a flexible system that is designed to meet any needs or schedule. It uses a monthly four-step program to teach necessary tools for character development. The first step of every month is a Character Bulletin. This provides a character quality, such as virtue, along with tools to help build it. The second step contains Supplements, including the Introducing “Character” Leadership Supplement, which provides additional resources for teaching others about the character quality, and Building Character Leadership Notes, which challenges those in positions of leadership to hold themselves to higher standards. The third step is called Character at Home, and provides ways to use the Character Bulletin Series at home. This step is particularly helpful for parents who want to play an active role in their child’s development. The final part of the series is a Character Poster, a full color poster to remind people of the quality of the month. Recently a cooperative effort to promote Character Counts! began in Baton Rouge, Louisiana. Their city-wide effort involves government personnel, businesses, churches, schools, and others in the community. We should celebrate this city-wide effort to educate people about character and implement the Character Counts! program in other communities nationwide.

Educating people about character and citizenship is crucial to create healthy communities. Years ago, as Chair of the National Commission on Children, I worked hard to include an entire chapter in our comprehensive report called Creating a Moral Climate because I felt strongly about the issue. Everyone of us has an obligation to create such a climate for our family, our friends, and especially children in our communities.

Character Counts! provides this type of leadership and resources to support character education which will promote continuous growth and development. Character Counts! makes it easy to get involved in educating people, and I commend Character Counts! for providing a much needed educational service.

FEDERAL PRISONER HEALTH CARE COPAYMENT ACT OF 1999

On May 27, 1999, the Senate passed S. 704, a bill to amend title 18, United States Code, to combat the over-utilization of prison health care services and control rising prisoner health care costs. The bill is as follows:

S. 704

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 “Federal Prisoner Health Care Copayment Act of 1999”.

SEC. 2. HEALTH CARE FEES FOR PRISONERS IN FEDERAL INSTITUTIONS.

(a) In General.—Section 3663 of title 18, United States Code, is amended by adding at the end the following:

S 4048. Fees for health care services for prisoners

(1) Definitions.—In this section—

(A) the term ‘account’ means the trust fund account (or institutional equivalent) of a prisoner; 

(B) the term ‘Director’ means the Director of the Bureau of Prisons; 

(C) the term ‘health care provider’ means any person who—

(i) is authorized by the Director to provide health care services; and

(ii) is operating within the scope of such authorization; 

(D) the term ‘health care visit’—

(i) means a visit, as determined by the Director, initiated by a prisoner to an institutional or noninstitutional health care provider; and 

(ii) does not include a visit initiated by a prisoner—

(I) pursuant to a staff referral; or

(II) to obtain staff-approved follow-up treatment for a chronic condition; and 

(3) the term ‘prisoner’ means—

(A) any individual who is incarcerated in an institution under the jurisdiction of the Bureau of Prisons; or

(B) any other individual, as designated by the Director, who has been charged with or convicted of an offense against the United States.

(b) Fees for Health Care Services.—

(1) In General.—The Director, in accordance with this section and with such regulations as the Director shall promulgate to carry out this section, may assess and collect a fee for health care services provided in connection with each health care visit requested by a prisoner—

(1) the prisoner receiving health care services and who is operating within the scope of such license; or

(ii) constitute a health care visit within the meaning of section 4048(a)(4) of this title; and

(2) an analysis of the effects of the implementation of this section, if any, on the nature and extent of health care visits by prisoners.

(c) Clerical Amendment.—The analysis for chapter 303 of title 18, United States Code, is amended by adding at the end the following:

S 4048. Fees for health care services for prisoners.

SEC. 3. HEALTH CARE FEES FOR FEDERAL PRISONERS IN NON-FEDERAL INSTITUTIONS.

Section 4031 of title 18, United States Code, is amended by adding at the end the following:

"S 4031. Fees for health care services for federal prisoners in non-Federal institutions.

(1) In general.—Notwithstanding amounts paid under subsection (a)(3), a State or local government may assess and collect a reasonable fee from the trust fund account (or institutional equivalent) of a Federal prisoner for health care services, if—

(A) the prisoner is confined in a non-Federal institution pursuant to an agreement between the Federal Government and the State or local government; and

(2) the fee—

(i) is authorized under State law; and

(ii) does not exceed the amount collected from State or local prisoners for the same services; and

(3) the State or local government—

(i) are provided within or outside of the jurisdiction by a person who is licensed or certified under State or local law to provide health care services and who is operating within the scope of such license; and

(ii) constitute a health care visit within the meaning of section 4048(a)(4) of this title; and

(3) are not preventative health care services, emergency services, pretrial care, diagnosis or treatment of contagious diseases, mental health care, or substance abuse treatment.

(2) No Refusal of Treatment for Financial Reasons.—Nothing in this subsection may be construed to permit any refusal of treatment to a prisoner on the basis that—

(A) the account of the prisoner is insolvent; or

(B) the prisoner is otherwise unable to pay a fee assessed under this subsection.

SEC. 4. REPORTS TO CONGRESS.—Not later than 1 year after the enactment of the Federal Prisoner Copayment Act of 1999, and annually thereafter, the Director shall submit to Congress a report, which shall include—

(a) a description of the amounts collected under this section during the preceding 12-month period; and

(b) an analysis of the effects of the implementation of this section, if any, on the nature and extent of health care visits by prisoners.

(d) Clerical Amendment.—The analysis for chapter 303 of title 18, United States Code, is amended by adding at the end the following:

S 4048. Fees for health care services for prisoners.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

On May 27, 1999, the bill, S. 1059, was passed by the Senate. The text of the bill is as follows:

S. 1059

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 “National Defense Authorization Act for Fiscal Year 2000”.

S 1059

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 “National Defense Authorization Act for Fiscal Year 2000”.

S 1059

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 “National Defense Authorization Act for Fiscal Year 2000”.

S 1059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:
(1) Division A—Department of Defense Authorizations.
(2) Division B—Military Construction Authorizations.
(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:
Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees defined.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations
Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 106. Chemical demilitarization program.
Sec. 107. Health programs.

Subtitle B—Army Programs
Sec. 111. Multiyear procurement authority for certain Army programs.
Sec. 112. Close combat tactical trainer program.
Sec. 113. Army aviation modernization.
Sec. 114. Multiple Launch Rocket System.

Subtitle C—Navy Programs
Sec. 121. LHD-8 amphibious dock ship program.
Sec. 122. Arleigh Burke class destroyer program.
Sec. 123. Repeal of requirement for annual report from shipbuilders under certain nuclear attack submarine programs.
Sec. 124. Cooperative engagement capability program.
Sec. 125. F/A-18E/F aircraft program.

Subtitle D—Air Force Programs
Sec. 131. F-22 aircraft program.

Subtitle E—Other Matters
Sec. 141. Extension of authority to carry out Armament Retooling and Manufacturing Support Initiative.
Sec. 142. Extension of pilot program on sales of manufactured articles and services of any certain Army industrial facilities without regard to availability from domestic sources.
Sec. 143. D-5 Missile program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations
Sec. 201. Authorization of appropriations.
Sec. 202. Authority for basic and applied research.

Subtitle B—Program Requirements, Restrictions, and Limitations
Sec. 211. NATO common-funded civil budget.
Sec. 212. Micro-satellite technology development program.
Sec. 213. Space control technology.
Sec. 214. Space maneuver vehicle.
Sec. 215. Manufacturing technology program.
Sec. 216. Testing of airlift and improvised explosive.

Subtitle C—Ballistic Missile Defense
Sec. 221. Theater missile defense upper tier acquisition strategy.
Sec. 222. Repeal of requirement to implement technical and price competition for theater high altitude area defense system.
Sec. 223. Space-based laser program.
Sec. 224. Airborne laser program.
Sec. 225. Sense of Congress regarding ballistic missile defense technology funding.
Sec. 227. Optics for Air Force cruise missiles.

Subtitle D—Research and Development for Long-Term Military Capabilities
Sec. 231. Annual report on emerging operational concepts.
Sec. 232. Technology area review and assessment.
Sec. 233. Incentives to produce innovative new technologies.
Sec. 235. DARPA competitive prizes award program for encouraging development of advanced technologies.
Sec. 236. Additional pilot program for revitalizing Department of Defense laboratories.
Sec. 237. Exemption of defense laboratory employees from certain work-force management restrictions.
Sec. 238. Use of working-capital funds for financing research and development of the military departments.
Sec. 239. Efficient utilization of defense lab derived.

Subtitle E—Other Matters

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations
Sec. 301. Operation and maintenance funding.
Sec. 302. Working-capital funds.
Sec. 303. Armed Forces Retirement Home.
Sec. 304. Transfer from National Defense Stockpile Transaction Fund.
Sec. 305. Operational Meteorology and Oceanography and UNOLS.
Sec. 306. Armed Forces Emergency Services.

Subtitle B—Program Requirements, Restrictions, and Limitations
Sec. 311. NATO common-funded military budget.
Sec. 312. Use of humanitarian and civic assistance funding for pay and allowances of special operations command reserves furnishing demining training and related assistance as humanitarian assistance.
Sec. 313. National Defense Features Program.
Sec. 314. Additional amounts for drug interdiction and counter-drug activities.

Subtitle C—Environmental Provisions
Sec. 321. Environmental technology management.
Sec. 322. Establishment of environmental restoration accounts for installations closed or realigned under the base closure laws and for formerly used defense sites.
Sec. 323. Extension of limitation on payment of fines and penalties using funds in environmental restoration accounts.
Sec. 324. Modification of requirements for annual reports on environmental compliance activities.
Sec. 325. Modification of membership of Strategic Environmental Research and Development Program Council.

Sec. 326. Extension of pilot program for sale of air pollution emission reduction incentives.
Sec. 327. Reimbursement of Environmental Protection Agency for certain costs in connection with Fresno Drum Superfund Site, Fresno, California.
Sec. 328. Payment of stipulated penalties assessed under CERCLA in connection with F.E. Warren Air Force Base, Wyoming.
Sec. 329. Provision of information and guidance to the public regarding environmental contamination at United States military installations formerly operated by the United States that have been closed.
Sec. 330. Ordinance mitigation study.

Subtitle D—Other Matters
Sec. 341. Extension of warranty claims reimbursement.
Sec. 342. Additional matters to be reported before prime vendor contract for depot-level maintenance and repair is entered into.
Sec. 343. Implementation of jointly approved changes in defense retail systems.
Sec. 344. Waiver of required condition for sales of articles and services of industrial facilities to purchasers outside the Department of Defense.
Sec. 345. Eligibility to receive financial assistance available for local educational agencies that benefit dependent of Department of Defense personnel.
Sec. 346. Use of Smart Card technology in the Department of Defense.
Sec. 347. Study on use of Smart Card as PKI authentication device carrier for the Department of Defense.
Sec. 348. Revision of authority to donate certain Army materiel for funeral ceremonies.
Sec. 349. Modification of limitation on funding of assistance for procurement of equipment for the National Guard for drug interdiction and counter-drug activities.
Sec. 350. Authority for payment of settlement claims.
Sec. 351. Sense of Senate regarding settlement of claims of American servicemen’s families regarding deaths resulting from the accident off the coast of Namibia on September 13, 1997.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces
Sec. 401. End strengths for active forces.
Sec. 402. Revision of permanent end strength levels.
Sec. 403. Reduction of end strength below levels for two major regional contingencies.

Subtitle B—Reserve Forces
Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserve on active duty in support of the reserves.
Sec. 413. End strengths for military technicians.
Sec. 414. Increase in numbers of members in certain grades authorized to be on active duty in support of the Reserve.

Subtitle C—Authorization of Appropriations
Sec. 421. Authorization of appropriations for military personnel.
Sec. 534. Permanent authority for ROTC
Sec. 532. Repeal of limitation on amount of
Sec. 531. Authority to exceed temporarily a
Sec. 530. Reserve officers requesting or oth-
Sec. 535. Authority for award of master of
Sec. 537. Computation of graduate-level degrees
Sec. 536. Minimum educational require-
ments of the Community College of the Air
Force.
Sec. 538. Payment of tuition for education and
training of members in the defense acquisition workforce.
Sec. 539. Financial assistance program for
pursuit of degrees by officer candidates in Marine Corps Pla-
ning Leaders Program.

Subtitle D—Decorations, Awards, and
Commemmations
Sec. 551. Waiver of time limitations for
award of certain decorations to certain persons.
Sec. 552. Authority for award of Medal of
Honor to Alfred Rascon for valor during the Vietnam con-
flict.
Sec. 553. Examination of backlog in requests
for replacement of military medals and other decorations.
Sec. 554. Retroactive award of Navy Combat
Action Ribbon.

Subtitle E—Amendments to Uniform Code of
Military Justice
Sec. 611. One-year extension of authorities
relating to payment of certain bonuses and special pays.
Sec. 612. One-year extension of certain bo-
nuces and special pay authori-
ties for reserve forces.
Sec. 613. One-year extension of certain bo-
nues and special pay authori-
ties for nurse officer can-
idates, registered nurses, and
urse anesthesiists.
Sec. 614. Amount of active duty career incen-
tive pay for air battle managers formerly eligible for hazardous
duty pay.
Sec. 615. Aviation career officer special pay.
Sec. 616. Career enlisted flyer incentive pay.
Sec. 617. Retention bonus for special warfare
officers extending periods of ac-
tive duty.
Sec. 618. Retention bonus for surface war-
fare officers extending periods of active duty.
Sec. 619. Additional special pay for board
certified veterinarians in the
Armed Forces and Public Health Service.
Sec. 620. Increase in rate of diving duty spe-
cial pay.
Sec. 621. Increase in maximum amount au-
thorized for reenlistment bonus for active members.
Sec. 622. Critical skills enlistment bonus.
Sec. 623. Selected Reserve enlistment bonus.
Sec. 624. Special pay for members of the
Coast Guard Reserve assigned
to high priority units of the Se-
lected Reserve.
Sec. 625. Reduced minimum period of enlist-
ment in Army in critical skill for eligibility for enlistment
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Sec. 626. Eligibility for reserve component
prior service enlistment bonus upon attaining a critical skill.
Sec. 627. Increase in special pay and bonuses
for nuclear-qualified officers.
Sec. 628. Increase in maximum monthly rate
authorized for foreign language proficiency pay.
Sec. 629. Sense of the Senate regarding tax
treatment of members receiving
special pay.

Subtitle C—Travel and Transportation
Allowances
Sec. 641. Payment of temporary lodging ex-
enses to members making first permanent change of
station.
Sec. 642. Destination airport for emergency
leave travel to the continental
United States.
Sec. 643. Clarification of per diem eligibility
of certain military technicians (dues to change in active duty without pay outside the
United States.)
Sec. 644. Expansion and codification of authority for space required travel on military aircraft for Reserves performing inactive-duty training outside the continental United States.

Sec. 645. Reimbursement of travel expenses incurred by members of the Armed Forces in connection with leave canceled for involvement in Kosovo-related activities.

Sec. D—Retired Pay, Survivor Benefits, and Related Matters
Sec. 651. Retired pay options for personnel entering uniformed services on or after August 1, 1986.

Sec. 652. Participation in Thrift Savings Plan.

Sec. 653. Special retention initiative.

Sec. 654. Repeal of reduction in retired pay for civilian employees.

Sec. 655. Credit toward paid-up SBP coverage for months covered by make-up premium paid by persons electing SBP coverage during special open enrollment period.

Sec. 656. Paid-up coverage under Retired Serviceman’s Family Protection Plan.

Sec. 657. Permanent authority for payment of annuities to certain military surviving spouses.

Sec. 658. Effectuation of intended SBP annuity for former spouse when not elected by reason of untimely death of retiree.

Sec. 659. Special compensation for severely disabled uniformed services retirees.

Sec. 660. Computation of survivor benefits.

Sec. E—Montgomery GI Bill Benefits and Other Education Benefits
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Sec. 671. Increase in rates of educational assistance for full-time education.

Sec. 672. Termination of reductions of basic educational assistance for members of Selected Reserve.

Sec. 673. Accelerated payments of educational assistance.

Sec. 674. Transfer of entitlement to educational assistance by certain members of the Armed Forces.

Sec. 675. Availability of educational assistance benefits for preparatory courses for college and graduate school entrance exams.

PART II—Other Educational Benefits
Sec. 681. Accelerated payments of certain educational assistance for members of Selected Reserve.

Sec. 682. Modification of time for use by certain members of Selected Reserve of entitlement to certain educational assistance.

Sec. 683. Report on effect of educational benefits improvements on recruitment and retention of members of the Armed Forces.

PART III—Report
Sec. 685. Report on effect of educational benefits improvements on recruitment and retention of members of the Armed Forces.

Sec. F—Other Matters
Sec. 691. Annual report on effects of initiatives on recruitment and retention.

Sec. 692. Members under burdensome PERSTEMPO.

Sec. 693. Increased tuition assistance for members of the Armed Forces deployed in support of a contingency operation or similar operation.

Sec. 694. Administration of Selected Reserve education loan repayment program for Coast Guard Reserve.

Sec. 695. Extension to all uniformed services of authority for presentation of United States flag to members upon retirement.

Sec. 696. Participation of additional members of the Armed Forces in Montgomery GI Bill program.

Sec. 697. Revision of educational assistance interval payment requirements.

Sec. 698. Implementation of the special supplemental nutrition program.

TITLE VII—HEALTH CARE
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Sec. 701. Improvement of TRICARE benefits and managing care.

Sec. 702. Expansion and revision of authority for dental programs for dependents and Survivors.

Sec. 703. Sense of Congress regarding automatic enrollment of Medicare-eligible beneficiaries in the TRICARE Senior Prime demonstration program.

Sec. 704. TRICARE beneficiary advocates.

Sec. 705. Open enrollment demonstration program.

Subtitle B—Other Matters
Sec. 711. Care at former uniformed services treatment facilities for active duty members stationed at certain remote locations.

Sec. 712. One-year extension of chiropractic care health care demonstration program.

Sec. 713. Program year stability in health care benefits.

Sec. 714. Best value contracting.

Sec. 715. Authority to order reserve components of dental care benefits for active duty for health surveillance studies.

Sec. 716. Continuation of previously provided custodial care benefits for certain CHAMPUS beneficiaries.

Sec. 717. Enhancement of dental benefits for retirees.

Sec. 718. Medical and dental care for certain members incurring injuries on inactive-duty training.

Sec. 719. Health care quality information and technology enhancement.

Sec. 720. Joint telemedicine and telepharmacy demonstration projects by the Department of Defense and Department of Veterans Affairs.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS
Sec. 801. Extension of test program for negotiation of comprehensive small business subcontracting plans.

Sec. 802. Mentor-protégé program improvements.

Sec. 803. Report on transition of small business innovation research program activities into defense acquisition programs.

Sec. 804. Authority to carry out certain prototype projects.

Sec. 805. Pilot program for commercial services.

Sec. 806. Streamlined applicability of cost accounting standards.

Sec. 807. Guidance on use of task order and instant delivery contracts.

Sec. 808. Clarification of definition of commercial items with respect to associated services.

Sec. 809. Use of simplified procedures for purchases of commercial items in excess of the simplified acquisition threshold.

Sec. 810. Extension of streamlined procurement rule for certain procurements less than $100,000.

Sec. 811. Contract goal for small disadvantaged businesses and certain institutions of higher education.

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Sec. 903. Acceptance of guarantees in connection with gifts to the United States Military Academy.

Sec. 904. Management of the Civil Air Patrol.

Sec. 905. Minimum interval for updating and revising Department of Defense strategic plan.

Sec. 906. Permanent requirement for quadrennial defense review.

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Sec. 911. Establishment of commission.

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Sec. 913. Report.

Sec. 914. Powers.

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Sec. 917. Miscellaneous administrative provisions.

Sec. 918. Funding.

Sec. 919. Termination of the commission.

TITLE X—GENERAL PROVISIONS
Subtitle A—Financial Matters
Sec. 1001. Transfer authority.

Sec. 1002. Second biennial financial management improvement plan.

Sec. 1003. Single payment date for invoice for various subsistence items.

Sec. 1004. Authority to require use of electronic transfer of funds for Department of Defense personnel payments.

Sec. 1005. Payment of foreign licensing fees out of proceeds of sales of maps, charts, and navigational books.

Sec. 1006. Authority for disbursing officers to support use of automated teller machines on naval vessels for financial transactions.

Sec. 1007. Central transfer account for combating terrorism.

Sec. 1008. United States contribution to NATO common-funded budgets in fiscal year 2000.

Sec. 1009. Responsibilities and accountability for financial management.

Sec. 1010. Authorization of emergency supplemental appropriations for fiscal year 1999.

Subtitle B—Naval Vessels and Shipyards
Sec. 1011. Sales of naval shipyard articles and services to nuclear ship contractors.

Sec. 1012. Period of delay after notice of proposed transfer of vessel strikcn from Naval Vessel Register.

Sec. 1013. Transfer of naval vessel to foreign country.

Subtitle C—Miscellaneous Report Requirements and Repeals
Sec. 1021. Preservation of certain defense reporting requirements.

Sec. 1022. Annual report on combatant command accountability.

Sec. 1023. Report on assessments of readiness to execute the national military strategy.

Sec. 1024. Report on recovery and control of military equipment.

Sec. 1025. Space technology guide.
Sec. 1026. Report and regulations on Department of Defense policies on protecting the confidentiality of communications with professionals providing therapeutic or related services regarding sexual or domestic abuse.

Sec. 1027. Comptroller General report on the effects of proposals on changes in operation of storage sites for lethal chemical agents and munitions.

Sec. 1028. Report on deployments of rapid assessment and initial detection teams across State boundaries.

Sec. 1029. Report on consequence management program integration of office unit readiness.


Sec. 1032. Review of the incidence of State motor vehicle violations by Army personnel.

Sec. 1033. Report on use of National Guard facilities and infrastructure for support of provision of veterans services.


**Subtitle D—Other Matters**

Sec. 1041. Limitation on retirement or dismantlement of strategic nuclear delivery systems.

Sec. 1042. Limitation on reduction in United States strategic nuclear forces.

Sec. 1043. Counterproliferation program review committee.

Sec. 1044. Limitation regarding Cooperative Threat Reduction programs.

Sec. 1045. Period covered by annual report on United States assistance under Cooperative Threat Reduction Programs.

Sec. 1046. Support of United Nations-sponsored efforts to inspect and monitor Iraqi weapons activities.

Sec. 1047. Information assurance initiative.

Sec. 1048. Defense Science Board task force on television and radio as a propaganda instrument in time of military conflict.

Sec. 1049. Prevention of interference with Department of Defense use of frequency spectrum.

Sec. 1050. Civilian entities interfering with Department of Defense use of the frequency spectrum.

Sec. 1051. Repeal of limitation on amount of Federal expenditures for the National Guard Challenge Program.

Sec. 1052. Nondisclosure of information on personnel of overseas, sensitive, or routinely deployable units.

Sec. 1053. Nondisclosure of operational files of the National Imagery and Mapping Agency.

Sec. 1054. Nondisclosure of information of the National Imagery and Mapping Agency having commercial significance.

Sec. 1055. Continued enrollment of dependents in Department of Defense dependent elementary and secondary schools after loss of eligibility.

Sec. 1056. Unified school boards for all Department of Defense Dependents Schools in the Commonwealth of Puerto Rico and Guam.

Sec. 1057. Department of Defense STARBASE Program.

Sec. 1058. Program to commemorate the 50th anniversary of the Korean War.


Sec. 1060. Extension of naval aircraft of Coast Guard authority for drug interdiction activities.

Sec. 1061. Regarding the need for vigorous prosecution of war crimes, genocide, and crimes against humanity in the former Republic of Yugoslavia.

Sec. 1062. Expansion of list of diseases presumed to be service-connected for radiation-exposed veterans.

Sec. 1063. Legal effect on the new strategic concept of NATO.

Sec. 1064. Multinational economic embarrasses against governments in armed conflict with the United States.

Sec. 1065. Conditions for lending obsolete or condemned rifles for funeral honors.

Sec. 1066. Prohibition on the return of veterans memorial objects to foreign nations without specific authorization in law.

Sec. 1067. Military assistance to civil authorities for responding to terrorism.

Sec. 1068. Sense of the Congress regarding the continuation of sanctions against Libya.

Sec. 1069. Investigation of violations of export controls by United States satellite manufacturers.


Sec. 1071. Improvement of licensing activities by the Department of State.

Sec. 1072. Enhancement of intelligence community activities.

Sec. 1073. Adherence of People’s Republic of China to Missile Technology Control Regime.

Sec. 1074. United States commercial space launch capacity.

Sec. 1075. Annual reports on security in the Taiwan Strait.

Sec. 1076. Declassification of restricted data and formerly restricted data.

Sec. 1077. Disengaging from noncritical overseas missions involving United States combat forces.

Sec. 1078. Sense of the Senate on negotiations with indicted war criminals.

Sec. 1079. Coast Guard education funding.

Sec. 1080. Technical amendment to prohibition on release of contractor proposals under the Freedom of Information Act.

Sec. 1081. Attendance at professional military education schools by military personnel of the new members of NATO.

Sec. 1082. Sense of Congress regarding United States-Russian cooperation in commercial space launch services.

Sec. 1083. Recovery and identification of remains of certain World War II servicemen.

Sec. 1084. Chemical agents used for defensive training.

Sec. 1085. Russian nonstrategic nuclear arms.

Sec. 1086. Commemoration of the victory of freedom in the Cold War.

**TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL**

Sec. 1101. Accelerated implementation of voluntary early retirement authority.

Sec. 1102. Deference to EEOC procedures for investigation of complaints of sexual harassment made by employees.

Sec. 1103. Restoration of leave of emergency essential employees serving in a combat zone.

Sec. 1104. Leave without loss of benefits for military reserve technicians on active duty in support of combat operations.

Sec. 1105. Work schedules and premium pay to service academy faculty.

Sec. 1106. Salary schedules and related benefits for faculty and staff of the Uniformed Services University of the Health Sciences.

Sec. 1107. Extension of certain temporary authorities to provide benefits for employees in connection with defense workforce reductions and restructuring.

**TITLE XII—NATIONAL MILITARY MUSEUM AND RELATED MATTERS**

**Subtitle A—Commission on National Military Museum**

Sec. 1201. Establishment.

Sec. 1202. Duties of commission.

Sec. 1203. Report.

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Sec. 1207. Miscellaneous administrative provisions.

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Sec. 1209. Termination of commission.

**Subtitle B—Related Matters**


**TITLE XIII—MILITARY VOTING RIGHTS ACT OF 1999**

Sec. 1301. Short title.

Sec. 1302. Guarantee of residency.

Sec. 1303. State responsibility to guarantee military voting rights.

**DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**


Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvement to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Technical modification of authorizing authority relating to certain fiscal year 1997 project.

**TITLE XXIII—AIR FORCE**

Sec. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.

