAL OF REQUIREMENT FOR GAO REPORT.—Section 9004 of the Federal Acquisition Streamlining Act of 1994 (41 U.S.C. 426a note) is repealed.

(d) REPEAL OF CONDITION FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES.—Section 31 of the Office of Federal Procurement Policy Act (41 U.S.C. 427) is amended—

(1) by striking out subsection (e); and

(2) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(e) AMENDMENTS TO PROCUREMENT NOTICE REQUIREMENTS.—(1) Section 8(g)(1) of the Small Business Act (15 U.S.C. 637(g)(1)) is amended—

(A) by striking out subparagraphs (A) and (B);

(B) by redesignating subparagraphs (C), (D), (E), (F), (G), and (H) as subparagraphs (B), (C), (D), (E), (F), and (G), respectively; and

(C) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) the proposed procurement is for an amount not greater than the simplified acquisition threshold and is to be conducted by—

''(i) using widespread electronic public notice of the solicitation in a form that allows convenient and universal user access through a single, governmentwide point of entry; and

''(ii) permitting the public to respond to the solicitation electronically.''.

(2) Section 18(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(c)(1)) is amended—

(A) by striking out subparagraphs (A) and (B);

(B) by redesignating subparagraphs (C), (D), (E), (F), (G), and (H) as subparagraphs (B), (C), (D), (E), (F), and (G), respectively; and

(C) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) the proposed procurement is for an amount not greater than the simplified acquisition threshold and is to be conducted by—

''(i) using widespread electronic public notice of the solicitation in a form that allows convenient and universal user access through a single, governmentwide point of entry; and

''(ii) permitting the public to respond to the solicitation electronically.''.

(3) The amendments made by paragraphs (1) and (2) shall be implemented in a manner consistent with any applicable international agreements.

(f) CONFORMING AND TECHNICAL AMENDMENTS.—(1) Section 5061 of the Federal Acquisition Streamlining Act of 1994 (41 U.S.C. 413 note) is amended—

(A) in subsection (c)(4)—

(i) by striking out ''the Federal acquisition computer network ('FACNET')'' and inserting in lieu thereof ''the electronic commerce''; and

(ii) by striking out ''(as added by section 9001)''; and

(B) in subsection (e)(9)(A), by striking out '', or by dissemination through FACNET,''.

(2) Section 5401 of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106; 40 U.S.C. 1501) is amended—

(A) in subsection (a)—

(i) by striking out ''through the Federal Acquisition Computer Network (in this section referred to as 'FACNET')''; and

(ii) by striking out the last sentence;

(B) in subsection (b)—

(i) by striking out ''ADDITIONAL FACNET FUNCTIONS.—'' and all that follows through ''(41 U.S.C. 426(b)), the FACNET architecture'' and inserting in lieu thereof ''FUNCTIONS.—(1) The system for providing on-line computer access''; and

(ii) in paragraph (2), by striking out ''The FACNET architecture'' and inserting in lieu there for ''The system for providing on-line computer access'';

(C) in subsection (c)(1), by striking out ''the FACNET architecture'' and inserting in lieu thereof ''the system for providing on-line computer access''; and

(D) by striking out subsection (d).

(3)(A) Section 2302c of title 10, United States Code, is amended to read as follows:

''§ 2302c. Implementation of electronic commerce capability

''(a) IMPLEMENTATION OF ELECTRONIC COMMERCE CAPABILITY.—(1) The head of each agency named in paragraphs (1), (5) and (6) shall implement the electronic commerce capability required by section 30 of the Office

of Federal Procurement Policy Act (41 U.S.C. 426).

''(2) The Secretary of Defense shall act through the Under Secretary of Defense for Acquisition and Technology to implement the capability within the Department of Defense.

''(3) In implementing the electronic commerce capability pursuant to paragraph (1), the head of an agency referred to in paragraph (1) shall consult with the Administrator for Federal Procurement Policy.

''(b) DESIGNATION OF AGENCY OFFICIAL.—The head of each agency named in paragraph (5) or (6) of section 2303 of this title shall designate a program manager to implement the electronic commerce capability for that agency. The program manager shall report directly to an official at a level not lower than the senior procurement executive designated for the agency under section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3)).''.

(B) Section 2304(g)(4) of such title 10 is amended by striking out ''31(g)'' and inserting in lieu thereof ''31(f)''.

(4)(A) Section 302C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252c) is amended to read as follows:

''SEC. 302C. IMPLEMENTATION OF ELECTRONIC COMMERCE CAPABILITY.

''(a) IMPLEMENTATION OF ELECTRONIC COMMERCE CAPABILITY.—(1) The head of each executive agency shall implement the electronic commerce capability required by section 30 of the Office of Federal Procurement Policy Act (41 U.S.C. 426).

''(2) In implementing the electronic commerce capability pursuant to paragraph (1), the head of an executive agency shall consult with the Administrator for Federal Procurement Policy.

''(b) DESIGNATION OF AGENCY OFFICIAL.—The head of each executive agency shall designate a program manager to implement the electronic commerce capability for that agency. The program manager shall report directly to an official at a level not lower than the senior procurement executive designated for the executive agency under section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3)).''.

(B) Section 303(g)(5) of the Federal Property and Administrative Services Act (41 U.S.C. 253(g)(5)) is amended by striking out ''31(g)'' and inserting in lieu thereof ''31(f)''.

(h) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), the amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

(2) The repeal made by subsection (c) of this section shall take effect on the date of the enactment of this Act.

SEC. ___. CONFORMANCE OF POLICY ON PERFORMANCE BASED MANAGEMENT OF CIVILIAN ACQUISITION PROGRAMS WITH POLICY ESTABLISHED FOR DEFENSE ACQUISITION PROGRAMS.

(a) PERFORMANCE GOALS.—Section 313(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 263(a)) is amended to read as follows:

''(a) CONGRESSIONAL POLICY.—It is the policy of Congress that the head of each executive agency should achieve, on average, 90 percent of the cost, performance, and schedule goals established for major acquisition programs of the agency.''.

(b) CONFORMING AMENDMENT TO REPORTING REQUIREMENT.—Section 6(k) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(k)) is amended by inserting ''regarding major acquisitions that is'' in the first sentence after ''policy''.

SEC. ___. MODIFICATION OF PROCESS REQUIREMENTS FOR THE SOLUTIONS-BASED CONTACTING PILOT PROGRAM.

(a) SOURCE SELECTION.—Paragraph (9) of section 5312(c) of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106; 40 U.S.C. 1492(c)) is amended—

(1) in subparagraph (A), by striking out '', and ranking of alternative sources,'' and inserting in lieu thereof ''or sources,'';

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting ''(or a longer period, if approved by the Administrator)'' after ''30 to 60 days'';

(B) in clause (i), by inserting ''or sources'' after ''source''; and

(C) in clause (ii), by striking out ''that source'' and inserting in lieu thereof ''the source whose offer is determined to be most advantageous to the Government''; and

(3) in subparagraph (C), by striking out ''with alternative sources (in the order ranked)''.

(b) TIME MANAGEMENT DISCIPLINE.—Paragraph (12) of such section is amended by inserting before the period at the end the following: '', except that the Administrator may approve the application of a longer standard period''.

GRAHAM AMENDMENT NO. 749

Mr. LEVIN (for Mr. GRAHAM) proposed an amendment to the bill, S. 936, supra; as follows:

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

SEC. 10 . REPORT ON THE COMMAND SELECTION PROCESS FOR DISTRICT ENGINEERS OF THE ARMY CORPS OF ENGINEERS.

(a) FINDINGS.—Congress finds that—

(1) the Army Corps of Engineers—

(A) has served the United States since the establishment of the Corps in 1802;

(B) has provided unmatched combat engineering services to the Armed Forces and the allies of the United States, both in times of war and in times of peace;

(C) has brilliantly fulfilled its domestic mission of planning, designing, building, and operating civil works and other water resources projects;

(D) must remain constantly ready to carry out its wartime mission while simultaneously carrying out its domestic civil works mission; and

(E) continues to provide the United States with these services in projects of previously unknown complexity and magnitude, such as the Everglades Restoration Project and the Louisiana Wetlands Restoration Project;

(2) the duration and complexity of these projects present unique management and leadership challenges to the Army Corps of Engineers;

(3) the effective management of these projects is the primary responsibility of the District Engineer;

(4) District Engineers serve in that position for a term of 2 years and may have their term extended for a third year on the recommendation of the Chief of Engineers; and

(5) the effectiveness of the leadership and management of major Army Corps of Engineers projects may be enhanced if the timing of District Engineer reassignments were phased to coincide with the major phases of the projects.

(b) REPORT.—Not later than March 31, 1998, the Secretary of Defense shall submit a report to Congress that contains—

(1) an identification of each major Army Corps of Engineers project that—

(A) is being carried out by each District Engineer as of the date of the report; or

(B) is being planned by each District Engineer to be carried out during the 5-year period beginning on the date of the report;

(2) the expected start and completion dates, during that period, for each major phase of each project identified under paragraph (1);

(3) the expected dates for leadership changes in each Army Corps of Engineers District during that period;

(4) a plan for optimizing the timing of leadership changes so that there is minimal disruption to major phases of major Army Corps of Engineers projects; and

(5) a review of the impact on the Army Corps of Engineers, and on the mission of each District, of allowing major command tours of District Engineers to be 2 to 4 years in duration, with the selection of the exact timing of the change of command to be at the discretion of the Chief of Engineers who shall act with the goal of optimizing the timing of each change so that it has minimal disruption on the mission of the District Engineer.

SANTORUM (AND LIEBERMAN) AMENDMENT NO. 750

Mr. THURMOND (for Mr. SANTORUM, for himself and Mr. LIEBERMAN) proposed an amendment to the bill, S. 936, supra; as follows:

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

SEC. 844. TWO-YEAR EXTENSION OF APPLICABILITY OF FULFILLMENT STANDARDS FOR DEFENSE ACQUISITION WORKFORCE TRAINING REQUIREMENTS.

Section 812(c)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2451; 10 U.S.C. 1723 note) is amended by striking out ''October 1, 1997'' and inserting in lieu thereof ''October 1, 1999''.

HARKIN (AND KEMPTHORNE) AMENDMENT NO. 751

Mr. LEVIN (for Mr. HARKIN, for himself and Mr. KEMPTHORNE) proposed an amendment to the bill, S. 936, supra; as follows:

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

SEC. 664. SUBSISTENCE OF MEMBERS OF THE ARMED FORCES ABOVE THE POVERTY LEVEL.

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

(1) The morale and welfare of members of the Armed Forces and their families are key components of the readiness of the Armed Forces.

(2) Several studies have documented significant instances of members of the Armed Forces and their families relying on various forms of income support under programs of the Federal Government, including assistance under the Food Stamp Act of 1977 (7 U.S.C. 2012(o)) and assistance under the special supplemental nutrition program for women, infants, and children under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should strive—

(1) to eliminate the need for members of the Armed Forces and their families to subsist at, near, or below the poverty level; and

(2) to improve the wellbeing and welfare of members of the Armed Forces and their families by implementing, and programming full funding for, programs that have proven effective in elevating the standard of living of members and their families significantly above the poverty level.

(c) STUDY REQUIRED.—(1) The Secretary of Defense shall conduct a study of members of the Armed Forces and their families who subsist at, near, or below the poverty level.

(2) The study shall include the following:

(A) An analysis of potential solutions for mitigating or eliminating the need for members of the Armed Forces and their families to subsist at, near, or below the poverty level, including potential solutions involving changes in the systems and rates of basic allowance for subsistence, basic allowance for quarters, and variable housing allowance.

(B) Identification of the populations most likely to need income support under Federal Government programs, including—

(i) the populations living in areas of the United States where housing costs are notably high;

(ii) the populations living outside the United States; and

(iii) the number of persons in each identified population.

(C) The desirability of increasing rates of basic pay and allowances over a defined period of years by a range of percentages that provides for higher percentage increases for lower ranking personnel than for higher ranking personnel.

(d) IMPLEMENTATION OF DEPARTMENT OF DEFENSE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR PERSONNEL OUTSIDE THE UNITED STATES.—(1) Section 1060a(b) of title 10, United States Code, is amended to read as follows:

''(b) FEDERAL PAYMENTS AND COMMODITIES.—For the purpose of obtaining Federal payments and commodities in order to carry out the program referred to in subsection (a), the Secretary of Agriculture shall make available to the Secretary of Defense the same payments and commodities as are made for the special supplemental food program in the United States under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786). Funds available for the Department of Defense may be used for carrying out the program under subsection (a).''.

(2) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report regarding the Secretary's intentions regarding implementation of the program authorized under section 1060a of title 10, United States Code, including any plans to implement the program.

WARNER AMENDMENT NO. 752

(Ordered to lie on the table.)

Mr. WARNER submitted an amendment intended to be proposed by him to the bill, S. 935, supra; as follows:

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

SEC. 557. GRADE OF DEFENSE ATTACHÉ IN FRANCE.

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

MURKOWSKI AMENDMENT. NO. 753

Mr. MURKOWSKI proposed an amendment to the bill, S. 936, supra; as follows:

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

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

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

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

(1) a description of each option evaluated;

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

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

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

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

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

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that the nominations of Robert G. Stanton to be Director, National Park Service and Kneeland C. Youngblood to be a member of the U.S. Enrichment Corporation will be considered at the hearing scheduled for Thursday, July 17, 1997, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

For further information, please call Camille Flint at (202) 224–5070.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources.

The hearing will take place Tuesday, July 22, 1997, at 9 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to review the Department of the Interior's handling of the Ward Valley land conveyance, the findings of a new General Accounting Office [GAO] report on the issue, and to receive testimony on S. 964, the Ward Valley Land Transfer Act.

Those wishing to submit written statements should contact David Garman of the committee staff at (202) 224–8115.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. THURMOND. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Tuesday, July 8, 1997, at 9 a.m. in SR–328A to receive testimony regarding rural electric loan portfolio and electricity deregulation.

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

COMMITTEE ON ARMED SERVICES

Mr. THURMOND. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, July 8, 1997, at 2:15 p.m. in executive session, to consider the nomination of Gen. Wesley K. Clark, USA, to be Commander-in-Chief, U.S. European Command.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. THURMOND. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee special investigation to meet on Tuesday, July 8, at 10 a.m. for a hearing on campaign financing issues.

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

SUBCOMMITTEE ON ADMINISTRATION OVERSIGHT AND THE COURTS

Mr. THURMOND. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts, of the Senate Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, July 8, 1997, at 9:30 a.m. to hold a hearing in room 226, Senate Dirksen Building, on: ''Oversight of the administrative process for disposing of Government surplus parts and equipment.''

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

SUBCOMMITTEE ON AFRICAN AFFAIRS

Mr. THURMOND. Mr. President, I ask unanimous consent that the African Affairs Subcommittee of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 8, 1997, at 10 a.m. to hold a hearing.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. THURMOND. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations to authorized to meet during the session of the Senate on Tuesday, July 8, 1997, at 2:30 p.m. to hold a hearing.

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

ADDITIONAL STATEMENTS

SPECIAL THANKS TO THE TASTY BAKING CO. OF PHILADELPHIA

• Mr. SANTORUM. Mr. President, I would like to take a few moments of Senate business to give a special word of thanks to the Tasty Baking Co. for

its generosity to some very special inner-city children.

As many of my colleagues may recall, the Philadelphia Flyers recently faced the Detroit Red Wings in the Stanley Cup Finals. To make the game a bit more interesting, Senator ABRAHAM and I placed a friendly wager on the outcome. Unlike most interests in this series, the junior Senator from Michigan and I each picked a food donor and an inner-city school that would receive a complimentary party. If the Flyers lost, the Tasty Bakery agreed to donate 800 Tastykakes—400 to Warren G. Harding Elementary School in Detroit and 400 to William Penn High School in Philadelphia. If the Red Wings lost, Little Caesars Pizza would give a pizza party to both schools. Regardless of the outcome, the children stood to win.

Mr. President, I'm sorry to say that the Flyers did not bring the Stanley Cup back home to Pennsylvania. So, on June 16, the students of William Penn enjoyed their complimentary Tastykakes and Crazy Bread—which Little Caesars graciously donated despite the Red Wings' victory. Recently, the children of Warren G. Harding Elementary celebrated their victory party.

In closing, I would like to thank Little Caesars and the men and women at the Tasty Bakery for making these parties possible. I would particularly like to thank Kathleen Grim, Tasty Bakery's manager of community affairs, for coordinating this effort. I ask my colleagues to join me in extending the Senate's best wishes for continued success to the Tasty Bakery in Philadelphia, PA.●

SAFER SCHOOLS ACT OF 1997

● Mrs. FEINSTEIN. Mr. President, I rise today to urge my colleagues to support legislation introduced by Senator BYRON DORGAN and myself—the Safer Schools Act of 1997—which will ensure that students who bring guns to school can be suspended.

This legislation was originally introduced late last session in reaction to a startling ruling by an appellate court in New York that said a student should not have been suspended from school because the weapon he was carrying was uncovered during a search without a warrant.

We have reached a crisis in this country—a crisis which makes it difficult for parents to see their children off to school in the morning, for fear they will never see them again.

Each day in America, it is estimated that 100,000 guns are brought into American schools. According to the Centers for Disease Control, 2 in 25 high school students, or 7.9 percent, report having carried a gun in the last 30 days. In Los Angeles, according to an ACLU survey conducted earlier this year, 49 percent of high school students said they have seen a weapon in school, many of them guns.

In response to these types of alarming figures, Senator DORGAN and I introduced the Gun Free Schools Act in 1994 to set a zero-tolerance policy to keep America's schools gun-free. The goal of this legislation was to remove firearms from all public schools in the United States.

Although we still have a way to go to make all schools gun-free, this zero-tolerance policy is working to make our schools safer. A preliminary report recently released from the U.S. Department of Education provides irrefutable proof that this law is well on its way toward meeting this important goal. I am told that a full report on all the States will be due out sometime later this summer.

The Gun Free Schools Act has been responsible for the expulsions of more than 6,276 students in 29 States caught during the 1995–96 school year for trying to carry guns to school. This means there were 6,276 fewer opportunities for a child to be killed or injured by gunfire at school in the United States. According to the California Department of Education, there were 1,039 firearms-related expulsions in public schools in California during this same period. The entire State of California has 1,043 school districts. Amazingly, this translates into an average of one expulsion for every district in my State.

Today, each and every one of the 50 States and the District of Columbia have complied with the Gun Free Schools Act by passing laws requiring schools to expel—for at least 1 year—students who are caught carrying a gun.

