

The Maritime History Trail, which opened in 1993, celebrates and explores the coastal trade, defense of the Nation, and the fishing and ship building industries. Visitors to this trail can stop, for example, at the Belford Seafood Co-op, a cooperative commercial fishing operation located on the shores of Sandy Hook Bay. The community of Belford is over 200 years old and is reported to be the oldest fishing port on the east coast, with many third- and fourth-generation fishers.

The Coastal Habitats Trail, which opens this year, explores barrier islands, wetlands, estuaries, and other habitats from sandy beaches to maritime forests that provide homes to many plants and animals. Also opening this year is the Wildlife Migrations Trail, which explores places along the Atlantic Flyway, a critical nesting and feeding area for many species of birds. It also celebrates the habitat of the horseshoe crab along the Delaware Bay.

The Historic Settlements Trail explores historic communities whose economies were based on local natural resources such as the bog iron community at Allaire State Park, the cranberry and timber industry located at Double Trouble State Park, and the glassmaking communities in Cumberland and Salem Counties.

The Relaxation and Inspiration Trail will explore how people used their leisure time, and includes the religious retreats of Ocean Grove and Cape May's historic district and boardwalks, and visits the artists who were inspired by the Jersey shore.

Mr. President, the New Jersey Coastal Heritage Trail Route exemplifies how successful the National Park Service has been in forging partnerships with State and local governments, and private individuals and organizations. Since its beginning in 1988, the Park Service has received less than \$1 million in Federal assistance. The authorizing legislation appropriately called upon the Park Service to match 50 percent with non-federal funds. The Park Service has gone well beyond that target, raising over \$818,000 in non-federal funds. Yet in fiscal year 1998, the authorization ceiling of \$1.25 million will have been reached. My bill would increase the authorization level for the trail to \$4 million, and extend the authorization to the year 2004, which would give the Park Service the additional time it needs to complete the trail. This is a small investment, I believe, to preserve the richness of New Jersey's and the Nation's history.

The Coastal Heritage Trail Route has brought national recognition and stature to many of New Jersey's special places, and helps to contribute to New Jersey's second largest industry, tourism. I invite my colleagues to join me in support of this legislation which will ensure that many more of these gems of New Jersey and the Nation are understood, celebrated, and protected.

I ask unanimous consent that the text of the bill be included in the RECORD.

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

S. 1016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Section 6 of Public Law 100-515 (16 U.S.C. 1244 note) is amended—

- (1) in subsection (b)(1), by striking "\$1,000,000" and inserting "\$4,000,000"; and
- (2) in subsection (c), by striking "five" and inserting "10".

ADDITIONAL COSPONSORS

S. 775

At the request of Mr. HARKIN, his name was added as a cosponsor of S. 775, a bill to amend the Internal Revenue Code of 1986 to exclude gain or loss from the sale of livestock from the computation of capital gain net income for purposes of the earned income credit.

SENATE CONCURRENT RESOLUTION 38

At the request of Mr. ROTH, the names of the Senator from New York [Mr. D'AMATO], the Senator from North Dakota [Mr. CONRAD], and the Senator from Illinois [Ms. MOSELEY-BRAUN] were added as cosponsors of Senate Concurrent Resolution 38, a concurrent resolution to state the sense of the Congress regarding the obligations of the People's Republic of China under the Joint Declaration and the Basic Law to ensure that Hong Kong remains autonomous, the human rights of the people of Hong Kong remain protected, and the government of the Hong Kong SAR is elected democratically.

SENATE RESOLUTION 106

At the request of Mr. ROBB, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of Senate Resolution 106, a resolution to commemorate the 20th anniversary of the Presidential Management Intern Program.

AMENDMENT NO. 830

At the request of Mr. KERRY his name was added as a cosponsor of Amendment No. 830 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.

AMENDMENTS SUBMITTED

THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT FOR FISCAL YEAR 1998

STEVENS AMENDMENT NO. 837

Mr. STEVENS proposed an amendment to the bill (S. 1005) making appro-

priations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes; as follows:

On page 30, line number 5, strike the number "\$2,431,741,000" and insert in lieu thereof "\$2,411,741,000";

On page 28, line number 9, strike the number "\$2,865,800,000" and insert in lieu thereof "\$2,832,800,000";

On page 20, line number 12, strike the number "\$322,200,000" and insert in lieu thereof "\$382,200,000".