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**TITLE XXIV—DEFENSE AGENCIES**

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
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TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM
Sec. 2501. Authorized NATO construction and land acquisition projects.
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TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES
Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS
Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
Sec. 2702. Extension of authorizations of certain fiscal year 1997 projects.
Sec. 2703. Extension of authorizations of certain fiscal year 1996 projects.
Sec. 2704. Effective date.

SUBTITLE A—Military Construction Program and Military Family Housing Program Changes
Sec. 2801. Exemption from notice and wait requirements of military construction projects supported by burdensharing funds undertaken for war or national emergency.
Sec. 2802. Prohibition on carrying out military construction projects funded using incremental funding.
Sec. 2803. Defense Chemical Demilitarization Construction Account.
Sec. 2804. Limitation on authority regarding ancillary supporting facilities under alternative authority for acquisition and construction of military housing.
Sec. 2805. Availability of funds for planning and design in connection with acquisition of reserve component facilities.
Sec. 2806. Modifications of limitations on reserve component facility projects for certain safety projects.
Sec. 2807. Expansion of entities eligible to participate in alternative authority for acquisition and improvement of military housing.

SUBTITLE B—Real Property and Facilities Administration
Sec. 2811. Extension of authority for leases of property for special operations activities.
Sec. 2812. Enhancement of authority relating to utility privatization.

SUBTITLE C—Defense Base Closure and Realignment
Sec. 2821. Conveyance of property at installations closed or realigned under the base closure laws without consideration for economic redevelopment purposes.

SUBTITLE D—Land Conveyances
PART I—ARMY CONVEYANCES
Sec. 2831. Land conveyance, Army Reserve Center, Bangor, Maine.
Sec. 2832. Land conveyances, Twin Cities Army Ammunition Plant, Minnesota.
Sec. 2833. Repair and conveyance of Red Butte Dam and Reservoir, Salt Lake City, Utah.

PART II—NAVY CONVEYANCES
Sec. 2841. Clarification of land exchange, Naval Weapons Readiness Center, Portland, Maine.
Sec. 2842. Land conveyance, Newport, Rhode Island.
Sec. 2843. Land conveyance, Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas.
Sec. 2844. Land conveyance, Naval Training Center, Orlando, Florida.

PART III—AIR FORCE CONVEYANCES
Sec. 2851. Land conveyance, McClellan Nuclear Radiation Center, California.

SUBTITLE E—Other Matters
Sec. 2861. Acquisition of State-held Inholdings, East Range of Fort Huachuca, Arizona.
Sec. 2863. Enhancement of Pentagon renovation activities.
Sec. 2864. One-year delay in demolition of radio transmitting facility towers at Naval Station, Annapolis, Maryland, to facilitate transfer of towers.
Sec. 2865. Army Reserve relocation from Port Douglas, Utah.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS
TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
SUBTITLE A—National Security Programs Authorizations
Sec. 3101. Weapons activities.
Sec. 3102. Defense environmental restoration and waste management.
Sec. 3103. Other defense activities.
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SUBTITLE B—Recurring General Provisions
Sec. 3121. Reprogramming.
Sec. 3122. Limits on general plant projects.
Sec. 3123. Limits on construction projects.
Sec. 3124. Fund transfer authority.
Sec. 3125. Authority for conceptual and construction design.
Sec. 3126. Authority for emergency planning, design, and construction activities.
Sec. 3127. Funds available for all national security programs of the Department of Energy.
Sec. 3128. Availability of funds.
Sec. 3129. Transfers of defense environmental management funds.

SUBTITLE C—Program Authorizations, Restrictions, and Limitations
Sec. 3131. Prohibition on, use of funds for certain activities under Formerly Utilized Site Remediation Action Program.
Sec. 3132. Continuation of processing, treatment, and disposition of legacy nuclear materials.
Sec. 3133. Nuclear weapons stockpile life extension program.
Sec. 3134. Tritium production.
Sec. 3135. Independent cost estimate of Accelerator Production of Tritium.
Sec. 3136. Nonproliferation initiatives and policies.

SUBTITLE D—Safeguards, Security, and Counterintelligence at Department of Energy Facilities
Sec. 3151. Short title.
Sec. 3153. Background investigations of certain personnel at Department of Energy facilities.
Sec. 3154. Plan for polygraph examinations of certain personnel at Department of Energy facilities.
Sec. 3155. Civil monetary penalties for violations of Department of Energy regulations relating to the safeguarding and security of Restricted Data.
Sec. 3156. Moratorium on laboratory-to-laboratory and foreign visitors and assignments programs.
Sec. 3157. Increased penalties for misuse of Restricted Data.
Sec. 3158. Organization of Department of Energy counterintelligence and intelligence programs and activities.
Sec. 3159. Counterintelligence activities at certain Department of Energy facilities.
Sec. 3160. Whistleblower protection.
Sec. 3161. Investigation and remediation of alleged reprisals for disclosure of certain information to Congress.
Sec. 3162. Notification to Congress of certain security and counterintelligence failures at Department of Energy facilities.
Sec. 3163. Conduct of security clearances.
Sec. 3164. Protection of classified information during laboratory-to-laboratory exchanges.
Sec. 3165. Definition.

SUBTITLE E—Other Matters
Sec. 3171. Maintenance of nuclear weapons expertise in the Department of Defense and Department of Energy.
Sec. 3172. Modification of budget and planning requirements for Department of Energy national security activities.
Sec. 3173. Extension of authority of Department of Energy to pay voluntary separation incentive payments.
Sec. 3174. Integrated fuel materials management plan.
Sec. 3175. Use of amounts for award fees for Department of Energy closure projects for additional cleanup projects at closure project sites.
Sec. 3176. Pilot program for project management oversight regarding Department of Energy construction projects.
Sec. 3177. Extension of review of Waste Isolation Pilot Plant, New Mexico.
(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and
(2) the destruction of chemical warfare material of the United States that is not covered by section 1412 of such Act.

SECTION 107. DEFENSE HEALTH PROGRAMS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the Department of Defense for procurement for carrying out health care programs, projects, and activities of the Department of Defense in the total amount of $536,970,000.

Subtitle B—Army Programs

SECTION 111. MULTIYEAR PROCUREMENT AUTHORITY FOR CERTAIN ARMY PROGRAMS.

Beginning with fiscal year 2000 program year, the Secretary of the Army may, in accordance with section 2366b of title 10, United States Code, enter into multiyear contracts for procurement of the following:

(1) The M270A1 launcher.
(2) The Family of Medium Tactical Vehicles, except that the period of a multiyear contract may not exceed three years.
(3) The Command Launch Unit for the Javelin Advanced Anti-tank Weapon System Medium.
(4) The missile for the Javelin Advanced Anti-tank Weapon System Medium, except that the period of a multiyear contract may not exceed four years.
(5) The AH-6D Longbow Apache aircraft.
(6) The Wolverine heavy assault bridge.
(7) The system enhancement program for the M1A2 Abrams tank assembly.
(8) The Second Generation Forward Looking Infrared system for the M1A2 Abrams tank.
(9) The C2V Command and Control Vehicle, except that the period of a multiyear contract may not exceed four years.
(10) The Second Generation Forward Looking Infrared system for the Bradley Fighting vehicle, except that the period of a multiyear contract may not exceed four years.

SECTION 112. CLOSE COMBAT TACTICAL TRAINER PROGRAM.

None of the funds authorized to be appropriated under section 101(5) may be used for the procurement of the close combat tactical trainers configured to mobile or fixed sites for tanks or to mobile or fixed sites for the Bradley A3 fighting vehicle under the Close Combat Tactical Trainer program of the Army until—

(1) the Secretary of the Army has submitted to the congressional defense committees a report containing—
(A) a discussion of the actions taken to correct the deficiencies that have been identified by the Director of Operations Test and Evaluation of the Department of Defense before the date of the report; and
(B) the Secretary’s certification that the close combat tactical trainers satisfy the reliability requirements established for the trainers under the program; and
(2) thirty days have elapsed since the date of the submittal of the report.

SECTION 113. ARMY AVIATION MODERNIZATION.

(4) The Improved Bradley acquisition system for the Bradley A3 fighting vehicle, except that the period of a multiyear contract may not exceed four years.
(5) The UH-60A Black Hawk Helicopter, except that the period of a multiyear contract may not exceed four years.

SECTION 114. MULTIPLE LAUNCH ROCKET SYSTEM.

None of the funds authorized to be appropriated under section 101(2), $500,000 may be made available for the advance procurement and development of Army MLRS inventory.

Subtitle C—Navy Programs

SECTION 121. LHD–8 AMPHIBIOUS DOCK SHIP PROGRAM.

None of the funds authorized to be appropriated under section 101(2) may be used for the procurement of the amphibious dock ship to be designated LHD–8, except that the period of a multiyear contract may not exceed three years.

SECTION 122. FUNDING FOR CERTAIN ARMY PROGRAMS.

SEC. 131. MULTIPLE LAUNCH ROCKET SYSTEM.

Of the funds authorized to be appropriated under section 101(2), $500,000 may be made available for the advanced construction of components for the MLRS inventory.

Subtitle D.—Department of Defense Authorizations

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Army as follows:

(1) For aircraft, $1,498,186,000.
(2) For missiles, $1,411,104,000.
(3) For weapons and tracked combat vehicles, $1,678,865,000.
(4) For ammunition, $1,209,816,000.
(5) For other procurement, $3,647,370,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Navy as follows:

(1) For aircraft, $8,927,255,000.
(2) For missiles, $2,389,208,000.
(3) For weapons and tracked combat vehicles, $1,164,500,000.
(4) For shipbuilding and conversion, $7,116,300,000.
(5) For other procurement, $5,634,076,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Marine Corps in the amount of $1,296,570,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement of ammunition for the Navy and the Marine Corps in the amount of $542,700,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Air Force as follows:

(1) For aircraft, $9,704,866,000.
(2) For missiles, $8,930,008,000.
(3) For ammunition, $411,837,000.
(4) For other procurement, $7,142,177,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2000 for defense-wide procurement in the amount of $2,298,417,000.

SEC. 105. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Inspector General of the Department of Defense in the amount of $2,100,000.

SEC. 106. CHEMICAL DEMILITARIZATION PROGRAM.

There is hereby authorized to be appropriated for fiscal year 2000 the amount of $1,164,500,000 for—
other entities for the advance procurement and advance construction of those components.

SEC. 122. ARLEIGH BURKE CLASS DESTROYER CONSTRUCTION.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT OF 6 ADDITIONAL VESSELS.—(1) Subject to paragraphs (2) and (3), the Secretary of the Navy is authorized, in fiscal year 2001, to enter into contracts for advance procurement for the Arleigh Burke class destroyers that are to be constructed under contracts entered into after fiscal year 2001 under section 122(b) of Public Law 104–201, and section 505.

(b) LIMITATION.—The authority to contract for advance procurement under paragraph (1) is subject to the availability of funds authorized and appropriated for fiscal year 2001 for that purpose in Acts enacted after September 30, 1999.

(c) OTHER FUNDS FOR ADVANCE PROCUREMENT.—Notwithstanding any other provision of this Act, of the funds authorized to be appropriated under section 102(a) for procurement programs, projects, and activities of the Navy, $371,000,000 may be made available, as the Secretary of the Navy may direct, for advance procurement for the Arleigh Burke class destroyer program. Authority to make transfers under this subsection is in addition to the transfer authority provided in section 1001.

SEC. 123. REPEAL OF REQUIREMENT FOR ANNUAL REPORT FROM SHIPBUILDERS CONCERNING COMMERCIAL STAINLESS STEEL.

SEC. 124. COOPERATIVE ENGAGEMENT CAPABILITY PROGRAM.

(a) LIMITATION.—Cooperative engagement capability programs procured under the Cooperative Engagement Capability program of the Navy may not be installed in a commissioned vessel until the completion of operational test and evaluation of the shipboard cooperative engagement capability.

(b) CONSTRUCTION.—Subparagraph (a) shall not be construed to limit the installation of cooperative engagement equipment in new construction ships.

SEC. 125. F/A–18E/F AIRCRAFT PROGRAM.

(a) AUTHORITY.—Beginning with the fiscal year 2000 program year, the Secretary of the Navy may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear procurement contract for the procurement of F/A–18E/F aircraft.

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) to enter into a multiyear contract for the procurement of F/A–18E/F aircraft unless he certifies to the Committees on Armed Services of the Senate and House of Representatives the results of operational test and evaluation of the F/A–18E/F aircraft program.

(1) the Secretary of Defense certifies to the Committees on Armed Services of the Senate and House of Representatives the results of operational test and evaluation of the F/A–18E/F aircraft program.

(2) the Secretary of Defense determines that the results of operational test and evaluation demonstrate that the version of the aircraft to be procured under the multiyear contract in the higher quantity than the other version satisfies all key performance parameters appropriate to that version of aircraft as specified in requirements documents for the F/A–18E/F program, as submitted on April 1, 1997, except that with respect to the range performance parameter a deviation of plus or minus 15 percent is permitted.

(3) the test program for the Air Force, $190,000,000 may be made available for space control technology development.

(4) the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report under subsection (a) that—

(a) the test plan in the engineering and manufacturing development program is adequate for determining the operational effectiveness and suitability of the F–22 aircraft; and

(b) the engineering and manufacturing development program and the production program can each be executed within the limitation on total cost applicable to that program and any other limitation applicable to that program.

(2) The authority to contract for advance procurement for the Arleigh Burke class destroyer program is in addition to the transfer authority provided in section 1001.

SEC. 126. MULTIYEAR PROCUREMENT.

SEC. 127. FISCAL YEAR 2001 ADVANCE PROCUREMENT.

(a) LIMITATION.—Cooperative engagement programs procured under the Cooperative Engagement Capability program of the Navy may not be included in a commissioned vessel unless the Secretary of the Navy submits a multiyear procurement contract for the procurement of that type of aircraft.

(b) CONSTRUCTION.—Subparagraph (a) shall not be construed to limit the installation of cooperative engagement equipment in new construction ships.

SEC. 128. FISCAL YEAR 2001 D–5 MISSILE PROGRAM.

SEC. 129. D–5 MISSILE PROGRAM.

SEC. 130. D–5 MISSILE PROGRAM.

SEC. 131. F–22 AIRCRAFT PROGRAM.

SEC. 132. D–5 MISSILE PROGRAM.

SEC. 133. D–5 MISSILE PROGRAM.

SEC. 134. D–5 MISSILE PROGRAM.

SEC. 135. D–5 MISSILE PROGRAM.

SEC. 136. D–5 MISSILE PROGRAM.

SEC. 137. D–5 MISSILE PROGRAM.

SEC. 138. D–5 MISSILE PROGRAM.

SEC. 139. D–5 MISSILE PROGRAM.

SEC. 140. D–5 MISSILE PROGRAM.

SEC. 141. D–5 MISSILE PROGRAM.

SEC. 142. D–5 MISSILE PROGRAM.

SEC. 143. D–5 MISSILE PROGRAM.

SEC. 144. D–5 MISSILE PROGRAM.

SEC. 145. D–5 MISSILE PROGRAM.

SEC. 146. D–5 MISSILE PROGRAM.

SEC. 147. D–5 MISSILE PROGRAM.

SEC. 148. D–5 MISSILE PROGRAM.

SEC. 149. D–5 MISSILE PROGRAM.

SEC. 150. D–5 MISSILE PROGRAM.

SEC. 151. D–5 MISSILE PROGRAM.

SEC. 152. D–5 MISSILE PROGRAM.

SEC. 153. D–5 MISSILE PROGRAM.

SEC. 154. D–5 MISSILE PROGRAM.

SEC. 155. D–5 MISSILE PROGRAM.

SEC. 156. D–5 MISSILE PROGRAM.

SEC. 157. D–5 MISSILE PROGRAM.

SEC. 158. D–5 MISSILE PROGRAM.

SEC. 159. D–5 MISSILE PROGRAM.

SEC. 160. D–5 MISSILE PROGRAM.

SEC. 161. D–5 MISSILE PROGRAM.

SEC. 162. D–5 MISSILE PROGRAM.

SEC. 163. D–5 MISSILE PROGRAM.

SEC. 164. D–5 MISSILE PROGRAM.

SEC. 165. D–5 MISSILE PROGRAM.

(b) FUNDS AVAILABLE FOR ARMY EXECU-
TION.—Of the funds authorized to be appro-
priated under section 201(3), $35,000,000 shall be
available for space control technology de-
velopment. Of the funds made available pur-
suant to this paragraph, the Commanding Gen-
eral of the United States Army Space and
Missile Defense Command may utilize such amo-
unts as are necessary for any one of the fol-
lowing activities:

(1) Continued development of the kinetic
energy anti-satellite technology program
necessary to retain an option of conducting a
flight test within two years of any decision
to do so.

(2) Technology development associated
with the kinetic energy anti-satellite kill ve-
hicle to temporarily disrupt satellite func-
tions.

(3) Cooperative technology development
with the Air Force, pursuant to the Depart-
ment of Defense Space Control Technology Plan
of 1999.

SEC. 214. SPACE MANEUVER VEHICLE.

(a) FUNDING.—Of the funds authorized to be
appropriated under section 201(3), $10,000,000 shall be
available for the space maneuver vehicle program.

(b) ACQUISITION OF SECOND FIGHTER TEST
AIRCRAFT.—The amount made available for the
space maneuver vehicle program under sub-
section (a) may be used only to acquire a sec-
ond flight test article for the joint Air Force and
Navy, Space and Strategic Defense Admin-
istration X–37 program in support of the Air
Force Space Maneuver Vehicle program.

SEC. 215. MANUFACTURING TECHNOLOGY PRO-
GRAM.

(a) SUPPORT OF HIGH-RISK PROJECTS TO
MEET ESSENTIAL REQUIREMENTS.—Subsection
(b) of section 2525 of title 10, United States
Code, is amended—

(1) by striking paragraphs (2) and (3);

(2) by striking “(A)” following “(d) COM-
PETITION AND COST SHARING.—(1)” and

(3) by striking “(B) For each” and all that
follows that procedures that provide for
inserting the following: “(2) The com-
petitive procedures shall include among the
factors to be considered in the evaluation of
routes of execution for each project, cooperative
agreement, or other transaction for a project
the extent to which the proposal provides for
the prospective recipient to share in defray-
ing the costs of the project.”

SEC. 216. TESTING OF AIRBLAST AND IMPRO-
VED EXPLOSIVES.

Of the amount authorized to be appro-
priated under section 201(3), $5,000,000 shall be
available for testing of airblasts and improvised explosives.

(1) $4,000,000 is available for testing of air-
blast and improvised explosives (in PE 63122D); and

(2) the amount provided for sensor and
guidance technology (in PE 63762E) is re-
duced by $1,000,000.

Subtitle C—Ballistic Missile Defense

SEC. 221. THEATER-High-Altitude Defense Upper Tier Acquisition Strategy.

(a) REvised UppEr Tier Strategy.—The Sec-
retary of Defense shall establish an ac-
cquisition strategy for the upper tier missile defense systems that—

(1) retains funding for both the upper tier systems in separate, independently man-
aged programs throughout the fu-
ture-years defense program;

(2) bases funding decisions and program
schedules for each upper tier system on the performance of each system independent of
the performance of the other system; and

(3) provides for accelerating the deploy-
ment of both of the upper tier systems to the maximum extent practicable;

(b) UPPeR TIER SYSTEMS DEFINED.—For
purposes of this section, the upper tier mis-
sile defense system includes the following:

(1) The Navy Theater Wide system.

(2) The Theater High-Altitude Area De-
sense system.

SEC. 222. REpeal OF requiremenT TO IMple-
MENT TecHnICAL AND PRICE COM-
PETITION FOR THEATER HIGH ALTI-
ITUDE DEFENSE UPPER TIER ACQUISITION.

(a) ReWOrked prOgram.—The Sec-
retary of Defense shall structure the pro-
gram in accordance with the following:

(1) a near-term integrated flight experi-
ment;

(2) an ongoing activity for developing an
objective system design, including devel-
opment, testing, and operating a prototype
system.

(b) INTEGRATED FLIGHT EXPERIMENT.—The
Secretary shall structure the integrated flight experi-
ment to provide for the follow-

(1) Establishment of an objective to carry
out an early demonstration of the funda-
mental end-to-end capability to detect,
track, and destroy a boosting ballistic mis-
sile with a lethal laser from space.

(2) Utilization, to the maximum extent
possible, of technology that has been dem-
onstrated in principle or can be developed
in the near-term with a low degree of risk.

(3) A goal of launching the experiment by
2006.

(c) DEVELOPMENT OF OBJECTIVE SYSTEM De-
SIGN.—In order to develop an objective sys-
tem design suited to the operational and
environment that will exist when such a system can be deployed, the
Secretary shall structure the missile defense
program schedule to include the fol-
lowing:

(1) Robust research and development on ad-
vanced technologies in parallel with the de-
velopment of the integrated flight experi-
ment.

(2) Architecture studies to assess alter-
native space-based laser constellation and
system performance characteristics.

(3) Planning for the development of a space-based laser program.

(A) utilizes the lessons learned from the in-
tegrated flight experiment;

(B) is supported by ongoing architecture
and advanced technology research and develop-
ment efforts; and

(C) is scheduled to be launched approxi-
mately two years before the date by which
the objective space-based laser system con-
figuration is to be completed.

(d) SENSE OF CONGRESS.—It is the sense of
Congress that the structure required by this
section for the space-based laser program
is consistent with the joint venture con-
tacting approach and overall objective that the
Department of Defense has established for the space-based laser program.

(e) REvised prOgram Baseline.—The Sec-
retary, in consultation with the space-based
laser joint venture team, shall promptly re-
view and update the space-based laser program baseline to reflect the require-
ments of this section.

(f) FUNDS AVAILABLE FOR BALLISTIC MIS-
sILE DEFENSE ORGANIZATION EXECU-
TION.—Of the amounts authorized to be appro-
priated under section 201(4), $75,000,000 shall be
available for the space-based laser program.

(g) FUNDS AVAILABLE FOR AIR FORCE Ex-
ecution.—Of the amounts authorized to be appro-
priated under section 201(5), $38,840,000 shall be
available for the space-based laser program.

SEC. 224. AIRBORNE LASER PROGRAM.

(a) MODIFICATION OF PROGRAM DEFINITION
And RISK Reduction AIRCRAFT.—The Sec-
retary of the Air Force may not commence
any modification of the program definition
and risk reduction aircraft for the Airborne
Laser program until the Secretary of
Defense certifies to Congress that he has deter-
mine that the contractual and air-

SEC. 223. SPACE-BASED LASER PROGRAM.

(a) STRUCTURE OF PROGRAM.—The Sec-
retary of Defense shall structure the space-
base laser program to include

(1) The Navy Theater Wide system.

(2) The Theater High-Altitude Area De-
sense system.

(3) A goal of launching the experiment by
2006.

(c) DEVELOPMENT OF OBJECTIVE SYSTEM De-
SIGN.—In order to develop an objective sys-
tem design suited to the operational and
environment that will exist when such a system can be deployed, the
Secretary shall structure the space-based laser program schedule to include the fol-
lowing:

(1) Robust research and development on ad-
vanced technologies in parallel with the de-
velopment of the integrated flight experi-
ment.

(2) Architecture studies to assess alter-
native space-based laser constellation and
system performance characteristics.

(3) Planning for the development of a space-based laser program.

(A) utilizes the lessons learned from the in-
tegrated flight experiment;

(B) is supported by ongoing architecture
and advanced technology research and develop-
ment efforts; and

(C) is scheduled to be launched approxi-
mately two years before the date by which
the objective space-based laser system con-
figuration is to be completed.

(d) SENSE OF CONGRESS.—It is the sense of
Congress that the structure required by this
section for the space-based laser program
is consistent with the joint venture con-
tacting approach and overall objective that the
Department of Defense has established for the space-based laser program.

(e) REVISED PROGRAM BASELINE.—The Sec-
retary, in consultation with the space-based
laser joint venture team, shall promptly re-
view and update the space-based laser program baseline to reflect the require-
ments of this section.

(f) FUNDS AVAILABLE FOR BALLISTIC MIS-
sILE DEFENSE ORGANIZATION EXECU-
TION.—Of the amounts authorized to be appro-
priated under section 201(4), $75,000,000 shall be
available for the space-based laser program.

(g) FUNDS AVAILABLE FOR AIR FORCE Ex-
ecution.—Of the amounts authorized to be appro-
priated under section 201(5), $38,840,000 shall be
available for the space-based laser program.
(2) the program definition and risk reduction aircraft is utilized in a robust series of flight tests that validates the technical maturity of the Airborne Laser Program and provides supporting data concerning the performance of the system across the full range of its operational requirements; and

(3) sufficient technical information is available to determine whether adequate progress is being made in the ongoing effort to address the operational issues identified in the Airborne Laser Program Assessment.

(d) AIRBORNE LASER PROGRAM ASSESSMENT DEFINED.—In this section, the term "Airborne Laser Program Assessment" means the Airborne Laser Program Assessment: Aspects of the Airborne Laser Program that was submitted to Congress by the Secretary of Defense on March 9, 1999.

SEC. 225. SENATE OF CONGRESS REGARDING BALLISTIC MISSILE DEFENSE TECHNOLOGY FUNDING.

It is the sense of Congress that—

(1) because technology development provides the basis for future weapon systems, it is important to maintain a healthy funding balance between ballistic missile defense technology development and ballistic missile defense acquisition programs;

(2) funding planned within the future years defense program of the Department of Defense is sufficient to support the development of technology for future and follow-on ballistic missile defense systems while simultaneously supporting ballistic missile defense acquisition programs;

(3) the Secretary of Defense should seek to ensure that funding in the future years defense program is adequate for both advanced baselines and the technology development and for existing ballistic missile defense major defense acquisition programs; and

(4) the Secretary should submit a report to the congressional defense committees by March 15, 2000, on the Secretary’s plan for dealing with the matters identified in this section.

SEC. 226. REPORT ON NATIONAL MISSILE DEFENSE.

Not later than March 15, 2000, the Secretary of Defense shall submit to Congress the Secretary’s assessment of the advantages or disadvantages of a two-site deployment of a ground-based National Missile Defense system, including an assessment of the worldwide ballistic missile threat, defensive coverage, redundancy and survivability, and economies of scale.

SEC. 227. OPTIONS FOR AIR FORCE CRUISE MISSILES.

(a) STUDY.—(1) The Secretary of the Air Force shall conduct a study of the options for meeting the requirements being met as of the date of the enactment of this Act by the conventional air launched cruise missile (CALCM) once the inventory of that missile has been determined. For the study, the Secretary shall consider the following options:

(A) Restarting of production of the conventional air launched cruise missile.

(B) Acquisition of a new type of weapon with the same lethality characteristics as those of the conventional air launched cruise missile or improved lethality characteristics.

(C) Utilization of current or planned munitions, with upgrades as necessary.