But the ruling of an appellate court in New York threatens to undermine the progress we have made in setting a zero-tolerance policy for guns in schools.

The appellate court in this particular case applied the same evidentiary standards that apply to criminal proceedings in what was a school disciplinary action. The school, however, refused to lift the student's suspension and as a result, their action was upheld by the State Court of Appeals.

Mr. President, I believe that common sense was cast aside with the appellate court ruling. Incredibly, what the appellate court's decision said was that this student should not have been expelled from school and that his record should be expunged from any wrongdoing in the case.

Our legislation states very clearly that the exclusionary rule should not be applied in school disciplinary proceedings. What the legislation says is that you cannot exclude a gun as evidence in a disciplinary action in school.

This common-sense legislation does not violate the constitutional rights of children. This bill does not exonerate school officials who conduct unreasonable or unlawful searches and persons who have been aggrieved will have every right to pursue judicial or statutory remedies available.

The Safer Schools Act of 1997 will prevent kids who do bring a gun to school from slipping through a school's reasonable disciplinary process.

Fortunately, last September's court ruling that a gun can be excluded from use as evidence in an internal school disciplinary proceeding was ultimately reversed. But a similar ruling could be made in another State.

This legislation would send a clear signal that guns have no place in the hands of our children or in the hallways and classrooms of their schools. All children should be able to go to school without fearing for their safety.

This legislation also would say to school administrators throughout the Nation that it is perfectly legitimate to conduct a disciplinary proceeding in cases where a student has brought a gun to school. The schools can conduct a fair and reasonable proceeding that allows them to ensure the safety of their school grounds.

The bottom line is that the Gun Free Schools Act has helped reduce the threat of guns from our Nation's schools. With the Safer Schools Act of 1997, we give school officials and teachers much needed flexibility to ensure that America's schools are safe havens so that children can escape the violence that engulfs so many of their lives.

I urge my colleagues to support this legislation.●

TRIBUTE TO NEW HAMPSHIRE'S 368TH ENGINEER BATTALION ON THEIR 50TH ANNIVERSARY

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to New Hampshire's 368th Engineer Battalion as they celebrate their 50th anniversary at a gala celebration in Manchester on July 19th.

Mr. President, I wish to honor the nearly 1,000 men and women of New Hampshire's 368th Engineer Battalion who are known as much for their efforts in international peace building campaigns as their wartime readiness. They have earned an enviable reputation from their community action projects that include building roads, bridges, schools, hospitals to disaster relief projects.

The 368th Engineer Battalion was formed in 1947 from engineer and heavy maintenance units. The battalion has been headquartered in Concord and Manchester and they have also had units in Laconia, Rochester, Gilford, West Lebanon, NH, as well as White River Junction, VT, and Attleboro and Danvers, MA.

The 368th Battalion has made a substantial contribution to the quality of life for residents of the Granite State. The Engineer Battalion has developed disaster relief models for such disasters as the recent Alton, NH dam breach where the unit played a critical role in clearing flood debris, stabilizing erosion and restoring local transportation facilities for the residents of the small

Lakes Region community, which I and the citizens of Alton are very thankful for their exceptional work in that time of crisis. Helping others is the cornerstone of the 368th Engineer Battalion, making the Granite State a safer place to live and raise a family.

The 368th has seen their share of service on foreign soils in their 50-year history, where they have lived and cooperated with the civilian community including the countries of Italy, Germany, Honduras, Guatemala, Korea, and Kenya. They have continued their community action projects in building clinics, roads, and sanitation facilities which have had long term impact on the quality of civilian life and health for the people of the world.

The decision by the U.S. Government to invest $17 million to create a new joint service reserve center at Manchester Airport is a testament to the professionalism and commitment to excellence embodied in the 368th. The facility will enable the 368th to continue serving our Nation with distinction well into the next century.

I commend New Hampshire's 368th Engineer Battalion for their dedication to the community which is the embodiment of the American ideal. People like the members of the 368th are the backbone of their communities and our Nation. I am proud to represent them in the U.S. Senate. Happy 50th anniversary.●

TRIBUTE TO NEW JERSEY WORLD WAR II HEROES

● Mr. TORRICELLI. Mr. President, I rise today to acknowledge the courage and sacrifice of 2d Lt. George A. Ward, of Hoboken, and S. Sgt. William Drager, of Hackettstown, NJ. Lieutenant Ward was the bombadier and Sergeant Drager the gunner on a B–24J airplane during World War II flying missions out of a base near Liuzhou, China.

On August 31, 1944, Lieutenant Ward, Sergeant Drager and eight other crewmen off for what would be their second and final mission. The bomber successfully attacked Japanese ships and dropped mines near Taiwan before heading back to base. However, the plane was diverted because their base was under attack, and bad weather at the alternate landing site resulted in orders to circle while awaiting clearance to land.

They never made it. Their B–24 crashed into a cliff 6,000 feet up the side of Maoer Mountain, southern China's highest peak, where dense bamboo and grotto-like slashes in the granite face swallowed the wreckage and the bodies of all 10 crewmen.

The crash site lay undisturbed for 52 years until two Chinese farmers hunting for wild herbs found it last October. The discovery finally solved the mystery of what happened to the crew, and brought both some comfort and renewed heartache to the families of the airmen.

As we approach the 221st anniversary of our Nation's independence, it is appropriate that we remember the bravery and commitment of individuals like Lieutenant Ward and Sergeant Drager. We continue to enjoy the freedoms that we have cherished since the founding of the Republic because of the sacrifice of millions of courageous men and women who heeded the call to duty when our Nation needed them.

America is profoundly thankful for the patriotism of these men, and for this reason I stand today to recognize them for their accomplishments.●

TRIBUTE TO DR. RUTH WRIGHT HAYRE

● Mr. SANTORUM. Mr. President, I rise today to honor Dr. Ruth Wright Hayre upon her retirement as president of the Philadelphia School District's Board of Education.

Dr. Hayre is a remarkable woman whose successful career was built on the strong work ethic she developed early in life. At the age of 15, Dr. Hayre graduated with honors from West Philadelphia High School. After winning the mayor's scholarship to the University of Pennsylvania, she earned both her undergraduate and graduate degrees.

Once Ruth completed her studies, she began a distinguished career in the field of education. Dr. Hayre's teaching career began at Arkansas State College, but eventually, Ruth returned to Philadelphia to teach English at Sulzberger Junior High School. At William Penn High School, she was promoted from teacher to vice principal and then to principal. Dr. Hayre's achievements are even more impressive considering that she was the very first African-American teacher in the Philadelphia school system, the first African-American high school teacher, and the first African-American principal of a Philadelphia senior high school. Still, this was only the beginning. Ruth rose to the position of superintendent of district four. Once again, her list of firsts grew, since she was the first African-American superintendent of a Philadelphia public school. On December 2, 1985, she received an appointment to the Philadelphia Board of Education. Five years later, Dr. Hayre was unanimously elected president of the board—becoming the first female to hold this position. In 1991, she was reelected as president of the board. Moreover, she has taught a course in urban education and administration at the University of Pennsylvania. After years of dedication to the children of Philadelphia, she is retiring this year.

In addition to her commitment to education, Ruth has served her community in numerous other ways. She has served on the boards of many prestigious organizations including Blue Cross, the Philadelphia Council of Boy Scouts, the Afro-American Historical and Cultural Museum, the Educational Alumni of the University of Pennsylvania, and most currently, the Dr. Ruth W. Hayre Scholarship Fund. Dr. Hayre is also actively involved in religious, civic, and community service organizations such as the Northeasterners, the Coalition of 100 Black Women, and the Alpha Kappa Alpha sorority.

Dr. Hayre has received numerous awards and commendations for her contributions to the field of education. For instance, the Governor of Pennsylvania honored her as a Distinguished Daughter of Pennsylvania for establishing the Wings to Excellence Program at William Penn High School. Likewise, she received the Philadelphia Award for her efforts to provide quality education for all. The University of Pennsylvania and Temple University have each granted her honorary doctoral degrees. Similarly, she received national recognition for establishing a fund at Temple University to provide college tuition for 119 graduates of the sixth grade classes of the Kenderton and Wright Schools who complete high school and are admitted to an accredited college. All of her achievements notwithstanding, Dr. Hayre once remarked that her greatest accomplishment was, ''Being a wife, a mother, and a grandmother.''

Mr. President, Dr. Hayre is truly a great American. She has dedicated her life to one of the single most important vocations—educating young people. I ask my colleagues to join me in honoring Dr. Ruth W. Hayre for her lifelong accomplishments and in extending the Senate's best wishes for continued happiness as she retires.●

REV. ROSCOE C. WILSON

● Mr. HOLLINGS. Mr. President, I rise today in recognition of one of South Carolina's finest citizens, Rev. Roscoe C. Wilson, pastor of Saint John Baptist Church in Columbia. For the past 50 years, Reverend Wilson has presided over the same church and during this time, the congregation has increased from 150 to over 800 members.

Roscoe Wilson began his career of public service very early. In 1942, after graduation from high school, he joined the U.S. Army where he served for the next 4½ years. Upon his discharge in 1946, young Roscoe moved to Columbia, SC, and entered Benedict College where he earned his bachelor of arts and bachelor of divinity degrees. It was there that he met his future wife, the late Ethel Celeste Williams.

In 1948, at an unusually tender age, Roscoe Wilson was appointed pastor of Saint John Baptist Church. Together Roscoe and Ethel Wilson built a strong parish and became part of the tightly knit Benedict College community. Ethel Wilson worked at the college and was fondly named ''Ma'' by the students. The Wilsons often provided housing for out-of-town students who were unable to afford a room on campus. Reverend Wilson still refers to them as his foster children. The Wilsons raised two of their own, Roscoe,

Jr., and Preston. Roscoe, Jr., director of the Midlands Marine Institute, a foundation for troubled youth, is married to the former Eva Rakes, and has two children, Renaldo and Asia. Preston is a well-known carpenter in the Columbia area, most noted for his woodwork.

Social activism has appropriately been the hallmark of Reverend Wilson's pastoral career. During the early civil rights movement, he worked to peacefully integrate public health facilities such as the Crafts-Farrow Mental Hospital and the Bryan S. Dorn Veterans Hospital. Saint John Baptist Church, which has a large outreach ministry, runs a progressive preschool serving approximately 100 children between the ages of 3 and 5 years old. This preschool program has been an enormous success. Its pupils begin first grade with strong skills and high confidence.

In the little free time he has, Reverend Wilson enjoys the outdoors. He loves to hunt and fish and occasionally returns to Texas to visit family. It is at home in Columbia, though, where he indulges his true passion, gardening. He says that tending his roses helps him to focus on the important things. It is this care and focus which has made him such a successful pastor. He tends his congregation like his rose bed. Saint John Baptist Church will dearly miss Reverend Wilson though his work with the church and the community will undoubtedly continue. All of us in South Carolina are very grateful for this Texas transplant. We wish him the very best in his future endeavors.●

RURAL CREDIT NEEDS

● Mr. BENNETT. Mr. President, I address today an issue of significant importance to my home State of Utah. As you know, the State of Utah is largely rural. Of 29 counties in the State of Utah, 25 are classified as rural by the U.S. Department of Agriculture [USDA]. For this reason, I have a keen interest in rural issues in general and, as a member of the banking committee, rural credit issues in particular.

I have read with interest the recent reports from the Rural Policy Research Institute [RUPRI], the General Accounting Office [GAO], and the USDA on rural credit needs. I have also reviewed the proceedings of the Kansas City Fed's conference on ''Financing Rural America.'' These documents present no surprises for those of us who represent rural areas. While each study approaches its task in a unique manner, all of these reports are similar in their conclusions. They note that while rural financial markets work reasonably well, not all market segments are equally well served. They all agree that small businesses from rural areas can have a difficult time obtaining financing, have fewer credit options, and may well pay more for their credit than comparable urban enterprises. At a time when small businesses are being recognized for their valuable contributions to our economic growth and stability, small businesses are facing increasing demands for credit, and Small Business Administration funding is frequently being challenged.

Historically, rural economic activity has been synonymous with agricultural production. Today, this is no longer the case. The number of farms in the United States has declined dramatically from about 6 million in the first half of this century, to about 2 million farms in 1990. While agriculture is still an important component of rural America and its credit needs are reasonably well addressed; the financial needs of rural nonagricultural business require attention now more than ever.

While government sponsored enterprises [GSE's] have contributed to the successes of agriculture and rural housing by providing competitive and reliable credit, there has been no GSE financing for rural nonagricultural businesses. As all of these reports point out, credit options for nonagricultural business are relatively scarce, expensive, and sometimes nonexistent. Yet, as the GAO and the Fed reports point out, economic development in these areas is actually hindered by these borrowers' difficulties in obtaining capital.

The facts are worrisome. As the RUPRI study points out, many rural areas were bypassed by recent employment growth. Existing rural employment is concentrated in slow-growth or declining industries. Job growth in rural areas, particularly rural areas that are not adjacent to metropolitan areas, is biased toward low-skill, low-wage activities. USDA has stated that ''Rural economies are characterized by a preponderance of small businesses, fewer and smaller local sources of financial capital, less diversification of business and industry, and fewer ties to non-local economic activity.''

Rural nonagricultural businessmen seek to be contributing members of our economic society. They do not seek a Federal hand out. They look for equal credit opportunities and an opportunity to participate fully in the same business activities of their urban counterparts.

As a political body, we need to consider the plight of rural nonagricultural businesses and the great potential that they offer our economy. I bring this issue to the attention of my colleagues in the hope we can work together and review constructive solutions to this program.●

GUYANA

● Mr. TORRICELLI. Mr. President, I rise today to recognize Guyana as it celebrates the thirty-first anniversary of its independence. The Guyanese American community has a great deal of history to celebrate, and I wish to recognize the changes and advancements that have been made in Guyana in the past 31 years.

For 32 years, the country of Guyana has worked to improve its standing within the international community and establish itself as a well-respected democracy. I am sure you will agree that Guyana has succeeded in these two goals. Participation in both the United Nations and the Caribbean Free Trade Area have meant better relations with the rest of the world. In addition, the smooth transition of power between President Hoyte and President Jagan in 1992 signify the end of political oppression in Guyana.

I have been pleased with the United States' decision to reinstate the economic assistance to Guyana it had suspended in 1982 because it represents our willingness to take an active interest in Guyana. I hope that this partnership between Guyana and the United States will continue to flourish as Guyana capitalizes on the progress that independence has encouraged. Privatization, growth and decreased inflation are only a few of the ways in which the quality of life in Guyana has improved. These reforms can and must continue.

The Guyanese have made tremendous achievements so far. With the continued commitment of its population, ongoing growth can be a reality. I look forward to 32 more years of positive news from this country.●

TRIBUTE TO WILLIAM F. LUEBBERT

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to William F. Luebbert of Hanover, NH, for his outstanding service as a volunteer executive in Vladivostok, Russia.

William worked on a volunteer mission with the International Executive Service Corps, a nonprofit organization which sends retired Americans to assist businesses and private enterprises in the developing countries and the new emerging democracies of Central and Eastern Europe and the former Soviet Union.

William assisted the Vladivostok State University of Economics with its computer technology. He is the retired director of academic computing at USMA (West Point). William is also a retired U.S. Army colonel.

William, and his wife Nancy, spent a month in Russia. Their outstanding patriotic engagement provides active assistance for people in need and helps build strong ties of trust and respect between Russia and America. William's mission aids at ending the cycle of dependency on foreign assistance.

I commend William for his dedicated service and I am proud to represent him in the U.S. Senate.●

SOUTH CAROLINA WATERMELONS: MOTHER NATURE'S PERFECT CANDY

● Mr. HOLLINGS. Mr. President, as Americans across the United States celebrated Independence Day this past weekend, many enjoyed the summer

delight of a red, juicy watermelon. I rise today to recognize watermelon farmers, the people who make this Fourth of July tradition possible.

All day yesterday and today, my staff, along with the staffs of Representative JOHN SPRATT and Representative JIM CLYBURN, will be delivering South Carolina watermelons to offices throughout the Senate and House of Representatives. Thanks to South Carolina watermelon farmers such as Jim Williams of Lodge in Colleton County, those of us here in Washington will be able to cool off from the summer heat with a delicious South Carolina watermelon.

This year, farmers across South Carolina planted more than 11,000 acres of watermelons. These are some of the finest watermelons produced anywhere in the United States. Watermelons of all varieties—Jubilees, Sangrias, Allsweets, Star Brites, Crimson Sweets, red seedless, yellow seedlesss, and other hybrids are produced in South Carolina and marketed across the Nation.

Through the end of this month, farmers in Allendale, Bamberg, Barnwell, Colleton, Hampton, and other southern South Carolina counties will harvest hundreds of thousands of watermelons. In the Pee Dee areas around Chesterfield, Darlington, and Florence counties, the harvest will continue until about August 20.

Mr. President, as we savor the taste of these watermelons, we should remember the work and labor that goes into producing such a delicious fruit. While Americans enjoyed watermelons at the beach and at backyard barbecues all over the Nation this past weekend, most did not stop to consider where they came from. Farmers will be laboring all summer in the heat and humidity to bring us what we call Mother Nature's perfect candy. These remarkable watermelons are sweet, succulent and, most importantly, nutritious and fat free. The truth is, Mr. President, that our farmers are too often the forgotten workers in our country. Through their dedication and commitment, our Nation is able to enjoy a wonderful selection of fresh fruit, vegetables and other foods. In fact, our agricultural system is the envy of the world.

South Carolina farmers lead the way in the production of watermelons. For example, my State was a leader in the development of black plastic and irrigation to expand the watermelon growing season. By covering the earth in the spring with black plastic, farmers are able to speed up the melons' growth by raising soil temperatures. In addition, the plastic allows farmers to shut out much of the visible light, which inhibits weed growth. In addition, I am pleased to note that the scientists at the USDA Vegetable Laboratory in my hometown of Charleston continue to strive to find even more efficient and effective ways to produce one of our State's most popular fruits.

Therefore, as Congressmen and their staffs feast on watermelons this week, I hope they all will remember the folks in South Carolina who made this endeavor possible: Jim Williams of Williams Farms in Lodge; Les Tindal, our State agriculture commissioner; Martin Eubanks and Minta Wade of the South Carolina Department of Agriculture; Randy Cockrell and the members of the South Carolina Watermelon Association; and finally, Bennie Hughes and the South Carolina Watermelon Board in Columbia. They all have worked extremely hard to ensure that Congressmen can get a taste of South Carolina.