**HUTCHISON (AND WARNER)
AMENDMENT NO. 838**

(Ordered to lie on the table.)

Mrs. HUTCHISON (for herself and Mr. WARNER) submitted an amendment intended to be proposed by them to the bill, S. 1005, supra; as follows:

At the appropriate point, add the following (and conform the table of contents accordingly:)

SEC. . SENSE OF CONGRESS REGARDING MISSION CREEP IN BOSNIA.

(a) FINDINGS.—Congress finds the following:

(1) NATO forces have begun various military operations in Bosnia aimed at capturing other alleged war criminals, including the capture of a Bosnia Serb police chief in northwest Bosnia. In this altercation, at least one British soldier was injured.

(2) On July 3, State Department spokesman Nicholas Burns stated that a Bosnian Serb television report that NATO peacekeepers had been ordered to arrest Radovan Karadzic and Ratko Mladic on sight was "absolutely and unequivocally false."

(3) In support of that position, the Supreme Allied Commander in Europe, General George Joulwan, reaffirmed on Monday, July 7, that "the principal responsibility for [apprehending war criminals] lies with the [Bosnian] parties themselves."

(4) On March 18, 1997, General Joulwan testified before the Senate Armed Service Committee that "the military are not policemen. And I think, again, the proper responsibility rests on the parties. That is what Dayton says . . . [I]f we are not careful we will go down this slippery slope where the military will be put into hunting down war criminals. That is not within my mandate."

(5) On July 9, 1997, the prospective Supreme Allied Commander in Europe, General Wesley Clark, during his confirmation hearings before the Senate Armed Services Committee, acknowledged his understanding of his predecessor's mandate and affirmed his intention to execute the policy in the same way as General Joulwan has.

(6) On November 17, 1996, the Secretary of Defense stated in response to a specific question regarding the apprehension of war criminals in Bosnia that "the mission [in Bosnia] is to provide a secure environment so that all of the other civil functions can go on . . . It is not to perform [apprehension] functions."

(7) On December 18, 1996, the Secretary of Defense reaffirmed that the apprehension of war criminals "was not an IFOR mission, [and] it will not be an SFOR mission . . . [L]ocating and arresting the criminals is a mission for a police force."

(8) On March 3, 1997, the Secretary of Defense stated that "[t]he apprehension of war criminals is not a part of the mission . . . It is a police function . . . it is not a military-type mission."

(9) An expansion of the U.S. mission in Somalia (that expansion being an element of "nation-building") specifically being the

mandate to hunt down and arrest specific individual(s), resulted in the deaths of 18 U.S. Special Forces in October 1993 and precipitated the subsequent withdrawal of all American forces without the primary mission having been accomplished.

(10) A change in U.S. and NATO policy regarding alleged war criminals in Bosnia could expose U.S. and NATO troops to direct combat action and ultimately jeopardize the peacekeeping progress, to date, of U.S. and NATO forces in Bosnia and could allow the situation to deteriorate to the conditions that existed before the NATO IFOR/SFOR mission was established.

(b) SENSE OF CONGRESS.—It is the sense of Congress that U.S. policy in Bosnia, as that relates to the use of our forces as a part of the NATO force, should not be changed to include a NATO military mission to hunt down and arrest alleged war criminals and that there should be no change to U.S. or NATO policy regarding alleged war criminals until the Congress has had the opportunity to review any proposed change in policy and authorize the expenditure of funds for this mission.

MIKULSKI AMENDMENT NO. 839

Mr. INOUE (for Ms. MIKULSKI) proposed an amendment to the bill, S. 1005, supra; as follows:

On page 29, line 15, strike out "\$6,375,947,000" and insert in lieu thereof "\$6,390,847,000".

On page 33, line 16, strike out "\$14,142,873,000" and insert in lieu thereof "\$14,127,873,000".

DODD AMENDMENT NO. 840

Mr. INOUE (for Mr. DODD) proposed an amendment to the bill, S. 1005, supra; as follows:

On page 32, line 25, after "1999" insert the following: "": *Provided*, That, of the amount appropriated under this heading, \$4,500,000 is available for a joint Department of Defense-Department of Veterans Affairs program of cooperative clinical trials at multiple sites to assess the effectiveness of protocols for treating Persian Gulf veterans who suffer from ill-defined or undiagnosed conditions".