(2) The study shall submit the results of this study to the Armed Services Committees of the House and Senate by January 15, 2000, so that the results might be—

(A) in the budget of the Department of Defense for fiscal year 2001 submitted to Congress under section 1105 of title 31, United States Code; and

(B) reported to Congress as required under subsection (b).

(b) REPORT.—The report shall include a statement of how the Secretary intends to meet the requirements referred to in subsection (a) in a timely manner as described in that subsection.

Subtitle D—Research and Development for Long-Term Military Capabilities

SEC. 221. ANNEX ON EMERGING OPERATIONAL CONCEPTS.

(a) EXTENSION OF REPORTING REQUIREMENT.—Subsection (a) of section 1424 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2642; 10 U.S.C. 113 note) is amended by striking "2000" and inserting "2002".

(b) IDENTIFICATION OF TECHNOLOGICAL OBJECTIVES FOR RESEARCH AND DEVELOPMENT.—That section is further amended by adding at the end the following new subsection:

"(5) The Secretary of Defense shall conduct a study of the options for meeting the requirements being met as of the date of the enactment of this Act by the conventional air launched cruise missile for meeting the requirements referred to in subsection (a) in a timely manner as described in that subsection."
under this section in conjunction with or in addition to the exercise of any other authority of the Director to acquire, support, or stimulate basic, advanced, and applied research, development, and engineering resources and capabilities of all of the laboratories and test and evaluation facilities of the Department of Defense, including those of the military departments.

(b) Analyses.—(1) The Secretary of Defense shall convene a panel of independent experts under the auspices of the Department of Defense for the purpose of evaluating the resources and capabilities of all of the laboratories and test and evaluation facilities of the Department of Defense, including those of the military departments.

(c) Reports.—(1) The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the House of Representatives reports on the progress made in implementing subsection (r) of section 2298 of title 10, United States Code, as added by subsection (a). Each status report shall, at a minimum, include the following:

(A) The schedule for completing the key actions necessary for implementation.

(B) The progress made in the implementation by the military departments and the other agencies of the Department of Defense through the date of the report.

(C) Any minimum, address the capabilities of the laboratories and test and evaluation facilities in the areas of research and development, command, control, communications, andelligence, space, directed energy, electronic warfare, medicine, corporate laboratories, civil engineering, geophysics, and the other entities.

(b) Performance Review Process.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop an appropriate performance review process for rating the quality and relevance of work performed by the Department of Defense laboratories. The process shall include customer evaluation and peer review by Department of Defense personnel and appropriate experts from outside the Department of Defense.

(2) The Secretary of Defense shall provide for rating all laboratories of the Army, Navy, and Air Force on a consistent basis.

Subtitle E—Other Matters

SEC. 251. REPORT ON AIR FORCE DISTRIBUTED MISSION TRAINING.

(a) Requirement.—The Secretary of the Air Force shall submit to the Committee on Armed Services of the Senate and the House of Representatives not later than January 31, 2000, a report on the Air Force Distributed Mission Training Program.

(b) Content of Report.—The report shall include the following:

(1) The progress that the Air Force has made to demonstrate and prove the Air Force Distributed Mission Training concept.

(2) The geographic reach of high-fidelity simulators to provide a mission rehearsal capability for Air Force units, and

(3) The criteria to be used for measuring the success of each concept to be tested.
any units of any of the other Armed Forces as may be necessary, to train together from their home stations.

(2) The actions that have been taken or are planned by the Department of the Air Force to ensure that—

(A) an independent study of all requirements, technologies, and acquisition strategies essential to the formulation of a sound Distributed Mission Training program is under way; and

(B) all Air Force laboratories and other Air Force activities necessary to the research, development, testing, and evaluation of the Distributed Mission Training program have been assessed regarding the availability of the necessary funded or nonfunded resources to demonstrate and prove the Air Force Distributed Mission Training concept.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

(a) AMOUNTS AUTHORIZED.—Funds are hereby authorized to be appropriated for fiscal year 2000 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $18,340,094,000.

(2) For the Navy, $22,162,023,000.

(3) For the Marine Corps, $2,612,529,000.

(4) For the Air Force, $20,342,403,000.

(b) DEFENSE-WIDE ACTIVITIES, DEFENSE-WIDE, $745,265,000.

(c) OTHER ACTIVITIES AND AGENCIES, $55,800,000.

(1) For the Department of the Air Force, $378,170,000.

(2) For the Marine Corps, $138,244,000.

(3) For the Air Force, $9,249,518,000.

(4) For the Defense Inspector General, $3,119,518,000.

(5) For Environmental restoration, $3,119,518,000.

(6) For Environmental restoration, $1,319,518,000.

(7) For Environmental restoration, $1,319,518,000.

(8) For the Army Working-Capital Fund, $52,314,000.

(9) For the National Defense Sealift Fund, $394,700,000.

(10) For the National Defense Stockpile Transaction Fund, $31,000,000.

SEC. 302. WORKING-CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working-capital and revolving funds in amounts as follows:

(1) For the Army Working-Capital Fund, $62,314,000.

(2) For the Defense Working-Capital Fund, $28,000,000.

(3) For the National Defense Sealift Fund, $394,700,000.

(4) For the National Defense Stockpile Transaction Fund, $31,000,000.

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for the fiscal year 2000 under section 1001 the sum of $48,285,000 for the operation of the Armed Forces Retirement Home, including the United States Soldiers’, Airmen’s Home, and the Navy Home.

SEC. 304. TRANSFER FROM NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.

(a) TRANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $150,000,000 is authorized to be transferred from the National Defense Stockpile Transaction Fund to operation and maintenance accounts for fiscal year 2000 in amounts as follows:

(1) For the Army, $50,000,000.

(2) For the Navy, $50,000,000.

(3) For the Air Force, $50,000,000.

(b) TREATMENT OF TRANSFERS.—Amounts transferred under this section—

(1) shall be merged with, and be available for the same purposes and the same period as, the amounts in the accounts to which transferred; and

(2) may not be expended for an item that has been defunded by an appropriation Act.

(c) RELATIONSHIP TO OTHER TRANSFER AUTHORITY.—The transfer authority provided in this section is in addition to the transfer authority provided in section 1001.

SEC. 305. OPERATIONAL METEOROLOGY AND OCEANOGRAPHY AND UNOLS.

Of the funds authorized to be appropriated in section 362(a), an additional $10,963,000 may be expended for Operational Meteorology and Oceanography and UNOLS.

SEC. 306. ARMED FORCES EMERGENCY SERVICES.

Of the funds in section 301(a)(5), $23,000,000 shall be made available to the American Red Cross to fund the Armed Forces Emergency Services.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 311. NATO COMMON-FUNDED MILITARY BUDGET.

Of the amount authorized to be appropriated pursuant to section 301(a)(1) for operation and maintenance for the Army, $216,400,000 shall be available for contributions to the common-funded Military Budget of the North Atlantic Treaty Organization.

SEC. 312. USE OF HUMANITARIAN AND CIVIC ASSISTANCE FUNDING FOR PAY AND ALLOWANCES OF SPECIAL OPERATIONS COMMAND RESERVES Furnishing Training and Related Benefits as Humanitarian Assistance.

Section 401(c) of title 10, United States Code, is amended by adding at the end the following:

“(1) The head of any agency, after making a determination of the economic soundness of the offer to do so, may enter into a contract with the offeror for the offeror to install and maintain defense features for national defense purposes in one or more commercial vessels, as follows:

(A) The costs to build, procure, and install any defense feature on a vessel,

(B) The costs to maintain and test any defense feature on a vessel periodically,

(C) Any increased costs of operation or any loss of revenue attributable to the installation or maintenance of any defense feature on a vessel,

(D) Any additional costs associated with the terms and conditions of the contract,

(E) Any contract under which the United States provides advance payments for the costs associated with installation or maintenance of any defense feature on a commercial vessel, the contractor shall provide to the United States any security interest in the vessel, by way of a preferred mortgage under section 3122 of title 46 or otherwise, that the head of the agency prescribes in order adequately to protect the United States against loss for the total amount of those costs.

(F) Each contract entered into under this subsection shall:

(A) set forth terms and conditions under which, so long as a vessel covered by the contract is owned or controlled by the contractor, the contractor is to operate the vessel for the Department of Defense notwithstanding any other contract or commitment of that contractor; and

(B) provide that the contractor operating the vessel for the Department of Defense shall be paid for that operation at fair and reasonable rates.

(G) The head of any agency may not delegate authority under this subsection to any person in a position below the level of head of a procuring activity.”;

and

(3) by adding at the end of subsection (1), as redesignated by paragraph (1), the following:

“(B) The term ‘head of an agency’ has the meaning given the term in section 2302(1) of this title.”.

SEC. 314. ADDITIONAL AMOUNTS FOR DRUG INTERDICTOR AND COUNTER-DRUG ACTIVITIES.

(a) AUTHORIZATION OF ADDITIONAL AMOUNT.—Notwithstanding any other provision of this Act, the amount authorized to be appropriated by section 301(a)(20) is hereby increased by $59,200,000.

(b) USE OF ADDITIONAL AMOUNT.—Of the amounts authorized to be appropriated by section 301(a)(20), as increased by subsection (a) of this section, funds shall be available in the following amounts for the following purposes:

(1) $6,000,000 shall be available for Operation Capo Fuser.
(2) $17,500,000 shall be available for a Relocatable Over the Horizon (ROTHR) capability for the Eastern Pacific based in the continental United States.

(3) $2,700,000 shall be available for forward looking infrared radars for F-3 aircraft.

(4) $8,000,000 shall be available for enhanced intelligence capabilities.

(5) $3,600,000 shall be used for Mothership Operations.

(6) $20,000,000 shall be used for National Guard State plans.

Title C—Environmental Provisions

SEC. 321. ENVIRONMENTAL TECHNOLOGY MANAGEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to hold the Department of Defense and the military departments accountable for achieving performance-based results in the management of environmental technology by providing a connection between program direction and the achievement of specific performance-based results;

(2) to identify end-user requirements for environmental technology within the military departments;

(3) to assure results, quality of effort, and appropriate levels of service and support for end-users of environmental technology within the military departments; and

(4) to promote improvement in the performance-based management of environmental technology by establishing objectives for environmental technology programs, measuring performance against such objectives, and making public reports on the progress made in such performance.

(b) ENVIRONMENTAL TECHNOLOGY MANAGEMENT.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2358 the following new section:

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2358a. Research and development: environmental technology

(a) MANAGEMENT OF RESEARCH AND DEVELOPMENT.—The Secretary of Defense shall provide in accordance with this section for the management of projects engaged in under section 2358 of this title for the research, development, and evaluation of environmental technologies for the Department of Defense and the military departments.

(b) RESPONSIBILITIES OF SECRETARY OF DEFENSE.—The Secretary of Defense shall—

(1) establish guidelines for the development by the Department of Defense and the military departments of an investment control process for the selection, management, and evaluation of environmental technologies within the Department of Defense;

(2) develop a strategic plan for the development of environmental technologies within the Department of Defense which shall specify goals and objectives for the development of environmental technologies within the Department and provide specific mechanisms for assuring the achievement of such goals and objectives;

(3) establish guidelines for use by the officials concerned in preparing the annual performance plans and performance reports required by this section;

(4) determine the feasibility of permitting such officials to develop quantifiable and measurable performance objectives for particular environmental technology projects; and

(5) if the Secretary determines that the development of performance objectives for particular technology projects by the officials concerned in paragraph (4) is not feasible, establish a schedule for meeting the performance plan requirements set forth in subsection (c).

(c) RESPONSIBILITIES WITHIN DEPARTMENT OF DEFENSE.—(1) Each official concerned shall—

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SEC. 322. ESTABLISHMENT OF ENVIRONMENTAL RESTORATION ACCOUNTS FOR INSTALLATIONS CLOSED OR REALIGNMENT UNDER THE BASE CLOSURE LAWS AND FOR FORMERLY USED DEFENSE SITES.

(a) ACCOUNT FOR FORMERLY USED DEFENSE SITES.—Subsection (a) of section 2702 of title 10, United States Code, is amended by adding at the end the following new paragraph:

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(4) An account to be known as the ‘‘Environmental Restoration Account, Army, Formerly Used Defense Sites’’;
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(b) ACCOUNT FOR DEFENSE BASE CLOSURE AND REALIGNMENT.—Subsection (b) of section 2702 of title 10, United States Code, is amended by adding at the end the following new paragraph:

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(4) An account to be known as the ‘‘Environmental Restoration Account, Defense Base Closure and Realignment’’;
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(c) USE OF FUNDS IN BASE CLOSURE AND REALIGNMENT ACCOUNT.—(1) Subsection (b) of that section is amended—

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(A) by striking ‘‘Funds authorized’’ and inserting ‘‘Funds authorized and 1 Except as provided in paragraph (2), funds authorized’’; and

(B) by adding at the end the following:
``
(2)(A) Funds authorized for deposit in the Environmental Restoration Account, Defense Base Closure and Realignment established under subsection (a)(8) may be obligated and expended from the account only for carrying out environmental restoration required as the result of the closure or realignment of military installations pursuant to a base closure law, such funds shall be an exclusive source of funds for such environmental restoration.

(b) For purposes of this paragraph, the term 'base closure law' means the following:

(i) Section 2867 of this title.


(d) TRANSFER OF BRAC ENVIRONMENTAL RESTORATION FUNDS.—The Secretary of Defense shall transfer from the Department of Defense Base Closure Account 1990 established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2867 note) to the Environmental Restoration Account, Defense Base Closure and Realignment established by section 2703(a)(6) of title 10, United States Code, as amended by subsection (b)(2), such portion of the unobligated balance in the Department of Defense Base Closure Account 1990 as of October 1, 2000, as the Secretary determines necessary to carry out environmental restoration in accordance with section 2703(b)(2) of title 10, United States Code (as amended by subsection (c)(1)).

(e) FUNDING OF ADMINISTRATIVE EXPENSES AND TECHNICAL ASSISTANCE.—Section 2705(g) of title 10, United States Code, is amended to read as follows:

(g) FUNDING.—(1) Except as provided in paragraph (2), funds in the accounts established by section 2703(a) of this title shall be available for administrative expenses and technical assistance under this section.

(2) Funds in the account established by section 2703(a)(6) of this title shall be available for administrative expenses and technical assistance under this section with respect to an installation approved for closure or realignment under a base closure law only to the extent that such base closure law authorizes the installation being closed or realigned.

(f) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on October 1, 2000.

(2) A notice required by subsections (b) and (c) shall take effect on October 1, 2000.

SEC. 233. EXTENSION OF LIMITATION ON PAYMENTS TO STATES AND PENALTY USING FUNDS IN ENVIRONMENTAL RESTORATION ACCOUNTS.

Section 2708 of title 10, United States Code, is amended by striking “through 1999,” both places it appears and inserting “through 2010.”

SEC. 234. MODIFICATION OF REQUIREMENTS FOR ANNUAL REPORTS ON ENVIRONMENTAL COMPLIANCE ACTIVITIES.

(a) MODIFICATION OF REQUIREMENTS.—Subsection (b) of section 2706 of title 10, United States Code, is amended to read as follows:

(b) REPORT ON ENVIRONMENTAL QUALITY PROGRAMS AND OTHER ENVIRONMENTAL ACTIVITIES.—(1) The Secretary of Defense shall submit to Congress each year, not later than 45 days after the date on which the President submits to Congress the budget for a fiscal year, a report on the progress made in carrying out activities under the environmental quality program of the Department of Defense and the military departments.

(2) Each report shall include the following:

(A) A description of the environmental quality program of the Department of Defense, and of each of the military departments, during the period consisting of the four fiscal years preceding the fiscal year in which the report is submitted, and the fiscal year in which the report is submitted, and the fiscal year following the fiscal year in which the report is submitted, including—

(i) for each of the major activities under the program—

(I) the amount expended, or proposed to be expended, in each fiscal year of the period;

(II) an explanation for any significant change in the aggregate amount to be expended in the fiscal year in which the report is submitted, and in the following fiscal year, when compared with the fiscal year preceding each such fiscal year; and

(iii) an assessment in which the scope of the activities have changed over the course of the period; and

(B) A list of the planned or ongoing projects necessary to support the environmental quality program of the Department of Defense, and of each of the military departments, during the period described in subparagraph (A) the cost of which has exceeded or is anticipated to exceed $1,500,000, including—

(i) a separate list of the projects inside the United States and of the projects outside the United States;

(ii) for each project commenced during the first four fiscal years of the period—

(I) the amount specified in the initial budget request; and

(II) the aggregate amount allocated to the project through the fiscal year preceding the fiscal year in which the report is submitted;

(iii) for each project commenced or to be commenced in the fiscal year in which the report is submitted—

(I) the amount specified for the project in the budget for the fiscal year; and

(II) the amount allocated to the project in the fiscal year;

(iv) for each project to be commenced in the last fiscal year of the period, the amount specified in the initial budget request for such project, a justification for that variance.

(C) A statement of the fines and penalties imposed or assessed against the Department of Defense and the military departments under Federal, State, or local environmental laws during the fiscal year in which the report is submitted and the four preceding fiscal years, setting forth—

(i) each Federal environmental statute under which a fine or penalty was imposed or assessed during the period, and

(ii) with respect to each such Federal statute—

(I) the aggregate amount of fines and penalties imposed under the statute during each such fiscal year;

(II) the aggregate amount of fines and penalties paid under the statute during each such fiscal year; and

(III) the total amount required during such fiscal years for supplemental environmental projects in lieu of payment of a fine or penalty under the statute and the extent to which the cost of such projects during such fiscal years has exceeded the original amount of the fine or penalty; and

(D) A statement of the amounts expended, and anticipated to be expended, during the period described in subparagraph (A) for any activities overseas relating to the environment, including amounts for activities relating to environmental remediation, compliance, conservation, pollution prevention, and environmental technology and amounts for conferences, meetings, and studies for pilot programs, and for travel related to such activities.

(b) CONFORMING REPEAL.—That section is further amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

(c) DEFINITIONS.—Subsection (d) of that section, as redesignated by subsection (b)(2) of this section, is amended by adding at the end the following:

(4) The term ‘environmental quality program’ means a program of activities relating to environmental compliance, conservation, pollution prevention, environmental technology, and such other activities relating to environmental quality as the Secretary concerned may designate for purposes of the program.

(5) The term ‘major activities’ with respect to an environmental quality program, means the following activities under the program:

(A) Environmental compliance activities.

(B) Conservation activities.

(C) Pollution prevention activities.

(D) Activities relating to environmental technology.

SEC. 325. MODIFICATION OF MEMBERSHIP OF STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM COUNCIL.

Section 2902(b)(1) of title 10, United States Code, is amended by striking “Director of Defense Research and Engineering” and inserting “Deputy Under Secretary of Defense for Science and Technology”.

SEC. 326. EXTENSION OF PILOT PROGRAM FOR VIOLATION OF AIR POLLUTION EMISSION REDUCTION INCENTIVES.

Section 351(a)(2) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–33; 111 Stat. 365; 10 U.S.C. 2901 note) is amended by striking “beginning on the date of the enactment of this Act and ending two years after such date” and inserting “beginning on November 18, 1997, and ending on September 30, 2001”.

SEC. 327. REIMBURSEMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR CERTAIN COSTS IN CONNECTION WITH FRESNO DRUM SUPERCLEAN SITE, FRESNO, CALIFORNIA.

(a) AUTHORITY.—The Secretary of Defense may pay, from funds made available in subsection (b), to the Fresno Drum Special Account within the Hazardous Substance Superfund within the Hazardous Substance Superfund Site, Fresno, California, any costs incurred by the Agency for actions
taken under CERCLA at the Fresno Industrial Supply, Inc., site in Fresno, California, the following amounts:

(1) Not more than $775,425 for past response costs under section 301.

(2) The amount of the costs identified as “interest” costs pursuant to the agreement known as the “CERCLA Section 122(h)(1) Agreement: Out-of-Pocket Future Response Costs and Recovery of Past Response Costs In the Matter of: Fresno Industrial Supply Inc. Site, Fresno, California” that was entered into by the Department of Defense and the Environmental Protection Agency on May 22, 1996.

(b) SOURCE OF FUNDS FOR PAYMENT.—(1) Subject to paragraph (2), any payment under subsection (a) shall be made using the following amounts:

(A) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Defense, established by section 2703(a)(1) of title 10, United States Code.

(B) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Army, established by section 2703(a)(2) of that title.

(C) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Navy, established by section 2703(a)(3) of that title.

(D) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Air Force, established by section 2703(a)(4) of that title.

(2) The portion of a payment under paragraph (1) that is derived from any account referred to in that paragraph shall bear the same ratio to the total amount of such payment as the amount of the hazardous substances at the Fresno Industrial Supply, Inc., site that are attributable to the department concerned bears to the total amount of the hazardous substances at that site.

(c) CERCLA DEFINITION.—In this section, the term “CERCLA” means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SEC. 328. PAYMENT OF STIPULATED PENALTIES ASSESSED UNDER CERCLA IN CONNEC- TION WITH F.E. WARNER AIR FORCE BASE, WYOMING.

(a) AUTHORITY.—The Secretary of the Air Force may pay, using funds described in subsection (b), not more than $20,000 as payment of stipulated penalties assessed on January 13, 1998, against F.E. Warner Air Force Base, Wyoming, under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(b) SOURCE OF FUNDS FOR PAYMENT.—Any payment under subsection (a) shall be made using amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Air Force, established by section 2703(a)(4) of title 10, United States Code.

SEC. 329. PROVISION OF INFORMATION AND GUIDANCE TO THE PUBLIC REGARDING ENVIRONMENTAL CONTAMINA- TION AT UNITED STATES MILITARY INSTALLATIONS FORMERLY OPER- ATED BY THE UNITED STATES THAT HAVE BEEN CLOSED.

(a) DISCLOSURE.—(1) REQUIREMENT TO PROVIDE INFORMATION AND GUIDANCE.—The Secretary of Defense shall publicly disclose existing, available information and guidance on the nature and extent of environmental contamination, if any, at a site in that foreign nation where the United States operated military bases, installations, and facilities that have been closed as of the date of enactment of this Act.

(2) CONGRESSIONAL LIST.—Not later than September 30, 1999, the Secretary of Defense shall provide Congress a list of information made public pursuant to paragraph (1).

(b) LIMITATION.—The requirement to provide information and guidance under subsection (a) may not be construed to establish on the part of the United States any liability for any action taken in connection with environmental restoration or remediation at any site referred to in subsection (a).

(c) NATIONAL SECURITY.—Information the Secretary determines could adversely affect United States National Security shall not be released pursuant to this provision.

SEC. 330. ORDINANCE MITIGATION STUDY.

(a) The Secretary of Defense is directed to undertake a study and is authorized to remove ordnance infiltrating the Federal navigation channel and adjacent shorelines of the Tousant River.

(b) The Secretary shall report to the congressional defense committees and the Senate Committee on Commerce, Science, and Transportation the need to continue such activities by the Department of Defense or its contractors. The Secretary shall report not later than April 1, 2000.

(c) This provision shall not modify any responsibilities and authorities provided in the Water Resources Development Act of 1986, as amended (Public Law 99-662).

(d) The Secretary is authorized to use any funds available to the Secretary to carry out the authority provided in subsection (a).

Subtitle D—Other Matters

SEC. 341. EXTENSION OF WARRANTY CLAIMS RE- COVERY PILOT PROGRAM.


SEC. 342. AUTHORIZATION TO BE RE- REPORTED PRIOR TO PRIME VENDOR CONTRACT FOR DEPOT-LEVEL MAINTENANCE AND REPAIR IS ENTERED INTO.

Section 342(a)(1) of the Strom Thurmond Na- tional Defense Authorization Act for Fiscal Year 1999 (Public Law 105-270; 112 Stat. 2297; 10 U.S.C. 2661 note) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by inserting at the end of paragraph (2) and inserting a semicolon; and

(3) by adding at the end the following:

“(E) The Secretary is authorized to use any funds provided to the Department of Defense under this Act to make payments under this subsection.”

SEC. 343. USE OF SMART CARD TECHNOLOGY IN THE DEPARTMENT OF DEFENSE.

(a) LEADERSHIP, PLANNING, AND EXECUTION OF SMART CARD PROGRAM.—(1) Not later than October 1, 1999, the Secretary of Defense shall establish a lead agency for the development and implementation of a Smart Card program for the Department of Defense effective not later than the date determined by the Secretary.

(2) The Secretary of Defense shall direct the Secretary of the Army and the Secretary of the Air Force to establish Smart Card program offices for each of the Army and the Department of the Air Force, respectively, not later than November 30, 1999. The designated offices shall coordinate closely with the lead agency to develop implementation plans for exploiting the capabilities of Smart Card technology as a means for enhancing readiness and improving business processes throughout the military departments.

(3) Not later than November 30, 1999, the Secretary of Defense shall establish a senior coordinating group chaired by the representative of the Secretary of the Navy. The group shall include senior representatives from each of the Armed Forces. The senior coordinating group shall develop and implement Department-wide interoperability standards for use of Smart Card technology and a plan to exploit Smart Card technology as a means for enhancing readiness and improving business processes.

(4) The Secretary of the Army and the Sec- retary of the Air Force, in coordination with the Secretary of the Navy, shall each develop and implement a program to demonstrate the benefits of Smart Card technology in the Army and the Air Force, respectively.

(b) INCREASED USE TARGETED TO CERTAIN NAVAL REGIONS.—Not later than November 
30, 1999, the Secretary of the Navy shall establish a business plan to implement the use of Smart Cards in one major Naval region of the continental United States that is in the area of operations of the United States Pacific Command and another region that include a major fleet concentration area. The implementation of the use of Smart Cards in each region shall cover the Navy and Marine Corps bases and all non-deployed units in the region. The Secretary of the Navy shall submit the business plan to the congressional defense committees.

(c) USE OF SMART CARDS.—(1) Of the funds authorized to be appropriated for the Navy for fiscal year 2000 under section 102(a)(4) or 301(a)(2), the Secretary of the Navy shall conduct a study to determine the results of the study. The report shall include recommendations that the Secretary considers appropriate regarding Department of Defense use of the Smart Card for addressing the need identified in subsection (a).

(2) As a result of that collision nine members of the United States Air Force were killed, namely Staff Sergeant Stacey D. Bryant, 32, loadmaster, Providence, Rhode Island; Staff Sergeant Gary A. Bucknam, 25, flight engineer, Oakland, Maine; Captain Gregory M. Cindrich, 28, pilot, Byrants Road, Colorado; Staff Sergeant Robert K. Evans, 19, loadmaster, Colorado Springs, Colorado; Staff Sergeant Drager, 19, loadmaster, Byrants Road, Colorado; Captain Michael H. Cavalese, Italy and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (d).

(d) AMOUNT OF PAYMENT.—The amount of the payment under this section in settlement of the claims arising from the death of any member associated with activities described in subsection (a) may not exceed $2,000,000.