So, I hope everyone in our Nation's Capital will be smiling as they enjoy the pleasure of a South Carolina watermelon.●

NATO ENLARGEMENT AT THE SUMMIT OF THE EIGHT

● Mr. D'AMATO. Mr. President, I rise today to call to my colleagues' attention a column by Jim Hoagland of the Washington Post that was published in today's edition on page A19. This column is entitled ''Diktat' From Washington,'' and discusses what happened after the announcement that the United States would support only the admission of Poland, the Czech Republic, and Hungary into NATO.

As Chairman of the Commission on Security and Cooperation in Europe, better known as the Helsinki Commission, I held a series of hearings on human rights and NATO enlargement, and last week released a Commission report assessing the readiness of candidate states to join the Alliance, based upon our evaluation of their human rights compliance. In the course of these hearings, I expressed my support for the inclusion of Lithuania, Latvia, Estonia, Poland, Hungary, the Czech Republic, Slovenia, and Romania in the first round of NATO expansion.

Now, Mr. Hoagland has recounted how the U.S. policy choice was conveyed to our allies and how they received it, both before and at the Summit of the Eight, just concluded in Denver. I commend this account to my colleagues and suggest that they consider what Hoagland calls the creation of at least a temporary line dividing nations that suffered equally under Soviet rule, and its probable consequences in central and eastern Europe.

While I do not believe that equality of suffering is the standard by which candidate NATO members should be judged, I am afraid that omitting Slovenia, Romania, and the Baltic states could cause future problems that could be avoided if we admitted them now. I will have more to say on this subject as we approach the Madrid Summit.

Mr. President, I ask that the aforementioned Jim Hoagland column be printed in the RECORD.

The column follows:

[From the Washington Post, June 25, 1997]

DIKTAT FROM WASHINGTON

(By Jim Hoagland)

NEW YORK—The devil that always lurks in the details of cosmic feats of diplomacy has suddenly emerged to jab President Clinton's plans for NATO expansion with several sharp pitchforks.

The pitchforks will not derail the administration's rush for expansion of the Atlantic alliance. But they could tarnish an event Clinton had confidently expected to be a crown jewel in his presidential legacy—the NATO summit in Madrid two weeks away.

That meeting now will be approached without great enthusiasm by many of America's European allies, who are disturbed by what some see as an American attempt to ''dictate'' to them who will be admitted as new members of the alliance.

France and a half-dozen other countries will continue to press at the Madrid summit to add Romania and Slovenia to the list of approved candidates, French President Jacques Chirac told Clinton in Denver last weekend during the Summit of the Eight, according to a senior French official aware of the contents of the conversation.

The French do not expect to shake America's insistence that only the Czech Republic, Hungary and Poland will be issued invitations at Madrid on July 7. All 16 members accept those three candidates; nine of the 16 favor expanding expansion to five.

But Chirac's remarks represent a rebuff for an American attempt to shut off debate on the numbers game. Deputy Secretary of State Strobe Talbott convoked the ambassadors from NATO states on June 12 and delivered what diplomats from three of America's closest allies described to me later as a ''Diktat'' that stunned them. The normally elegantly mannered Talbott's demand for silence would have done justice to Ring Lardner's great line: ''Shut up,'' he explained.''

The tone between Clinton and Chirac in Denver was far more cordial, but their failure to agree was clear: ''Each one spoke as if disappointed that he had not been able to convince the other of a very good argument,'' a French official said.

The Clintonites feel they minimize the initial problems of expansion by sticking to three clearly qualified candidates. Chirac argues that rejection of Romania is unfair, immoral and certain to further destabilize NATO's troubled southern flank.

The bilateral French-U.S. meeting at the economic summit also failed, as expected, to resolve differences between Paris and Washington on internal NATO command arrangements. This means that the original U.S. hope that France would formally rejoin NATO's military command at the Madrid gathering and make it an even more glittering celebration has to be abandoned.

A third maximum U.S. goal got hooked by gremlins at Denver when President Boris Yeltsin made it clear that Russia would not treat the Madrid summit as a high-level celebration of unity and harmony.

Yeltsin curtly rejected a suggestion that he attend the gathering, saying pointedly that he would send his ambassador in Madrid instead. Later he was inveigled to upgrade Russia's representation to a deputy prime minister.

Chirac, who worked hard to persuade Washington not to back Yeltsin into a corner on NATO expansion, finds Yeltsin much more at ease now that NATO and Moscow have signed an agreement establishing a NATO-Russia Council. Russian participation in the Denver summit provided Yeltsin with good arguments to use to explain NATO expansion to the Russian public, Chirac believes.

Yeltsin, Chirac and other Europeans seem to fear that the Clintonites will attempt to turn Madrid into an event that combines holding a beauty contest for potential members and a crowning of the American president as king of NATO.

The Czechs, Poles and Hungarians could hardly be blamed for using Madrid and its invitation to NATO as a seal of approval by the world's most important capitalist powers. They will advertise their NATO-approved stability to potential investors considering putting money into investment-hungry Central and Eastern Europe, widening the gap between them and Romania, Bulgaria, et al.

That situation draws at least a temporary line dividing nations that suffered equally under Soviet rule. But the administration is unwilling to discuss publicly and frankly the consequences of that line-drawing. Nor does it squarely address the existential questions that its vague promises of future NATO expansion raise for the Baltics, Ukraine and other former Soviet republics want into the organization.

Those questions will be forced on the administration in the U.S. Senate when it comes time to amend the alliance treaty and discuss U.S. responsibilities in Europe. Madrid, with all its devilish but surmountable details, is the beginning of a grand debate, not the end.●

ECONOMISTS ENDORSE RAISING TOBACCO TAXES TO CURB YOUTH SMOKING

● Mr. KENNEDY. Mr. President, as Congress considers an increase in the Federal cigarette tax in the budget reconciliation bill, I urge my coleagues to read an excellent article by economists Michael Grossman and Frank J. Chaloupka, both of whom have written extensively on the impact of tobacco taxes on teenage smoking.

The article is entitled ''Cigarette Taxes: The Straw to Break the Camel's Back,'' and is published in the July/August 1997 edition of Public Health Reports. It finds that raising tobacco taxes would be a powerful weapon against youth smoking, since children have less income to spend on cigarettes than adults. According to Grossman and Chaloupka, the 43 cents per pack cigarette tax increase in the legislation that Senator HATCH and I introduced earlier this year would reduce teenage smoking by 16 percent, saving the lives of over 830,000 children. In addition, the proceeds from the tobacco tax increase would be used to provide health insurance for millions of American children who are uninsured today.

It's time for Congress to say ''no'' to Joe Camel, the Marlboro Man, and the tobacco lobby, and say ''yes'' to the Nation's children. I ask that the Public Health Reports article be printed in the RECORD.

The article follows:

[From the Public Health Reports, July/August 1997]

CIGARETTE TAXES: THE STRAW TO BREAK THE CAMEL'S BACK

(By Michael Grossman, Ph.D. and Frank J. Chaloupka, Ph.D.)

SYNOPSIS

Teenage cigarette smoking is sensitive to the price of cigarettes. The most recent research suggests that a 10% increase in price would reduce the number of teenagers who smoke by 7%. If the proposed 43-cent hike in the Federal excise tax rate on cigarettes contained in the Hatch-Kennedy Bill were enacted, the number of teenage smokers would fall by approximately 16%. This translates into more than 2.6 million fewer smokers and more than 850,000 fewer smoking related premature deaths in the current cohort of 0 to 17-year-olds. Adjusted for inflation, the current 24-cent-a-pack tax costs the buyer about half of the original cigarette tax of 8 cents imposed in 1951. A substantial tax hike would curb youth smoking; this strategy should move to the forefront of the antismoking campaign.

These are not good times for the U.S. cigarette industry. For decades, policy makers and consumer activists have unsuccessfully attempted to rein in the tobacco industry. Now, new legal strategies are bearing fruit, more stringent regulations regarding the marketing and sales of cigarettes are being implemented, and a bill to significantly increase cigarette taxes has been put before the Senate. A large cigarette tax complements the gains made on other fronts by making cigarettes less desirable to teenagers, the next generation of addicts.

Numerous studies have shown that roughly 90% of smokers begin the habit as teenagers. Each day, approximately 6000 youths try a cigarette for the first time, and about half of them become daily smokers. Among people who have ever smoked daily, 82% began smoking before age 18. Thus, cigarette control policies that discourage smoking by teenagers may be the most effective way of achieving long-run reductions in smoking in all segments of the population.

The upward trend in teenage smoking in the 1990s is alarming to public health advocates. Between 1993 and 1996 the number of high school seniors who smoke grew by 14%. At the same time the number of tenth grade smokers rose by 23%, and the number of eighth grade smokers rose by 26%.

The FDA regulations approach the problem of youth smoking by curtailing access to cigarettes and attempting to reduce the appeal of cigarettes by putting limits on cigarette advertising. Increased taxation, which results in higher prices, is another means to accomplish the goal of discouraging young people from smoking. Unfortunately, increases in the Federal excise tax rate on cigarettes have not been motivated by a desire to curtail smoking. The purpose of each of the three tax increases since 1951 was to raise tax revenue or reduce the Federal deficit rather than to discourage smoking. The tax was fixed at 8 cents per pack between November 1, 1951, and the end of 1982. It rose to 16 cents per pack effective January 1, 1983, as part of the Tax Equity and Fiscal Responsibility Act of 1982. The tax was increased further to 20 cents per pack effective January 1, 1991, and to 24-cents per pack effective January 1, 1992, part of the Omnibus Budget Reconciliation Act of 1990. But if the tax had simply been adjusted for inflation each year since 1951, it would be 47 cents per pack today: therefore, in effect today tax is much lower than the 1951.

A 43-cent tax hike is proposed in a bill introduced by Senators Orrin G. Hatch and Edward M. Kennedy in this Congress. As with past tax increases, the primary focus is not to discourage teenage smoking. The goal of the tax increase in the Hatch-Kennedy Bill is to finance health insurance for low-income children who are currently uninsured. Two-thirds of the estimated annual $6 billion increase in tax revenue would be allocated for grants to the states to provide health insurance for children below the age of 15 whose low-income working parents do not qualify for Medicaid. The remaining one-third would be applied to reducing the Federal deficit.

The industry has known and public health advocates have come to realize, however, that an increase in the cigarette tax can influence the behavior of smokers. The American Cancer Society, the Robert Wood Johnson Foundation, and other members of the antismoking lobby are supporting a proposal to raise state cigarette tax rates to a uniform 32 per pack nationwide in the next few years, from the current range of 2.5 cents in Virginia to 92.5 cents in Washington State. According to John D. Giglio, manager of tobacco control advocacy for the American Cancer Society: Raising tobacco taxes is our number one strategy to damage the tobacco industry. The . . . industry has found ways around everything else we have done, but they can't repeal the laws of economics.

The cigarette industry's recognition of the potency of excise tax hikes as a tool to discourage teenage smoking is reflected in a September 1991 Philip Morris internal memorandum written by Myron Johnson, a company economist, to his boss, Harry G. Daniel, manager of research on smoking by teenagers. The memo was written in reaction to a Natural Bureau of Economic Research (NBER) report authored by Michael Grossman, Eugene M. Lewit, and Douglas Coate, which was later published in the *Journal of Law and Economics*. In the memo Johnson wrote: ''Because of the quality of the work, the prestige (and objectivity) of the NBER, and the fact that the excise tax on cigarettes has not changed in nearly 30 years we need to take seriously their statement that . . . if future reductions in youth smoking are desired, an increase in the Federal excise tax is a potent policy to accomplish this goal. (Grossman et al.) calculate that . . . a 10% increase in the price of cigarettes would lead to a decline of 12% in the number of teenagers who would otherwise smoke.

WHY TAXES WORK

There are strong logical reasons for expecting teenagers to be more responsive to the price of cigarettes than adults. First, the proportion of disposable income that a youthful smoker spends on cigarettes is likely to exceed the corresponding proportion of an adult smoker's income. Second, peer pressure effects are much more important in the case of youth smoking than in the case of adult smoking. Interestingly, peer pressure has a positive multiplying effect when applied to teenage smokers: a rise in price curtails youth consumption directly and then again indirectly through its impact on peer consumption (if fewer teenagers are smoking, fewer other teenagers will want to emulate them). Third, young people have a greater tendency than adults to discount the future.

The ''full'' price to an individual of a harmful smoking addiction is the price of cigarettes plus the monetary and emotional costs to the individual of future adverse health effects. The importance and value placed on these future health effects varies among individuals and especially with age. Becker, Grossman, and Murphy have shown that young people are more responsive to the price of cigarettes than adults because they give little weight to the future, while adults are more sensitive to perceived or known future consequences. Young people may underestimate the health hazards of and the likelihood that initiation of this behavior leads to long-term dependency. And, even when fully informed, teenagers have a tendency to give a great deal of weight to present satisfaction and very little weight to the future consequences of their actions.

Becker and Mulligan argue that children become more future oriented as the result of

an investment process. Many of the activities of parents and schools can be understood as attempts to make children care more about the future. Some parents and schools succeed in these efforts; but others do not. These failures are particularly troublesome because of the two-way causality between addiction and lack of a future orientation. People who discount the future more heavily are more likely to become addicted to nicotine and other substances. And the advance health consequences of these substances make a future orientation even less appealing.

Consumers are not unaware of the dangers of smoking. A survey of Viscusi suggests that both smokers and nonsmokers overestimate, not underestimate, the possibility of death and illness from lung cancer due to tobacco. Teenagers, who have less information than adults, actually attach much higher risks to smoking than the rest of the population. Other risks of cigarette smoking, including the risk of becoming addicted, may, however, be underestimated.

Cigarette smokers harm others (external costs) in addition to harming themselves (internal costs). The ignored internal costs of smoking can interact with the external costs. A striking example is smoking by pregnant teenage women, who may engage in this behavior because they heavily discount the future consequences of their current actions. Pregnant women who smoke impose large external costs on their fetuses. Numerous studies show that these women are more likely to miscarry and to give birth to low birth weight infants. Some of these infants die within the first month of life. More require extensive neonatal intensive care and suffer long-term impairments to physical and intellectual development.

The conventional wisdom argues that people who are addicted to nicotine are less sensitive to price than others. Therefore, adults should be less responsive to price than young people because adult smokers are more likely to be addicted to nicotine and if so, are likely to be more heavily addicted or to have been addicted for longer periods of time. The conventional wisdom that addicted smokers are less sensitive to price has been challenged in a formal economic model of addictive behavior developed by Becker and Murphy, which shows that a price increase can have a cumulative effect over time.

Since cigarettes are addictive, current consumption depends on past consumption. A current price increase has no retroactive effect on ''past consumption'' and therefore reduces the amount smoked by an addicted smoker by a very small amount in the short run. But the size of the effect would grow over time because even a small reduction in smoking during the first year after a price increase would also mean a reduction in smoking in all subsequent years. So, for example, 10 years after a price hike, ''past consumption'' would have varied over a 10-year period.

Changes in the total number of young people who smoke are due primarily to changes in the number of new smokers (starts). Among adults, changes in the total number of smokers occur primarily because current smokers quit (quits). Clearly, quits are inversely related to past consumption—there are more quitters among those who have smoked the least—while starts are independent of past consumption. Thus, the effect of price on choosing whether to smoke should be larger for young people than for adults.

THE EVIDENCE

Suggestive evidence of the responsiveness of teenage smoking to the price of cigarettes can be found in recent upward trends in smoking. In April 1993, the Philip Morris Companies cut the price of Marlboro cigarettes by 40 cents. Competitors followed suit. Marlboros are popular among teenagers: 60% reported that Marlboro was their brand of choice in 1993, while Marlboro had an overall market share of 23.5% in the same year. In 1993, 23.5% of teenagers in the eighth, tenth, and twelfth grades smoked. In 1996, 28.0% of the students in these grades smoked; this represented a 19% increase over a three-year period. Yet during this period, the number of smokers ages 18 years and older remained the same. Some attribute this increase in teenage smoking to a broad range of social forces thought to be associated with increases in other risky behaviors by teenagers, especially the use of marijuana. But we attribute it to a fall in cigarette prices: between 1993 and 1996 the real price of a pack of cigarettes (the cost of a pack of cigarettes in a given year divided by the Consumer Price Index for all goods for that year) fell by 13%.

More definitive evidence of the price sensitivity of teenage smoking can be found in two NBER studies that used large nationally representative samples of thousands of young people between the ages of 12 and 17. These studies capitalized both on the substantial variation in cigarette prices across states (primarily because of different state excise tax rates on this good) and on other state-specified factors such as parents' education and labor market status that may affect the decision to smoke and the quantity of cigarettes consumed. The findings of a 1981 study by Grossman, Lewit, and Coate—the subject of the 1981 Philip Morris internal memoradum—were used by the news media throughout the 1980s and early 1990s to project the effects of Federal excise tax hikes. The authors' 1996 study has been cited by Senators Hatch and Kennedy as evidence that a major benefit of the tax increase in their health insurance bill would be to discourage youth smoking.

The Grossman et al. 1981 study used data from Cycle III of the U.S. Health Examination Survey, a survey of almost 7000 young people between the ages of 12 and 17 conducted between 1966 and 1970 by the National Center for Health Statistics. The authors found that a 10% increase in the price of cigarettes would reduce the total number of youth smokers by 12%. Yet teenagers who already smoked proved much less sensitive to price: a 10% increase in price would cause daily consumption to fall by only 2%.

In our 1996 study, we used data from the 1992, 1993, and 1994 surveys of eighth, tenth, and twelfth grade students conducted by the Institute for Social Research at the University of Michigan as part of the Monitoring the Future Project. Taken together, these three nationally representative samples included approximately 150,000 young people. We found that a 10% increase in price would lower the number of youthful smokers by 7%, a somewhat smaller effect than the 12% projected in the 1981 study. Consumption among smokers, however, would decline by 6%, which is three times larger than the decline projected in the 1981 study.

Comparable studies of adults have found smaller effects of a projected 10% price increase. In a 1982 study of people age 20 years and older, Lewit and Coate reported that a 10% rise in price would cause the number of adults who smoke to fall by 3% and a decline of 1% in the number of cigarettes smoked per day by those who smoke. In a 1991 study of adult smokers, Wasserman et al. found that a 10% increase in price would cause the number who smoked to fall by 2% and the number of cigarettes smoked per day to fall by 1% while in a 1995 study Evans and Farrelly found declines of 1% in both categories. Based on the most recent estimates, a 10% increase in the price of cigarettes would reduce the number of teenagers who smoke by 7%, while it would reduce the number of adults who smoke by only 1%. Daily consumption of teenage smokers would fall by 6%, while daily consumption of adult smokers would fall by 1%.