KENNEDY AMENDMENT NO. 841

Mr. INOUE (for Mr. KENNEDY) proposed an amendment to the bill, S. 1005, supra; as follows:

On page 34, before the period on line 3, add the following: "": *Provided*, That of the funds appropriated under this heading, \$5,000,000 shall be available for a facial recognition technology program".

SNOWE (AND COLLINS) AMENDMENT NO. 842

Mr. STEVENS (for Ms. SNOWE, for herself and Ms. COLLINS) proposed an amendment to the bill, S. 1005, supra; as follows:

On page 34, line 3, at the appropriate place insert the following: "": *Provided*, That, \$2,000,000 shall be made available only for a joint service core research project to develop a prototype hybrid integrated sensor array for chemical and biological point detection."

SESSIONS AMENDMENT NO. 843

Mr. STEVENS (for Mr. SESSIONS) proposed an amendment to the bill, S. 1005, supra; as follows:

On page 34, before the period on line 3, add the following: "": *Provided*, That of the funds appropriated under this heading, \$6,000,000 shall be available for a conventional munitions demilitarization demonstration program".

GRASSLEY AMENDMENT NO. 844

Mr. STEVENS (for Mr. GRASSLEY) proposed an amendment to the bill, S. 1005, supra; as follows:

At the end of title VIII, add the following:
SEC. . Effective on June 30, 1998, section 8106(a) of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under section 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note), is amended by striking out "\$3,000,000" and inserting in lieu thereof "\$1,000,000".

CONRAD (AND DORGAN) AMENDMENT NO. 845

(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. 1005, supra; as follows:

At the appropriate place, add the following:

SEC. . AIR FORCE AIRCRAFT ENGINE MODERNIZATION PROGRAM.

(a) ENGINE REPLACEMENT PROGRAM.—(1) The Secretary of the Air Force may carry out a program to replace existing engines on Air Force aircraft in active service with commercial aircraft engines. Any such replacement engine may only be an engine that is a commercial item described in section 4(12)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(A)).

(2) An engine modernization program carried out under this section may include (in addition to other elements) any or all of the following elements:

(A) Integration of replacement engines and related equipment into existing aircraft and testing of the integrated engines and related equipment.

(B) Fabrication and installation of the replacement engines and related equipment.

(C) Acquisition of the replacement engines and related equipment by means of leasing under commercial terms and conditions, including commercial terms and conditions pertaining to indemnification.

(D) Acquisition of the logistical support for the replacement engines and related equipment.

(b) MULTIPLE CONTRACTS AUTHORIZED.—The Secretary may enter into more than one contract for the purposes of subsection (a).

(c) LEASE TERMS AND CONDITIONS.—(1) A contract for the lease of aircraft engines and related equipment under this section may be for a period not to exceed 30 years.

(2) Any contract for the lease of aircraft engines and related equipment under this section may provide for the termination liability of the United States under the contract. Any such termination liability shall be subject to a limitation in the contract that any obligation of the United States to pay the termination liability is subject to the availability of funds specifically appropriated for that purpose pursuant to an authorization of appropriations specifically for that purpose.

(3)(A) Any contract for the lease of aircraft engines and related equipment entered into under this section may provide for the United States to indemnify the lessor for any covered loss (except as provided in subparagraph (C)).

(B) A covered loss under this paragraph may, to the extent provided in the contract,

include any loss, injury, or damage to the lessor, any employee of the lessor, or any third party, or to any property of the lessor or a third party, that arises out of, or is related to, the lease.

(C) Any such requirement for indemnification shall be subject to a limitation in the contract that any obligation of the United States to pay such indemnification is subject to the availability of funds specifically appropriated for that purpose pursuant to an authorization of appropriations specifically for that purpose.

(D) The United States shall not be required to indemnify a lessor, and a contract under this section may not obligate the United States to indemnify a lessor, for a loss, injury, or damage that is caused by willful misconduct of managerial personnel of the lessor or of the engine supplier.