(e) TREATMENT OF PAYMENTS.—Any amount paid to a person under this section is intended to supplement any amount subsequently determined to be payable to the person under section 127 or chapter 163 of title 10, United States Code, or any other provision of law for administrative settlement of claims against the United States with respect to damages arising from the accident described in subsection (a).

(f) ESTIMATE.—The payment of an amount under this section may be considered to constitute a statement of legal liability on the part of the United States or otherwise as evidence of any material fact in an adversarial proceeding arising from the accident described in subsection (a).

SEC. 348. REVISION OF AUTHORITY TO DONATE CERTAIN ARMY MATERIEL FOR FOREIGN CEREMONIAL USE.

(a) AUTHORITY.—Section 3838 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “conditioned rifles (not more than 10)” and inserting—

(2) the term “Smart Card” means a credit card-size device, normally for carrying and use by personnel, that contains one or more of the following technologies:

(A) Magnetic stripe.

(B) Bar codes, linear or two-dimensional.

(C) Non-contact and radio frequency transmitters.

(D) Biometric information.

(E) Encryption and authentication.

(F) Photo identification.

(2) The term “Smart Card technology” means a Smart Card together with all of the associated information technology hardware and software that comprise the system for support and operation.


SEC. 347. STUDY ON USE OF SMART CARD AS PKI AUTHENTICATION DEVICE CARRIER FOR THE DEPARTMENT OF DEFENSE.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study to determine the potential use of the Department of Defense use of the Smart Card for addressing the need of the Department of Defense for a Public-Private Key Infrastructure (PKI) authentication device carrier.

(b) REPORT.—Not later than January 31, 2000, the Secretary shall submit to the Committee on Appropriations of the Senate and the House of Representatives a report on the results of the study. The report shall include the Secretary’s findings and any recommendations that the Secretary considers appropriate regarding Department of Defense use of the Smart Card for addressing the need identified in subsection (a).

(c) DEFINITIONS.—In this section:

(1) The term “Smart Card” means a credit card-size device, normally for carrying and use by personnel, that physically stores, carries, and employs electronic authentication or encryption keys necessary to create a unique digital signature, digital certificate, or other mark on an electronic document or file.

SEC. 349. MODIFICATION OF LIMITATION ON FUNDING ASSISTANCE FOR PROCUREMENT OF EQUIPMENT FOR THE NATIONAL GUARD FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.

Section 112(a)(3) of title 32, United States Code, is amended by striking “per purchase order” in the second sentence and inserting “per item”.

SEC. 350. AUTHORITY FOR PAYMENT OF SETTLEMENT CLAIMS.

(a) AUTHORITY.—Subject to the provisions of this section, the Secretary of Defense is authorized to make payments for the settlement of the claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavaisele, Italy and the subsequent determination that, as determined by the Secretary of Defense, the accident obstructed the investigation by disposing of evidence.

(b) DEADLINE FOR EXERCISE OF AUTHORITY.—Notwithstanding any other provision of law, the amount appropriated or otherwise made available for the Department of Defense for operation and maintenance for fiscal year 2000 or other unexpended balances from prior fiscal years, the Secretary of Defense is authorized to make payments for the settlement of the claims arising from the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavaisele, Italy and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (a).

(c) SOURCE OF PAYMENTS.—Notwithstanding any other provision of law, the amounts appropriated or otherwise made available for the Department of Defense for operation and maintenance for fiscal year 2000 or other unexpended balances from prior fiscal years, the Secretary of Defense is authorized to make payments for the settlement of the claims arising from the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavaisele, Italy and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (a).
(4) The United States Air Force accident investigation report concluded that the primary cause of the collision was the Luftwaffe Tupolev TU–154M aircraft flying at an incorrect cruise altitude.

(5) Procedures for filing claims under the Status of Forces Agreement are unavailable to the families of the members of the United States Air Force killed in the collision.

(6) The families of the members of the United States Air Force killed in the collision have filed claims against the Government of Germany and the families comparable settlement is reached between the United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalesi, Italy.

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

(1) The Government of Germany should promptly settle with the families of the members of the United States Air Force killed in a collision between a United States Air Force C–141 Starlifter aircraft and a German Luftwaffe Tupolev TU–154M aircraft on the coast of Namibia on September 13, 1997, and

(2) the United States should not make any payment to citizens of Germany as settlement for claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalesi, Italy, until a comparable settlement is reached between the Government of Germany and the families described in paragraph (1) with respect to the collision described in that paragraph.

TITLE V—MILITARY PERSONNEL

AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2000, as follows:

(1) The Army, 480,000.
(2) The Navy, 371,781.
(3) The Marine Corps, 172,240.

SEC. 402. REVISION IN PERMANENT END STRENGTH LEVELS.

(a) REVISED END STRENGTH FLOORS.—Subsection (a) of section 1201 of title 10, United States Code, is amended—

(1) in paragraph (2), by striking "372,696" and inserting in lieu thereof "371,781";
(2) in paragraph (3), by striking "172,200" and inserting in lieu thereof "172,148"; and
(3) in paragraph (4), by striking out "370,002" and inserting in lieu thereof "360,077".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1999.

SEC. 403. REDUCTION IN END STRENGTH LEVELS FOR TWO MAJOR REGIONAL CONTINGENCIES.

Section 691(d) of title 10, United States Code, is amended by striking "unless" and all that follows and inserting “unless the Secretary of Defense first submits to Congress a written notification of the proposed lower end strength together with the justification for the lower end strength. The Secretary shall include the notification and justification with the budget for the department for the fiscal year.”

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE FORCES.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2000, as follows:

(2) The Army Reserve, 205,000.
(3) The Naval Reserve, 90,288.
(4) The Marine Corps Reserve, 39,624.
(6) The Air Force Reserve, 73,764.
(7) The Coast Guard Reserve, 8,000.

(b) ADJUSTMENTS.—The end strengths prescribed for the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year, and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

(c) PERMANENT WAIVER AUTHORITY.—Section 115(c) of title 10, United States Code, is amended—

(1) by striking the “and” at the end of paragraph (1); and
(2) by striking the period at the end of the paragraph (2) and inserting “; and”;

(3) by adding at the end the following:

“(3) increase the end strength authorized pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of a reserve component of any of the armed forces by a number equal to not more than 2 percent of that end strength.”

(b) AUTHORIZATION OF APPROPRIATIONS.

There is hereby authorized to be appropriated as emergency appropriations for joint 4-star officer positions for fiscal year 2000 a total of $1,838,426,000 and in addition funds in the total amount of $1,838,426,000 are authorized to be appropriated as emergency appropriations to the Department of Defense for fiscal year 2000 for military personnel, as appropriated in section 1202 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31). The authorization in the preceding sentence supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2000.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. EXTENSION OF REQUIREMENT FOR COMPETITION FOR JOINT 4-STAR OFFICER POSITIONS.

(a) EXTENSION OF REQUIREMENT.—Section 624(c) of title 10, United States Code, is amended by striking “September 30, 2000” and inserting “September 30, 2003”.

(b) GRADE RELIEF.—Section 525(b)(5)(C) of such title is amended by striking “September 30, 2000” and inserting “September 30, 2003”.

SEC. 502. ADDITIONAL THREE-STAR OFFICER POSITIONS FOR SUPERINTENDENTS OF THE UNITED STATES MILITARY ACADEMIES.

(a) EXCLUSION OF SUPERINTENDENTS FROM GRADE LIMITATION.—Section 525(b) of title 10, United States Code, is amended by adding at the end the following:

“(7) An officer while serving in the position of Superintendent of the United States Military Academy, Superintendent of the United States Naval Academy, or Superintendent of the United States Air Force Academy, if serving in the grade of lieutenant general or vice admiral, is in addition to the number that would otherwise be permitted for that officer’s armed force for that grade under subsection (a) or paragraph (1) or (2) of this subsection.”

(b)晋级 SUPERINTENDENTS.—

(1)(A) Chapter 367 of title 10, United States Code, is amended by inserting after section 3920 the following:

Title 10, United States Code) authorized strengths for military technicians (non-dual status) as of September 30, 2000, as follows:

(1) For the Army Reserve, 1,285.
(2) For the Navy National Guard of the United States, 1,800.
(3) For the Air Force Reserve, 312.
(4) For the Air National Guard of the United States, 342.

SEC. 414. INCREASE IN NUMBERS OF MEMBERS IN CERTAIN GRADES AUTHORIZED TO BE ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) OFFICERS.—The table in section 1201(a) of title 10, United States Code, is amended to read as follows:

(b) SENIOR ENLISTED MEMBERS.—The table in section 1201(b) of title 10, United States Code, is amended to read as follows:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Army</th>
<th>Navy</th>
<th>Air Force</th>
<th>Marine Corps</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-9</td>
<td>645</td>
<td>302</td>
<td>405</td>
<td>39</td>
</tr>
<tr>
<td>E-8</td>
<td>2,593</td>
<td>429</td>
<td>1,041</td>
<td>94</td>
</tr>
</tbody>
</table>
§3921. Mandatory retirement: Superintendent of the United States Military Academy

“(a) There is a Superintendent of the United States Military Academy, whose retired grade—

(A) An officer on active duty for training;

(B) An officer on active duty under a call or order specifying a period of less than 180 days; or

(C) An officer on active duty under a call or order specifying a period of 180 days or more; or

(D) Any member of the Retiree Council of the Army, Navy, or Air Force for the period on active duty to attend the annual meeting of the Retiree Council.

Subtitle B—Reserve Component Matters

§511. Additional exceptions for reserve component general and flag officers from limitation on promotion

Section 504 of title 10, United States Code, is amended to read as follows:

“(a) ACTIVE DUTY FOR APPLICABILITY OF RESTRICTION ON HOLDING OF CIVIL OFFICE BY RETIRED REGULAR OFFICERS AND RESERVE OFFICERS.

Section 972(b)(1) of title 10, United States Code, is amended by adding at the end the following new sentence: “If the number determined under this subsection with respect to promotion zones within a grade (or grade and competitive category) is less than one, the board may recommend one such officer for promotion from below the zone within which such officer belongs (or grade and competitive category).”

§507. Increase in threshold period of active duty for applicability of restriction on holding of civil office by retired regular officers and reserve officers

Section 509 of title 10, United States Code, is amended by striking “270 days” and inserting “270 days.”

§506. Minimum selection of warrant officers for promotion from below the promotion zone

Section 505(b)(2) of title 10, United States Code, is amended by striking “180 days” and inserting “180 days”.

§505. Minimum grade of officers eligible to serve on boards of officers

Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new paragraph: “The board may recommend one such officer for promotion from below the zone within which such officer belongs (or grade and competitive category).”

§576. Exemption of retiree council members from recalled reenlistment limitations

Section 576 of title 10, United States Code, is amended by striking “270 days.”

§575. Increase in threshold period of active duty for applicability of restriction on holding of civil office by retired regular officers and reserve officers

Section 575 of title 10, United States Code, is amended by inserting after the item relating to section 4333 the following:

“§3921. Mandatory retirement: Superintendent of the United States Military Academy

“(b) The table of sections at the beginning of chapter 403 of such title is amended by inserting after the item relating to section 4333 the following:

“(m) Mentions of the Air Force in the sections of title 10 relating to the Air Force Academy shall be considered to include the United States Air Force Academy.”

“§3933a. Superintendent: condition for detail to position

“(b) The table of sections at the beginning of chapter 367 of such title is amended by inserting after the item relating to section 8920 the following:

“(m) The table of sections at the beginning of chapter 367 of such title is amended by inserting after the item relating to section 8920 the following:

“§3933a. Superintendent: condition for detail to position

“(b) The table of sections at the beginning of chapter 367 of such title is amended by inserting after the item relating to section 8920 the following:

“(m) The table of sections at the beginning of chapter 367 of such title is amended by inserting after the item relating to section 8920 the following:

“(m) The table of sections at the beginning of chapter 367 of such title is amended by inserting after the item relating to section 8920 the following:

“(m) The table of sections at the beginning of chapter 367 of such title is amended by inserting after the item relating to section 8920 the following:“

“§3971. Mandatory retirement: United States Naval Academy.”
DUTY IN SUPPORT OF THE RESERVES.—(1) The United States Code, is amended—

(1) by redesignating subsection (b) as subsection (d) and transferring such subsection, as so redesignated, to the end of the section; and

(2) by inserting after subsection (a) the following new subsection (b): "(b) DUTY.—A Reserve on active duty as described in subsection (a) may be assigned only duties in connection with the functions described in that subsection, which may include the following:

(1) Supporting operations or missions assigned in whole or in part to reserve components;

(2) Supporting operations or missions performed or to be performed by—

(A) a unit composed of elements from more than one component of the same armed force; or

(B) a joint forces unit that includes—

(i) one or more reserve component units; or

(ii) if no reserve component unit, any member of a reserve component whose reserve component assignment is in a position in an element of the joint forces unit.

(3) As the Secretary of Defense, the Secretary of a military department, the Joint Chiefs of Staff, or the commander of a unified combatant command regarding reserves, or

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 12310 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting "GRACE."—after "(a);";

(2) in subsection (c), by striking "(c)(1) A Reserve" and inserting "(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—(1) Notwithstanding subsection (b), a Reserve.; and

(3) of the section (d), as redesignated and transferred by subsection (a)(1), by inserting "TRAINING."—after "(d)."

(c) REVIEW OF USE OF RESERVES ON ACTIVE DUTY.—Section 14518 of title 10, United States Code, the Secretary of Defense shall review how the Reserves on active duty in support of the reserves are used in relation to the duties set forth in sections 14517 (a) and (b) of section 12310 of title 10, United States Code, as added by subsection (a)(2).

(2) Not later than March 1, 2000, the Secretary shall submit a report on the results of the review to the Committees on Armed Services of the Senate and the House of Representatives. The report shall address, at a minimum, the following issues:

(1) Whether the Reserves on active duty in support of the reserve should be considered as a separate category of Reserves on active duty.

(2) Whether those Reserves should be counted within the active component end strengths and funded by the appropriations for active component military personnel.

SEC. 513. REPEAL OF LIMITATION ON NUMBER OF RESERVES ON FULL-TIME ACTIVE DUTY FOR USE IN SUPPORT OF PREPAREDNESS FOR RESPONSES TO EMERGENCIES INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) REPEAL.—Paragraph (4) of section 12310(c) of title 10, United States Code, is amended—

(1) by striking "or to increase the number of personnel authorized by paragraph (4)" in the matter preceding subparagraph (A); and

(2) in subparagraph (A), by striking "or for the purpose of a court-martial" and all that follows through "Federal levels".

SEC. 514. EXTENSION OF PERIOD FOR RETENTION OF RESERVE COMPONENT MAJORS AND LIEUTENANT COMMANDERS WHO TWICE FAIL OF SELECTION FOR PROMOTION.

(a) PARTITION.—(1) TITLE 10, UNITED STATES CODE.—Section 14506 of title 10, United States Code, is amended—

(1) by inserting "the later of (1)" after "in accordance with section 14513 of this title"; and

(2) by inserting before the period at the end the following: ", or (2) the first day of the seventh month after the month in which the President approves the report of the board which considered the officer for the second time."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to removals of reserve officers from reserve active-status lists under section 14506 of title 10, United States Code, on or after that date.

SEC. 515. CONFESSIONS OF THE OFFICER ON RESERVE ACTIVE-STATUS LIST FOR DISCIPLINARY ACTION.

(a) AUTHORITY.—Chapter 1407 of title 10, United States Code is amended by adding at the end of the following new section:

"§ 14518. Continuation on reserve active-status list to complete disciplinary action

When any action has been commenced against an officer on a reserve active-status list with a view to trying the officer by court-martial, the Secretary concerned may, at his discretion, delay the selection or retirement of the officer under the authority of this chapter until the completion of the action.".

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

"14518. Continuation on reserve active-status list to complete disciplinary action"

SEC. 516. RETENTION OF RESERVE COMPONENT CHAPLAINS UNTIL AGE 67.

Section 14706(b) of title 10, United States Code, is amended by striking "or, in the case of a reserve component chaplain or a reserve officer of the Air Force designated as a chaplain, 60 years of age".

SEC. 517. RESERVE CREDIT FOR PARTICIPATION IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.

Section 2312b(b) of title 10, United States Code, is amended—

(1) by striking paragraphs (2) and (3) and inserting the following:

"(2) Service credited under paragraph (1) counts only for the award of retirement points for purposes of service under section 12732 of this title and for computation of retired pay under section 12733 of this title.

(3) The number of points credited to a member under paragraph (1) for a year of participation in a course of study is 50. The points shall be credited to the member for one of the academic years in which the participant participates at the end of each year after the completion of the course of study that the member serves in the Selected Reserve and is credited under section 12732(a)(2) of this title with at least 50 points. The points credited for the participation shall be recorded in the member's records as having been earned in the year of the participation in the course of study.

(b) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following new paragraph (5):

"(5) A member of the Selected Reserve may be considered to be in an active status while pursuing a course of study under this subchapter only for purposes of sections 12732(a) and 12733 of this title.

SEC. 518. EXCLUSION OF RESERVE OFFICERS ON EDUCATIONAL DELAY FROM CONSIDERATION FOR PROMOTION.

(a) EXCLUSION.—Section 14301 of title 10, United States Code is amended by adding at the end the following:

"(b) OFFICERS ON EDUCATIONAL DELAY.—An officer on a reserve active-status list is ineligible for consideration, but shall remain on the reserve active-status list, while the officer is—

(1) pursuing a program of graduate level education in an educational delay status approved by the Secretary concerned; and

(2) receiving from the Secretary the financial assistance in connection with the pursuit of the program in that status.

(b) RETROACTIVE EFFECT.—(1) Subsection (b) of section 14301 of title 10, United States Code (as added by subsection (a)), shall take effect on the date of the enactment of this Act and shall apply with respect to boards convened under section 14101(a) of such title before, on, or after that date.

(2) The Secretary of the military department concerned, upon receipt of request in a form and manner prescribed by the Secretary, shall expunge from the military records of an officer any indication of a failure of selection of the officer for promotion by a board referred to in paragraph (1) while the officer was ineligible for consideration by the board by reason of section 14301(h) of title 10, United States Code.

SEC. 519. EXCLUSION OF PERIOD OF PURSUIT OF PROFESSIONAL EDUCATION FROM CONSIDERATION FOR PROMOTION OF RESERVE OFFICERS.

(a) EXCLUSION.—The text of section 14706 of title 10, United States Code, is amended to read as follows:

"(a) IN GENERAL.—For the purpose of this chapter and chapter 1407 of this title, a reserve officer's years of service include all service of the officer as a commissioned officer of any uniformed service other than the following:

(1) Service as a warrant officer.

(2) Service credited under paragraph (2).

(3) "Except as provided in subsection (b), service as a commissioned officer of a reserve component while pursuing a program of full-time education towards a first professional degree required for appointment, designation, or assignment as an officer in the Medical Corps, Dental Corps, Veterinary Corps, the Medical Service Corps, the Nurse Corps, the Army Medical Specialist Corps, or as a chaplain or judge advocate if the service—

(1) follows appointment as a commissioned officer of a reserve component; and

(2) precedes the officer's initial service on active duty or initial service in the Ready Reserve in the professional specialty for which the degree if required.

(b) PRIOR SERVICE PROFESSIONAL PERSONNEL.—The exclusion in subsection (a)(3) does not apply to service described in that subsection that is performed by an officer who, prior to the described service—

(1) served on active duty; or

(2) was a commissioned officer of the Ready Reserve other than in a student status."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to service as a commissioned officer on or after that date.
SEC. 520. CORRECTION OF REFERENCE RELATING TO CREDITING OF SATISFACTORY SERVICE BY RESERVE OFFICERS IN THE HIGHEST GRADE HELD.

Section 1370(d)(1) of title 10, United States Code, is amended by striking “chapter 1225” and inserting “chapter 1223”.

SEC. 521. ESTABLISHMENT OF OFFICE OF THE COAST GUARD RESERVE.

(a) ESTABLISHMENT.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

"§ 53. Office of the Coast Guard Reserve; Director.

"(a) Establishment of Office; Director.—The Secretary, in the executive part of the Coast Guard an Office of the Coast Guard Reserve. The head of the Office is the Director of the Coast Guard Reserve. The Director of the Coast Guard Reserve is the principal adviser to the Commandant on Coast Guard Reserve matters and may have such additional functions as the Commandant may direct.

"(b) Appointment.—The President, by and with the advice and consent of the Senate, shall appoint the Director of the Coast Guard Reserve, from officers of the Coast Guard not on active duty, or on active duty under section 16211 of title 10, who—

"(1) have had at least 10 years of commissioned service;

"(2) are in a grade above captain; and

"(3) have been recommended by the Secretary of Transportation.

"(c) Duties.—The Director of the Coast Guard Reserve holds office for a term determined by the President, normally two years, but not more than four years. An officer may be removed from the position of Director for cause at any time.

"(2) The Director of the Coast Guard Reserve, while serving, holds a grade above Captain without vacating the officer’s permanent grade.

(2) DUTY.—The Director of the Coast Guard Reserve is the official within the executive part of the Coast Guard who, subject to the authority, direction, and control of the Secretary of Transportation and the Commandant, is responsible for preparation, justification, and execution of the personnel, operation and maintenance, and construction budgets for the Coast Guard Reserve. As such, the Director of the Coast Guard Reserve is the director and functional manager of appropriations made for the Coast Guard Reserve in those areas.

(3) Effect of Removal.—The Director of the Coast Guard Reserve shall submit to the Secretary of Transportation and the Secretary of Defense an annual report on the state of the Coast Guard Reserve and the ability of the Coast Guard Reserve to meet its missions. The report shall be prepared in conjunction with the Commandant and may be submitted in classified and unclassified versions.

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by striking "$50,000" and inserting "$120,000".

SEC. 522. CHANGE OF RESERVE COMPONENTS AND THE ADDITIONAL GENERAL OFFICERS AT THE NATIONAL GUARD BUREAU.

(a) GRADE OF CHIEF OF ARMY RESERVE.—Section 3038(c) of title 10, United States Code, is amended by striking “major general” and inserting “brigadier general”.

(b) GRADE OF CHIEF OF NAVAL RESERVE.—Section 5149(c)(2) of title 10, United States Code, is amended by striking “rear admiral (lower half)” and inserting “lieutenant general”.

(c) GRADE OF COMMANDER, MARINE FORCES RESERVE.—Section 5144(c)(2) of such title is amended by striking “brigadier general” and inserting “major general”.

(d) GRADE OF CHIEF OF AIR FORCE RESERVE.—Section 6038(c) of such title is amended by striking “general” and inserting “lieutenant general”.

(e) The additional general officers for the National Guard Bureau—Subparagraphs (A) and (B) of section 15006(a)(1) of such title are each amended by striking “major general” and inserting “lieutenant general”.

(f) Exclusion from limitation on general and flag officers.—Section 5246(d) of such title is amended to read as follows:

"(d) Exclusion from Limitation on General and Flag Officers.—Section 5246(d) of this section so as to not apply to the following reserve component general or flag officers:

"(1) An officer on active duty for training;

"(2) An officer on active duty under a call or order specifying a period of less than 180 days;

"(3) The Chief of Army Reserve, the Chief of Naval Reserve, the Chief of Air Force Reserve, the Commander, Marine Forces Reserve, and the additional general officers assigned to the National Guard Bureau under section 15006a of this title.

(g) Effective Date.—This section and the amendments made by this section shall take effect 60 days after the date of the enactment of this Act.

Subtitle C—Military Education and Training

SEC. 531. AUTHORITY TO EXCEED TEMPORARILY A SERVICE’S AUTHORITY TO ISSUE RECOMMENDATIONS TO ACADEMIES.

Section 511(a) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190; 105 Stat. 1399; 10 U.S.C. 4342 note) is amended—

(1) by inserting “(1) after “(a) Reduction in Authorized Strengths.—”;

(2) by adding at the end the following:

"(2) The Secretary of the Army may exceed the authorized strength for an academy for any class year to exceed the strength limitation and the actions that the Secretary plans to take to reduce the strength to a level within the strength limitation.

SEC. 532. REPEAL OF LIMITATION ON AMOUNT OF REIMBURSEMENT AUTHORIZED TO BE WAIVED FOR FOREIGN STUDENTS AT THE SERVICE ACADEMIES.

(a) REPEAL.—Sections 4314(b)(3), 6957(b)(3), and 4314(b)(3) of title 10, United States Code, are repealed.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to the school year that includes that date and academic years that begin after that date.

SEC. 533. ENHANCEMENT OF FOREIGN EXCHANGE PROGRAMS OF THE SERVICE ACADEMIES.

(a) United States Military Academy.—Section 459 of title 10, United States Code, is amended—

(1) in subsection (a) (by striking “10 cadets” and inserting “24 cadets”); and

(2) in subsection (b), by striking “$50,000” and inserting “$120,000”.

(b) United States Naval Academy.—Section 6957a of such title is amended—

(1) in subsection (c) (by striking “10 midshipmen” and inserting “24 midshipmen”); and

(2) in subsection (c)(3), by striking “$50,000” and inserting “$120,000”.

SEC. 534. PERMANENT AUTHORITY FOR ROTC SCHOLARSHIPS FOR GRADUATE STUDENTS.

Section 2107(e)(2) of title 10, United States Code, is amended to read as follows:

"(2) The Secretary of the military department concerned may provide additional assistance, as described in paragraph (1), to a student enrolled in an advanced education program beyond the baccalaureate degree level if the student also is a cadet or midshipman in an advanced training program.

Not more than 15 percent of the total number of scholarships awarded under this section in any year may be awarded under this paragraph.”.

SEC. 535. AUTHORITY FOR AWARD OF MASTER OF STRATEGIC STUDIES DEGREE BY THE UNITED STATES ARMY WAR COLLEGE.

(a) AUTHORITY FOR DEGREE.—Chapter 401 of title 10, United States Code, is amended by adding at the end the following:

"§ 4321. United States Army War College; master of strategic studies degree.

Under regulations prescribed by the Secretary of the Army, the President of the United States Army War College, upon the recommendation of the faculty and Dean of the College, may confer the degree of master of strategic studies upon graduates of the college who have fulfilled the requirements for the degree.”.

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

"4321. United States Army War College: master of strategic studies degree.”.

SEC. 536. MINIMUM EDUCATIONAL REQUIREMENTS FOR FACULTY OF THE COMMUNITY COLLEGE OF THE AIR FORCE.

Section 1315 of title 10, United States Code, is amended by adding at the end the following:

"(d) Educational Qualifications of Faculty.—Notwithstanding section 5308 of title 5 or any other provision of law, the commandant of the Air Education and Training Command may prescribe the minimum educational qualifications required for the professors and instructors of the college. The required qualifications shall equal or exceed the qualifications necessary to satisfy accreditation standards applicable to the college.”.

SEC. 537. CONFERMENT OF GRADUATE-LEVEL DEGREES BY AIR UNIVERSITY.