PRICE INCREASES AS A POLICY TOOL

The proposed 43-cent cigarette tax hike in the Hatch-Kennedy Bill would, if fully passed on to consumers, raise the price of a pack of cigarettes by approximately 23%. According to our 1996 study, the number of teenage smokers would fall by approximately 16% and the number of cigarettes consumed by teenage smokers would decline by approximately 14%. Some of these smokers might compensate for a reduction in the number of cigarettes smoked by switching to higher nicotine and tar brands, inhaling more deeply, or reducing idle burn time. These factors, while representing a public health concern, are not relevant in evaluating the effect of an excise tax hike on whether an individual chooses to smoke at all.

Since very few smokers begin smoking after the ages of 20, these relatively large reductions in this total number of teenage smokers imply that excise tax increases are very effective ways to prevent the onset of a habitual behavior with serious future health consequences. A 16% decline in the number of young smokers associated with a 43-cent tax hike translates into over 2.6 million fewer smokers in the current cohort of 0 to 17-year-olds. Using a common estimate that one in three smokers dies prematurely from smoking-related illnesses, we can calculate that over time a real (adjusted for inflation) 43-cent tax increase would reduce smoking-related premature deaths in this cohort by over $50,000. And larger tax increases would result in even bigger reductions in the number of young smokers and the number of premature deaths.

A tax hike would continue to discourage smoking for successive generations of young people and would gradually affect the smoking levels of older age groups as the smoking-discouraged cohorts move through the age spectrum. Over a period of several decades, aggregate smoking and its associated detrimental health effects would decline substantially.

The effect of a price or tax hike also grows over time because of the addictive nature of smoking; a small reduction in current cigarette consumption by smokers due to a tax hike would decrease consumption in all future years to follow: Becker, Grossman, and Murphy have estimated that each 10% rise in price causes the number of cigarettes consumed by a fixed population (number of smokers multiplied by cigarettes consumed per smoker) to fall by 4% after one year and by as much as 8% after approximately 20 years.

Caveats. Several caveats are required in evaluating the benefits of a tax hike. First, for a cigarette tax increase to continue at the same level in real terms, it would have to be indexed to the rate of inflation. The same objective could hypothetically be accomplished by converting to an ad valorem cigarette excise tax system under which the cigarette tax is expressed as a fixed percentage of the manufacturer's price. The latter approach has one limitation: the Congressional Budget Office points out that it might induce manufacturers to lower sales prices to company-controlled wholesalers to avoid part of the tax.

Second, Ohsfeldt, Boyle, and Capilouto have reported that the number of males between the ages of 16 and 24 who use smokeless tobacco would rise by approximately 12% if a state excise tax rate on cigarettes

rose by 10%. Some would view such an increase with alarm because smokeless tobacco increases the risks of oral cancer and other oral diseases. On the other hand, Rodu argues that these elevated risks are very small and are more than offset by reductions in cigarette-related cancers and heart disease. The substitution of smokeless tobacco for cigarettes could be discouraged by raising the Federal excise tax on smokeless tobacco. But this would raise the cost of a safer nicotine delivery system than cigarettes and could be viewed as an unfair penalty on those who cannot give up their addiction.

Third, in strictly financial terms, we would expect a tax hike to yield higher rates of return in the short run than in the long run because of its cumulative effect in reducing smoking. The Becker et al. study implies that a Federal excise tax rate on cigarettes of approximately $1.00 a pack would maximize long-run Federal revenue from the tax at roughly $13.3 billion annually approximately 10 to 20 years after the new rate is in effect—only $7.6 billion more than the revenue from today's 24-cent tax. Clearly, the 67-cent tax in the Hatch-Kennedy Bill, which is expected to yield an additional $6 billion annually for the next few years, will have a much smaller yield in the long run.

The gap between long-run and short-run tax yields highlights a danger of justifying a cigarette tax increase to achieve goals other than reductions in smoking. For a while, public health advocates can have their cake and eat it too. But after a number of years, the large cumulative reduction in smoking would take a big bite out of the tax revenues initially generated by the tax hike. One would hardly like to see the development of a situation in which fiscal needs create pressure on the governments to encourage smoking or at least not discourage it. The extensive advertising campaigns conducted by state-run lotteries are examples of the danger of the government becoming too dependent on revenue from a harmful addiction.

CONCLUSION

We would like to see politicians and public health advocates focus discussions of the appropriate Federal cigarette excise tax rate squarely on the issue of reducing smoking. Both external costs and ignored internal costs justify the adoption of government policies that interfere with private decisions regarding the consumption of cigarettes.

Taxing cigarettes to reduce smoking by teenagers is a rather blunt instrument because it imposes costs on other smokers. But an excise tax hike is a very effective policy with regard to teenagers because they are so sensitive to price. The current Federal excise tax of 24 cents on a pack of cigarettes is worth about half in real terms of the 8-cent tax in effect in 1951. A substantial real tax hike to curb youth smoking should move to the forefront of the antismoking campaign.●

TRIBUTE TO DAVID SUSSMAN

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to David Sussman of Charlestown, NH, former professor at Holyoke Community College, for his outstanding service as a volunteer executive in Feodosia, Ukraine.

David worked on a volunteer mission with the International Executive Service Corps, a nonprofit organization which sends retired Americans to assist businesses and private enterprises in the developing countries and the new emerging democracies of Central and Eastern Europe and the former Soviet Union.

David assisted the Feodosia Institute of Management and Business, a business college, in developing plans for exchange of faculty and students with U.S. Colleges and for joint research.

David, and his wife Claire, spent a month in the Ukraine. Their outstanding patriotic engagement provides active assistance for people in need and helps build strong ties of trust and respect between the Ukraine and America. David's mission aids at ending the cycle of dependency on foreign assistance.

I commend David for his dedicated service and I am proud to represent him in the U.S. Senate.●

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENTS NOS. 105–10, 105–11, AND 105–12

Mr. LOTT. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on July 8, 1997, by the President of the United States: Extradition Treaty with Luxembourg (Treaty Document No. 105–10); Mutual Legal Assistance Treaty with Luxembourg (Treaty Document No. 105–11); and Mutual Legal Assistance Treaty with Poland (Treaty Document No. 105–12). I further ask unanimous consent that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

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

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg, signed at Washington on October 1, 1996.

In addition, I transmit, for the information of the Senate, the report of the Department of State with respect to the Treaty. As the report explains, the Treaty will not require implementing legislation.

The provisions in this Treaty follow generally the form and content of extradition treaties recently concluded by the United States.

This Treaty will, upon entry into force, enhance cooperation between the law enforcement communities of both countries, and thereby make a significant contribution to international law enforcement efforts. It will supersede, with certain noted exceptions, the Extradition Treaty between the United States of America and the Grand Duchy of Luxembourg signed at Berlin on October 29, 1883, and the Supplementary Extradition Convention between the United States and Luxembourg signed at Luxembourg on April 24, 1935.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 8, 1997*.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg on Mutual Legal Assistance in Criminal Matters, signed at Washington on March 13, 1997, and a related exchange of notes. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties that the United States is negotiating in order to counter criminal activity more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of modern criminals, including those involved in drug trafficking, terrorism, other violent crime, and money laundering, fiscal fraud, and other ''white-collar'' crime. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: taking testimony or statements of persons; providing documents, records, and articles of evidence; transferring persons in custody for testimony or other purposes; locating or identifying persons and items; serving documents; executing requests for searches and seizures; immobilizing assets; assisting in proceedings related to forfeiture and restitution; and rendering any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 8, 1997*.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the United States of America and the Republic of Poland on Mutual Legal Assistance in Criminal Matters, signed at Washington on July 10, 1996. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activity more effectively. The Treaty should be

an effective tool to assist in the prosecution of a wide variety of crimes, including ''white-collar'' crime and drug trafficking offenses. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: taking of testimony or statements of persons; providing documents, records, and articles of evidence; serving documents; locating or identifying persons or items; transferring persons in custody for testimony or other purposes; executing requests for searches and seizures; assisting in proceedings related to immobilization and forfeiture of assets, restitution to the victims of crime, and collection of fines; and any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 8, 1997*.

ORDERS FOR WEDNESDAY, JULY 9, 1997

Mr. LOTT. I ask unanimous consent, Mr. President, that when the Senate completes it business today it stand in adjournment until the hour of 9:15 a.m., Wednesday, July 9. I further ask unanimous consent that on Wednesday, immediately following the prayer, the routine requests through the morning hour be granted and there then be a period of morning business until the hour of 11 a.m., with Senators permitted to speak for up to 5 minutes each with the following exceptions: Senator MACK or his designee, 60 minutes from 9:15 a.m. to 10:15 a.m.; and Senator DASCHLE or his designee, 30 minutes.

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

Mr. LOTT. Mr. President, I further ask unanimous consent that at 11 a.m., the Senate resume consideration of S. 936, the Defense authorization bill.

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

PROGRAM

Mr. LOTT. Mr. President, the Senate will be in a period for morning business until the hour of 11 a.m. in the morning. At 11 a.m., the Senate will resume consideration of this very important Defense authorization bill. Senators can expect a series of rollcall votes on pending amendments to the bill later in the day as we make progress on this important legislation.

We do have some Senators that are attending the Madrid meeting at this time in a very important role that they are fulfilling as NATO enlargement observers. They will be returning in the afternoon, and that is why we are trying to accommodate their schedules to make sure that they make these important votes. As always, Members will be notified accordingly when votes on amendments are ordered.

As a reminder to Senators, this evening a cloture motion was filed, and all first-degree amendments then must be filed by 1 p.m. on Wednesday. That is one of the benefits of the cloture motion. All first-degree amendments have to be filed on Wednesday, so we will have a real good look at what is pending out there.

As previously stated, it is the intention to complete action on the bill by week's end, so Members should expect long, busy days with a number of votes occurring throughout the week.

ADJOURNMENT UNTIL 9:15 A.M. TOMORROW

Mr. LOTT. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:55 p.m., adjourned until Wednesday, July 9, 1997, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate July 8, 1997:

DEPARTMENT OF STATE

RICHARD DALE KAUZLARICH, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BOSNIA AND HERZEGOVINA.

DONNA JEAN HRINAK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BOLIVIA.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. LANCE W. LORD, 0000

IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. ROGER G. THOMPSON, JR., 0000
MAJ. GEN. MICHAEL S. DAVISON, JR. 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. WARREN C. EDWARDS, 0000

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, UNITED STATES CODE, SECTIONS 624, 628, AND 531:

To be lieutenant colonel

DANIEL J. ADELSTEIN, 0000
J. REX. HASTEY, JR., 0000
*ALAN S. MCCOY, 0000

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT AS A PERMANENT PROFESSOR OF THE U.S. MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 4333:

To be lieutenant colonel

MAUREEN K. LEBOEUF, 0000

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, UNITED STATES CODE, SECTION 12203 AND 12211:

To be colonel

JAMES A. BARRINEAU, JR., 0000
EDMUND T. BACKETTE, 0000
RICHARD R. BUCHANAN, 0000
MIRIAM L. FIELDS, 0000
DONNIE F. GARRETT, 0000
NANCY K. GAVI, 0000
LLOYD M. LACOSTE, JR., 0000
ROBERT W. PEARSON, 0000
PAUL C. REDD, 0000
ALBERT C. REYNAUD, 0000
DANIEL S. ROBERTS, 0000
JAMES D. SIMPSON, 0000
DEBORAH C. WHEELING, 0000

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. MARINE CORPS UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be colonel

ANTHONY J. ZELL, 0000

To be major

MARK G. GARCIA, 0000

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS, FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE U.S. NAVY UNDER TITLE 10, UNITED STATES CODE, SECTION 5721:

To be lieutenant commander

LAYNE M.K. ARAKI, 0000
THOMAS P. BRASEK, 0000
MATTHEW G. CAMPBELL, 0000
WILLIAM R. CAMPBELL, 0000
MATTHEW J. COLBURN, 0000
ANTHONY C. CONANT, 0000
TIMOTHY W. CONWAY, IV, 0000
VICTOR V. COOPER, 0000
MICHAEL R. CURTIS, 0000
MICHAEL R. DARGEL, 0000
JEFFREY S. DAVIS, 0000
STEVEN M. DEWITT, 0000
KEVIN A. DOYLE, 0000
MICHAEL E. ELMSTROM, 0000
BRUCE C. FAUVER, 0000
DOUGLAS K. GLESSNER, 0000
RAYMOND D. GOYET, 0000
LOUIS J. GREGUS, JR., 0000
GLENN E. GROESCH, 0000
WALTER O. HARDIN, 0000
LESLIE H. HARRIS, 0000
HARRY D. HAWK, 0000
ALAN L. HERRMANN, 0000
JEFFREY D. HICKS, 0000
STEVEN A. HILL, 0000
TIMOTHY E. ISEMINGER, 0000
JAY A. KADOWAKI, 0000
HERBERT L. KENNEDY, 0000
TODD K. KNUTSON, 0000
RICHARD J. KOTTKE, 0000
CLIFFORD S. LANPHIER, 0000
JOHN E. LEFEBVRE, 0000
NATHAN H. MARTIN, 0000
MICHAEL G. MCCLOSKEY, 0000
WILLIAM P. MCKINLEY, 0000
THAD E. NISBITT, 0000
ALBERT D. PERPUSE, 0000
RODRICK B. PHILLIPS, 0000
JOHN W. PLOHETSKI, 0000
PAUL H. POWELL, 0000
BRADLEY W. ROBERSON, 0000
FRANCIS M. SIDES, 0000
PAUL S. SNODGRASS, 0000
DANIEL SPAGONE, 0000
BLAZE A. STANCAMPIANO, 0000
KIRK S. STORK, 0000
MATTHEW D. SWANHART, 0000
MICHAEL T. TALAGA, 0000
MICHAEL J. TESAR, 0000
JOHN D. THOMAS, 0000
RICHARD E. THOMAS, 0000
JOHN J. THOMPSON, 0000
JOHN E. TODD, 0000
JOHN N. TOLLIVER, 0000
JOHN T. WALTERS, 0000
ROBERT T. WINFIELD, 0000
JOHN E. WIX, 0000
CHARLES F. WRIGHTSON, 0000

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR A REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE U.S. AIR FORCE UNDER TITLE 10, UNITED STATES CODE, SECTION 531:

To be captain

JAMES M. ABATTI, 0000
KENNETH G. ABBOTT, 0000
WILLARD L. ABERNATHY, 0000
LAURIE A. ABNEY, 0000
TODD E. ACKERMAN, 0000
MARK R. ADAIR, 0000
CHRISTOPHER W. ADAM, 0000
ANTHONY J. ADAMO, 0000
CRAIG L. ADAMS, 0000
JEROME P. ADAMS, 0000
RONALD E. ADAMSON, 0000
LARRY D. ADKINS, 0000