(d) SOURCE OF FUNDS.—Notwithstanding any other provision of law (including any law regarding fiscal year limitations), payments under any such contract for a fiscal year may be made from funds appropriated for the Air Force for that fiscal year for operations and maintenance.

(e) WAIVER OF CERTAIN PROVISIONS OF LAW.—The Secretary of the Air Force may enter into contracts and incur obligations under this section without regard to the following provisions of law:

(1) The limitations on making and authorizing an obligation and involving the United States in a contract or obligation that are set forth in section 1341 of title 31, United States Code.

(2) The limitations on accepting voluntary services and employing personal services that are set forth in section 1342 of such title.

(3) The limitations on availability of funds that are set forth in section 1502 of such title.

(4) Any apportionment or other division of appropriations, any other administrative restriction, and any reporting requirement that, but for this paragraph, would otherwise apply to the contract or obligation under subchapter II of chapter 15 of such title.

(5) The limitations on contracting and purchasing that are set forth in section 3732(a) of the Revised Statutes (41 U.S.C. 11(a)).

(f) BUDGETARY TREATMENT OF LEASES.—(1) The Secretary of Defense, the Secretary of the Air Force, and the Director of the Office of Management and Budget shall treat a contract for a lease entered into pursuant to this section as an operating lease for all purposes of the Federal budget without regard to any provision of law relating to the Federal budget, including part C of title II of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) and any regulation or directive (including any directive of the Office of Management and Budget) issued thereunder.

(2) The Secretary may enter into contracts under this section only to the extent, and in the amount, specifically provided in an Act enacted after the date of the enactment of this Act. A provision in an Act enacted after the date of the enactment of this Act that provides specific authority to enter into a contract under this section, subject to a specific maximum dollar amount, shall not be considered to be budget authority for any purpose, and appropriations provided in annual appropriations Acts for payments of United States obligations under such a contract as those payments become due shall be considered to be budget authority.

(g) PRIOR CONGRESSIONAL NOTIFICATION.—Before entering into a contract under this section, the Secretary shall notify the congressional defense committees and the Committees on the Budget of the Senate and House of Representatives of the Secretary's

intent to enter into the contract and certify to those committees that such contract is in the national interest. The contract may then be entered into only after the end of the 30-day period beginning on the date of such notification and certification.

STEVENS (AND INOUE)
AMENDMENT NO. 846.

Mr. STEVENS (for himself and Mr. INOUE) proposed an amendment to the bill, S. 1005, supra; as follows:

At an appropriate place in the bill insert:
SEC. . FINDINGS.

The North Atlantic Treaty Organization, at the Madrid summit, decided to admit three new members, the Czech Republic, Poland and Hungary;

The President, on behalf of the United States endorsed an advocated the expansion of the North Atlantic Treaty Organization to include three additional members;

The Senate will consider the ratification of instruments to approve the admissions of new members to the North Atlantic Treaty Organization;

The United States has contributed more than \$20,000,000,000 since 1952 for infrastructure and support of the Alliance;

In appropriations Acts likely to be considered by the Senate for fiscal year 1998, \$449,000,000 has been requested by the President for expenditures in direct support of United States Participation in the Alliance; and

In appropriations Acts likely to be considered by the Senate for Fiscal year 1998, \$9,983,300,000 has been requested by the President in support of United States military expenditures in North Atlantic Treaty Organization countries.

SEC. .

The Secretary of Defense shall identify and report to the congressional defense committees not later than October 1, 1997; (1) the amounts necessary, by appropriation account, for all anticipated costs to the U.S., for the admission of the Czech Republic, Poland and Hungary to the North Atlantic Treaty Organization for the fiscal years 1998, 1999, 2000, 2001 and 2002, and; (2) any new commitments or obligations entered into or assumed by the United States in association with the admission of new members to the Alliance, to include the deployment of United States military personnel, the provision of defense articles or equipment, training activities and the modification and construction of military facilities.

ROBB AMENDMENT NO. 847

(Ordered to lie on the table.)

Mr. ROBB submitted an amendment intended to be proposed by him to the bill, S. 1005, supra; as follows:

At the end of title VIII, add the following:

SEC. 8099. Of the total amount appropriated under title IV for the Navy, the Secretary of the Navy shall make \$36,000,000 available for a program to demonstrate expanded use of multitechnology automated reader cards throughout the Navy and the Marine Corps, including demonstration of the use of the so-called "smartship" technology of the ship-to-shore work load/off load program.