(a) AUTHORITY.—Section 9317(a) of title 10, United States Code, is amended to read as follows:

"(a) Authority.—Upon the recommendation of the faculty of a school of the Air University, the commandant of the Air University may confer a degree upon graduates of that school who fulfill the requirements for the degree, as follows:

"(1) the degree of master of strategic studies, for the Air War College;

"(2) the degree of master of military operational art and science, for the Air Command and Staff College;

"(3) the degree of master of airpower art and science, for the School of Advanced Airpower Studies.”.

(b) Clerical Amendments.—(1) The heading of that section is amended to read as follows:
\[\text{SEC. 539. FINANCIAL ASSISTANCE PROGRAM FOR PURSUIT OF DEGREES BY OFFICER CANDIDATES IN MARINE CORPS PLATOON LEADERS CLASS PROGRAM.} \]

(a) In General.—(1) Part IV of subtitle E of title 10, United States Code, is amended by adding at the end the following:

"CHAPTER 1610—OTHER EDUCATIONAL ASSISTANCE PROGRAMS"

Sec. 1610. Marine Corps Platoon Leaders Class Program: officer candidates pursuing degrees.

("§ 16401. Marine Corps Platoon Leader's Class Program: officer candidates pursuing degrees."

(1) AUTHORITY.—The Secretary of the Navy may provide financial assistance to an eligible enlisted member of the Marine Corps Reserve for expenses of the member while the member is pursuing on a full-time basis at an institution of higher education a program of education approved by the Secretary that leads to:

(1) a baccalaureate degree in less than five academic years; or

(2) a doctor of jurisprudence or bachelor of laws degree in not more than three academic years.

(b) ELIGIBILITY.—(1) To be eligible for receipt of financial assistance under this section, an enlisted member of the Marine Corps Reserve shall—

(A) be an officer candidate in the Marine Corps Platoon Leaders Class Program and have successfully completed one six-week (or longer) increment of military training required under the program;

(B) satisfy the applicable age requirement of paragraph (2);

(C) be enrolled on a full-time basis in a program of education referred to in subsection (a) at any institution of higher education;

(D) enter into a written agreement with the Secretary;

(E) satisfy such other requirements for receipt of financial assistance as the Secretary may require.

(2) The tables of chapters at the beginning of this title shall not apply to tuition reimbursement and training provided for under this section.

(3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.

(c) COVERED EXPENSES.—Expenses for which financial assistance may be provided under this section are tuition and fees charged by the institution of higher education involved and, in the case of a program of education leading to a baccalaureate degree, laboratory expenses.

(d) AMOUNT.—The amount of financial assistance under this section may be ordered to active duty in the Marine Corps by the Secretary to be warranted to become available for the military training required under this section shall be prescribed by the Secretary, but may not exceed $3,200 for any academic year.

(e) LIMITATIONS.—(1) Financial assistance under this section shall not be provided to any member who has served on active duty in the armed forces for more than 36 years that exceeds 26 years by a number of months that is not more than the number of months that the member served on active duty.

(2) Failure to Complete Program.—A member in receipt of financial assistance under this section may be ordered to active duty in the Marine Corps by the Secretary to participate in the financial assistance program for a period that exceeds the period of time prescribed in subsection (b), and, in the case of a program of education leading to a baccalaureate degree, laboratory expenses.

(f) ACTION DESCRIBED.—The acts of valor described in section 3741 of title 10, United States Code, are as follows:

(1) The award of the Medal of Honor for heroism performed in a manner above that normally to be expected during regular operations for the S.S. Seagate, in September 1986, while serving as a member of the Coast Guard at Gray Harbor Lifeboat Station, Westport, Washington.

(2) The award of the Navy Cross for valor during the Vietnam Conflict.

SEC. 542. AUTHORITY FOR AWARD OF MEDAL OF HONOR TO ALFRED RASCON FOR VALOR DURING THE VIETNAM CONFLICT.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3741 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Army, the President may award the Medal of Honor under section 3741 of that title to Alfred Rasonc, of Laurel, Maryland, for the acts of valor described in subsection (b).

(b) ACTION DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of a Marine of the 1st Battalion, 5th Marines, 1st Marine Brigade (Separate), during a combat operation known as Silver City.
SEC. 553. ELIMINATION OF BACKLOG IN REQUESTS FOR REPLACEMENT OF MILITARY MEDALS AND OTHER DECORATIONS.

(a) SUFFICIENT RESOURCES REQUIRED.—The Secretary of Defense shall make available funds and other resources at the levels that are necessary to ensure the elimination of the backlog of the unsatisfied requests made to the Department of Defense for the issuance or replacement of military decorations for former members of the Armed Forces. The organizations to which the necessary funds and other resources are to be made available for that purpose are as follows:

(1) The Army Reserve Personnel Command.
(2) The Bureau of Naval Personnel.
(4) The National Archives and Records Administration.

(b) CONDITION.—The Secretary shall allocate funds and other resources under subsection (a) in a manner that does not detract from the performance of other personnel service and personnel support activities within the Department of Defense.

(c) REPORT.—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the status of the backlog described in subsection (a). The report shall include a plan for eliminating the backlog.

(d) REPLACEMENT DECORATION DEFINED.—For purposes of this section, the term ‘replacement decoration’ means a medal or other decoration that a former member of the Armed Forces was awarded by the United States for military service of the United States.

SEC. 554. RETROACTIVE AWARD OF NAVY COMBAT ACTION RIBBON.

The Secretary of the Navy may award the Navy Combat Action Ribbon (established by the Secretary of the Navy Notice 1560, dated February 17, 1969) to a member of the Navy and Marine Corps for participation in ground or surface combat during any period after December 6, 1941, and before March 1, 1961. The date of the otherwise applicable limitation on retroactivity for the award of such decoration, if the Secretary determines that the member has not been previously recognized in an appropriate manner for such participation, is amended as follows:

Subtitle F—Other Matters

SEC. 571. FUNERAL HONORS DETAILS AT FUNERAL OF VETERANS.

(a) RESPONSIBILITY OF SECRETARY OF DEFENSE.—Subtitle H of title 10, United States Code, is amended to read as follows:

'(a) RESPONSIBILITY.—The Secretary of Defense shall ensure that funeral honors detail for a veteran’s funeral is provided for the funeral of any veteran that occurs after December 31, 1999.'

(b) ELIGIBILITY FOR HONORS.—Subsection (f) of such section is amended to read as follows:

'(b) VETERAN DEFINED.—In this section, the term ‘veteran’ means the following:

’(1) A decedent who was a veteran, as defined in section 101(2) of title 38.
’(2) A decedent who, by reason of having been a member of the Selective Reserve, is eligible for a flag to drape the casket under section 2301(1) of title 38.

(c) COMPOSITION OF FUNERAL HONORS DETAILS.—Subsection (b) of such section is amended—

'(A) by striking ‘‘Honor Guard Details.—’’ and inserting ‘‘Funeral Honors Details.—’’

'(B) by striking ‘‘honor guard detail’’ and inserting ‘‘funeral honors detail’’; and

'(C) by striking ‘‘not less than three persons’’ and inserting the following: ‘‘two or more persons.’’

(d) CEREMONY, SUPPORT, AND WAIVER.—Subsection (c) of such section is amended—

'(A) by striking ‘‘(c) PERSONS FORMING HONOR GUARDS.—An honor guard detail’’ and inserting ‘‘(2) At least two members of the funeral honors detail for the veteran’s funeral shall be members of the armed forces. At least one of those members shall be a member of the armed force of which the veteran was a member. The remainder of the detail shall be required to perform funeral honors duties under section 1491 of title 38, United States Code, is amended by adding at the end the following:

‘‘(1) A volunteer service as a member of a funeral honors detail under section 1491 of this title.’’

‘‘(b) DUTY STATE OF RESERVES IN FUNERAL HONORS DETAILS.—(1) Chapter 14 of title 32, United States Code, is amended—

'(A) in section 114—

'(1) by striking ‘‘guard detail’’ and inserting ‘‘funeral honors’’

'(2) by striking ‘‘honor guard functions’’ and inserting ‘‘funeral honors’’;

'(B) by striking ‘‘not less than three persons’’ and inserting ‘‘two or more persons’’;

'(C) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

'(D) by inserting after subsection (b) the following:

‘‘(c) CEREMONY.—A funeral honors detail shall, at a minimum, perform at the funeral a ceremony that includes the folding and presentation of the flag of the United States to the veteran’s family and the playing of Taps. Unless a bugler is a member of the detail, the detail shall play a recorded version of Taps using a musical instrument that will provide if adequate audio equipment is not otherwise available for use at the funeral.

‘‘(d) SUPPORT.—To provide a funeral honors detail under this section, the Secretary of a military department may provide the following:

‘‘(1) Transportation, or reimbursement for transportation, and expenses for a person who participates in the funeral honors detail under this section and is not a member of the armed forces or an employee of the Armed Forces.

‘‘(2) Materiel, equipment, and training for members of a veterans organization or other organization admitted in appropriate manner for such participation.

‘‘(e) WAIVER AUTHORITY.—(1) The Secretary of Defense may waive any requirement provided in or pursuant to this section when the Secretary considers it necessary to do so to meet the requirements of war, national emergency, or a contingency operation, or other military requirements.

‘‘(2) Before or promptly after granting a waiver under paragraph (1), the Secretary shall transmit a notification of the waiver to the Committees on Armed Services of the Senate and House of Representatives.’’.}

(e) REGULATIONS.—The text of subsection (f) of such section, as redesignated by subsection (d)(1), is amended to read as follows:

‘‘The Secretary of Defense shall prescribe regulations to carry out this section. The regulations shall include—

‘‘(1) A system for selection of units of the armed forces and other organizations to provide funeral honors details.

‘‘(2) Procedures for responding and coordinating responses to requests for funeral honors detail, and procedures for establishing standards and protocol.

‘‘(4) Procedures for providing training and ensuring quality of performance.’’

(5) ACCEPTANCE OF VOLUNTARY SERVICES.—Section 1588(a) of title 10, United States Code, is amended by adding at the end the following:

‘‘(f) VOLUNTARY SERVICES FOR FUNERAL HONOR DUTY.—(1) If authorized by the Secretary of Defense, a member of the armed forces may provide the following for funeral honors:

‘‘(i) in the event of a DOD-sponsored funeral, such services shall have the same status as a ceremonial military function.

‘‘(ii) at other funerals, such services shall be performed by a member of the Armed Forces, at the request of a veteran family member, in accordance with local tradition and protocol.’’

SEC. 555. CONGRESS TO CONSIDER BILLS TO RECOGNIZE MILITARY SERVICE.

(a) INCREASE IN JURISDICTION.—Section 819 of title 10, United States Code (article 111(2) of the Uniform Code of Military Justice), is amended by adding at the end the following:

‘‘§ 115. Funeral honors duty performed as a Federal function.

‘‘(a) ORDER TO DUTY.—A member of the Army National Guard of the United States or the Air National Guard of the United States may be ordered to perform funeral honors duty, with the consent of the member, to prepare for or perform funeral honors functions at the funeral of a veteran under section 1491 of title 10, United States Code, is amended—

‘‘(b) DUTY OF MILITARY PERSONNEL.—The Secretary of a military department may order a member of the military department to perform funeral honors duties under this section when the Secretary considers it necessary to do so to meet the requirements of war, national emergency, or a contingency operation, or other military requirements.

‘‘(2) by inserting after subsection (b) the following:

‘‘(c) CEREMONY.—A funeral honors detail shall, at a minimum, perform at the funeral a ceremony that includes the folding and presentation of the flag of the United States to the veteran’s family and the playing of Taps. Unless a bugler is a member of the detail, the detail shall play a recorded version of Taps using a musical instrument that will provide if adequate audio equipment is not otherwise available for use at the funeral.

‘‘(d) SUPPORT.—To provide a funeral honors detail under this section, the Secretary of a military department may provide the following:

‘‘(1) Transportation, or reimbursement for transportation, and expenses for a person who participates in the funeral honors detail under this section and is not a member of the armed forces or an employee of the Armed Forces.

‘‘(2) Materiel, equipment, and training for members of a veterans organization or other organization admitted in appropriate manner for such participation.

‘‘(e) WAIVER AUTHORITY.—(1) The Secretary of Defense may waive any requirement provided in or pursuant to this section when the Secretary considers it necessary to do so to meet the requirements of war, national emergency, or a contingency operation, or other military requirements.

‘‘(2) Before or promptly after granting a waiver under paragraph (1), the Secretary shall transmit a notification of the waiver to the Committees on Armed Services of the Senate and House of Representatives.’’

‘‘(e) REGULATIONS.—The text of subsection (f) of such section, as redesignated by subsection (d)(1), is amended to read as follows:

‘‘The Secretary of Defense shall prescribe regulations to carry out this section. The regulations shall include—

‘‘(1) A system for selection of units of the armed forces and other organizations to provide funeral honors details.

‘‘(2) Procedures for responding and coordinating responses to requests for funeral honors detail, and procedures for establishing standards and protocol.

‘‘(4) Procedures for providing training and ensuring quality of performance.’’

(5) ACCEPTANCE OF VOLUNTARY SERVICES.—Section 1588(a) of title 10, United States Code, is amended by adding at the end the following:

‘‘(f) VOLUNTARY SERVICES FOR FUNERAL HONOR DUTY.—(1) If authorized by the Secretary of Defense, a member of the armed forces may provide the following for funeral honors:

‘‘(i) in the event of a DOD-sponsored funeral, such services shall have the same status as a ceremonial military function.

‘‘(ii) at other funerals, such services shall be performed by a member of the Armed Forces, at the request of a veteran family member, in accordance with local tradition and protocol.’’

SEC. 556. REGULARS TO RECEIVE MINIMUM BLOOD AND BREATH ALCOHOL LEVELS FOR OFFENSE OF DRUNKEN OPERATION OR CONDUCTION OF A VEHICLE, AIRCRAFT, OR VESSEL;

(a) STANDARD.—Section 1112(2) of title 10, United States Code (article 111(2) of the Uniform Code of Military Justice), is amended by adding at the end the following:

‘‘§ 12503. Ready Reserve: funeral honors duty

‘‘(a) ORDER TO DUTY.—A member of the Ready Reserve may be ordered to perform funeral honors duty under this section when the Secretary considers it necessary to do so to meet the requirements of war, national emergency, or a contingency operation, or other military requirements.’’.
honors duty, with the consent of the member, in preparation for or to perform funeral honors functions at the funeral of a veteran as defined in section 1491 of this title.

(b) SEC. 513.—A member ordered to funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive—

(1) service credit under section 12732(a)(2)(E) of this title; and

(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.

(c) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section may be paid reimbursement for travel and transportation expenses incurred in conjunction with such duty as authorized under section 37 of title 32 if such duty is performed at a location 100 miles or more from the member’s residence.

(d) REGULATIONS.—The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.

(e) MEMBERS OF THE NATIONAL GUARD.—The authority under subsection (a) does not apply to members of the Army National Guard of the United States or the Air National Guard of the United States. The performance of funeral honors duty by such members is provided for in section 115 of title 32.

(f) Section 12502 of title 10, United States Code, is amended—

(A) by striking "honor guard functions" and inserting "funeral honors functions"; and

(B) by striking "or" at the end of subparagraph (D), and inserting "and" in the place of such word; and

(C) by adding at the end the following:

"(E) One point for each day on which funeral honors duty is performed for at least two hours under section 12503 of this title or section 115 of title 32, unless the duty is performed while in a status for which credit is provided under another subparagraph of this paragraph; and"

(F) either—

(i) performing active duty or inactive-duty training; or

(ii) traveling directly to or from the place at which such duty is performed; or

(iii) remaining overnight immediately before the commencement of inactive-duty training, or while remaining overnight between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training, if the site is outside reasonable commuting distance of the member’s residence; or

(B) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by adding at the end the following:

"12503. Funeral honors functions at funerals for veterans.".

(g) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by adding at the end:

"§ 12552. Funeral honors functions at funerals for veterans.

(h) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by adding at the end:

"§ 12552. Funeral honors functions at funerals for veterans.".

(i) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by adding at the end:

"§ 12552. Funeral honors functions at funerals for veterans.".

(j) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by adding at the end:

"§ 12552. Funeral honors functions at funerals for veterans.".

(k) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by adding at the end:

"§ 12552. Funeral honors functions at funerals for veterans.".

(l) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by adding at the end:

"§ 12552. Funeral honors functions at funerals for veterans.".

(m) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by adding at the end:

"§ 12552. Funeral honors functions at funerals for veterans.".
SEC. 574. REDUCTION IN REQUIRED FREQUENCY OF REPORTING ON THE SELECTED RESERVE EDUCATIONAL ASSISTANCE PROGRAM UNDER THE MONT-GOMERY GI BILL.

The text of section 1637 of title 10, United States Code, is amended to read as follows: “The Secretary of Defense shall submit to Congress a report not later than March 1 of every other year concerning the operation of the educational assistance program established by this chapter during the period covered by the report. The report may submit the report more frequently and adjust the period covered by the report accordingly.”

SEC. 575. PARTICIPATION OF MEMBERS IN MAN-POWER ORGANIZATIONS ABROAD THAT PROMOTE INTERNATIONAL UNDERSTANDING.

Section 161 of title 10, United States Code, is amended by inserting after subpart (D) the following: “(E) An entity that, operating in a foreign nation or affiliation with a foreign nation, is conducting activities in support of United States military activities, promotes understanding and tolerance between such personnel (and their families) and the people of that host foreign nation through programs that foster social relations between those persons.”

SEC. 576. FORENSIC PATHOLOGY INVESTIGATIONS BY ARMED FORCES MEDICAL EXAMINER.

(a) INVESTIGATION AUTHORITY.—Chapter 75 of title 10, United States Code, is amended by inserting the heading for the chapter and inserting the following: “CHAPTER 75—DECEASED PERSONNEL

‘Sec. 1471. Forensic pathology investigations.’

§1471. Forensic pathology investigations.

(a) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Armed Forces Medical Examiner may conduct a forensic pathology investigation to determine the cause or manner of death of a deceased person under circumstances described in subsection (b). The investigation may include an autopsy of the decedent’s remains.

(b) BASIS FOR INVESTIGATION.—A forensic pathology investigation of a death under this section is justified if—

(1) either—

(A) it appears that the decedent was killed or that, whatever the cause of the decedent’s death, the cause was unnatural; or

(B) the cause or manner of death is unknown;

(2) there is reasonable suspicion that the death was by unlawful means; or

(3) as soon as practicable after the completion of the investigation, authorize release of the decedent’s remains to the family, if known;

(c) PROCEDURES.—For a forensic pathology investigation under this section, the Armed Forces Medical Examiner shall—

(1) designate on-scene pathologists to conduct the investigation;

(2) to the extent practicable and consistent with responsibilities under this section, give due regard to any applicable law protecting religious beliefs;

(3) as soon as practicable, notify the decedent’s family, if known, that the forensic pathology investigation is being conducted;

(4) as soon as practicable after the completion of the investigation, authorize release of the decedent’s remains to the family, if known;

(5) promptly report the results of the forensic pathology investigation to the official responsible for the overall investigation of the death.

(d) DEFINITION OF STATE.—In this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, and Guam.”

(b) REPEAL OF AUTHORITY FOR EXISTING INQUEST PROCEDURES.—Sections 4711 and 9711 of title 10, United States Code, are repealed.

ADDENDUMS.—(1) Chapter 75 of such title, as amended by subsection (a), is further amended by subsection (a), is further amended by inserting before section 1475 the following:

“SUBCHAPTER II—DEATH BENEFITS

(2) The item relating to chapter 75 in the tables of chapters at the beginning of part II of such subtitle is amended to read as follows:

75. Deceased Personnel 1471.”

(3) The table of sections at the beginning chapter 445 of such title is amended by striking the item relating to section 4711.
SEC. 577. NONDISCLOSURE OF INFORMATION ON MISSING PERSONS RETURNED TO UNITED STATES CONTROL.

Section 1066 of title 10, United States Code, is amended by adding at the end the following:

'(f) NONDISCLOSURE OF CERTAIN INFORMATION.—In the case of the content of a debriefing of a missing person returned to United States control during the period beginning July 8, 1989, and ending February 10, 1996, that was conducted by an official of the United States authorized to conduct the debriefing,privileged information and, notwithstanding sections 522 and 523 of title 5, may not be disclosed in whole or in part, under either such section.'.

SEC. 578. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS PURPOSES.

(a) AUTHORIZATION.—Chapter 134 of title 10, United States Code, is amended by adding at the end the following:

'§ 2249c. Use of recruiting materials for public relations purposes.

'(a) PROGRAM AUTHORIZED.—The advertising materials developed for use for recruitment and retention of personnel for the armed forces may be used for public relations purposes of the Department of Defense, the National Guard, and the reserves to the extent permitted by such restrictions as the Secretary of Defense shall prescribe.'.

SEC. 579. IMPROVEMENT AND TRANSFER OF JURISDICTION OF TROOPS-TO-TEACH PROGRAM.

(a) RECODIFICATION, IMPROVEMENT, AND TRANSFER OF PROGRAM.—Section 1151 of title 10, United States Code, is amended to read as follows:

'§ 1151. Assistance to certain separated or retired members of the armed forces toward satisfying certification or licensure requirements for teachers, including administration of a program to assist eligible members toward obtaining certification or licensure requirements for teachers.

'(c) ELIGIBLE MEMBERS.—(1) Subject to paragraph (2), the following members shall be eligible for selection to participate in the program:

'(A) Any member who—

'(i) during the period beginning on October 1, 1990, and ending on September 30, 1999, was involuntarily discharged or released from active duty for purposes of a reduction of force after six or more years of continuous active duty immediately before the discharge or release; and

'(ii) satisfies such other criteria for eligibility as the administering Secretary may prescribe.

'(B) Any member—

'(i) who, on or after October 1, 1999—

'(I) is retired under section 1201 or 1204 of this title;

'(II) is retired under section 1201 or 1204 of this title;

'(ii) in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a bachelor’s degree or certification from an accredited institution of higher education; or

'(iii) in the case of a member applying for assistance for placement as a vocational or technical teacher—

'(aa) has received the equivalent of one year of college from an accredited institution of higher education and has 10 or more years of military experience in a vocational or technical field; or

'(bb) otherwise meets the certification or licensure requirements for a vocational or technical teacher in the State in which the member seeks assistance for placement under the program; and

'(iii) who satisfies any criteria prescribed under subparagraph (A)(ii).

'(2) A member described in paragraph (1) shall be eligible to participate in the program only if the member’s last period of service in the armed forces was characterized as honorable by the Secretary concerned.

'(d) INFORMATION REGARDING PROGRAM.—(1) The administering Secretary shall provide information regarding the program, and make an application form available, to members as part of preseparation counseling provided under section 1142 of this title.

'(2) The information provided to members shall—

'(A) indicate the local educational agencies identified under subsection (b)(1);

'(B) identify those States surveyed under subsection (b)(2) that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the armed forces toward satisfying certification or licensure requirements for teachers;

'(c) eligible members.—(1) Subject to paragraph (2), the following members shall be eligible for selection to participate in the program:

'(A) Any member who—

'(i) during the period beginning on October 1, 1990, and ending on September 30, 1999, was involuntarily discharged or released from active duty for purposes of a reduction of force after six or more years of continuous active duty immediately before the discharge or release; and

'(ii) satisfies such other criteria for eligibility as the administering Secretary may prescribe.

'(B) Any member—

'(i) who, on or after October 1, 1999—

'(I) is retired under section 1201 or 1204 of this title;

'(II) is retired under section 1201 or 1204 of this title;

'(ii) in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a bachelor’s degree or certification from an accredited institution of higher education and has 10 or more years of military experience in a vocational or technical field; or

'(bb) otherwise meets the certification or licensure requirements for a vocational or technical teacher in the State in which the member seeks assistance for placement under the program; and

'(iii) who satisfies any criteria prescribed under subparagraph (A)(ii).

'(2) A member described in paragraph (1) shall be eligible to participate in the program only if the member’s last period of service in the armed forces was characterized as honorable by the Secretary concerned.

'(d) INFORMATION REGARDING PROGRAM.—(1) The administering Secretary shall provide information regarding the program, and make an application form available, to members as part of preseparation counseling provided under section 1142 of this title.

'(2) The information provided to members shall—

'(A) indicate the local educational agencies identified under subsection (b)(1);

'(B) identify those States surveyed under subsection (b)(2) that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the armed forces toward satisfying certification or licensure requirements for teachers;

'(c) eligible members.—(1) Subject to paragraph (2), the following members shall be eligible for selection to participate in the program:

'(A) Any member who—

'(i) during the period beginning on October 1, 1990, and ending on September 30, 1999, was involuntarily discharged or released from active duty for purposes of a reduction of force after six or more years of continuous active duty immediately before the discharge or release; and

'(ii) satisfies such other criteria for eligibility as the administering Secretary may prescribe.

'(B) Any member—

'(i) who, on or after October 1, 1999—

'(I) is retired under section 1201 or 1204 of this title;

'(II) is retired under section 1201 or 1204 of this title;

'(ii) in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a bachelor’s degree or certification from an accredited institution of higher education and has 10 or more years of military experience in a vocational or technical field; or

'(bb) otherwise meets the certification or licensure requirements for a vocational or technical teacher in the State in which the member seeks assistance for placement under the program; and

'(iii) who satisfies any criteria prescribed under subparagraph (A)(ii).

'(2) A member described in paragraph (1) shall be eligible to participate in the program only if the member’s last period of service in the armed forces was characterized as honorable by the Secretary concerned.

'(d) INFORMATION REGARDING PROGRAM.—(1) The administering Secretary shall provide information regarding the program, and make an application form available, to members as part of preseparation counseling provided under section 1142 of this title.

'(2) The information provided to members shall—

'(A) indicate the local educational agencies identified under subsection (b)(1);

'(B) identify those States surveyed under subsection (b)(2) that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the armed forces toward satisfying certification or licensure requirements for teachers;

'(c) eligible members.—(1) Subject to paragraph (2), the following members shall be eligible for selection to participate in the program:

'(A) Any member who—

'(i) during the period beginning on October 1, 1990, and ending on September 30, 1999, was involuntarily discharged or released from active duty for purposes of a reduction of force after six or more years of continuous active duty immediately before the discharge or release; and

'(ii) satisfies such other criteria for eligibility as the administering Secretary may prescribe.

'(B) Any member—

'(i) who, on or after October 1, 1999—

'(I) is retired under section 1201 or 1204 of this title;

'(II) is retired under section 1201 or 1204 of this title;

'(ii) in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a bachelor’s degree or certification from an accredited institution of higher education and has 10 or more years of military experience in a vocational or technical field; or

'(bb) otherwise meets the certification or licensure requirements for a vocational or technical teacher in the State in which the member seeks assistance for placement under the program; and

'(iii) who satisfies any criteria prescribed under subparagraph (A)(ii).