RHONDA R. ADLER, 0000
KAREN L. AGRES, 0000
JENNIFER M. AGULTO, 0000
VAROZ JOSEPH J. AIGNER, 0000
QAIS M. AJALAT, 0000
PATRICIA L. AKEN, 0000
CHRISTOPHER D. ALEXANDER, 0000
TERRY D. ALEXANDER, 0000
GRAIG L. ALLEN, 0000
JAMES M. ALLEN, 0000
JAMES M. ALLEN, 0000
JEFFREY S. ALLEN, 0000
RICHARD G. ALLEN, 0000
ROBERT S. ALLEN, 0000
SUSAN S. ALLEN, 0000
DARRIN L. ALLGOOD, 0000
GREGORY S. ALLORI, 0000
JOEL O. ALMOSARA, 0000
JOHN S. ALTO, 0000
THOMAS L. ALTO, 0000
CHRISTOPHER ANASTASSATOS, 0000
DWIGHT E. ANDERSEN, 0000
BRADLEY E. ANDERSON, 0000
JAMES A. ANDERSON, 0000
JOHN H. ANDERSON III, 0000
RAE ANDERSON, 0000
ROSS R. ANDERSON, 0000
TRACY L. ANDERSON, 0000
ANTHONY C. ANDRE, 0000
ROGER L. ANGEL, 0000
THOMAS M. ANGELO, 0000
MARY J. ANTE, 0000
JOHN S.R. ANTTONEN, 0000
BRADLEY A. APOSTOLO, 0000
PAUL W. ARBIZZANI, 0000
PAUL A. ARCHULETTA, 0000
ELNORA ARMSTEAD, 0000
CRAIG L. ARNOLD, 0000
DALE R. ARNOLD, 0000
HARLON R. ARNOLD, 0000
MARK G. ARNOLD, 0000
NEIL P. ARNOLD, 0000
WILLIAM H. ARNOLD, 0000
MARK ARREDONDO, 0000
GERARDO E. ARTACHE, 0000
CHRISTOPHER K, ARZBERGER, 0000
CHRISTOPHER B. ASHBY, 0000
KAREN J. ASHLEY, 0000
THOMAS H. ATKINSON IV, 0000
JAMES C. AULT, 0000
MARK C. AUSTELL, 0000
DALE R. AUSTIN, 0000
MATTHEW C. AUSTIN, 0000
JULIO C. AYALA, 0000
MICHAEL J. BABYAK, 0000
GEOFFREY S. BACON, 0000
BERNADETTE B. BAEZ, 0000
VALORIE L. BAGGENSTOSS, 0000
DEREK C. BAILEY, 0000
JAMES LAWRENCE BAILEY, 0000
THOMAS E. BAILEY, 0000
MELVIN A. BAIRD, 0000
KENNETH L. BAKER, JR., 0000
WILLIAM E. BAKER III, 0000
PETER I. BAKO, 0000
CHRISTOPHER J. BALCIK, 0000
PAUL C.G. BALE, 0000
JORGE F. BALLESTER, 0000
SCOTT J. BALSITIS, 0000
FRANK L. BANKS, 0000
JAMES R. BARNES, JR., 0000
JOHN D. BARNETT, 0000
GREG A. BARNHART, 0000
JAMES W. BARROW, 0000
ALLEN J. BARTON, 0000
LORRAINE R. BARTON, 0000
GREGORY C. BARTOS, 0000
MICHAEL A. BASLOCK, 0000
ERIC R. BASS, 0000
LAURA A. BASS, 0000
MELISSA L. BATTEN, 0000
FRANK BATTISTELLI, 0000
BRIEN J. BAUDE, 0000
JEROLD J. BAUER, 0000
GUY C. BAUM, 0000
KRIS A. BAUMAN, 0000
COLIN K. BEAL, 0000
CHARLES E. BEAM, 0000
SHARON K. BEARD, 0000
THOMAS A. BEATIE, 0000
FRANK J. BEAUPRE, 0000
EUGENE V. BECKER, 0000
JOSEPH M. BECKER, 0000
DAVID A. BEEBE, 0000
CHARLES G. BEEM, 0000
JAMES BELL, 0000
JEFFREY S. BELL, 0000
ROSE M. BELL, 0000
LANE M. BENEFIELD, 0000
DAVID W. BENNETT, 0000
LAYNE D. BENNION, 0000
PAULA A. BENSONREYNOLDS, 0000
DAVID P. BENTLEY, 0000
HAROLD W. BENTON, 0000
CHRISTOPHER N. BERG, 0000
ROBERT J. BERGEVIN, 0000
JON M. BERGSTROM, 0000
BRIAN J. BERNING, 0000
ANDREW J. BERRY, 0000
YVONNE M. BESSELLIEU, 0000
DANIEL J. BESSMER, 0000
BRENT D. BIGGER, 0000
TIMOTHY J. BILTZ, 0000
DEANNA L. BINGHAM, 0000
RACHEL H. BINGUE, 0000
DAVID R. BIRCH, 0000
BRYAN P. BIRCHEM, 0000
DANIEL A. BIRKLE, 0000
LEONARD T. BISSON, 0000
JOHN E. BLACK, 0000
THOMAS C. BLACK, 0000
DAVID S. BLADES, 0000
DREW A. BLAHNICK, 0000
DANIEL E. BLAKE, JR., 0000
CHARLES I. BLANK, III, 0000
BRENDI B. BLANSETT, 0000
MICHAEL S. BLASS, 0000
DAVID P. BLAZEK, 0000
RICHARD T. BLECHER, 0000
YOLANDA D. BLEDSOE, 0000
JOHN E. BLEUEL, 0000
WILLIAM H. BLOOD, 0000
NICOLE E. BLOOMER, 0000
SHAWN P. BLOOMER, 0000
GARRATH K. BLUCKER, 0000
RODEL V. BOBADILLA, 0000
DAVID W. BOBB, 0000
MATTHEW J. BOBB, 0000
GREGORY D. BOBEL, 0000
FREDERICK H. BOEHM, 0000
KEVIN L. BOERMA, 0000
TIMOTHY A. BOESE, 0000
ELIZABETH S. BOGDAN, 0000
THOMAS K. BOGER, 0000
JERRY BOGERT, 0000
BRYAN L. BOGGS, 0000
BRIAN C. BOHANNON, 0000
JAMES I. BONG, 0000
MALCOLM A. BONNER, JR., 0000
JEFFREY P. BONS, 0000
DAVID J. BORBELY, 0000
DONALD E. BORCHERT, 0000
JAMES R. BORTREE, 0000
JAMES BOURASSA, 0000
MATTHEW A. BOURASSA, 0000
JESSE BOURQUE, JR., 0000
KELLY D. BOUZIGARD, 0000
ROBERT P. BOVENDER, 0000
MARK E. BOWEN, 0000
ANNETTE A. BOWER, 0000
KENNETH B. BOWLING, 0000
JAMES K. BOWMAN, 0000
JEFFREY L. BOZARTH, 0000
ANDREW R. BRABSON, 0000
SUE A. BRADBURY, 0000
DAVID A. BRADFIELD, 0000
REED E. BRADFORD, 0000
DANIEL J. BRADLEY, 0000
JEFF C. BRADLEY, 0000
JOHN W. BRADLEY III, 0000
OWEN L. BRADLEY, 0000
MICHAEL H. BRADY, 0000
BRYCE H. BRAKMAN, 0000
DEBORAH J. BRANCH, 0000
TIMOTHY S. BRANDON, 0000
MARK W. BRANTLEY, 0000
MIKE M. BRANTLEY, 0000
COLSON L. BRASCH, 0000
NORMITA C. BRAVO, 0000
LAMBERTO M. BRAZA, 0000
PETER G. BREED, 0000
SANDRA L.H. BRENNAN, 0000
ERIC J. BRESNAHAN, 0000
SAINO M. BREW, 0000
RICHARD L. BREWER, JR., 0000
FRANK L. BRICEL, JR., 0000
BRUCE A. BRIDEL, 0000
SCOTT C. BRIDGERS, 0000
PATRICIA ANN BRIDGES, 0000
JEFFREY W. BRIGHT, 0000
DANIEL A. BRINGHAM, 0000
JOHN U. BRINKMAN, 0000
GREGORY S. BRINSFIELD, 0000
ROBERT A. BRISSON, 0000
JEFFREY S. BRITTIG, 0000
PATRICK T. BRODERICK, 0000
PEYTON T. BRODERICK, 0000
JOHN B. BRODEUR, JR., 0000
LINDA S. BROECKL, 0000
JOSEPH R. BROOKE, JR., 0000
SHANE M. BROTHERTON, 0000
JOHN F. BROWER, 0000
MICHAEL E. BROWERS, 0000
ARTHUR S. BROWN, 0000
BRIAN A. BROWN, 0000
GERALD Q. BROWN, 0000
SCOTT T. BROWN, 0000
SUSAN BROWN, 0000
THOMAS S. BROWNING, 0000
WILLIAM D. BRUENING, JR., 0000
MICHAEL H. BRUMETT, 0000
BLAINE R. BRUNSON, 0000
ANTHONY P. BRUSCA, 0000
LAURA L. BRYAN, 0000
KURT N. BUCHANAN, 0000
ROBERT A. BUENTE, 0000
DAVID S. BUNZ, 0000
RICHARD W. BURBAGE, 0000
BENJAMIN W. BURFORD, 0000
DAVID A. BURGESS, 0000
ROBERT G. BURGESS, 0000
KIMBERLY A. BURKET, 0000
JEFFREY W. BURKETT, 0000
JAMES R. BURNETT, JR., 0000
DAVID R. BURNS, 0000
GEORGE E. BUSH III, 0000
WILLIAM E. BUSH, 0000
VICTORIA T. BUSKA, 0000
CHARLES E. BUTCHER, JR., 0000
DAVID S. BUZZARD, 0000
PAMELLA A. BYRD, 0000
DAVID M. CADE, 0000
STEVEN E. CAHANIN, 0000
DIANE L. CALIMLIM, 0000
DANIEL J. CALLAHAN, 0000
TODD W. CALLAHAN, 0000
SARAH G. CALLINAN, 0000
YOLANDA V. CALLOWAY, 0000
BRIAN S. CALLSEN, 0000
CAROLYN K. CALVIN, 0000
CHARLES H. CAMP III, 0000
ANTHONY H. CAMPANARO, 0000
CHARLES F. CAMPBELL, JR., 0000
SCOTT A. CAMPBELL, 0000
CHRISTOPHER S. CAMPLEJOHN, 0000
CHARLEY L. CAMPLEN, 0000
SHERRY M. CAMPTON, 0000
GLEN J. CANEEL, 0000
ANNE M. CANNON, 0000
SHELLY K. CANNON, 0000
REINALDO L. CANTON, 0000
JAMES M. CANTRELL, 0000
JEFFREY CANTRELL, 0000
BARRY H. CAPE, 0000
MARGARET M. CAREY, 0000
MARY T. CARLISLE, 0000
ERIK R. CARLSON, 0000
KAREN L. CARPENTER, 0000
RICHARD A. CARPENTER, 0000
STEVEN G. CARPENTER, 0000
KURT J. CARRAWAY, 0000
BLAKE M. CARROLL, 0000
JAY A. CARROLL, 0000
DAVID B. CARTER, 0000
TIM R. CARTER, 0000
STEVEN L. CASE, 0000
SHAWN C. CASEY, 0000
KURT D. CASH, 0000
VINCENT R. CASSARA, 0000
RONALD M. CASSIDY, JR., 0000
EUGENE L. CAUDILL, 0000
JAMES A. CAUGHIE, 0000
JOHN D. CAYE, 0000
PAULA C. CERVIA, 0000
BRIAN M. CHAMNESS, 0000
CHINRAN O. CHANG, 0000
CHARLES D. CHAPDELAINE, 0000
ALICE S. CHAPMAN, 0000
MICHAEL S. CHAPMAN, 0000
IAN V. CHASE, 0000
JOHN S. CHASE, 0000
DOUGLAS J. CHEEK, 0000
CLARENCE F. CHENAULT, 0000
MICHAEL J. CHESTER, 0000
STEVEN S.H. CHIN, 0000
SCOTT B. CHMIELARSKI, 0000
JULIE A. CHODACKI, 0000
STEPHEN S. CHOI, 0000
BOGDAN CHOMICKI, 0000
ANTHONY P. CHOSA, 0000
GWENDOLYN CHRISTIAN, 0000
TAMMY E. CHULICK, 0000
DAVID A. CHUNN, 0000
MARK E. CHURCH, 0000
RAYMOND E., CHUVALA, JR., 0000
ANTON W. CIHAK II, 0000
JEFFREY S. CLARK, 0000
MARK S. CLARK, 0000
TODD M. CLARK, 0000
HARRY B. CLARKE, 0000
GREGORY N. CLARY, 0000
JODI A. CLAYTON, 0000
SHERMAN M. CLAYTON, 0000
ARDYCE M. CLEMENTS, 0000
JEFFREY T. CLIMER, 0000
DEAN A. CLOTHIER, 0000
DEDEE L. CLOUD, 0000
KATHERINE E. CLOUSE, 0000
KEVIN J. CLOWARD, 0000
VINCENT A. COBB, 0000
LISA A. COBURN, 0000
CHRIS A. COCHRAN, 0000
JERRY D. COCHRAN, 0000
ELIZABETH J. CODDINGTON, 0000
WILLIAM J. CODY, 0000
CHAD D. COE, 0000
CHRISTOPHER A. COFFELT, 0000
DAVID COHEN, 0000
ALAN B. COKER, 0000
CHARLES L. COLE, 0000
MADELINE D. COLE, 0000
LESIA J. COLEMANLINZY, 0000
WENDELL L. COLLINS, 0000
BETH A. COMBS, 0000
ANITA M. COMPAGNONE, 0000
DAVID W. COMPTON, 0000
DOUGLAS A. CONDON, 0000
KELLIE M. CONDON, 0000
ANDREW F. CONLEY, 0000
DONALD M. CONLEY, 0000
RYLAN S. CONRAD, 0000
MELANIE J. CONSTANT, 0000
RICHARD S. CONTE, 0000
DANIEL J. CONWAY, 0000
JOSEPH E. COOGAN, 0000
PHILIP R. COOK, JR. 0000
DAVID L. COOL, 0000
WILLIAM T. COOLEY, 0000
ANTHONY O. COPELAND, 0000
MICHAEL A. COPLEY, 0000
STEPHEN A. COPPI, 0000
DONALD R. COPSEY, 0000
LONZIO D. CORMIER, 0000
CECILIA M. CORRADO, 0000
MICHAEL J. CORRICELLI, 0000
CHRISTOPHER T. CORTESE, 0000
ROGER L. COSIMI, 0000
JAMES A. COSTEY, 0000
SCOTT M. COSTIN, 0000
ROBERT H. COTHRON, LLL, 0000
CHARLES E. COULOURAS, 0000

ANNE M. COVERSTON, 0000
RIM A. COX, 0000
DARLENE M. COYNE, 0000
DARWIN L. CRAIG, 0000
TAL G. CRAIG, 0000
CHAD L. CRAWFORD, 0000
MICHAEL B. CRAWFORD, 0000
ROSE M. CRAYNE, 0000
JERROLD E. CREED, 0000
JAMES L. CREVER, 0000
JAMES A. CREWS, 0000
MICHELLE C. CRONE, 0000
KYLE E. CROOKS, 0000
BRADLEY E. CROSS, 0000
NEIL A. CROW, 0000
KIM M. CRUSE, 0000
BRYAN L. CRUTCHFIELD, 0000
CHEUNITA R. CRUZ, 0000
KANDIS L. CRUZ, 0000
KEVIN W. CULP, 0000
JULIA K. CUMMINGS, 0000
EDGAR M. CUNANAN, 0000
CHRISTOPHER C. CUNNINGHAM, 0000
KEITH A. CUNNINGHAM, 0000
MILLER CUNNINGHAM, JR., 0000
LEE J. CURTIN, 0000
JAMES G. CUSIC III, 0000
GEORGE, CYHANIUK, 0000
LLOYD W. DAGGETT, 0000
MARK E. DAHLEMELSAETHER, 0000
ROBERT A. DAHLKE, 0000
GLYNDA M. DALLAS, 0000
JAMES R. DALLY, 0000
COLLEEN O. DALY, 0000
MATTHEW R. DANA, 0000
RONALD K. DANCY, 0000
TROY T. DANIELS, 0000
VERNON CHARLES DANIELS II, 0000
KAREN Y. DAVENPORT, 0000
ELTON H. DAVIS, 0000
GARY A. DAVIS, 0000
KARYL J. DAVIS, 0000
JON K. DAWSON, 0000
LISA D. DAY, 0000
MARK O. DEBENPORT, 0000
JOHN K. DECAMP, 0000
ELIZABETH A. DECKER, 0000
BRENTLY G. DEEN, 0000
ANGELA DEESPREBULA, 0000
THOMAS E. DEETER, 0000
JOSEPH C. DEFENDERFER, 0000
DREXEL G. DEFORD, JR., 0000
MITCHELL T. DEGEYTER, 0000
JOSEPH L. DEGRANDE, 0000
CURTIS R. DEKEYREL, 0000
STEPHEN P. DEMIANCZYK, 0000
JEFFREY A. DENEUI, 0000
CHARLES P. DENISON, 0000
DAVID B. DENMAN, 0000
DANIEL C. DERBAWKA, 0000
THOMAS A. DERMODY, 0000
MARTHA R. DERR, 0000
JEAN A. DESMARAIS, 0000
TIMOTHY P. DEVINE, 0000
MARK D. DEVOE, 0000
ANDREW J. DEWALD, 0000
SCOT A. DEWERTH, 0000
DOUGLAS S. DICKERSON, 0000
TERRY O. DICKINSON, 0000
JAMES H. DIENST, 0000
JOHN R. DIERCKS, 0000
STEPHEN J. DIPPEL, 0000
TIMOTHY A. DIRKS, 0000
JOHN P. DITTER, 0000
TODD A. DIXON, 0000
STEPHEN J. DOBRONSKI, 0000
DEAN E. DOERING, 0000
WAYNE E. DOHERTY, 0000
CHRISTIAN H. DOLLWET, 0000
JOHN F. DONAHUE, 0000
REBECCA L. DONAHUE, 0000
STEPHEN K. DONALDSON, 0000
BETH DOPLER, 0000
MARK J. DORIA, 0000
JAMES L. DOROUGH JR., 0000
JEFFREY O. DORR, 0000
HAMILTON L. DORSEY, 0000
MICHAEL M. DOUGHTY, 0000
ROBERT E. DOWNES, 0000
RICHARD A. DOYLE, 0000
ERNEST S. DRAKE, 0000
SHELIA M. DRAKE, 0000
GARY T. DROUBAY, 0000
GLENN R. DUBOIS, 0000
MARCUS S. DUBOIS, 0000
ANGEL M. DUDINSKY, 0000
LAURIE W. DUFFROBERTSON, 0000
CHRISTOPHER G. DUFFY, 0000
PATRICK J. DULANEY, 0000
DARRELL C. DUNN, 0000
RONDA L. DUPUIS, 0000
GREGORY P. DURAND, 0000
PHILIP B. DURDEN, 0000
TIMOTHY L. DUREPO, 0000
RANDY Q. DURR, 0000
CHRISTOPHER G. DUSSEAULT, 0000
JOSEPH E. DUVAL, 0000
KENNETH H. DWELLE, 0000
CHRISTOPHER A. DYER, 0000
JEAN MARIE EAGLETON, 0000
LIONEL F. EARL, JR., 0000
MARK H. EASTERBROOK, 0000
DAVID P. EASTERLING, JR., 0000
PAUL B. EBERHART, 0000
ADRIANA EDEN, 0000
DAVID K. EDNEY, 0000
AMIR A. EDWARD, 0000
ROBERT R. EDWARDS, JR., 0000
TISH REMI EDWARDS, 0000
TRENT H. EDWARDS, 0000
CHARLES D. EICHER, 0000
DEONA J. EICKHOFF, 0000
MICHAEL D. ELIASON, 0000
DEAN L. ELLER, 0000
ERIC D. ELLIOTT, 0000
WENDY CARLEEN ELLIOTT, 0000
JEFFREY I. ELLIS, 0000
PRISCILLA Y. ELLIS, 0000
TODD C. ELLISON, 0000
KRISTINA R. ELSAESSER, 0000
CHRISTINE I. ELY, 0000
VIRA EM, 0000
TEDDI J. EMBREY, 0000
MICHAEL T. EMMERTH, 0000
GREGORY L. ENDRIS, 0000
DAVID W. ENFIELD, 0000
DOUGLAS H. ENGBERSON, 0000
RICHARD D. ENGLAND, 0000
JEFFREY A. ENGLERT, 0000
JOHN T. ENYEART, 0000
ROBERT L. EPPENS, 0000
BRIAN E. EPPLER, 0000
LARRY T. EPPLER, 0000
SCOTT A. ERICKSON, 0000
STEVEN E. ERICKSON, 0000
GREGORY W. ERVIN, 0000
BERTHA B. ESPINOSA, 0000
DOUGLAS B. EVANS, 0000
STEVEN M. EVERETT, 0000
SHELLEY M. EVERSOLE, 0000
TERRENCE L. EVERY, 0000
LINDA M. EWERS, 0000
BRIAN P. EYRE, 0000
GUS M. FADEL, 0000
SCOTT R. FARRAR, 0000
KURTIS W. FAUBION, 0000
DONALD L. FAUST, 0000
MICHAEL J. FEDOR, 0000
JOHN T. FERRY, 0000
BRUCE E. FEWKES, 0000
DIANNE L. FIEDLER, 0000
RAYMOND J. FIEDER, 0000
RAMONA L. FIELDS, 0000
GEORGE F. FINK, 0000
TIMOTHY M. FINNEGAN, 0000
FREDRIC S. FIREHAMMER, 0000
ED J. FISCHER, 0000
JEFFREY H. FISCHER, 0000
KEITH D. FISCHER, 0000
RONALD J. FISCHER, 0000
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JAMES T. FISH, 0000
ERIC S. FISK, 0000
CHARLES D. FITZGERALD, 0000
MICHAEL T. FITZGERALD, 0000
TIMOTHY L. FITZGERALD, 0000
EDGAR L. FLERI, JR., 0000
BRIAN J. FLETCHER, 0000
LOUIS L. FLETCHER, 0000
TIMOTHY D. FLORA, 0000
RUSSELL C. FLOWERS, 0000
ROBERT L. FLOYD, IV, 0000
JETH A. FOGG, 0000
RICHARD W. FOGG, 0000
LOUIS J. FOLEY, JR., 0000
RICHARD L. FOLKS, II, 0000
RACHAEL FONTANILLA, 0000
JAMES M. FORAND, 0000
JEFFREY T. FOREHAND, 0000
WILLIAM A. FORKNER, 0000
JOHN RAY FORMAN, 0000
SCOTT W. FORN, 0000
AMY A. FORRESTER, 0000
RICHARD J. FORRISTALL, 0000
JOEL R. FORTENBERRY, 0000
MICHELLE P. FOSTER, 0000
SAMUEL L. FOSTER, 0000
JOAN Y. FOURNIER, 0000
CHARLES F. FOX, 0000
ROBERT A. FRANKL, 0000
GREGORY C. FRANKLIN, 0000
JEFFREY R. FRANKLIN, 0000
RICHARD M. FRANKLIN, 0000
LLOYD D. FRAZIER, 0000
ROBERT E. FREDRICKSON, JR., 0000
BRIAN E. FREDRIKSSON, 0000
RICHARD K. FREEMAN, 0000
GREGORY A. FRICK, 0000
DANIEL J. FRITZ, 0000
JOANN C. FRYE, 0000
SCOTT L. FUCHS, 0000
LISA A. FUENTES, 0000
GREG M. FUJIMOTO, 0000
CHRISTOPHER T. FULLER, 0000
STEPHEN T. FULLER, 0000
SUSAN H. FUNKE, 0000
VERNE S. FUTAGAWA, 0000
CRAIG S. GADDIS, 0000
RICHARD E. GADDIS, 0000
SEAN T. GALLAGHER, 0000
LUIS S. GALLEGOS, 0000
JOSEPH M. GAMBRELL, 0000
JOAN H. GARBUTT, 0000
LISA A. GARCCI, 0000
MICHAEL A. GARCIA, 0000
STEVE E. GARCIA, 0000
STEVEN J. GARCIA, 0000
DAVID P. GARFIELD, 0000
ROBERT A. GARLAND, JR., 0000
ERIC S. GARTNER, 0000
TERRY J. GASPER, 0000
GEORGE H. GATES, JR., 0000
MARK A. GAUBERT, 0000
MARK K. GAUGLER, 0000
CHRISTOPHER D. GAWLIK, 0000
JOHN K. GAY, 0000
PAUL L. GAYLORD, 0000
GORDON M. GEISSLER, 0000
CHERYL A. GENTILE, 0000
TODD W. GENTRY, 0000
JAMES W. GEORGE, 0000
MICHAEL D. GERAGOSIAN, 0000
GREGORY R. GIBSON, 0000
PEGGY R. GIBSON, 0000
DANIEL E. GIFFORD, 0000
PAUL G. GIFFORD, 0000
CAMERON L. GILBERT, 0000
JOHN D. GILBERT, 0000
MICHAEL E. GILBERT, 0000
RONALD P. GILBERT, 0000
PAUL A. GILL, 0000
TIMOTHY H. GILL, 0000
ROBERT W. GILMORE, 0000
NATALIE Y. GISCOMBE, 0000
DAVID S. GLICK, 0000
THOMAS E. GLOCKZIN, 0000
MARK I. GLYNN, 0000
JEFFREY S. GODDARD, 0000
DAVID E. GOEBEL, 0000
REGINA T. GOFF, 0000
ALANA C. GOGAN, 0000
JAMES D. GOLDEN, 0000
FRANK C. GOLICH, 0000
MANUEL R. GOMEZ, JR., 0000
BRUCE E. GOOCH, 0000
JULIA R. GOODE, 0000
GERALD V. GOODFELLOW, 0000
LAURA J. GOODRICH, 0000
BETH A. GOODWILL, 0000
DAVID S. GOOSMAN, 0000
WILLIAM R. GORDON, 0000
TODD W. GORRELL, 0000
JOHN G. GORSE, 0000
PENELOPE F. GORSUCH, 0000
LISA M. GOSSETT, 0000
DEAN E. GOULD, 0000
GORDON D. GOULD, 0000
WINSTON A. GOULD, 0000
CLAYTON M. GOYA, 0000
CARMEN S. GOYETTE, 0000
STEPHEN W. GRADY, 0000
MARK A. GRAF, 0000
DAVID B. GRAFF, 0000
TERRY W. GRAGG, 0000
GREGG A. GRAHAM, 0000
JOHN G. GRAHAM, 0000
LYNN M. GRANDGENETT, 0000
ALESIA D. GRANT, 0000
GILLIAN J. GRANT, 0000
JOHN A. GRAVES, 0000
TODD V. GRAVES, 0000
DEBORAH L. GRAY, 0000
BRENT A. GREEN, 0000
KENNETH M. GREENSTREET, 0000
CHERYL J. GREENTREE, 0000
STEPHEN E. GREENTREE, 0000
BRIAN L. GREENWOOD, 0000
DANIEL W. GREGG, 0000
ROBERT A. GREGORIUS, 0000
PAULA D. GREGORY, 0000
DALE G. GREY, 0000
THOMAS H. GRIEP, 0000
CEABERT J. GRIFFITH, 0000
DANIEL T. GRILLONE, 0000
PATRICK J. GRIMM, 0000
RITCHIE D. GRISSETT, 0000
JAMES M. GROGAN, 0000
DANIEL J. GRONER, 0000
JOSEPH E. GROSS III, 0000
MARIA G. GUEVARA, 0000
JOSE E. GUILLEN, JR., 0000
JEAN M. GUMPPER, 0000
DARIN J. GUNNINK, 0000
KIRSTEN A. GURLEY, 0000
DARREK L. GUSTER, 0000
MARCEL L. GUSTIN, 0000
GARY S. HAAG, 0000
MARK W. HABERICHTER, 0000
CHRISTOPHER K. HADDOCK, 0000
MARK J. HAGEN, 0000
ROBERT J. HAHN, 0000
CARLOS HALCOMB, 0000
RODERICK A. HALEY, 0000
DOUGLAS C. HALL, 0000
JASON T. HALL, 0000
JOHN E. HALL, 0000
PETER R. HALL, 0000
MICHAEL J. HALLORAN, 0000
EDWARD G. HAMILL, 0000
KENNETH R. HAMM, 0000
KEVIN D. HAMPSHIRE, 0000
DAVID M. HANF, 0000
MARK E. HANLEY, 0000
SCOTT M. HANNAN, 0000
ERIK W. HANSEN, 0000
DAVID K. HAPNER, 0000
SAMUEL M. HARBIN, 0000
ROBERT A. HARDIN, 0000
MICHAEL S. HARDMAN, 0000
MICHAEL R. HARGIS, 0000
ROSANNE T. HARGROVE, 0000
BERNADETTE A. HARLOW, 0000
DAMAN B. HARP, 0000
TIMBERLYN M. HARRINGTON, 0000
BRYAN L. HARRIS, 0000
ERNEST S. HARRIS III, 0000
HUGH A. HARRIS, 0000
MCKINLEY HARRIS III, 0000
PAUL H. HARRIS, 0000
RONYA A. HARRIS, 0000
TAL H. HARRIS, 0000