HARKIN AMENDMENT NO. 848

Mr. HARKIN proposed an amendment to the bill, S. 1005, supra; as follows:

At the end of title VIII, add the following:

SEC. . None of the funds available to the Department of Defense under this Act may

be obligated or expended to pay a contractor under a contract with the Department of Defense for any costs incurred by the contractor when it is made known to the Federal official having authority to obligate or expend such funds that such costs are restructuring costs associated with a business combination that were incurred on or after July 15, 1997.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce that a full committee hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place Wednesday, July 23, 1997, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to broadly examine three aspects of natural gas issues into the next century. Specifically, the committee will want to look at world energy supply and demand to 2015, what percentage of that will be filled by natural gas and how this could be impacted by other large scale energy projects, such as nuclear, that are being developed in Asia. Second would be to explore the role of Government in large scale gas projects in foreign countries, what type of assistance the U.S. companies competing for overseas projects receive from the U.S. Government and what can be done in the United States to make American gas more competitive worldwide. Third would be to examine the emerging technologies in gas field development that are making natural gas more economical to market.

Those who wish to testify or to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. Presentation of oral testimony is by committee invitation only. For further information, please contact Jo Meuse or Brian Malnak at (202) 224-6730.

ADDITIONAL STATEMENTS

EXPLANATION OF SELECTED
VOTES ON SPENDING PORTION
OF THE BALANCED BUDGET ACT
OF 1997

• Mr. ABRAHAM. Mr. President, recently, the Senate considered historic changes to preserve Medicare for future generations. I think it is important to outline my views in detail on a few of the key votes cast regarding these issues.

I believe, as legislators, a chief concern must be protecting Medicare solvency for the long term. The Medicare Program is in a crisis situation. As reported in the most recent Medicare trustees report, the hospital insurance trust fund will be bankrupt by the year 2001. Hence, immediate action must be taken to save this vital program.

The change contained in the bill would bring Medicare's eligibility age

in line with the Social Security's eligibility age and would do it over a long period of time. Importantly, the increased eligibility age does not begin to phase in until 2003 and then increases slowly over 24 years. In essence, this position will not be fully in place for 30 years. This means that the full 2-year increase would only apply to individuals currently 36 years old and younger.

This was, for me, a close question. However, as noted, this provision will not begin to be phased in for 6 years. For that reason—to launch a process that can lead to a positive, permanent solution—I voted in support, but with significant hesitations. If, in the next several years, my concerns can be alleviated, I will continue to support the proposal. If not, I will withdraw my support well in advance of 2003. Especially relevant will be the findings of the Medicare Reform Commission, created by this legislation, on how best to maintain the long-term solvency of this program. Specifically, will the Commission support an increase in the Medicare eligibility age? If the report rejects this idea I would withdraw my support. In addition, well before any change in age, we need to fully address how the health care needs of low-income seniors between the ages of 65 to 67, will be met once this provision is implemented. Failure to do so would also be grounds for rejecting the proposal. And finally, we must develop ways by which middle-income seniors will be able to purchase and maintain their insurance under such a provision. This may be through medical savings accounts or other means, but we must ensure that viable alternatives are available to all seniors. If, in the next 2 to 3 years, these concerns are not addressed, or the Medicare Commission disagrees with our actions, I will withdraw my support for increasing the eligibility age.

Another long-term reform proposal debated concerns the bill's plan to means test Medicare part B premiums. Currently, seniors pay 25 percent of their part B premium while the Federal Government pays 75 percent of their premium. The bill would require seniors with incomes starting at \$50,000—for a single senior—to pay a larger percent of this premium, with seniors making \$100,000 a year required to pay the entire portion of their premium—up to \$2,160 a year. Senator KENNEDY offered an amendment to strike the means testing of premiums that was included in the Medicare bill. I supported the effort to strike this provision.

Unlike the eligibility age issue, the means testing proposal would have immediate effect. I was concerned that before such a fundamental change took place, the issue should be reviewed and the consequences closely examined. We have not had hearings on this issue and I believe that hearings and closer review are necessary before a change of this magnitude is made to the Medicare Program. Further, I do not believe