'(2) A member described in paragraph (1) shall be eligible to participate in the program only if the member’s last period of service in the armed forces was characterized as honorable by the Secretary concerned.

'(d) INFORMATION REGARDING PROGRAM.—(1) The administering Secretary shall provide information regarding the program, and make an application form available, to members as part of preseparation counseling provided under section 1142 of this title.

'(2) The information provided to members shall—

'(A) indicate the local educational agencies identified under subsection (b)(1);

'(B) identify those States surveyed under subsection (b)(2) that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the armed forces toward satisfying certification or licensure requirements for teachers;
(v) A large percentage of students (as so determined) who qualify for assistance under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

(vi) Experience gained by the administering Secretary in consultation with the National Assessment Governing Board.

(vii) Stipends and bonuses paid under this subsection shall be taken into account in determining the eligibility of the participant concerned for student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(ii) Reimbursement Under Certain Circumstances.—(1) If a participant in the program fails to obtain teacher certification or licensure or employment as an elementary or secondary school teacher or vocational or technical teacher as required under the agreement or voluntarily leaves, or is terminated for cause, from the employment during the four years of required service, the participant shall be required to reimburse the administering Secretary for any stipend paid to the participant under subsection (g)(1) in an amount that bears the same ratio to the amount of the stipend as the unserved portion of the required service bears to the four years of required service.

(2) If a participant in the program who is paid a bonus under subsection (g)(2) fails to obtain teacher certification, licensure or employment for which the bonus was paid, or voluntarily leaves or is terminated for cause from the employment during the four years of required service, the participant shall be required to reimburse the administering Secretary for the bonus in an amount that bears the same ratio to the amount of the bonus as the unserved portion of the required service bears to the four years of required service.

(3) (A) The obligation to reimburse the administering Secretary under this subsection is, for all purposes, a debt owing the United States.

(B) A discharge in bankruptcy under title 11 shall not release a participant from the obligation to reimburse the administering Secretary under this subsection.

(C) Any amount owed by a participant under paragraph (1) or (2) shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the debt is incurred for which the bonus was paid, or voluntarily leaves, or is terminated for cause, otherwise accrue from the day on which the participant becomes permanently totally disabled, an amount due.

(i) Exceptions to Reimbursement Provisions.—(1) A participant in the program shall not be considered to be in violation of an agreement entered into under subsection (f) during any period in which the participant—

(A) is pursuing a full-time course of study related to the field of teaching at an eligible institution;

(B) is serving on active duty as a member of the uniformed services; or

(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician.

(ii) Determination that a participant is not required to reimburse the administering Secretary for a single period not to exceed 27 months;

(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the administering Secretary.

(2) A participant shall be excused from reimbursement under subsection (h) if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician.

(3) The administering Secretary may also waive reimbursement in the case of extenuating circumstances, as determined by such Secretary.

(j) Relationship to Educational Assistance Under Montgomery GI Bill.—The reimbursement required by any participant under this paragraph shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 of title 38 of this title.

(k) Discharge of State Activities Through Consortia of States.—The administering Secretary may permit States participating in the activities authorized for such States under this section through one or more consortia of such States.

(l) Assistance to States in Activities Under Program.—(1) Subject to paragraph (2), the administering Secretary may make grants to States participating in the program, or to consortia of such States, in order to permit such States or consortia of States to operate offices for purposes of recruiting eligible members for participation in the program and to provide employment of participants in the program in such States or consortia of States.

(2) The total amount of grants under paragraph (1) in any fiscal year may not exceed $4,000,000.

(m) Limitation on Use of Funds for Management Infrastructure.—The administering Secretary may utilize not more than five percent of the funds available to carry out the program for a fiscal year for purposes of establishing and maintaining the management infrastructure necessary to support the program.

(n) Definitions.—In this section:

(1) The term ‘administrating Secretary’, with respect to the program authorized by this section, means the following:

(A) The Secretary of Defense with respect to the armed forces (other than the Coast Guard) for the period beginning on October 23, 1992, and ending on the date of the completion of the transfer of responsibility for the program to the Secretary of Education under section 579(c) of the National Defense Authorization Act for Fiscal Year 2000.

(B) The Secretary of Transportation with respect to the Coast Guard for the period referred to in subparagraph (A).

(C) The Secretary of Education for any period after the period referred to in subparagraph (A).

(2) The term ‘State’ includes the District of Columbia, American Samoa, the Federated States of Micronesia, Guam, the Republic of the Marshall Islands, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Republic of Palau, and the United States Virgin Islands.

(3) The term ‘alternative certification or licensure requirements’ means State or local teacher certification or licensure requirements that permit a demonstrated competiveness in appropriate subject areas gained in careers outside of education to be substituted for traditional teacher training course work.

(4) The table of sections at the beginning of chapter 58 of such title is amended by striking the item relating to section 1151 and inserting the following:

“1151. Assistance to certain separated or retired members to obtain certification and employment as teachers.”

(b) Effective Date.—The amendments made by subsection (a) shall take effect on October 1, 1999.
youth program services that furnishes such services for members of the armed forces and employees of the Federal Government if the Secretary determines that providing the assistance—

(1) is in the best interest of the Department of Defense;

(2) enables supplementation or expansion of furnishing programs for military installations; and

(3) ensures that the eligible provider is able to comply, and does comply, with the regulations, standards, and requirements of the Department of Defense that are applicable to the furnishing of such services.

(b) ELIGIBLE PROVIDER.—A provider of child care or youth program services that is owned and operated by a private, not-for-profit organization; facility; or a private, not-for-profit organization; development center owned and operated by a private, not-for-profit organization; is eligible for financial assistance under paragraph (1) if the provider—

(1) is licensed to provide the services under applicable State and local law;

(2) has previously provided such services for members of the armed forces or employees of the Federal Government; and

(3) either—

(A) is a provider of otherwise federally funded or sponsored child development services;

(B) provides the services in a child development center owned and operated by a private, not-for-profit organization; or

(C) is a provider of family child care services;

(D) conducts a before-school or after-school child care program in a public school facility;

(E) conducts an otherwise federally funded or federally sponsored school age child care or youth services program;

(F) conducts a school age child care or youth services program that is owned and operated by a not-for-profit organization; or

(G) is a provider of another category of child care services or youth services determined by the Secretary of Defense as appropriate for meeting the needs of members of the armed forces or employees of the Department of Defense.

(c) FUNDING.—To provide financial assistance under this subsection, the Secretary of Defense may use any funds available for the Department of Defense.

(d) BIENNAI REPORT.—(1) Every two years the Secretary of Defense shall submit to Congress a report on the exercise of authority under this section.

(2) The report may include any analyses and recommendations for policies regarding the Armed Forces for effective and improved responses, to cases of domestic violence that the task force considers appropriate.

SEC. 581. RESPONSIBILITIES DOMESTIC VIOLENCE IN THE ARMED FORCES.

(a) MILITARY-CIVILIAN TASK FORCE ON DOMESTIC VIOLENCE.—(1) The Secretary of Defense shall establish a Military-Civilian Task Force on Domestic Violence. The Secretary shall appoint the members of the task force in accordance with subsection (b) not later than six months after the date of the enactment of this Act.

(2)(A) Not later than six months after the date on which the members of the task force are appointed, the task force shall submit to the Secretary of Defense recommendations on the matters set out under subsection (b).

(B) The task force shall, in coordination with the Secretary of Defense from time to time make findings and recommendations for policies regarding the Armed Forces for effective and improved responses, to cases of domestic violence that the task force considers appropriate.

(B) The task force shall submit an annual report on a detailed discussion of the achievements in responses to domestic violence in the Armed Forces, pending research on domestic violence, and any recommendations for actions to improve the responses of the Armed Forces to domestic violence in the Armed Forces that the task force considers appropriate.

(2) The task force shall—

(A) meet in plenary session at least once annually; and

(B) hold an executive session, at such time and place as necessary, of the task force.

(3) The Secretary shall appoint the members of the task force. The task force shall include—

(A) Representatives of Department of Defense family advocacy programs.

(B) Medical personnel.

(C) Judge advocates.

(D) Military police or other law enforcement personnel of the Armed Forces.

(E) Commanders.

(F) Personnel who plan, execute, and evaluate training of the Armed Forces.

(G) Civilian personnel who are experts on domestic violence, domestic violence advocates, service providers, and research organizations.

(H) Members of the armed forces and employees of agencies located near military installations.

(I) Civilian law enforcement personnel (appointed in consultation with the Attorney General)

(J) Representatives of the Department of Justice (appointed in consultation with the Attorney General)

(K) Representatives of the Department of Health and Human Services (appointed in consultation with the Secretary of Health and Human Services)

(L) Representatives of the Department of Veterans Affairs

(M) Representatives of the Department of Labor

(N) Representative of the National Environmental Justice Advisory Council

(3) The task force includes the following:

(A) Representatives of the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(B) General and flag officers.

(C) Noncommissioned officers.

(D) Other enlisted personnel.

The Secretary of Defense shall annually designate to chair the task force one member of the task force from among the members on a list of nominees submitted to the Secretary by the task force, or any administrative support that is necessary for the performance of the task force.

(3) The Secretary of Defense shall annually report to the task force, or any administrative support that is necessary for the performance of the task force.

(4) The Secretary of Defense shall annually report to the task force, or any administrative support that is necessary for the performance of the task force.

(5) The Secretary of Defense shall annually report to the task force, or any administrative support that is necessary for the performance of the task force.

(6) The Secretary of Defense shall annually report to the task force, or any administrative support that is necessary for the performance of the task force.

(7) The Secretary of Defense shall annually report to the task force, or any administrative support that is necessary for the performance of the task force.
(9) The task force shall terminate three years after the date on which all members of the task force are appointed.

(b) UNIFORM RESPONSES.—Not later than six months after the report of any task force under subsection (a)(2)(A), the Secretary of Defense shall, in consultation with the task force, prescribe the following:

(1) Uniform formats for memorandums of agreement or understanding to be used by the Secretaries of the military departments for entering into agreements with civilian law enforcement authorities relating to actions of domestic violence involving members of the Armed Forces.

(2) A requirement for a commanding officer of a member of the Armed Forces ordered by any member of the Armed Forces to report to the Secretary of Defense within 24 hours of a member of the Armed Forces ordered by any member of the Armed Forces to report to the Secretary of Defense in accordance with the provisions of the Uniformed Services Family Advocacy Program of the Department of Defense under paragraph (1), the information received or developed under the program on the following matters:

(A) Each domestic violence case reported to a law enforcement authority of the Armed Forces, or a family advocacy program of the Department of Defense.

(B) The number of the cases that involve evidence determined sufficient for supporting disciplinary action and, for each such case, a description of the substantiated allegation and the action taken by command authorities in the case.

(C) The number of the cases that involve evidence determined insufficient for supporting disciplinary action and, for each such case, a description of the allegation.

(D) The Secretary shall submit to Congress an annual report on the data submitted to the central database established under paragraph (1).

SEC. 582. POSTHUMOUS ADVANCEMENT OF REAR ADMIRAL (RETIRED) HUBERT E. KIMMEL AND MAJOR GENERAL (RETIRED) WALTER C. SHORT ON RETIRED LISTS.

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

(1) The late Rear Admiral (retired) Hubert E. Kimmel was a former commanding officer of the United States Pacific Fleet and the Commander in Chief, United States Pacific Fleet, and the late Major General (retired) Walter C. Short was a former commanding officer of the United States Army Hawaiian Department.

(2) Rear Admiral Kimmel and Colonel Short served their country as senior commanders during World War II with a placement of their names on the retired list.

(3) The joint committee of Congress that was established to investigate the conduct of Rear Admiral Kimmel and Lieutenant General Short conducted, on May 31, 1946, a 1,075-page report that concluded that the two officers had not been guilty of dereliction of duty.

(4) The joint committee of Congress that was established to investigate the conduct of Rear Admiral Kimmel and Lieutenant General Short conducted, on May 31, 1946, a 1,075-page report that concluded that the two officers had not been guilty of dereliction of duty.

(5) Admiral William Harrison Standley, who served as a member of the investigating commission known as the Roberts Commission, that accused Admiral Kimmel and Lieutenant General Short of dereliction of duty only six weeks after the attack on Pearl Harbor, later disavowed the report maintaining that those two officers were martyred and that "they had been brought to trial, both would have been cleared of the charge".

(6) On October 19, 1944, a Navy Court of Inquiry—

(A) exonerated Admiral Kimmel on the grounds that his military decisions and the disposition of his forces at the time of the December 7, 1941 attack on Pearl Harbor were proper "by virtue of the information Admiral Kimmel had at hand which indicated neither the probability nor the imminence of an air attack on Pearl Harbor";

(B) criticized the higher command for not sharing with Admiral Kimmel during the very critical period of 26 November to 7 December 1941 important information regarding the Japanese situation which indicated an increasing necessity for better preparation for war; and

(C) concluded that the Japanese attack and its outcome was attributable to no serious fault on the part of anyone in the naval service.

(7) On June 15, 1944, an investigation conducted by Admiral T. C. Hart at the direction of the Secretary of the Navy produced evidence, subsequently confirmed, that essential intelligence concerning Japanese intentions and war plans was available in Washington but was not shared with Admiral Kimmel.

(8) On October 20, 1944, the Army Pearl Harbor Board of Investigation determined that—

(A) Lieutenant General Short had not been kept "fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for war";

(B) detailed information and intelligence about Japanese intentions and war plans was not available to the commanders in Hawaii, but were not shared with Lieutenant General Short's Hawaiian command; and

(C) Lieutenant General Short was not provided with information of any kind to the early morning of December 7th, the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this.

(9) The reports by both the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation were kept secret, and Rear Admiral Kimmel and Major General Short were denied their requests to defend themselves through trial by court-martial.

(10) The joint committee of Congress that was established to investigate the conduct of Admiral Kimmel and Lieutenant General Short conducted, on May 31, 1946, a 1,075-page report that concluded that the two officers had not been guilty of dereliction of duty.

(11) The Officer Personnel Act of 1947 in establishing a promotion system for the Navy and the Army, provided a legal basis for the President to honor any officer of the Armed Forces who served his country as a senior commander during World War II with a placement of that officer, with the advice and consent of the Senate, on the retired list to their highest wartime ranks under that Act.

(12) On April 27, 1954, the then Chief of Naval Personnel, Admiral J. L. Holloway, Jr., recommended that Rear Admiral Kimmel be advanced in rank in accordance with the provisions of the Officer Personnel Act of 1947.

(13) On November 13, 1991, a majority of the members of the Board for the Correction of Military Records of the Department of the Army recommended that the late Major General (retired) Short "was unjustly held responsible for the Pearl Harbor disaster" and that "it would be equitable and just" to advance him to the rank of Lieutenant General on the retired list.

(14) In October 1994, the then Chief of Naval Operations, Admiral Carlisle Trost, withdrew his 1988 recommendation for advancement of Rear Admiral (retired) Kimmel (by then deceased) and recommended that the case of Rear Admiral Kimmel be reviewed.

(15) Although the Dorn Report, a report on the results of a Department of Defense study that recommended December 15, 1989, as a suitable support for the advancement of the late Rear Admiral (retired) Kimmel or the late Major General (retired) Short in grade, it did set forth as a conclusion of the study that "responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and Lieutenant General Short, it should be broadly shared".

(16) The Dorn Report found—

(A) that "Army and Navy officials in Washington were privy to intercepted Japanese diplomatic communications...which provided crucial confirmation of the imminence of war";

(B) that "the evidence of the handling of these messages in Washington reveals some ineptitude, some unwarranted assumptions and misestimations, limited coordination, ambiguous language, and lack of clarification and follow-up at higher levels";

(C) that "together, these characteristics resulted in failure...to appreciate fully and timely the critical situation in Hawaii the sense of urgency that these intercepts should have engendered".

(17) On July 21, 1997, Vice Admiral David C. Reddick (United States Navy, retired) responded to the Dorn Report with his own study which confirmed findings of the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation, and established, among other facts, that the war effort in 1941 was undermined by a restrictive intelligence distribution policy, and the degree to which commanders in Hawaii were not alerted about the impending attack on Hawaii was directly attributable to the withholding of intelligence from then Admiral Kimmel and Lieutenant General Short.

(18) Rear Admiral (retired) Kimmel and Major General (retired) Short are the only two officers eligible for advancement under the Officer Personnel Act of 1947 as senior World War II commanders who were excluded from the list of retired officers presented for promotion on the retired list to their highest wartime ranks under that Act.

(19) This singular exclusion from advancement of Rear Admiral (retired) Kimmel and Major General (retired) Short is justified by the fact that the late Rear Admiral (retired) Kimmel and the Army retired list and the Army retired list, respectively, serves only to perpetuate the myth
that the senior commanders in Hawaii were derelict in their duty and responsible for the success of the attack on Pearl Harbor, and is a distinct and unacceptable expression of dis-honor toward two of the finest officers who have served in the Armed Forces of the United States:

(20) Major General (retired) Walter Short died on September 23, 1949, and Rear Admiral (retired) Husband Kimmel died on May 14, 1948, without having been accorded the honor of being returned to their wartime ranks as were their fellow veterans of World War II.

(21) The Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and honor of the late Rear Admiral (retired) Kimmel and the late Major General (retired) Husband Kimmel.

(b) REQUEST FOR ADVANCEMENT ON RETIRED LISTS.—(1) The President is requested—

(A) to advance the late Rear Admiral (retired) Husband E. Kimmel to the grade of admiral on the retired list of the Navy; and

(B) to advance the late Major General (retired) Walter C. Short to the grade of lieutenant general on the retired list of the Army.

Title VI—Compensation and Other Personnel Benefits

Subtitle A—Pay and Allowances

SEC. 601. FISCAL YEAR 2000 INCREASE AND RESTRUCTURING OF BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services by section 203(a) of such title to become effective during fiscal year 2000 shall not be made.

(b) JANUARY 1, 2000, INCREASE IN BASIC PAY.—Effective on January 1, 2000, the rates of monthly basic pay for members of the uniformed services shall be increased by 4.8 percent.

(c) BASIC PAY REFORM.—Effective on July 1, 2000, the rates of monthly basic pay for members of the uniformed services within each pay grade are as follows:

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Title VII—Compensation and Other Personnel Information

Subsection A—Compensation and Other Personnel Information

SEC. 584. ADMINISTRATION OF DEFENSE REFORM INITIATIVE ENTERPRISE PROGRAM FOR MILITARY MANPOWER AND PERSONNEL INFORMATION.

(a) EXECUTIVE AGENT.—The Secretary of Defense shall designate the Secretary of the Navy as the executive agent for carrying out the defense reform initiative enterprise pilot program for military manpower and personnel information established under section 8147 of the Department of Defense Appropriations Act, 1999 (Public Law 105-262; 112 Stat. 2341; 10 U.S.C. 113 note).

(b) ACTION OFFICIALS.—In carrying out the pilot program, the Secretary of the Navy shall act through the head of the Systems Executive Office for Manpower and Personnel, who shall act in coordination with the Under Secretary of Defense for Personnel and Readiness and the Chief Information Officer of the Department of Defense.
### Commissioned Officers

**Years of service computed under section 205 of title 37, United States Code**

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<td>$2,694.30</td>
<td>$2,749.80</td>
<td>$2,814.90</td>
<td>$2,896.00</td>
</tr>
<tr>
<td>O–1E</td>
<td>$2,005.80</td>
<td>$2,135.70</td>
<td>$2,189.20</td>
<td>$2,249.00</td>
<td>$2,323.10</td>
</tr>
</tbody>
</table>

**Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.**

**While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard,** basic pay for this grade is calculated to be $12,441.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

**Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.**

### Commissioned Officers with Over 4 Years of Active Duty Service as an Enlisted Member or Warrant Officer

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>2 or less</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>W–5</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
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<tr>
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<tr>
<td>W–3</td>
<td>$2,355.90</td>
<td>$2,555.40</td>
<td>$2,555.40</td>
<td>$2,588.40</td>
<td>$2,694.30</td>
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<td>W–2</td>
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<td>$2,232.60</td>
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<td>$1,971.00</td>
<td>$1,971.00</td>
<td>$2,135.70</td>
<td>$2,232.60</td>
</tr>
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</table>

### Enlisted Members

**Years of service computed under section 205 of title 37, United States Code**

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>2 or less</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>E–9</td>
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<td>$0.00</td>
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<td>E–7</td>
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<td>$1,127.40</td>
<td>$1,127.40</td>
<td>$1,127.40</td>
</tr>
<tr>
<td>E–1</td>
<td>$1,005.60</td>
<td>$1,005.60</td>
<td>$1,005.60</td>
<td>$1,005.60</td>
<td>$1,005.60</td>
</tr>
</tbody>
</table>

### WARRANT OFFICERS

**Years of service computed under section 205 of title 37, United States Code**

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>2 or less</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
</tr>
</thead>
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<td>$3,659.40</td>
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<td>$2,910.90</td>
<td>$2,910.90</td>
<td>$2,910.90</td>
<td>$2,910.90</td>
</tr>
</tbody>
</table>

### Commissioned Officers with Over 4 Years of Active Duty Service as an Enlisted Officer or Warrant Officer

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>2 or less</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
</tr>
</thead>
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<td>$2,749.80</td>
<td>$2,814.90</td>
<td>$2,896.00</td>
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<td>$2,135.70</td>
<td>$2,189.20</td>
<td>$2,249.00</td>
<td>$2,323.10</td>
</tr>
</tbody>
</table>

**While serving as Sergeant Major of the Army, Chief Warrant Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard,** basic pay for this grade is $4,701.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

(a) ECI+0.5 PERCENT INCREASE FOR ALL MEMBERS.—Section 1009(c) of title 37, United States Code, is amended—

(1) by inserting ‘‘(1)’’ after ‘‘(c) EQUAL PERCENTAGE INCREASE FOR ALL MEMBERS.’’; and

(2) by adding at the end the following:

‘‘(2) Notwithstanding paragraph (1), but subject to subsection (d), an adjustment taking effect under this section during each of fiscal years 2001 through 2006 shall provide all eligible members an increase to the sum of one percent plus the percentage calculated as provided under section 5309(a) of title 5 for such fiscal year (without regard to whether rates of pay under the statutory pay systems are actually increased during such fiscal year under that section by the percentage so calculated).’’

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2000.

SEC. 603. SPECIAL SUBSISTENCE ALLOWANCE FOR FOOD STAMP ELIGIBLE MEMBERS.

(a) ALLOWANCE.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

‘‘402a. Special subsistence allowance: members eligible for food stamps.

‘‘(a) ALLOWANCE.—Upon the application of an eligible member of a uniformed service described in subsection (b)(1), the Secretary concerned shall pay the member a special subsistence allowance for each month for which the member is eligible to receive food stamp assistance, as determined by the Secretary.

(b) COVERED MEMBERS.—(1) A member referred to in subsection (a) is an enlisted member in pay grade E-5 or below.

(2) For the purposes of this section, a member shall be considered as being eligible to receive food stamp assistance if the household of the member meets the income standards of eligibility established under section 5(c)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(c)(2)), not taking into account the special subsistence allowance that may be payable to the member under this section or any allowance that is payable to the member under section 403 or 404 of this title.

(c) TERMINATION OF ENTITLEMENT.—The entitlement of a member to receive payment of a special subsistence allowance terminates upon the occurrence of any of the following events:

‘‘(1) Termination of eligibility for food stamp assistance.

‘‘(2) Payment of the special subsistence allowance for 12 consecutive months.

‘‘(3) Promotion of the member to a higher grade.

‘‘(4) Transfer of the member in a permanent change of station.

‘‘(5) Reestablished entitlement.—(1) After a termination of a member’s entitlement to the special subsistence allowance under subsection (c)(1), the Secretary concerned shall resume payment of the special subsistence allowance to the member if the Secretary determines, upon further application of the member, that the member is eligible to receive food stamps.

‘‘(2) Payments resumed under this subsection shall be deemed to have commenced in the same month as the occurrence of the event described in subsection (c)(1) upon the occurrence of an event described in that subsection after the resumption of the payments.

‘‘(6) The number of times that payments are resumed under this subsection is unlimited.

‘‘(e) DOCUMENTATION OF ELIGIBILITY.—A member of the uniformed services applying for the special subsistence allowance under this section shall be required to furnish evidence concerning with such evidence of the member’s eligibility for food stamp assistance as the Secretary may require in connection with the application.

‘‘(f) AMOUNT OF ALLOWANCE.—The monthly amount of the special subsistence allowance under this section is $180.

‘‘(g) RELATION TO BASIC ALLOWANCE FOR SUBSISTENCE.—The special subsistence allowance under this section is in addition to the basic allowance for subsistence under section 402 of title 37, United States Code.

‘‘(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term ‘food stamp assistance’ means the special subsistence allowance that may be payable to the member under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

‘‘(i) TERMINATION OF AUTHORITY.—No special subsistence allowance may be made under this section after September 30, 2001.’’

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on October 1, 2000.

SEC. 604. PAYMENT FOR UNUSED LEAVE IN CONNECTION WITH A REENLISTMENT.

Section 501 of title 37, United States Code, is amended—

(1) in subsection (a)(1), by inserting ‘‘, or termination of an enlistment in conjunction with the member’s reenlistment (without regard to the date of the expiration of the term of the enlistment being terminated),’’ after ‘‘honorable conditions’’; and

(2) in subsection (b)(2), by striking ‘‘, or entering into an enlistment,’’.

SEC. 605. CONTINUANCE OF PAY AND ALLOWANCES WHILE IN DUTY STATUS (WHEREABOUTS UNKNOWN).

(a) CONTINUANCE OF PAY AND ALLOWANCES.—(1) Chapter 10 of title 37, United States Code, is amended by inserting after section 552 the following:

‘‘552a. Pay and allowances: continuation while in a duty status (whereabouts unknown).

‘‘For any period that a member of a uniformed service on active duty or performing inactive-duty training is in a duty status (whereabouts unknown), section 552 of this title, except for subsections (d) and (e), shall apply to the member as if the member were in a missing status for that period.’’

(b) TERMINATION OF DUTY STATUS (WHEREABOUTS UNKNOWN).—Section 551 of such title is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

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

‘‘(3) The term ‘duty status (whereabouts unknown)’ means a transitory casualty status designated for a member of uniformed service by a commander responsible for the member if the commander suspects that the member is a casualty whose absence is involuntary and does not consider the available relevant evidence sufficient for making a definite determination that the member is missing, has deserted, is absent without leave, or is dead.’’

SEC. 606. EQUITABLE TREATMENT OF CLASS OF PERSONNEL AND THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) YEARS OF SERVICE CREDIT.—An officer of the uniformed services who entered the Uniformed Services University of the Health Sciences as a student in 1983 and who successfully completed the course of instruction at the University in 1987 shall be treated for purposes of determining pay and years of service in the same manner as a student at the University who graduated in 1986, notwithstanding the enactment of the Defense Officer Personnel Management Act (Public Law 96–513; 94 Stat. 2835).