MARK E. HARRISON, 0000
ROBERT L. HARSHAW, 0000
STACI E. HATCH, 0000
RYAN E. HATTEN, 0000
DOUGLAS A. HAUTH, 0000
GARY F. HAWTHORNE, 0000
RODNEY C. HAYDEN, 0000
STEVEN H. HAYES, 0000
THERESA L. HAYGOOD, 0000
DANIEL R. HAYNES, 0000
MARGARET F. HAYNES, 0000
NEIL M. HEAD, 0000
JOHN P. HEALY, 0000
MICHAEL D. HEARD, 0000
MATTHEW M. HEATON, 0000
EDITHA P. HEBERLEIN, 0000
SCOTT T. HEBRINK, 0000
ROBERT S. HEDDEN, 0000
JANE E. HEETDERKSCOX, 0000
DAVID M. HEFNER, 0000
JOEL R. HEFT, 0000
ERIK W. HEFTYE, 0000
JON P. HEILEMAN, 0000
DAVID P. HEIN, 0000
DENIS A. HEINZ, 0000
JULIE M. HEISE, 0000
JOHN R. HEISLER, 0000
BETH M. HELMS, 0000
MICHAEL W. HELVEY, 0000
SAMANTHA A. HELWIG, 0000
WENDY C. HEPT, 0000
JEFFREY R. HERBERT, 0000
DAVID M. HEROUX, 0000
MARTIN R. HERTZ, 0000
MICHAEL H. HEUER, 0000
ANDREAS C. HEY, 0000
DOUGLAS E. HIESTAND, 0000
TODD S. HIGGS, 0000
ROBERT W. HIGHLEY, 0000
CLARK A. HIGHSTRETE, 0000
ROBERT J. HILDEBRAND, 0000
KENNETH A. HILL, 0000
MARK B. HILL, 0000
MICHAEL S. HILL, 0000
ROBERT J. HILL, JR., 0000
JOHN J. HILLSMAN, III, 0000
SCOTT T. HILLSTEAD, 0000
RAYMOND R. HINDMAN, 0000
DARREL T. HINES, 0000
MICHAEL W. HINZ, 0000
RICHARD M. HIRSCH, 0000
DAVID M. HITTE, 0000
DAVID J. HLUSKA, 0000
BYRON J.M. HO, 0000
DOUGLAS C. HODGE, 0000
CARL E. HODGES, 0000
MARILYN E. HODGES, 0000
PAUL J. HOERNER, 0000
CHARLES E. HOGAN II, 0000
JEFFREY S. HOGAN, 0000
MARK L. HOLBROOK, 0000
PAMELA L. HOLIFIELD, 0000
DEBORAH A. HOLINGER, 0000
MICHAEL W. HOLL, 0000
MICHAEL L.A. HOLLAND, 0000
STEVEN W. HOLLIS, 0000
MATTHEW H. HOLM, 0000
DANIEL T. HOLT, 0000
MICHAEL A. HOMSY, 0000
THOMAS M. HOMZA, 0000
DAVID E. HOOK, 0000
TROY E. HOOK, 0000
MICHAEL D. HOPPNER, 0000
ERIC S. HORNBOSTEL, 0000
DAVID J. HORNYAK, 0000
FRANK H. HORTON, 0000
WALTER G. HORTON, 0000
WRAY R. HOSKAMER, 0000
DARREN L. HOSKINS, 0000
CHARLES W. HOULDING, 0000
ROBERT C. HOUSE, JR., 0000
TIMOTHY M. HOUSE, 0000
PAUL L. HOWE, 0000
PAUL E. HOWELL, 0000
PAUL B. HROMANIK, 0000
ANN S. HRYSHKOMULLEN, 0000
JEFFEREY B. HUBBELL, 0000
BERT L. HUBERT, 0000
ROBERT V. HUCKLEBERRY, 0000
JAMES B. HUDGENS, 0000
BILLY W. HUDSON, JR., 0000
STEPHEN C. HUEHOLT, 0000
HEIDI E. HUENIKEN, 0000
ALICIA L. HUGHES, 0000
RODNEY R. HULLINGER, 0000
SCOTT W. HUMMEL, 0000
JAMES D. HUNSICKER, 0000
PETER A. HUNSUCK, 0000
THOMAS M. HUNTER, 0000
KYLE N. HUSE, 0000
DIANE T. HUSTON, 0000
THOMAS H. HUZZARD, 0000
RAYMOND L. HYLAND, JR., 0000
APRIL L. IACOPELLI, 0000
RICHARD D. IANNACCHIONE, 0000
JON E. INCERPI, 0000
ROBERT L. INGEGNERI, 0000
MARK S. INGLES, 0000
ROBERT E. INTRONE, 0000
JOEL D. IRVIN, 0000
JAMES M. ISBEL, JR., 0000
PAUL H. ISSLER, 0000
HARRY W. JACKSON, 0000
ROBERT S. JACKSON, JR., 0000
THOMAS N. JACOB, 0000
JEFFERY L. JACOBS, 0000
GLEN C. JAFFRAY, 0000
ALAN D. JAGOLINZER, 0000
EDWARD M. JAKES, 0000
SERGEJ JAKOVENKO, JR., 0000
DANA J. JAMES, 0000
KRISTIN K. JAMES 0000
CONNIE M. JAMISON, 0000
CHRISTOPHER S. JARKO, 0000
LISA R. JASIN, 0000
CRAIG A. JASPER, 0000
STEVEN P. JATHO, 0000
BRIAN K. JEFFERSON, 0000
THOMAS B. JEFFREY, 0000
DAVID L. JENNINGS, 0000
TODD C. JOACHIM, 0000
PATRICK E. JOCHEM, 0000
TAY W. JOHANNES, 0000
CONNIE J. JOHNMEYER, 0000
DAVID W. JOHNSON, 0000
JAY S. JOHNSON, 0000
JOSHUA B. JOHNSON, 0000
KENNETH F. JOHNSON, 0000
KENT O. JOHNSON, 0000
NATHAN H. JOHNSON, 0000
PAUL L. JOHNSON, 0000
WILLIAM B. JOHNSON, 0000
WILLIAM H. JOHNSON III, 0000
DREW Y., JOHNSTON, JR., 0000
KENNETH T. JOLIVET, 0000
LANCE A. JOLLY, 0000
ROBERT D. JOLOWSKI, 0000
DIANE M. JONES, 0000
JAMES E. JONES, 0000
JAMES R. JONES, JR., 0000
ROBERT W. JONES, JR., 0000
CURTIS M. JORDAN, 0000
FLOYD A. JORDAN, 0000
JAMES A. JOYCE, 0000
KENNETH M. JOYNER, 0000
ANDREAS JUCKER, 0000
DAVID J. JULAZADEH, 0000
MARGARET H. JUREK, 0000
HENRY C. KAPPES, JR., 0000
SHOMELA R. KARIM, 0000
TIMOTHY J. KARMONDY, 0000
BONNY S. KARR, 0000
AMBER R. KASBEER, 0000
DONALD G. KATHAN, 0000
JEFFREY S. KECKLEY, 0000
PATRICIA C. KEENAN, 0000
ROBERT B. KEENEY, JR., 0000
SANDY J. KEITH, 0000
EDNA V. KELLEY, 0000
JOHN L. KELLEY, 0000
RICHARD E. KELLEY, 0000
WAYNE N. KELM, 0000
DOUGLAS K. KELSCH, 0000
VERONICA N. KEMENY, 0000
DOUGLAS B. KENNEDY, 0000
KRISTI A. KENNEDY, 0000
JACQUELYN E. KERR, 0000
ALINA KHALIFE, 0000
EDWARD J. KHIM, 0000
KATHLEEN H. KIDD, 0000
JAMES G. KIMBROUGH, 0000
MIKE D. KINCAID, 0000
MICHAEL T. KINDT, 0000
BRIAN E. KING, 0000
SONYA N. KING, 0000
WAYNE F. KING, 0000
ROBERT G. KINSFATHER, 0000
CECILIA M. KIPP, 0000
DONALD C. KIRK, 0000
VINCENT L. KIRKNER, 0000
PRESTON D. KISE, 0000
MIKLOS C. KISS, JR., 0000
MONICA Y. KLATT, 0000
WENDY E. KLEIN, 0000
JAMES F. KLINGMEYER, 0000
STEVE M. KLUMP, 0000
LISA K. KNIERIEM, 0000
WILLIAM M. KNIGHT, 0000
KEVIN J. KNISKERN, 0000
DANIEL P. KNUTSON, 0000
CYNTHIA A. KOCH, 0000
THEODORE S. KOCH, 0000
SCOTT A. KOEHLER, 0000
STEPHEN R. KOENIG, 0000
TERESA M. KOHLBECK, 0000
MICHAEL L. KONING, 0000
BRIAN T. KOONCE, 0000
STEPHEN O. KORNITZER, 0000
BENJAMIN F. KOUDELKA, JR., 0000
JOSEPH V. KRAFT, 0000
ROBET L. KRAJECK, JR., 0000
GLENN M. KRAMER, 0000
ANNA MARTINEZ, KRAMM, 0000
GEOFFREY D. KRASSY, 0000
JEFFREY J. KRIENKE, 0000
STEVEN E. KRIESE, 0000
JAMES P.E. KULKA, 0000
CHAD S. KUNTZLEMAN, 0000
KRISTINE T. KUSEKVELLANI, 0000
MAUREEN A. KUSKE, 0000
ANDREW C. KUTH, 0000
GLENN A. KYLER, 0000
EDWARD A. LAFERTY, 0000
DAVID P. LAKE, 0000
JAMES A. LAMB, 0000
CHRISTOPHER S. LAMBERT, 0000
JEFFREY A. LAMBERT, 0000
STEPHEN B. LAMBERT, 0000
KEVIN S. LANE, 0000
LARRY H. LANG, 0000
LEIANN M. LANG, 0000
MARK A. LANGE, 0000
TODD A. LANGENFELD, 0000
DOUGLAS N. LARSON, 0000
JEFFREY E. LARSON, 0000
STEVEN M. LARSON, 0000
CYNTHIA C. LATKE, 0000
MICHELLE D. LAVEY, 0000
BRETT E. LAWLESS, 0000
JAMES F. LAWRENCE, 0000
TIMOTHY R. LAWRENCE, 0000
ROGER A. LAWSON, 0000
THERESA A. LAWSON, 0000
ROBERT F. LAWYER, 0000
THOMAS R. LAYNE, 0000
CHRISTOPHER A. LEACH, 0000
BRIAN K. LEATHERWOOD, 0000
JAMES E. LEBER, 0000
STUART C. LEDET, 0000
JAMES D. LEDNUM, 0000
GENE C. LEE, 0000
HYON E. LEE, 0000
KURT R. LEE, 0000
RUSSELL E. LEE, 0000
WENDY J. LEE, 0000
WILLIAM M. LEE, 0000
LORI LEEDOWDY, 0000
CHRISTINE M. LEISTER, 0000
TINA M. LEMKE, 0000
BERNARDO LEONARDO, JR., 0000
GARY N. LEONG, 0000
EDWARD G. LESZYNSKI, 0000
DAVID S. LEVENSON, 0000
LISA E. LEWIS, 0000
ROBERT W. LEWIS, 0000
LENORA C. LEYENDECKER, 0000
DAWN LIGHT, 0000
ANITA L. LIGHTFOOT, 0000
SAMUEL LIGHTFOOT, JR., 0000
RONADL L. LIMES, JR., 0000
CHRISTOPHER J. LINDELL, 0000
DALE M. LINDEMANN, 0000
JOE L. LINDSEY, 0000
BRUCE A. LING, 0000
MARY P. LINN, 0000
DAVID S. LINTON, 0000
PETER R. LITTLE, 0000
MARGARET E. LITTLEFIELD, 0000
ERVIN LOCKLEAR, 0000
STEPHEN A. LOGAN, 0000
LESLY LOISEAU, 0000
DAVID N. LOMBARD, 0000
TAMARA N. LOMBARD, 0000
FREDERICK A. LOMBARDI, 0000
JOHN J. LOMICK, 0000
GREGORY A. LONG, 0000
JOHN H. LONG, 0000
MARY L. LONIGRO, 0000
MARC A. LOPEZ, 0000
MARIA J. LOPEZ, 0000
JENNEY L. LORD, 0000
RONYA M. LOTTHENDERSON, 0000
JOHN H. LOVEALL, 0000
LAURIE DENE LOVARK, 0000
JOHN G. LOWE, 0000
ROBERT R. LOY, 0000
ROY E. LOZANO, JR., 0000
KEITH A. LUDWIG, 0000
TIMOTHY T. LUNDERMAN, 0000
DAVID A. LUNGER, 0000
GARRY W. LUNSFORD, 0000
JAMIE A. LUTES, 0000
DAVID L. LYLE, 0000
DESIREE L. LYLES 0000
SHANNON D. LYNCH, 0000
WANDA V. LYNCH, 0000
CHERYL A. LYON, 0000
TIMOTHY S. LYON, 0000
JAMES D. LYONFIELDS, 0000
RICHARD N. MACCONNEL, 0000
KENNETH A. MACDONALD, 0000
ROBERT C. MACKELPRANG, 0000
WILLIAM D. MAGEE, 0000
CHERYL L. MAGNUSON, 0000
RICHARD W. MAHARREY, 0000
DAVID A. MAHER, 0000
BRIAN J. MAHONEY, 0000
CAROL C. MALEBRANCHE, 0000
PHILIPPE R. MALEBRANCHE, 0000
DAVID T. MALLARNEE, 0000
ROBERT A. MALLETS, 0000
FRANCIS X. MALLOY, 0000
CHARLES J. MALONE, 0000
RUSSELL W. MAMMOSER, 0000
PAUL R. MANCINI, 0000
BERNARD W. MANLEY, 0000
ROBERT J. MANSFIELD, 0000
CHAD T. MANSKE, 0000
KARL W. MARIOTTI, 0000
TODD M. MARKWALD, 0000
THOMAS H. MARLIN, 0000
KEITH E. MARLOW, 0000
BARBARA C. MARTIN, 0000
LISA A. MARTIN, 0000
STEVE A. MARTIN, 0000
WAYNE R. MARTIN, 0000
MICHELLE D. MARTINEAU, 0000
GLENN E. MARTINEZ, 0000
PETER H. MASON, 0000
ANTHONY J. MASSA, 0000
MICHAEL L. MASTERS, 0000
MICHAEL T. MATHEIS, 0000
JOSEPH P. MATHIS, 0000
ESTER L. MATINA, 0000
FREDDY A. MATOS, 0000
GREGG T. MATSUMOTO, 0000
JAMES B. MATTILA, 0000
SUZANNE M. MATTIODA, 0000
LESLIE A. MAUNEY, 0000
ERIC R. MAURER, 0000
GARY A. MAUSS, 0000