(b) PROSPECTIVE APPLICABILITY.—This section shall take effect on October 1, 1999. No entitlement to increased pay or allowances accrues for periods before such date, and no eligibility accrues for consideration for selection for promotion by boards convened before such date.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF AUTHORITY TO PAY CERTAIN BONUSES AND SPECIAL PAYS.

(a) AVIATION OFFICER RETENTION BONUS.—Section 304a(a) of title 37, United States Code, is amended by striking ‘‘December 31, 1999,’’ and inserting ‘‘December 31, 2000.’’

(b) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308a of title 37, United States Code, is amended by striking ‘‘December 31, 1999’’ and inserting ‘‘December 31, 2000’’.

(c) ENLISTMENT BONUSES FOR MEMBERS WITH CRITICAL SKILLS.—Sections 308a(c) and 308b(c) of title 37, United States Code, are each amended by striking ‘‘December 31, 1999’’ and inserting ‘‘December 31, 2000’’.

(d) SPECIAL PAY FOR NUCLEAR QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(e) of title 37, United States Code, is amended by striking ‘‘December 31, 2000’’ and inserting ‘‘December 31, 2002’’.

(e) NUCLEAR CAREER ACCESSION BONUS.—Section 312(b) of title 37, United States Code, is amended by striking ‘‘December 31, 1999’’ and inserting ‘‘December 31, 2000’’.

(f) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312(d) of title 37, United States Code, is amended by striking ‘‘any fiscal year beginning before October 1, 1999, and the 15-month period beginning on that date and ending on December 31, 1999’’ and inserting ‘‘the 15-month period beginning on October 1, 1999, and ending on December 31, 1999, and any year beginning after December 31, 1999, and ending before January 1, 2001’’.
SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BENEFITS AND SPECIAL PAY AUTHORITY FOR RESERVE FORCES.

(a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SCIENCIES.—Section 302a(f) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(b) SELECTED RESERVE REENLISTMENT BONUS.—Section 308b(h) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(c) SELECTED RESERVE REENLISTMENT BONUS.—Section 308(e) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(d) SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CIVILIAN HIGH PAY PAYGERS.—Section 308(c)(c) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(e) SELECTED RESERVE AFFILIATION BONUS.—Section 308(e)(e) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(f) READY RESERVE ENLISTMENT AND REENLISTMENT BONUS.—Section 308(g)(g) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(g) PRIOR SERVICE ENLISTMENT BONUS.—Section 308(f)(f) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(h) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONAL WHO SERVE IN THE SELECTED RESERVE.—Section 16392(d)(g) of title 10, United States Code, is amended by striking “January 1, 2000” and inserting in lieu thereof “January 1, 2001”.

SEC. 613. ONE-YEAR EXTENSION OF CERTAIN BENEFITS AND SPECIAL PAY AUTHORITY FOR NURSE OFFICER CANDIDATES, REGISTERED NURSES, AND NURSE ANESTHETISTS.

(a) NURSE OFFICER CANDIDATE ACCESION PROGRAM.—Section 2130a(a)(a)(i) of title 10, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(b) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302a(a)(1) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(c) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302a(a)(1) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting in lieu thereof “December 31, 2000”.

SEC. 614. AMOUNT OF AVIATION CAREER INCENTIVE PAY FOR AIR BATTLE MANAGERS FORMERLY ELIGIBLE FOR HAZARDOUS DUTY PAY.

(a) SAVE PAY PROVISION.—Section 301(b)(b) of title 37, United States Code, is amended by adding at the end the following:

“(4) The amount of the monthly incentive pay payable under this section to an air battle manager who was receiving incentive pay under section 301(c)(2)(A) of this title immediately before becoming eligible for incentive pay under this section shall be the higher of—

“(A) the monthly rate of incentive pay that the member was receiving under section 301(c)(2)(A); or

“(B) the rate applicable to the member under paragraph (1), (2), or (3).”;

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to months beginning on or after that date.

SEC. 615. AVIATION CAREER OFFICER SPECIAL PAY.

(a) PERIOD OF AUTHORITY.—Subsection (a) of section 301b of title 37, United States Code, is amended by—

(1) by inserting “(1)” after “AUTHORIZED.—”;

(2) by striking “during the period beginning on January 1, 1999, and ending on December 31, 1999,” and inserting “during the period described in paragraph (2),”;

(3) adding at the end the following:

“(2) Paragraph (2) with respect to agreements executed during the period beginning on the first day of the first month that begins on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000 and ending on December 31, 2004.”;

(b) REPEAL OF LIMITATION TO CERTAIN YEARS OF CAREER AVIATION SERVICE.—Subsection (b) of such section is amended—

(1) by striking paragraph (5);

(2) by inserting “and” at the end of paragraph (4); and

(3) by redesigning paragraph (6) as paragraph (5).

(c) REPEAL OF LOWER ALTERNATIVE AMOUNT FOR AGREEMENT TO SERVE FOR 3 OR FEWER YEARS.—Subsection (c) of such section is amended by striking “than—” and all that follows it through “for each year covered by the written agreement to remain on active duty.”;

(d) PRIORITATION AUTHORITY FOR COVERED YEARS OF CAREER AVIATION SERVICE.—Subsection (d) of such section is amended by striking “14 years of commissioned service” and inserting “25 years of aviation service”.

(e) TERMINOLOGY.—Such section is further amended—

(1) in subsection (f), by striking “A retention bonus” and inserting “Any amount”; and

(2) in subsection (i)(1), by striking “reten- tion bonuses” in the first sentence and inserting “special pay under this section”;

(f) REPEAL OF CONTENT REQUIREMENTS FOR INCREASED PAY.—Subsection (e) of such section is amended by striking “(5)”, “(6)”, “(7)”, and “(8)”.

(g) INCREASED PERIOD OF ELIGIBILITY.—Subsection (b) of such section is amended—

(1) by striking paragraph (5); and

(2) by inserting “and” at the end of paragraph (4).

SEC. 616. CAREER ENLISTED FLIER INCENTIVE PAY.

(a) INCENTIVE PAY AUTHORIZED.—(1) Chap- ter 5 of title 37, United States Code, is amended by inserting after section 301e the following new section 301f:

“301f. Incentive pay: career enlisted flyers

“(a) PAY AUTHORIZED.—An enlisted member described in subsection (b) may be paid career enlisted flyer incentive pay as provided in this section.

“(b) ELIGIBLE MEMBERS.—An enlisted member referred to in subsection (a) is an enlisted member referred to in paragraph (1) or (2) of section 203(a) of this title;

“(1) is entitled to basic pay under section 204 of this title or entitled to compensation under paragraph (1) or (2) of section 203(a) of this title;

“(2) holds a military occupational specialty or military rating designated as a career enlisted flyer specialty or rating by the Secretary of the Army, the Navy, the Air Force, or the Marine Corps, as applicable;

“(3) is proficient in the skills required for that specialty or rating, or is in training leading to the award of such a specialty or rating; and

“(4) is qualified for aviation service.

“(c) MONTHLY PAYMENT.—(1) Career enlisted flyer incentive pay may be paid to a member referred to in subsection (b) for each month in which the member performs avia- tion service that involves frequent and regular performance of operational flying duty by the member.

“(2)(A) Career enlisted flyer incentive pay may be paid to a member referred to in subsection (b) for each month in which the member performs service, without regard to whether the extent to which the member performs operational flying duty during the month, as follows:

“(i) In the case of a member who has per- formed at least 6, and not more than 15, years of aviation service, the member may be so paid after the member has frequently and regularly performed operational flying duty in each of 72 months if the member so performed in at least that number of months before completing the member’s first 10 years of performance of aviation service.

“(ii) In the case of a member who has per- formed more than 20, and not more than 25, years of aviation service, the member may be so paid after the member has frequently and regularly performed operational flying duty in each of 168 months if the member so performed in at least that number of months before completing the member’s first 15 years of performance of aviation service.

“(d) BONUS.—Section 308b(f) of title 37, United States Code, is amended by striking “(3)”, “(5)”, and “(6)” and inserting “than—”;

“(e) NONAPPLICABILITY TO MEMBERS RE- MOVING FROM NAVY FOR HAZARDOUS DUTY PAY OR SPECIAL PAY FOR DIVING DUTY.—A member receiving incentive pay under section 301(a) of this title or special pay under section 304 of this title may not be paid special pay under this section for the same period of service.

“(f) NONAPPLICABILITY TO MEMBERS RE- MOVING FROM NAVY FOR HAZARDOUS DUTY PAY OR SPECIAL PAY FOR DIVING DUTY.—A member receiving incentive pay under section 301(a) of this title or special pay under section 304 of this title may not be paid special pay under this section for the same period of service.

“(g) EFFECTIVE DATE.—Subsection (b)(1)(B) of this section and the amendments made by this section to section 301e shall apply to the period beginning on the date of the enactment of this Act.”;

SEC. 617. AVIATION SERVICE PAY FOR SPECIALIST ACADEMIES.

(a) PAY AUTHORIZED.—The Secretary concerned, may, for cadets in an aviation service pay academy referred to in paragraph (1) of section 304a, pay a tuition assistance allowance under section 304a of title 37, United States Code, as authorized by subsection (c) of such section.

(b) AMOUNT.—The amount of such tuition assistance allowance shall be equal to the amount of the monthly rate of career enlisted flyer incentive pay under section 301f of this title or special pay under section 304 of this title payable to the member referred to in subsection (a) for each month in which the member is so paid.
SEC. 617. RETENTION BONUS FOR SPECIAL WAR-FARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301f, as added by section 616 of this Act, the following new section:

"§ 301g. Special pay: special warfare officers extending period of active duty

"(a) BONUS AUTHORIZED.—A special warfare officer described in subsection (b) who executes a written agreement to remain on active duty as a special warfare officer for at least one year may, upon the acceptance of the agreement by the Secretary concerned, be paid a retention bonus as provided in this section.

"(b) COVERED OFFICERS.—A special warfare officer referred to in subsection (a) is an officer of a uniformed service who—

"(1) is qualified for a military occupational specialty or rating referred to in this section;

"(2) in graduated annual payments under regulations prescribed by the Secretary concerned, for the total period of active duty as a special warfare officer under this section shall be subject to the approval of the Secretary of Defense;".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

(c) PAY PROVISION.—In the case of an enlisted member of a uniformed service who is designated career enlisted flyer entitled to receive hazardous duty incentive pay under section 301(b) or 301(c)(2)(A) of title 37, United States Code, as of October 1, 1999, the member shall be entitled from that date to payment of incentive pay at the monthly rate that is the higher of—

"(1) the monthly rate of incentive pay authorized by such section 301(b) or 301(c)(2)(A) as of October 30, 1999; or

"(2) the monthly rate of incentive pay authorized by section 301f of title 37, United States Code, as added by subsection (a).

SEC. 618. RETENTION BONUS FOR SURFACE WAR-FARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301h, as added by section 617 of this Act, the following new section:

"§ 301h. Special pay: surface warfare officers extending period of active duty

"(a) BONUS AUTHORIZED.—(1) A surface warfare officer described in subsection (b) who executes a written agreement described in paragraph (2) may, upon the acceptance of the agreement by the Secretary of the Navy, be paid a retention bonus as provided in this section.

"(2) An agreement referred to in paragraph (1) is an agreement in which the officer concerned agrees—

"(A) to remain on active duty for at least two years and through the tenth year of active commissioned service; and

"(B) to complete tours of duty to which the bonus payable under this section is for all purposes a debt owed under the agreement.

(b) COVERED OFFICERS.—A surface warfare officer referred to in subsection (a) is an officer of the Regular Navy or Naval Reserve on active duty who—

"(1) is designated and serving as a surface warfare officer;

"(2) is in pay grade O-3 at the time the officer applies for an agreement under this section;

"(3) has been selected for assignment as a department head on a surface ship;

"(4) has completed at least four, but not more than eight, years of active commissioned service; and

"(5) has completed any service commitment incurred to be commissioned as an officer in the Regular Navy or the Naval Reserve.

(c) AMOUNT OF BONUS.—The amount of a retention bonus paid under this section may not be more than $15,000 for each year covered by the written agreement.

(d) PRORATION.—The term of an agreement under subsection (a) and the amount of the bonus concerned, as the case may be, may be prorated as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 16 years of active commissioned service.

(e) PAYMENT.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount payable pursuant to the agreement becomes fixed and may be paid—

"(1) in a lump sum equal to the amount of the bonus payable under the agreement at the time the agreement is accepted by the Secretary concerned followed by payments of equal annual installments on the bonus payable under the agreement at the time the agreement is accepted by the Secretary concerned until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

"(2) in graduated annual payments under regulations prescribed by the Secretary concerned, for the total period of active duty as a special warfare officer under this section. Regulations prescribed by the Secretary concerned shall provide for the payment of the lump sum amount under this paragraph.

(f) ADDITIONAL PAY.—A retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

(g) REPAYMENT.—(1) If an officer who has entered into a written agreement under subsection (a) and has received all or part of a retention bonus under this section fails to complete the total period of active duty as a special warfare officer under this section, the Secretary concerned may require the officer to repay the United States, on a pro rata basis, the extent that the Secretary determines conditions and circumstances warrant, all sums paid the officer under this section.

"(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

"(3) A discharge in bankruptcy under title 11 that terminates the obligation to repay under the agreement at the time the agreement is accepted by the Secretary concerned followed by payments of equal annual installments on the amount of the bonus payable under the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

"(4) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary concerned and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

(h) PRORATION.—The term of an agreement under subsection (a) and the amount of the bonus payable under subsection (c) may be prorated as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 16 years of active commissioned service.

(i) PAYMENT.—Upon acceptance of a written agreement under subsection (a) by the Secretary of the Navy, the total amount payable pursuant to the agreement becomes fixed and may be paid—

"(1) in a lump sum equal to the amount of half the total amount payable under the agreement at the time the agreement is accepted by the Secretary concerned followed by payments of equal annual installments on the amount of the bonus payable under the agreement at the time the agreement is accepted by the Secretary concerned until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

"(2) in graduated annual payments under regulations prescribed by the Secretary concerned, for the total period of active duty as a special warfare officer under this section. Regulations prescribed by the Secretary concerned shall provide for the payment of the lump sum amount under this paragraph.
“(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a) does not discharge the debt arising under such agreement or under paragraph (1).”

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended, inserting after the item relating to section 304a, as added by section 111(a) of this Act, the following new item:

“30th. Special pay: surface warfare officers extending period of active duty.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

SEC. 619. ADDITIONAL SPECIAL PAY FOR BOARD CERTIFIED VETERINARIANS IN THE ARMED FORCES AND PUBLIC HEALTH SERVICE.

(a) Authority.—Section 303 of title 37, United States Code, is amended—

(1) by inserting “(a) MONTHLY SPECIAL PAY.—” before “(b)”, and

(2) by adding at the end the following:

“(b) ADDITIONAL SPECIAL PAY FOR BOARD CERTIFICATION.—A commissioned officer entitled to special pay under subsection (a) who has been awarded a diploma as a Diplomate in a specialty recognized by the American Veterinary Medical Association is entitled to special pay (in addition to the special pay under that subsection) at the same rate as is provided under section 302(c) of this title for an officer referred to in that section who has served for the same number of years of creditable service as the commissioned officer,”.

(b) EFFECTIVE DATE.—Section 303(b) of title 37, United States Code, as added by subsection (a), shall apply with respect to months beginning after September 30, 1999.

SEC. 620. INCREASE IN RATE OF DIVING DUTY SPECIAL PAY.

(a) Increase.—Section 304(b) of title 37, United States Code, is amended—

(1) by striking “$200” and inserting “$400”;

and

(2) by adding at the end “$300” and inserting “$400”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to special pay under section 304 of title 37, United States Code, for months beginning on or after that date.

SEC. 621. INCREASE IN MAXIMUM AMOUNT AUTHORIZED FOR REENLISTMENT BONUS FOR ACTIVE MEMBERS.

(a) Increase in Maximum Amount.—Section 308(b)(2) of title 37, United States Code, is amended—

(1) by striking “$100” and inserting “$200”;

and

(2) by striking “$100” and inserting “$300”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to special pay under section 304 of title 37, United States Code, for months beginning on or after that date.

SEC. 622. CRITICAL SKILLS ENLISTMENT BONUS.

(a) Increase.—Section 308(a)(2) of title 37, United States Code, is amended—

(1) by inserting “ten” after “five” and inserting “15”; and

(2) by substituting “five” for “ten” and inserting “15”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to reenlistments and extensions of enlistments taking effect on or after that date.

SEC. 623. SELECTED RESERVE ENLISTMENT BONUS.

(a) ELIMINATION OF REQUIREMENT FOR MINIMUM PERIOD OF ENLISTMENT.—Subsection (a) of section 308c of title 37, United States Code, is amended by striking “for a term of enlistment of not less than six years”.

(b) INCREASED MAXIMUM AMOUNT.—Subsection (b) of such section is amended by striking “$5,000” and inserting “$7,500”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 624. SPECIAL PAY FOR MEMBERS OF THE CONVOCATION BOARD OF THE SELECTED RESERVE ASSIGNED TO HIGH PRIORITY UNITS OF THE SELECTED RESERVE.

Section 308(a)(1) of title 37, United States Code, is amended by striking “each” and inserting “the Secretary of Defense”.

SEC. 625. REDUCED MINIMUM PERIOD OF ENLISTMENT IN ARMED FORCES RESERVE.

(a) REDUCED REQUIREMENT.—(1) Paragraph (3) of section 308(a) of title 37, United States Code, is amended by striking “3 years” and inserting “2 years”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 626. ELIGIBILITY FOR RESERVE ENLISTMENT BONUS AFTER ATTAINING A CRITICAL SKILL.

(a) NEWLY ATTAINED CRITICAL SKILL.—Section 308(b) of title 37, United States Code, is amended by inserting “language proficiency” after “2 years”, and inserting “3 years”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to language proficiency pay paid under section 316 of title 37, United States Code, for months beginning on or after that date.

SEC. 627. INCREASE IN SPECIAL PAY AND BONUSES FOR NUCLEAR-QUALIFIED OFFICERS.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(a) of title 37, United States Code, is amended by striking “$15,000” and inserting “$20,000”.

(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312(b)(1) of title 37, United States Code, is amended by striking “$10,000” and inserting “$12,000”.

(c) NUCLEAR CAREER ANNUAL INCENTIVE BONUSES.—Section 312c of title 37, United States Code, is amended—

(1) in subsection (a)(1), by striking “$12,000” and inserting “$22,000”; and

(2) in subsection (b)(1), by striking “$3,500” and inserting “$4,000”.

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply to nuclear career pay paid under section 312c of title 37, United States Code, for months beginning on or after that date.

SEC. 628. INCREASE IN MAXIMUM MONTHLY RATE AUTHORIZED FOR FOREIGN LANGUAGE PROFICIENCY PAY.

(a) INCREASE IN MAXIMUM MONTHLY RATE.—Section 316(b) of title 37, United States Code, is amended by striking “$100” and inserting “$300”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to foreign language proficiency pay paid under section 316 of title 37, United States Code, for months beginning on or after that date.

SEC. 629. SENSE OF THE SENATE REGARDING TAX TREATMENT OF MEMBERS RECEIVING SPECIAL PAY.

It is the sense of the Senate that members of the Armed Forces who receive special pay for duty subject to hostile fire or imminent danger (37 U.S.C. 310) should receive the same tax treatment as members serving in combat zones.

Subtitle C—Travel and Transportation Allowances

SEC. 641. PAYMENT OF TEMPORARY LODGING EXPENSES TO ENLISTED MEMBERS MAKING FIRST CHANGE OF STATION.

(a) INCREASE.—Section 404(a) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking “or” at the end of the paragraph;

(2) in paragraph (2), by inserting “or” after the semicolon; and

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

“(3) in the case of an enlistment, to the grade and years of service of the member; or

“(B) (i) has completed training or retraining in the specialty skill that is designated as critically short; and

“(ii) has attained a level of qualification in the designated critically short specialty skill that is commensurate with the member’s grade and years of service.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to enlistments beginning on or after that date.
Section 1411(b)(1)(A) of title 37, United States Code, is amended to read as follows:

"(A) either—

(i) the international airport in the continental United States closest to the location from which the member and the member's dependents departed; or

(ii) any other airport in the continental United States that is closer to the destination than is international airport if the cost of transportation to the other airport is less than the cost of transportation to that international airport; or"

SEC. 643. CLARIFICATION OF PER DIEM ELIGIBILITY OF CERTAIN MILITARY TECHNICIANS (DUAL STATUS) SERVING ON ACTIVE DUTY WITHOUT PAY OUTSIDE THE UNITED STATES.

(a) CLARIFICATION.—Section 1022(b) of title 37, United States Code, is amended—

(1) by inserting "(1)'' after "(b)''; and

(2) by adding at the end the following:

"(2) If the Secretary concerned determines that a technical (dual status) is not leave from technician employment under section 632(d) of title 5 is performing active duty without pay outside the United States without an opportunity to satisfy administrative requirements for a commutation of subsistence and quarters under paragraph (1), the Secretary concerned may authorize payment of a per diem allowance to the technician under chapter 4 of this title instead of the commutation while the technician is performing that duty duty.

(b) DEFINITION.—Section 101 of such title is amended by adding at the end the following:

"(27) The term 'military technician (dual status) serving on active duty for a period that would result in active duty service.

(c) RETROACTIVE EFFECTIVE DATE.—The amendments made by this section shall be effective as of February 10, 1996.

SEC. 644. EXPANSION AND CODIFICATION OF AUTHORITY FOR SPACE REQUIRED MILITARY AIRCRAFT FOR RESERVES PERFORMING INACTIVE DUTY TRAINING OUTSIDE THE CONTINENTAL UNITED STATES.

(a) AUTHORITY.—(1) Chapter 1209 of title 10, United States Code, is amended by adding at the end the following:

"§12322. Reserves traveling to inactive-duty training OCONUS: space required travel

"A member of a reserve component is authorized to travel in space required status on aircraft of the armed forces between the member’s home and place of inactive-duty training outside the continental United States (including a place other than the place of the member’s unit training assembly if the member is performing the inactive-duty training in another location) when there is no transportation between those locations by road, railroad, or combination of road and railroad. A member traveling in that status on any such aircraft under the authority of this section is authorized to receive travel, transportation, or per diem allowances in connection with the travel.

"(2) The table of sections at the beginning of that chapter is amended by adding at the end the following:

"§12322. Reserves traveling to inactive-duty training OCONUS: space required travel

"A member of a reserve component is authorized to travel in space required status on aircraft of the armed forces between the member’s home and place of inactive-duty training outside the continental United States (including a place other than the place of the member’s unit training assembly if the member is performing the inactive-duty training in another location) when there is no transportation between those locations by road, railroad, or combination of road and railroad. A member traveling in that status on any such aircraft under the authority of this section is authorized to receive travel, transportation, or per diem allowances in connection with the travel.

"(2) The table of sections at the beginning of that chapter is amended by adding at the end the following:

"§12322. Reserves traveling to inactive-duty training OCONUS: space required travel

"A member of a reserve component is authorized to travel in space required status on aircraft of the armed forces between the member’s home and place of inactive-duty training outside the continental United States (including a place other than the place of the member’s unit training assembly if the member is performing the inactive-duty training in another location) when there is no transportation between those locations by road, railroad, or combination of road and railroad. A member traveling in that status on any such aircraft under the authority of this section is authorized to receive travel, transportation, or per diem allowances in connection with the travel.

"(2) The table of sections at the beginning of that chapter is amended by adding at the end the following:

"§12322. Reserves traveling to inactive-duty training OCONUS: space required travel.

"(b) REPEAL OF SUPERSEDED AUTHORITY.—

Section 6202 of Public Law 105-262 (112 Stat. 2302) is repealed.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to travel commencing on or after that date.

SEC. 645. REIMBURSEMENT OF TRAVEL EXPENSES OF MILITARY PERSONNEL OF THE ARMED FORCES IN CONNECTION WITH LEAVE CANCELED FOR INACTIVITY IN KOSOVO-RELATED ACTIVITIES.

(a) AUTHORITY.—The Secretary of the military department concerned may reimburse a member of the Armed Forces under the jurisdiction of the Secretary for expenses of travel (to the extent not otherwise reimbursable under law) that have been incurred by the member as a result of leave canceled in connection with United States participation in Operation Allied Force.

(b) ADMINISTRATIVE PROVISIONS.—The Secretary of Defense shall prescribe the procedures and documentation required for application for, and payment of, reimbursements to members of the Armed Forces under subsection (a).

Subtitle D—Retired Pay, Survivor Benefits, and Related Matters

SEC. 651. RETIRED PAY OPTIONS FOR PERSONS SERVING IN SPACE FOR ON OR AFTER AUGUST 1, 1986

(a) REDUCED RETIRED PAY ONLY FOR MEMBERS ELECTING 15-YEAR SERVICE BONUS.—(1) Paragraph (2) of section 1409(b) of title 10, United States Code, is amended by inserting after "July 1986: ''

"(2) Subject to paragraph (3), an obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

"(3) The Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

"(4) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement under this section does not discharge the member signatory to the agreement from satisfying an obligation under the agreement or this subsection.

(b) OPTIONAL LUMP-SUM BONUS AT 15 YEARS OF SERVICE.—(1) Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

"§318. Special pay: 15-year service bonus elected by members entering on or after August 1, 1986

"(a) PAYMENT OF BONUS.—The Secretary concerned shall pay a bonus to a member of a uniformed service who is eligible and elects to receive the bonus under this section.

"(b) ELECTION.—(1) A member eligible to elect a bonus under this section may elect to receive the bonus under this section.

"(2) If not already obligated to remain on active duty for a period that would result in active duty service.

"(3) If not already obligated to remain on active duty for a period that would result in active duty service.

"(4) The notification shall include the procedures to reimburse the United States imposed under this section (b)(3), the person shall refund to the United States the amount that bears the same ratio to the amount of the bonus pay- ment as the unserved part of that total period bears to the total period of active duty service.

"(5) The Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

"(6) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement under this section does not discharge the member signatory to the agreement from satisfying an obligation under the agreement or this subsection.

"(2) The table of sections at the beginning of each chapter is amended by adding at the end the following new section:

"§318. Special pay: 15-year service bonus elected by members entering on or after August 1, 1986.

"(c) CONFORMING AMENDMENTS TO SURVIVOR BENEFIT PLAN PROVISIONS.—(1) Section 145(h)(3) of title 10, United States Code, is amended by inserting "OF CERTAIN MEMBERS'' after "military technicians and former members"

"(2) Section 145(q) of such title is amended by striking "(b)'' and inserting "(b)'' after "(a)'' and inserting "(c)'' after "(b)'' and inserting "(d)'' after "(c)'' and inserting "(e)'' after "(d)'' and inserting "(f)’’.