RICHARD D. MAXHIMER, 0000
ROBERT E. MAYFIELD, 0000
PAMELA D. MCALLISTER, 0000
WILLIAM J. MCALLISTER, 0000
JEANINE M. MCANANEY, 0000
HOWARD G. MCARTHUR, 0000
WILLIAM T. MCBROOM III, 0000
RICHARD T. MCCAFFERTY, 0000
REBECCA A. MCCAIN, 0000
SAMUEL P. MCCARTHY, 0000
STEPHEN S. MCCARTY, 0000
TERRY W. MCCLAIN, 0000
CHARLES J. MCCLOUD, JR., 0000
CARLA J. MCCLURE, 0000
BARBARA A. MCCLURKIN, 0000
ROBERT G. MCCORMACK, 0000
MICHAEL R. MCCOY, 0000
ROBERT P. MCCRADY, 0000
ILYO L. MCCRAY, 0000
JAMES B. MCDONALD, 0000
MICHAEL E. MCDONALD, 0000
REGINALD A. MCDONALD, 0000
GEORGE M. MCDOWELL, 0000
JAMES C. MCEACHEN, 0000
JOHN P. MCELDOWNEY, 0000
JAMES J. MCELHENNEY, 0000
DARYL C. MCELWAIN, 0000
MARK A. MCGEORGE, 0000
MILDRED MCGILLVRAY, 0000
GERALD T. MCGINTY, 0000
ANTHONY K. MCGRAW, 0000
STEPHEN I. MCINTYRE, 0000
PAUL M. MCKENNA, 0000
FREDERICK J. MCKEOWN, 0000
MICHAEL J. MCKINNEY, 0000
ROSLYN E. MCKINNEY, 0000
TIMOTHY J. MCLAIN, 0000
BRIAN P. MCLAUGHLIN, 0000
GAYLA MCLAUGHLIN, 0000
JESSE O. MCLAUGHLIN, 0000
JAMES C. MCMAHON, JR., 0000
KEVIN A. MCMANUS, 0000
DAVID M. MCMURRIN, 0000
JAMES H. MCNAIR, 0000
FRANK R. MCNAMARA, 0000
ANTOINETTE M. MCNEARY, 0000
JOHN S. MCSPADDEN, 0000
ELLEN R. MEANS, 0000
VICKY R. MEDLEY, 0000
KURT W. MEIDEL, 0000
BRIAN B. MEIER, 0000
MARY K. MEJASICH, 0000
DOUGLAS L.P. MELEGA, 0000
LIBERTAD MELENDEZ, 0000
RUSSELL C. MELVIN, 0000
THOMAS S. MENEFEE, 0000
CHARLES E. METROLIS, JR., 0000
FREDERICK G. MEYER, 0000
GREGORY S. MEYER, 0000
MICHAEL C. MEYER, 0000
THOMAS E. MEYER, 0000
MARK W. MICHAEL, 0000
ERIN A. MIDDLETON, 0000
MARK A. MIENTEK, 0000
CHARLES T. MILLER, 0000
JAMES E. MILLER, 0000
JEFFREY S. MILLER, 0000
KEVIN W. MILLER, 0000
RAYMOND S. MILLER, 0000
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THOMAS E. MILLER, 0000
DANIEL R. MILLMAN, 0000
GREGORY A. MILLS, 0000
MARILYNDA D. MILTEER, 0000
MICHAEL A. MINIHAN, 0000
CHERYL D. MINTO, 0000
JOSEPH B. MIRROW, 0000
JOSEPH M. MISSEL, 0000
JEFFREY S. MITCHELL, 0000
MICHAEL F. MITCHELL, 0000
JOSEPH B. MIZZELL, 0000
JOHN H. MODINGER, 0000
DEREK MOFFA, 0000
CHARLES W. MOINETTE, 0000
HERBERT S. MOLLER, 0000
DONALD T. MOLNAR, 0000
SOTIRIOS S. MOLOS, 0000
RICHARD P. MONAHAN, 0000
ANDREA MOORE, 0000
BOBBIE A. MOORE, 0000
CATHERINE M. MOORE, 0000
DORIS A. MOORE, 0000
KIMBERLY ANNCISNEROS MOORE, 0000
WILLIAM H. MOORE, 0000
ALBERT S. MORENO, 0000
GREY L. MORGAN, 0000
JOY L. MORIBE, 0000
MICHAEL A. MORREALE, 0000
SCOTT A. MORRIS, 0000
SUSAN D. MORRIS, 0000
WILLIAM L. MORRIS, 0000
PATRICE H. MORRISON, 0000
YANCY A. MOSLEY, 0000
GREGORY D. MOSS, 0000
TODD C. MOTTL, 0000
MICHAEL A. MRAS, 0000
LESLIE L. MUHLHAUSER, 0000
JOSEPH E. MULLEN, JR., 0000
MARY N. MULLER, 0000
JAMES P. MULLINS, 0000
DEBORAH A. MUNLEY, 0000
EVELYN MUNOZ, 0000
JENNIFER J. MURPHY, 0000
KAREN L. MURPHY, 0000
RODERICK T. MURPHY, 0000
WENDY L. MURRAY, 0000
MYLES M. NAKAMURA, 0000
JOSEPH J. NARRIGAN, 0000
DANIEL S. NASH, 0000
TRACY A. NEALWALDEN, 0000
LORA F. NEELY, 0000
MARY C. NEFF, 0000
ROBERT E. NEHER, JR., 0000
TIMOTHY A. NELL, 0000
BRENDA R. NELSON, 0000
CATHERINE M. NELSON, 0000
MELANIE J. NELSON, 0000
REBECCA A. NELSON, 0000
DOUGLAS W. NEMSCHICK, JR., 0000
ROBER L. NEUMANN, 0000
STEVEN T. NEUSER, 0000
MICHAEL EUGENE NEWMAN, 0000
CHRISTINE L. NG, 0000
CLIFTON E. NICHOLS, 0000
JAMES R. NICHOLS, 0000
JOSEPH K. NICHOLSON, 0000
SCOTT P. NICKERSON, 0000
ERIC B. NICKISH, 0000
CHRISTOPHER T. NICKLAS, 0000
DANA S. NIELSEN, 0000
TERANCE L. NIVER, 0000
LAWRENCE A. NIXON, 0000
BRIAN P. NOEL, 0000
VAHAN NOKHOUDIAN, 0000
STEVEN P. NOLL, 0000
DANIEL R. NORDSTROM, 0000
DALE W. NORRIS, 0000
ROBERT M. NORRIS, 0000
JAMES D. NORTON, 0000
KEVIN D. NOWAK, 0000
JOHN S. O'BRIEN, 0000
KRISTINA M. O'BRIEN, 0000
BARBARA S. OCHSNER, 0000
JODY L. OCKER, 0000
KEVIN S. O'CONNELL, 0000
TIMOTHY J. O'CONNOR, 0000
GARY L. O'DANIEL, 0000
CLIFFORD W. O'DELL, 0000
PATRICIA A. O'DONNELL, 0000
VIRGINIA A. O'DONNELL, 0000
EDWIN J. OFFUTT, 0000
ANGELA MARIE OGAWA, 0000
TERENCE J. O'GRADY, 0000
TIMOTHY F. OLDENBURG, 0000
KEVIN C. OLESEN, 0000
RICHARD L. OLIVER II, 0000
ELEANOR C. OLIVERIO, 0000
FORREST O. OLSON, 0000
AUDREY R. OMER, 0000
ANDREW D. O'NEEL, 0000
BRADLEY A. O'NEIL, 0000
RICHARD J. ONKEN, 0000
JILL J. OREAR, 0000
JENNIFER J. ORR, 0000
DAVID L. ORTOLANI, 0000
KEVIN A. OSBURN, 0000
KARL E. OTT, 0000
JANICE E. OWINGS, 0000
ALFRED J. OZANIAN, 0000
MICHAEL A. OZMENT, 0000
CLIFFORD D. OZMUN, 0000
JOSEPH P. PACE, 0000
DANIEL A. PACHECO, 0000
GREGORY S. PACHMAN, 0000
REGINA R. PADEN, 0000
TIMOTHY I. PAGE, 0000
JAMES P. PALMISANO, 0000
ANDREW J. PALOMBELLA, 0000
DANNY E. PALUBECKIS, 0000
THOMAS E. PARENT, 0000
DAVID D. PARK, 0000
ELIZABETH A. PARK, 0000
GREGORY H. PARKER, 0000
JEANNINE M. PARKER, 0000
JEFFREY R. PARKER, 0000
MARDIS W. PARKER, 0000
RICHARD L. PARKS, 0000
JAMES C. PARTIN, 0000
KENNETH J. PASCOE, 0000
DUSHYANTKUMAR A. PATEL, 0000
KALPESH B. PATEL, 0000
BRADLEY C. PATON, 0000
DAVID A. PATTON, 0000
BRETT A. PAUER, 0000
TODD M. PAVICH, 0000
GREGORY J. PAYNE, 0000
KATHY J. PAYNE, 0000
MARGARET M. PAYTON, 0000
JAMES L. PEASE, 0000
JAMES D. PECCIA III, 0000
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DWAYNE R. PEOPLES, 0000
DANIEL A. PEPPER, 0000
GARY L. PERCIVAL, 0000
KEVIN E. PERDUE, 0000
SEAN W. PERKINS, 0000
SUSAN M. PERRY, 0000
THEODORE O. PERSINGER, 0000
BRADLEY T. PETERS, 0000
RONALD F. PETERS, 0000
KEVIN S. PETERSON, 0000
SAMUEL B. PETTERS, 0000
PAUL E. PFANKUCH, 0000
LINDA G. PHELPS, 0000
KIRK A. PHILLIPS, 0000
MICHAEL A. PHILLIPS, 0000
JOSEPH F. PIASECKI, 0000
CHARLES PICONE, 0000
ERIC A. PIEL, 0000
PAUL S. PIRKLE III, 0000
MICHAEL E. PLATTEEL, 0000
PAUL R. PLEMEL, 0000
SCOTT L. PLEUS, 0000
STEPHEN D. POINTON, 0000
WILLIAM E. POLAKOWSKI, 0000
JOHN F. POLANDER, 0000
ROBERT W. POLICANO, 0000
MICHAEL J. POLLEY, 0000
THOMAS POLLIO, 0000
EDWARD J. POLLOCK, 0000
MICHAEL D. PORT, 0000
JAMES C. PORTER, 0000
SHEILA J. POWELKA, 0000
JAMES R. POWELL, 0000
JOHN W. POWERS III, 0000
WILLIAM M. PRAMENKO, 0000
TYE E. PRATER, 0000
JOHN R. PRATT, 0000
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MELANIE A. PRINCE, 0000
RICHARD D. PROCTOR, 0000
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RAYMOND K. PURVIS, 0000
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CHARLES D. QUINN, 0000
PAUL R. QUIRION, 0000
ROBERT A. QUIRK, 0000
WILLIAM M. RADER III, 0000
STEVEN P. RAGGE, 0000
KENNETH C. RAGSDALE, 0000
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CURTIS K. RAHN, 0000
TODD G. RAIRDAN, 0000
ANTHONY R. RAMAGE, 0000
MURIEL RAMIREZSALAS, 0000
STEVEN T. RAMSAY, 0000
ROBERT L. RAMSDEN, 0000
BENJAMIN A. RASGORSHEK, 0000
BILLY M. RASNAKE, 0000
WILLIAM F.I. RATLEDGE, 0000
JON C. RATZ, 0000
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JOHN P. RAULSTON, JR., 0000
BRIAN E. RAUSCH, 0000
FLOYD C. RAVEN, JR., 0000
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CAROL L. RAYOS, 0000
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LOREN W. REDINGER, 0000
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BROOKS B. REESE, 0000
PATRICK S. REESE, 0000
THOMAS M. REESE, 0000
ANTHONY H. REILL, 0000
FRANK G. REINEKE, 0000
RICHARD J. REISER, 0000
CHARLENE H. REITH, 0000
ROBERT S. RENEAU, 0000
THOMAS A. REPPART, 0000
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STEPHEN L. REZNIK, 0000
KENNETH P. RHEIN, 0000
KEVIN M. RHOADES, 0000
BRIAN K. RHODARMER, 0000
KENNETH D. RHUDY, 0000
SUSAN R. RICE, 0000
MARTIN J. RICHARD, 0000
DONNA M. RCIHARDS, 0000
THOMAS J. RICHARDS, 0000
TODD E. RICHARDS, 0000
PARTICIA M. RICHARDSON, 0000
SCOTT M. RIDER, 0000
MARY B. RIENDEAU, 0000
THOMAS A. RIETKERK, 0000
ANNA M. RIGHERO, 0000
KEVEIN R. RITCHIE, 0000
HANS V. RITSCHARD, 0000
ALTON O. RITTENOUR, 0000
JOSEPH M. RIVERS, 0000
CHAD E. ROALSON, 0000
CLYDE H. ROBERTS III, 0000
STEPHEN L. ROBERTSON, 0000
CHARLES T. ROBINSON, 0000
DONNAMARIA ROBINSON, 0000
JEFFREY D. ROBINSON, 0000
ROBERT M. RODGERS, 0000
CLIFFORD D. RODMAN, JR., 0000
JAMES F. RODRIGUEZ, 0000
JENNIFER C. RODRIGUEZ, 0000
CHERIES E. ROFF, 0000
WILLIAM B. ROGAN III 0000
JAMES W. ROGERS, JC., 0000
ROBERT A. ROGERS, 0000
JOANNE M. ROHLMAN, 0000
STEPHEN M. ROHRBOUGH, 0000
MICHAEL A. ROMERO, 0000
LIZA BETH ROOS, 0000
MARK D. ROOSMA, 0000
DONNA K. ROPER, 0000
ARMANDO L. ROSALES, 0000
JULIE A. ROSELLIRAYA, 0000
THOMAS ROSS, 0000
TED A. ROSWARSKI, 0000
KIM A. ROTH, 0000
MICHAEL F. ROTHERMEL, 0000
HEIDIE R. ROTHSCHILD, 0000
ROBERT B. ROTTSCHAFER, 0000
ANDERSON B. ROWAN, 0000
KIRK L. ROWE, 0000
RICHARD L. ROWE, JR., 0000
EUGENE I. ROWELL, JR., 0000
MICHAEL W. RUBY, 0000

JOANNE R. RUGGERI, 0000
DAVID M. RULLI, 0000
RALPH J. RUOCCO, 0000
BRIAN RUSLER, 0000
BRYN A. RUSSELL, 0000
DAVID M. RUSSELL, 0000
ROBERT D. RUSSELL, 0000
TERI JO RUSSELL, 0000
MICHAEL J. RUSZKOWSKI, 0000
PHILIP E. RUTLEDGE, II, 0000
MARK C. RYALS, 0000
JON J. RYCHALSKI, 0000
ANDREW L. SACKETT, 0000
MICHAEL T. SAGE, 0000
PAUL A. SAINSBURY, 0000
SARA J. SALANSKY, 0000
BRIAN R. SALMANS, 0000
JUVENAL Q. SALOMON, 0000
KELLY ANDERSON SAMOLITIS, 0000
TIMOTHY J. SAMOLITIS, 0000
KEVIN L. SAMPELS, 0000
DAVID S. SANCHEZ, 0000
PATRICK G. SANDERS, 0000
SHANE L. SANDERS, 0000
MICHAEL E. SANTOS, 0000
LEVY G. SARINO, JR., 0000
BRIAN L. SASSAMAN, 0000
RICHARD F. SAUERS, JR., 0000
GREGORY G. SAULNIER, 0000
TAMMY M. SAVOIE, 0000
BARBARA J. SCHACHT, 0000
GREGORY SCHECHTMAN, 0000
GREGORY C. SCHEER, JR., 0000
KURT M. SCHEIBLE, 0000
ANTHONY SCHEIDT, 0000
GEORGE J. SCHERER, 0000
WILLIAM A. SCHEU, 0000
KEVIN J. SCHIELDS, 0000
KIM L. SCHMIDT, 0000
THERESA R. SCHNITZER, 0000
PAUL L. SCHOLL, 0000
PATRICK J. SCHOLLE, 0000
JEFFREY C. SCHROEDER, 0000
JESUS C. SCHROEDER, 0000
ROBERT C. SCHROEDER, JR., 0000
CARL J. SCHULER, JR., 0000
MARK J. SCHULER, 0000
JON J. SCHULSTAD, 0000
CARL D. SCHULTE, 0000
MELANIE D. SCHULTZ, 0000
ROBIN L. SCHULTZE, 0000
LAURA T. SCHWARTZE, 0000
TERESA M. SCHWEHM, 0000
JONATHAN J. SCILKEN, 0000
RANDALL T. SCOGGINS, 0000
GEORGE J. SCORDAKIS, 0000
CRAIG M. SCOTT, 0000
DAVID A. SCOTT, 0000
SHARON T. SCOTT, 0000
VERNON L. SCRIBNER, 0000
DAVID C. SEAVER, 0000
REBECCA C. SEESE, 0000
ANGELA E. SEITZ, 0000
VICTOR H. SEVERIN, 0000
ANNE M. SHAFFER, 0000
CAROL L. SHAFFER, 0000
MELLOR KRISTINE M. SHAFFER, 0000
WILLIAM M. SHAFFER, 0000
BERNARD J. SHANAHAN, 0000
CHRISTOPHER C. SHANNON, 0000
MARK E. SHARP, 0000
MICHAEL G. SHARP, 0000
MICHAEL J. SHENK, 0000
MARIAN B. SHEPHERD, 0000
RONALD C. SHEPHERD, JR., 0000
JAMES W. SHERECK, 0000
DAVIN M. SHING, 0000
JON J. SHOWALTER, 0000
LARRY W. SHRYOCK, 0000
ROBERT A. SHULL, 0000
TODD C. SHULL, 0000
JAMES E. SIEFFERT, 0000
DAVID A. SIKORA, 0000
DONLEY SILBAUGH, 0000
ERIC E. SILBAUGH, 0000
BRIAN D. SILKEY, 0000
MICHAEL A. SILVER, 0000
STEPHEN S. SILVERS, 0000
NORMAN H. SIMER, JR., 0000
JOHN P. SIMMONS, 0000
KIMBERLY J. SIMMONS, 0000
DEBORAH L. SIMON, 0000
RHONDA R. SIMS, 0000
SAMUEL M. SIMS, 0000
JON M. SINCLAIR, 0000
LAWRENCE E. SINKULA, 0000
DEBBIE F. SIPLE, 0000
TIMOTHY M. SIPOWICZ, 0000
TODD W. SITTIG, 0000
JOANN E. SKEEN, 0000
ROSE A. SKIRTICH, 0000
KEITH E. SKOGEN, 0000
LESLEY J. SLATE, 0000
KENNETH R. SLATER, 0000
WILLIAM S. SLAUGHTER, 0000
CRAIG J. SLEBRCH, 0000
DENETTE L. SLEETH, 0000
JAMES C. SLIFE, 0000
DOUGLAS T. SLIPKO, 0000
CRAIG T. SLOAN, 0000
THOMAS G. SLOAN, 0000
BRIAN D. SMITH, 0000
BRUCE I. SMITH, 0000
BRUCE M. SMITH, 0000
COLLIN B. SMITH, 0000
DAVID P. SMITH, 0000
DIANE L. SMITH, 0000
GARY D. SMITH, 0000
JAMES B. SMITH, 0000
JEFFERY B. SMITH, 0000
JEFFERY P. SMITH, 0000
JEFFREY E. SMITH, 0000
JEFFREY M. SMITH, 0000
LOUIS V. SMITH, JR., 0000
MARIO F. SMITH, JR., 0000
MAURY J. SMITH, 0000
ROBERT J. SMITH, JR., 0000
ROXANNE M. SMITH, 0000
TERESA L. SMITH, 0000
WENDEL A. SMITH, 0000
MATTHEW C. SMITHAM, 0000
KERRY J. SMITHERS, 0000
CRAIG A. SMYSER, 0000
NEAL A. SNETSKY, 0000
BRIAN M. SNIPPEN, 0000
BENJAMIN E. SNOW, 0000
GORDON D. SNOW, 0000
JONATHAN D. SNOWDEN, 0000
DAVID D. SNYDER, 0000
JENNIFER L. SNYDER, 0000
JUDY A. SNYDER, 0000
SCOTT A. SNYDER, 0000
WILLIAM H. SNYDER, 0000
TIMOTHY J. SODERHOLM, 0000
JOHN T. SOMMER, 0000
DAVID M. SONNTAG, 0000
LENA L. SOTO, 0000
ERIC P. SOUCY, 0000
ANNETTE SOWARDS, 0000
DEAN C. SPAHR, 0000
RYAN S. SPAULDING, 0000
THOMAS R. SPELLMAN, 0000
ANNETTA L. SPENCER, 0000
JAMES A. SPERL, 0000
CHARLES J. SPILLAR, JR., 0000
GARY M. SPILLMAN, 0000
JUDITH K. SPOERER, 0000
JAMES E. SPRAY, 0000
JAMES B. SPROUSE, 0000
STEVEN G. STAATS, 0000
MARY I. STACKER, 0000
RODNEY L. STAGGS, 0000
DAVID J. STAMPS, 0000
DAVID W. STANEK, 0000
TIMOTHY R. STANEK, 0000
PAUL D. STANG, 0000
MICHAEL G. STAUBER, 0000
GREGORY C. STAUDENMAIER, 0000
LARRY M. STAUFFER, 0000
GRANT J. STEDRONSKY, 0000
KRISTIN A. STEEL, 0000
PHILLIP G. STEEL, 0000
JOSEPH D. STEELE, 0000
JERALD W. STEEN JR., 0000
KAREN B. STEINER, 0000
DENNIS W. STEININGER, 0000
DAVID M. STEPHAN, 0000
RONALD L. STEPHENS, 0000
MICHAEL W. STERN, 0000
JOHN P. STEVENS, 0000
MICHAEL D. STEVENS, 0000
BRIAN S. STEWART, 0000
THOMAS J. STEWART, 0000
JEFFREY A. STINSON, 0000
BRENT A. STIRLING, 0000
BRIAN A. STIVES, 0000
THERESA A. STOCKDALE, 0000
CARY L. STOKES, 0000
ALESSANDRA STOKSTAD, 0000
BRYAN M. STOKSTAD, 0000
CLEARENCE M. STONE JR., 0000
JEFFREY A. STONE, 0000
ROBERT H. STONEMARK, 0000
MICHAEL R. STRACHAN, 0000
RUSSELL F. STRASBURGER III, 0000
BRENTON K. STREZA, 0000
ROBERT M. STRICKLAND JR., 0000
DANIEL J. STRIEDIECK, 0000
CARL A. STRUCK, 0000
CYNTHIA R. STUDSDAHL, 0000
HEATHER J. STUMBO, 0000
CARL H. SUCRO JR., 0000
JOSLYN M. SULLEN, 0000
JOSHUA B. SUMMERLIN, 0000
PAMELA K. SUMMERS, 0000
SCOTT H. SUMMERS, 0000
CARROLL R. SUNNER II, 0000
ARAS P. SUZIEDELIS, 0000
STEVEN A. SVEJDA, 0000
JOHN P. SVOBODA, 0000
MICHAEL W. SWANN, 0000
LAWRENCE J. SWANSON, 0000
ROBERT J.C. SWANSON, 0000
ROBERT C. SWARINGEN II, 0000
MICHAEL A. SWIFT, 0000
RALPH A. SWINDLER, 0000
JOHN M. SYLOR, 0000
TERENCE L. SYMONDS, 0000
JEFFERY S. SZATANEK, 0000
ANDREW G. SZMEREKOVSKY, 0000
GEORGE P. TADDA, 0000
MICHAEL R. TAHERI, 0000
KARL S. TALKE, 0000
JOSEPH H.Y. TAM, 0000
MICHAEL L. TAPPAN, 0000
WALTER F. TARASKA JR., 0000
JOHN W. TARR JR., 0000
DAVID L. TARTER, 0000
TRENT J. TATE, 0000
GREGORY O. TAYLOR, 0000
JAMES F. TAYLOR, 0000
JOHN R. TAYLOR II, 0000
JOSEPH A. TAYLOR JR., 0000
KAREN A. TAYLOR, 0000
SYLVIA C. TAYLOR, 0000
SHAWN E. TEAGAN, 0000
GARIN P. TENTSCHERT, 0000
KEITH A. TERRELL, 0000
DAVID M. TERRINONI, 0000
JOHN P. TERRY, 0000
ROYCE M. TERRY, 0000
KEVIN M. TESSIER, 0000
JOSEPH B. THALMAN, 0000
TODD L. THIBAULT, 0000
DONALD G. THIBEAULT, 0000
GEOFFREY P. THOMAS, 0000
HOWARD M. THOMAS, 0000
JACQUELINE D. THOMAS, 0000
KENT A. THOMAS, 0000
CHARITY J. THOMASOS, 0000
BILLY D. THOMPSON, 0000
BRAD R. THOMPSON, 0000
GREGORY F. THOMPSON, 0000
MATTHEW H. THOMPSON, 0000
JEFFREY A. TIBBITS, 0000
CHERYL A. TILLMAN, 0000
CHARLES R. TIMMERMEYER, JR., 0000
EARL L. TINGLE III, 0000
GRACIELA E. TISCARENOSATO, 0000
MICHAEL A. TODD, 0000
PATRICK M. TOM, 0000
MICHAEL J. TOMASULO, 0000
LYNN A. TOMLONSON, 0000
DONNA L. TONEY, 0000
LAWRENCE O. TORRES, 0000
CHRISTIAN T. TOTTEN, 0000
PHILLIP P. TRAHAN, 0000
JAMES W. TRAVIS, 0000
JULIE D. TRAVNICEK, 0000
JENNIFER C. TRAYLOR, 0000
CHESTER A. TRELOAR, 0000
KIRK A. TRESCH, 0000
RUBEN TREVINO, 0000
JIMMIE L. TRIGG, 0000
MICHELLE M. TRIGG, 0000
JAMES D. TRIMBLE, 0000
JULIE P. TSEH, 0000
RAYMOND TSUI, 0000
LISA M. TUCKER, 0000
TROY TUCKER, 0000
DONALD J. TUMA, 0000
NINA M. TURCATO, 0000
ROBERT E. TURGEON, 0000
DENISE VERGA TURNBAUGH, 0000
DANIEL J. TURNER, 0000
DEBORAH A. JOHNSON TURNER, 0000
WESLEY A. TUTT, 0000
DIANA L. TUTTLE, 0000
ROBERT E. TUTTLE, 0000
AMY E. TWEED, 0000
WILLIAM R. TYRA, 0000
DAVID F. UBELHOR, 0000
BLAKE P. UHL, 0000
JEFFREY R. ULLMANN, 0000
JODI L. UNSINGER, 0000
CHRISTOPHER J. URDZIK, 0000
GREGORY N. URTSO, 0000
BARBARA M. UTTARO, 0000
IAN M. VAIL, 0000
JOHN M. VAIL, 0000
PETER C. VALLEJO, 0000
DREW RANDAL C. VAN, 0000
LIEU LISA D. VAN, 0000
TIEM THOMAS, JR. VAN, 0000
TROY B. VANCASTER, 0000
JOHN J. VANCE, 0000
CHRIS D. VANDECAR, 0000
REX S. VANDERWOOD, 0000
TERRY F. VANN, 0000
JONATHAN R. VANNOORD, 0000
MICHAEL A. VANTHOURNOUT, 0000
FRITZ VANWIJNGAARDEN, 0000
CHERYL L. VARGO, 0000
BRIAN T. VARN, 0000
DAVID S. VAUGHN, 0000
NANCY VEGA, 0000
FREDERICK H. VICCELLIO, 0000
ROMMEL B. C. VILLALOBOS, 0000
JUAN C. VILLARREAL, 0000
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DAVID E. VIPPERMAN, 0000
STEPHEN R. VIRNIG, 0000
JOHN M. VITACCA, 0000
LEAMON K. VIVEROS, 0000
SCOTT G. VOGEL, 0000
KARL A. VOGELHEIM, 0000
GREGORY S. VOYLES, 0000
BRIAN WACTER, 0000
GEOFFREY E. WADE, 0000
KIRSTEN A. WADE, 0000
BERNARD D. WADSWORTH, 0000
JAMES D. WAGGLE, 0000
MARGARET M. WAGNER, 0000
SUSAN J. WAID, 0000
CURTIS A. WAITE, 0000
CHARLES E. WAITS, 0000
TRESSIE L. WALDO, 0000
CRAIG J. WALKER, 0000
DARRYL D. WALKER, 0000
DAVID S. WALKER, 0000
BRIAN D. WALL, 0000
JEFFREY S. WALLACE, 0000
JONATHAN M. WALLEVAND, 0000
KAREN D. WALLS, 0000
SCOTT F. WALTER, 0000
SHELDON D. WALTER, 0000
JOSEPH M. WALZ, 0000
DEAN A. WARD, 0000
ROBERT J. WARD, 0000
ERIC L. WARNER, 0000
LEAH C. WARNER, 0000

SCOTT A. WARNER, 0000
JAMES L. WARNKE, 0000
ELAINE R. WASHINGTON, 0000
LORENZO S. WASHINGTON, 0000
MARK E. WASSER, 0000
BILLY J. WATKINS, JR., 0000
MICHAEL G. WATSON, 0000
CHRISTIAN G. WATT, 0000
KATHERINE A. WEBB, 0000
RICHARD E. WEBB, JR., 0000
MICHAEL R. WEHMEYER, 0000
DAN K. WEIBLE, 0000
TERI L. WEIDE, 0000
GREGORY S. WEISE, 0000
KIRK K. WEISSENFLUH, 0000
NANCY L. WEITZEL, 0000
PATRICK T. WELCH, 0000
MARK D. WELTER, 0000
JAMES C. WEST, 0000
WILLIAM P. WEST, 0000
GARY A. WETTENGEL, JR., 0000
BRYAN A. WHATLEY, 0000
SEABORN J. WHATLEY III, 0000
MONICA L. WHEATON, 0000
CATHERINE A. WHEELER, 0000
MARK C. WHEELHOUSE, 0000
TOBY S. WHELCHEL, 0000
CHRISTOPHER G. WHELESS, 0000
JEFFREY WHETSTONE, 0000
WILLIAM S. WHIPPLE, 0000
DAVID G. WHITE III, 0000
ROBIN L. WHITE, 0000
TONY A. WHITESIDE, 0000
LUKE D. WHITNEY, 0000
WILSON W. WICKISER, JR., 0000
WENDY S. WICKWIRE, 0000
ROBERT WILLIAM WIDO, JR., 0000
ROBIN A. WIEGAND, 0000
JEFFREY A. WILCOX, 0000
SHEILA H. WILHITE, 0000
JOHN M. WILKENS, 0000
PEGGY ANNE WILKINS, 0000
MARK W. WILKINSON, 0000
MICHAEL D. WILKINSON, 0000
BRETT T. WILLIAMS, 0000
CLIFFORD D. WILLIAMS, 0000
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LYNDON J. WILLIAMS, 0000
NEICKO C. WILLIAMS, 0000
NNEKA C. WILLIAMS, 0000
ROBIN B. WILLIAMS, 0000
SHUN V. WILLIAMS, 0000
JEFFREY S. WILLIS, 0000
JOHNDAVID W. WILLIS, 0000
MATTHEW B. WILLIS, 0000
CHRISTOPHER A.D. WILLISTON, 0000
R. BREC WILSHUSEN, 0000
ALEXANDER M. WILSON, 0000
CLIFFORD A. WILSON, 0000
KENNETH R. WILSON, 0000
TERRY A. WILSON, 0000
MAJORIE E. WIMMER, 0000
PATRICK J. WINDEY, 0000
TRACY A. WINGERT, 0000
MARYELLEN WINKLER, 0000
TERRENCE E. WINNIE, 0000
RICHARD S. WISE, 0000
TRACY M. WITCHER, 0000
MARK E. WITSKEN, 0000
JEROME E. WIZDA, 0000
JEFFREY S. WOELBLING, 0000
DANIEL T. WOLF, 0000
KEVIN M. WOLF, 0000
KEVIN S. WOLFE, 0000
JOSEPH L. WOLFER, 0000
JOSEPH L. WOLFKIEL, 0000
JASON L. WOOD, 0000
THERESA G. WOOD, 0000
RIPLEY E. WOODARD, 0000
ANDREW D. WOODROW, 0000
ROBERT S. WOODWARD, 0000
TIMOTHY M. WOODYARD, 0000
MICHAEL W. WOOLLEY, 0000
JAMES O. WOOTEN, 0000
RHONDA S. WOOTTON, 0000
TODD A. WORMS, 0000
BRADLEY K. WRIGHT, 0000
JACK D. WRIGHT, JR., 0000
KARYN E. WRIGHT, 0000
RICHARD D. WRIGHT, 0000
ANTHONY J. WURMSTEIN, 0000
JUSTIN R. WYMORE, 0000
PAUL A. YARBROUGH, 0000
ERIC W. YATES, 0000
JAMES H. YEAGER, 0000
JOHN P. YEATMAN, 0000
MARY ANNE C. YIP, 0000
PATRICIA L. YORK, 0000
JOHN S. YOUNG, 0000
GREGORY J. YUEN, 0000
ELIZABETH A. ZEIGER, 0000
KEVIN M. ZELLER, 0000
KAREN K. ZEPP, 0000
KENNETH S. ZEPP, 0000
MICHAEL J. ZIGAN, 0000
DOUGLAS J. ZIMMER, 0000
JAMES B. ZIMMERMAN, 0000
MICHAEL J. ZUBER, 0000
SCOTT A. ZUERLEIN, 0000