"(3) The Secretary concerned shall transmit a written notification of the opportunity to elect to receive a bonus under this section to each member eligible to elect a bonus under an agreement described in subsection (b)(3), would be eligible to receive the bonus. The Secretary shall complete the notification within 180 days after the date on which the member completes 15 years of active duty. The notification shall include the procedures for electing to receive the bonus and an explanation of the effect of the election of an agreement described in subsection (b)(3), 1949, and 1910 of title 10 that such an election has on the computation of any retired or re- tainer pay which the member may become eligible to receive.

"(4) FORM AND AMOUNT OF BONUS.—A bonus under this section shall be paid in one lump sum of $30,000.

"(5) TIME FOR PAYMENT.—Payment of a bonus to a member electing to receive the bonus under this section shall be made not later than the first month that begins on or after the date on which the Secretary concerned receives from the member an election that satisfies the requirements imposed under subsection (c).

"(6) REDUCTION APPLICABLE TO RETIRED PAY.—(1) If a person paid a bonus under this section fails to complete the total period of active duty specified in the agreement entered into under subsection (b)(3), the person shall refund to the United States the amount that bears the same ratio to the amount of the bonus pay- ment as the unserved part of that total period bears to the total period of active duty service.

"(2) Subject to paragraph (3), an obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

"(3) The Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.
(3A) The heading of section 1410 of such title is amended by inserting "certain" before "members".

(B) The Item relating to such section in the table of sections at the beginning of chapter 71 of title 10, United States Code, is amended by inserting "certain" before "members".

SEC. 652. PARTICIPATION IN THRIFT SAVINGS PLAN.

(a) PARTICIPATION AUTHORITY.—(1A) Chapter 3 of title 37, United States Code, is amended by adding at the end the following:

"§ 211. Participation in Thrift Savings Plan

"(a) AUTHORITY.—A member of the uniformed services serving on active duty and a member of the Ready Reserve in any pay status may participate in the Thrift Savings Plan in accordance with section 8440e of title 5.

"(b) RULE OF CONSTRUCTION REGARDING SEPARATION.—For the purposes of section 8440e of title 5, the following actions shall be considered separation of a member of the uniformed services from Government employment:

"(1) Release of the member from active duty service (not followed by a resumption of active-duty service within 30 days after the effective date of this paragraph).

"(2) Transfer of the member by the Secretary concerned to a retired list maintained by the Secretary.

(B) Under section 8440e of title 5, United States Code, is amended by adding at the end the following:

"§ 8440e. Members of the uniformed services on active duty

"(a) PARTICIPATION AUTHORIZED.—(1) A member of the uniformed services authorized to participate in the Thrift Savings Plan under section 211(a) of title 37 may contribute to the Thrift Savings Fund.

"(2) An election to contribute to the Thrift Savings Fund under paragraph (1) may be made only during a period provided under section 8432(b) for individuals subject to this chapter.

"(b) APPLICABILITY OF THRIFT SAVINGS PLAN PROVISIONS.—Except as otherwise provided in this section, the provisions of this subchapter and subchapter VII of this chapter shall apply with respect to members of the uniformed services making contributions to the Thrift Savings Fund as if such members were employees within the meaning of section 8401(11).

"(c) MAXIMUM CONTRIBUTION FROM PAY OR COMPENSATION.—(1) The amount contributed by a member of the uniformed services authorized to participate in the Thrift Savings Plan under paragraph (1) of such section 8432(c) of this title may be made for the benefit of a member of the uniformed services making contributions to the Thrift Savings Fund under section 8432(a) of this title.

"(1) BENEFITS AND ELECTIONS OF BENEFITS.—In applying section 8433 to a member of the uniformed services who has an account balance in the Thrift Savings Fund—

"(1) any reference in such section to separation from Government employment shall be construed to refer to an action described in section 8440e of title 5; and

"(2) the reference in section 8433(g)(1) to contributions made under section 8432(a) shall be treated as being a reference to contributions made under section 8440e of this chapter.

"(3) GENERAL PAY DEFINED.—For purposes of this section, the term "basic pay" means basic pay that is payable under section 294 of title 37.

"(B) The table of sections at the beginning of chapter 84 of title 5, United States Code, is amended by adding after the item relating to section 8440e the following:

"§ 8440e. Members of the uniformed services on active duty;

"(A) in subsection (a), by striking "14 members" and inserting "15 members"; and

"(B) in subsection (b)—

"(1) by striking "14 members" and inserting "15 members"; and

"(2) by striking "and" at the end of paragraph (8); and

"(iii) by striking the period at the end of paragraph (9) ""and"".

"(3) Section 8432(b)(2) of title 5, United States Code, is amended—

"(A) in subsection (a), by striking "14 members" and inserting "15 members"; and

"(B) by redesignating paragraph (4) as paragraph (5); and

"(C) by inserting after paragraph (3) the following new paragraph (4):

"(4) No contribution may be made under this section for a period for which an employee made a contribution under section 8440e of this title.

"(4) Section 8473 of title 5, United States Code, is redesignated as section 8473.

"(5) Paragraph (1) of section 8531(b) of title 5, United States Code, is redesignated as paragraph (8).

"(B) APPLICABILITY.—(1) Except as provided in paragraph (2), the authority of members of the uniformed services to participate in the Thrift Savings Plan under section 211 of title 37, United States Code (as added by subsection (a)(1)), shall take effect on July 1, 2000.

"(2) The Secretary of the Department of Defense may postpone the authority of members of the Ready Reserve to so participate in the Thrift Savings Plan until 180 days after the date specified in paragraph (1) if the Secretary, after consultation with the Executive Director appointed by the Board, determines that permitting such members to participate in the Thrift Savings Plan on that date would place an excessive burden on the administrative capacity of the Board to accommodate participants in the Thrift Savings Plan.

"(B) The Secretary shall notify the congressional defense committees of any determination made under subparagraph (A).

"(c) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Executive Director appointed by the Federal Thrift Retirement Investment Board shall issue regulations to implement section 8440e of title 5, United States Code (as added by subsection (a)(2) and section 211 of title 5, United States Code (as added by subsection (a)(1)).

SEC. 653. SPECIAL RETENTION INITIATIVE.

Section 211 of title 37, United States Code, as added by section 652, is amended by adding at the end the following:

"(c) AGENCY CONFERENCES FOR RETENTION IN CRITICAL SPECIALTIES.—(1) The Secretary concerned may enter into an agreement with a member to make contributions to the Thrift Savings Fund for the benefit of the member if the Secretary determines that—

"(A) in a specialty designated by the Secretary as critical to meet requirements (whether such specialty is designated as critical to meet wartime or peacetime requirements); and

"(B) commits in such agreement to continue to serve on active duty in that specialty for a period of six years.

"(2) Under an agreement entered into with a member under paragraph (1), the Secretary shall make contributions to the Fund for the benefit of the member for each pay period of the 6-year period of the agreement for which the member makes a contribution out of basic pay to the Fund under this section, except paragraph (2) of subsection (c) applies to the Secretary's obligation to make contributions under this paragraph, except that the reference in such paragraph to contributions under paragraph (1) of such section does not apply.

SEC. 654. REPEAL OF REDUCTION IN RETIRED PAY FOR CIVILIAN EMPLOYEES.

(a) REPEAL.—Section 552 of title 5, United States Code, is repealed.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

SEC. 655. CREDIT TOWARD PAID-UP SBP COVERAGE FOR MONTHS COVERED BY MAKING PREMIUM PAID BY PERSONS ELECTING SBP COVERAGE DURING SPECIAL OPEN ENROLLMENT PERIOD.

Section 642 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-330; 10 U.S.C. 1448 note) is amended—

(1) by redesignating subsection (b) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection (h):

"(h) CREDIT TOWARD PAID-UP COVERAGE.—Upon payment of the total amount of the premiums charged a person under subsection (g), the retired pay of a person participating in the Survivor Benefit Plan pursuant to an election under this section shall be treated, for the purposes of subsection (J) of section 1452 of title 10, United States Code, as having been reduced under such section 1452 for the purposes of subsection (L) of such section 1452 for the period, during which the retired pay of the person would have been reduced if the person had elected to participate in the Survivor Benefit Plan at the first opportunity that was afforded the person to participate.

SEC. 656. PAID-UP COVERAGE UNDER RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN.

(a) CONDITIONS.—Subchapter I of chapter 73 of title 10, United States Code, is amended by inserting after section 1435c the following:

"§ 1435ca. Coverage paid up at 30 years and age 70

Effective October 1, 2008, no reduction may be made in a person's retired pay or reduced survivor benefit pursuant to section 1435b or 1432 of this title for any month after the later of—
(1) the 360th month for which the person retired pay or retainer pay is reduced pursuant to an election; and
(2) the month during which the person attains age 70.
(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 1346a. Coverage paid up at 30 years and age 70."

SEC. 659. SPECIAL COMPENSATION FOR SEVERELY DISABLED UNIFORMED SERVICES RETIREES.
(a) CASES NOT COVERED BY EXISTING AUTHORITY.—(Paragraphe (3) of section 1450(f) of title 10, United States Code, as amended by the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1801; 10 U.S.C. 1448 note) is repealed.

SEC. 658. EFFECTUATION OF INTENDED SBP ANNUITY FOR FORMER SPOUSE WHEN NOT ELECTED BY REASON OF UNTIMELY DEATH OF RETIREE. (a) CASES NOT COVERED BY EXISTING AUTHORITY.—(Paragraphe (3) of section 1450(f) of title 10, United States Code, as amended by the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1801; 10 U.S.C. 1448 note) is repealed.
(b) EFFECTIVE DATE.—Section 1413 of title 10, United States Code, that commencedit before that month, is computed under a provison of section 1451 of that title amended by subsection (a), and that month shall be recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that provision, as so amended, was in effect for the initial computation of the annuity; and
(c) RECOMPUTATION OF ANNUITIES.—(1) Effective on the first day of each month referred to in paragraph (2), each annuity under section 1450 of title 10, United States Code, that commenced before that month, is recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that provision, as so amended, was in effect for the initial computation of the annuity; and
(d) COMPUTATION OF SURVIVOR BENEFITS.
(1) In general.—If the percent applicable for any month under paragraph (1)(B) of such section is less than total but for which a rating is assigned by reason of inability to follow a substantially gainful occupation as a result of service-connected disabilities, the term ‘disability rated as total’ means—
(A) a disability that is rated as total under the standard schedule of rating disabilities in use by the Department of Veterans Affairs; or
(B) a disability for which the scheduled rating is less than total but for which a rating of total is assigned by reason of inability to follow a substantially gainful occupation as a result of service-connected disabilities.
(2) The term ‘retired pay’ includes retainer pay, emergency officers’ retirement pay, and naval pension.
(3) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:
‘‘1413. Special compensation for certain severely disabled uniformed services retirees.’’
(b) EFFECTIVE DATE.—Section 1413 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 1999, and shall apply to months that begin on or after that date. No benefit may be paid to any person by reason of that section for any period before that date.

SEC. 660. COMPUTATION OF SURVIVOR BENEFITS.
(a) INCREASED BASIC ANNUITY.—(1) Subsection (a)(1)(B)(i) of section 1451 of title 10, United States Code, is amended by striking ‘‘35 percent’’ and inserting ‘‘the product of the base amount and the percent applicable for the month. The percent applicable for a month is 35 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000, 40 percent for months beginning after that date but on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2004.’’.
(2) Subsection (a)(2)(B)(i)(I) of such section is amended by striking ‘‘35 percent’’ and inserting ‘‘the percent applicable for the month’’.
(3) Subsection (c)(1)(B)(i) of such section is amended—
(A) by striking ‘‘35 percent’’ and inserting ‘‘the applicable percent’’; and
(B) by adding at the end the following: ‘‘The percent applicable for a month under the preceding sentence is the percent specified under subsection (a)(1)(B)(i) as being applicable for the month.’’
(4) The heading for subsection (d)(2)(A) of such section is amended to read as follows: ‘‘COMPUTATION OF ANNUITIES.’’
(b) ADJUSTED SUPPLEMENTAL ANNUITY.—Section 1457(b) of title 10, United States Code, is amended—
(1) by striking ‘‘5, 10, 15, or 20 percent’’ and inserting ‘‘the applicable percent’’; and
(2) by inserting after the first sentence the following: ‘‘The percent used for the computation of additional annuities under section 1457 shall be an even multiple of 5 percent and, whatever the percent specified in the election, may not exceed 20 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000, 15 percent for months beginning after that date and before October 2004, and 10 percent for months beginning after September 2004.’’
(c) RECOMPUTATION OF ANNUITIES.—(1) Effective on the first day of each month referred to in paragraph (2), each annuity under section 1450 of title 10, United States Code, that commenced before that month, is recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that provision, as so amended, was in effect for the initial computation of the annuity; and
(d) each supplemental survivor annuity under section 1457 of such title that commenced before that month and is payable for that month shall be recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that provision, as so amended, was in effect for the initial computation of the supplemental survivor annuity.
(2) The requirements for recomputation of annuities under paragraph (1) apply with respect to the following months:
(A) The first month that begins after the date of the enactment of this Act.
(B) October 2004.
(d) RECOMPUTATION OF RETIRED PAY REDUCTIONS FOR SUPPLEMENTAL SURVIVOR ANNUITY.—The Secretary of Defense shall take such actions as are necessitated by the amendments made by subsection (b) and the recomputation of annuities under this section to ensure that the reductions in retired pay under section 1460 of title 10, United States Code, are achieved to the objectives set forth in subsection (b).

Subtitle E—Montgomery GI Bill Benefits and Other Education Benefits

PART I—MONTGOMERY GI BILL BENEFITS

SEC. 671. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR FULL-TIME EDUCATION.
(a) INCREASE.—Section 3015 of title 38, United States Code, is amended—
(1) in subsection (a), by striking ‘‘$525’’ and inserting ‘‘$600’’; and
(2) in subsection (b)(1), by striking ‘‘$429’’ and inserting ‘‘$488’’.
(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to educational assistance allowances paid for months after September 1999. However, no adjustment in rates of educational assistance shall be made under subsection (c) of section 3015 of title 38, United States Code, for fiscal year 2000.

SEC. 672. TERMINATION OF REDUCTIONS OF BASIC PAY.
(a) REPEALS.—Section 3011 of title 38, United States Code, is amended by striking subsection (b).
(2) Section 3012 of such title is amended by striking subsection (c).

(3) The amendments made by paragraphs (1) and (2) shall take effect on the date of the enactment of this Act, and shall apply to individuals whose initial obligated period of active duty under section 3011 or 3012 of title 38, United States Code, as the case may be, begins on or after such date.

(b) TERMINATION OF REDUCTIONS IN PROGRESS.—Any reduction in the basic pay of an individual referred to in section 3011(b) of title 38, United States Code, by reason of such section 3011(b), or of any individual referred to in paragraph (2) of such section as the case may be, shall cease commencing with the first month beginning after the later of (I) the date of the enactment of this Act; and (II) the date an individual referred to in paragraph (2) of such section as the case may be, is paid such assistance, or of any individual referred to in paragraph (2) of such section 3011(c), as of the date of the enactment of this Act; and such assistance shall cease commencing with the first month beginning after the later of (I) the date of the enactment of this Act; and (II) the date such assistance is paid to an individual referred to in paragraph (2) of such section as the case may be, begins on or after such date.

(c) CONFORMING AMENDMENT.—Section 3038(h)(1) of title 38, United States Code, is amended—

(1) by inserting ''(a)'' before ''The Secretary shall pay''; and

(2) by adding at the end the following new subsection:

''(b) Whenever the Secretary determines that appropriate, in consultation with the Chief of the National Guard Bureau, the Secretary concerned, or the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, the Secretary concerned shall make a modification or reversion of an election to the Secretary concerned.

(d) EFFECT OF REVERSION.—If an individual reverts an election under this section, the Secretary may modify or retransfer such election under this section.

SEC. 673. ACCELERATED PAYMENTS OF EDUCATIONAL ASSISTANCE.

Section 3014 of title 38, United States Code, is amended—

(1) by inserting ''(a)'' before ''The Secretary shall pay''; and

(2) by adding at the end the following new subsection:

''(b) The Secretary may make payments of basic educational assistance on an accelerated basis only to an individual entitled to payment of such assistance under this subchapter who makes a request for payment of such assistance during the period for which a payment of such assistance is made on an accelerated basis under this section, the Secretary shall—

''(1) pay on the date of the adjustment any additional amount of such assistance that is payable for the period as a result of the adjustment;

''(2) pay the date of the adjustment any additional amount of such assistance that is payable for the period as a result of the adjustment;

(3) by adding at the end the following: ''(2) by striking the period at the end of subparagraph (A);'' and

(4) by adding at the end the following: ''(A) the aggregate amount of the entitlement of such individual as the case may be, begins on or after such date.

''(i) at the later of (I) the beginning of the course for which the individual is enrolled; and

''(ii) in any amount requested by the individual concerned up to the aggregate amount of monthly assistance otherwise payable under this subchapter for the period of the course.

''(g) The Secretary shall prescribe regulations for purposes of making payments of basic educational assistance on an accelerated basis. Such regulations shall specify the circumstances under which accelerated payments may be made and include requirements relating to the request for, making of payment of, and receipt and use of such payments.''

SEC. 674. TRANSFER OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE BY CERTAIN MEMBERS.

(a) AUTHORITY TO TRANSFER TO FAMILY MEMBERS.—Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following—

``3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces

''(a)(1) Subject to the provisions of this section, the Secretary concerned may, for the purpose of enhancing recruiting and retention and at that Secretary's sole discretion, permit an individual described in paragraph (2) who is a member of the Armed Forces at the time of the approval by the Secretary concerned of the individual's request to transfer entitlement to educational assistance under this section.

''(2) An individual referred to in paragraph (1) is any individual who is a member of the Armed Forces at the time of the approval by the Secretary concerned of the individual's request to transfer entitlement to educational assistance under this section.

''(b) Subject to the time limitation for use of entitlement under section 3011 of this title, an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time within the period of time that an individual's request to transfer such entitlement without regard to whether the individual is a member of the Armed Forces when the transfer is executed.

''(2) An individual approved to transfer an entitlement to basic educational assistance under this section may transfer such individual's entitlement to a dependent to whom entitlement is transferred.

''(3) An individual transferring an entitlement to a dependent shall make the modification or reversion under this section of the entitlement of such individual.

Section 3034 (a)(1) of title 38, United States Code, is amended by adding at the end the following:

''(2) (B) In the case of assistance for a course leading to a standard college degree, making the transfer at the rate of one month for each month of transferred entitlement that is used.

''(2) Except as provided in subsection (c) and subject to paragraphs (3) and (4), a dependent to whom entitlement is transferred under this section is entitled to basic educational assistance under this subchapter in the same manner and at the same rate as the individual from whom the entitlement was transferred.

''(3) Notwithstanding section 3031 of this title, a child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

''(4) The administrative provisions of this chapter (including the provisions set forth in section 3034(a)(1) of this title) shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible veteran for purposes of such provisions.

''(e) In the event of an overpayment of basic educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the individual making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3034(a)(3) of this title.

''(f) The Secretary of Defense shall prescribe regulations for purposes of this section. Such regulations shall specify the manner and effect of an election to modify or retransfer an entitlement under this section.

''(g) SEC. 675. AVAILABILITY OF EDUCATIONAL ASSISTANCE BENEFITS FOR PREPARATORY COURSES FOR COLLEGE AND GRADUATE SCHOOL ENTRANCE EXAM.

Section 3020(3) of title 38, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (A);

(2) by striking the period at the end of subparagraph (B); and

(3) by adding at the end the following:

''(C) includes—

(i) a preparatory course for a test that is required or utilized for admission to an institution of higher education; and

(ii) a preparatory course for test that is required or utilized for admission to a graduate school.''

PART II—OTHER EDUCATIONAL BENEFITS

SEC. 681. ACCELERATED PAYMENTS OF CERTAIN EDUCATIONAL ASSISTANCE FOR MEMBERS OF SELECTED RESERVE.

Section 16131 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(j)(1) Whenever a person entitled to an educational assistance allowance under this chapter requests and the Secretary concerned, in consultation with the Chief of the Reserve component concerned, determines it appropriate, the Secretary may make payments of such allowance to the person on an accelerated basis.

''(2) An educational assistance allowance shall be paid to a person on an accelerated basis under this subchapter if the Secretary makes the payment of such allowance to the person on an accelerated basis.

(1) (A) In the case of an allowance for a course leading to a standard college degree,
PART III—REPORT

SEC. 685. REPORT ON EFFECT OF EDUCATIONAL BENEFITS IMPROVEMENTS ON RECRUITMENT AND RETENTION OF MEMBERS OF THE ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that sets forth the Secretary’s assessment of the effects that the improved pay and other benefits under this title and the amendments made by such provisions, on the recruitment and retention of the members of the Selected Reserves, the Army Reserve, the Air Force Reserve, the Navy, and the Marine Corps.

The report shall include such recommendations (including recommendations for legislative action) as the Secretary considers appropriate.

Subtitles B and C—Departments of Defense and Homeland Security

SEC. 681. ANNUAL REPORT ON EFFECTS OF INITIATIVES ON RECRUITMENT AND RETENTION.

(a) REQUIREMENT FOR REPORT.—On December 1 of each year, the Secretary of Defense shall submit to Congress a report that sets forth the Secretary’s assessment of the effects that the improved pay and other benefits under this title and the amendments made by such provisions, on the recruitment and retention of personnel for the Armed Forces.

(b) FIRST REPORT.—The first report under this section shall be submitted not later than December 1, 2000.

SEC. 692. MEMBERS UNDER BURDENSome PER DIEM.

(a) MANAGEMENT OF DEPLOYMENTS OF INDIVIDUALS.—Part II of subtitle A of title 10, United States Code, is amended by inserting after the following:

"§ 1001. Members under burdensome per diem.

(b) Per diem may be paid under this section to a member of the armed forces for any day on which the member is deployed in excess of 220 days out of 365 consecutive days.

(c) RECORDKEEPING.—The Secretary of Defense may suspend payments under this section if the Secretary determines that the Secretary’s assessment of the effect of the provisions of this subtitle, and the amendments made by such provisions, on the recruitment and retention of the members of the Armed Forces, shall be submitted not later than 1 year after the enactment of this Act, the Secretary of Defense shall submit to Congress a report that sets forth the Secretary’s assessment of the effects that the improved pay and other benefits under this title and the amendments made by such provisions, on the recruitment and retention of personnel for the Armed Forces.

The report shall include such recommendations (including recommendations for legislative action) as the Secretary considers appropriate.

(c) AMOUNT OF PER DIEM.—The amount of the per diem payable to a member under this section is $455.

(d) PAYMENT OF CLAIMS.—A claim of a member for payment of the per diem allowance that is not fully substantiated by the evidence recordkeeping system applicable to the member under section 901(c) of title 10 shall be paid if the member furnishes the Secretary with other evidence determined by the Secretary as being sufficient to substantiate the claim.

(e) RELATIONSHIP TO OTHER ALLOWANCES.—The per diem payable to a member under this section is in addition to any other per diem, allowance, special pay, or incentive that is payable to the member under another provision of law.

(f) NATIONAL SECURITY WAIVER.—No per diem may be paid under this section to a member of an armed force for any day on which the applicability of section 901 of title 10 to the member is suspended under section (d) of such section.

(g) INAPPLICABILITY TO COAST GUARD.—The section does not apply to a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy.

(h) Accounting for operation as a service in the Navy. The tables of chapters at the beginning of section 9 of title 10, United States Code, and the beginning of Part II of such subtitle are amended by inserting after the item relating to chapter 49 the following:

"§ 991. Management of deployments of members of the Armed Forces.

(1) GENERAL OR FLAG OFFICER RESPONSIBILITIES.—The general officer or flag officer in the chain of command of a member of the armed forces shall manage a deployment of the member when the total number of the days on which the member has been deployed out of 365 consecutive days is in excess of 180 days. That officer shall ensure that the member is deployed or continued on a deployment on any day on which the total number of days on which the member has been deployed would exceed 200 out of 365 consecutive days unless a general or flag officer in the grade of general or admiral in the member’s chain of command approves the deployment or continues deployment of the member.

(2) DEPLOYMENT DEFINED.—(1) For purposes of this section, a member of the armed forces is deployed in a deployment on any day on which, pursuant to orders, the member is performing service in a training exercise or operation, or in a contingency operation or similar operation under circumstances that make it infeasible for the member to spend off-duty time in the housing in which the member resides when on garrison duty at the member’s permanent duty station.

(2) For purposes of this section, a member is not deployed or in a deployment on any day on which the member is not fasting, attending a service, training, or attending school or attending school or trainee at a school (including any Federal Government school) or performing administrative, guard, or detail duties in garrison at the member’s permanent duty station.

(3) RECORDKEEPING.—The Secretary of each military department shall establish a system for tracking and recording the number of days each member of an armed force under the jurisdiction of the Secretary is deployed.

"§ 435. Per diem allowance for lengthy or numerous deployments.

(1) PER DIEM REQUIRED.—The Secretary of the military department concerned shall pay a per diem allowance to a member of a military department whose member is deployed in excess of 220 days out of 365 consecutive days, which the applicability of section 901(a) of title 10 is in addition to any other per diem, allowance, special pay, or incentive that is payable to the member under another provision of law.

(2) NATIONAL SECURITY WAIVER.—No per diem may be paid under this section to a member of a military department whose member is deployed in excess of 220 days out of 365 consecutive days, which the applicability of section 901(a) of title 10 to the member is suspended under section (d) of such section.

(3) NATIONAL SECURITY WAIVER.—No per diem allowance for lengthy or numerous deployments.

(4) APPLICABILITY AND IMPLEMENTATION.—(1) Section 991 of title 10, United States Code (as added by subsection (b)) shall apply with respect to service performed after September 30, 2003.

(2) Not later than June 1, 2000, the Secretary of each military department shall prescribe in regulations the policies and procedures for implementing such provisions of law for that military department.

SEC. 683. INCREASED TuITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN A CONTINGENCY OPERATION OR SIMILAR OPERATION.

(a) INAPPLICABILITY OF LIMITATION ON DAY-TO-DAY ALLOWANCE.—Section 2007(a) of title 10, United States Code, is amended—
SEC. 694. ADMINISTRATION OF SELECTED RESERVE EDUCATION LOAN REPAYMENT PROGRAM FOR COAST GUARD RESERVE.

Subsection (a)(1) of section 16301 of title 10, United States Code, is amended by inserting after "the Secretary of Defense" the following: "or the Secretary of Transportation in the case of a member of the Selected Reserve of the Coast Guard Reserve when the Coast Guard is not operating as a service in the Navy.".

SEC. 695. EXTENSION TO ALL UNIFORMED SERVICES OF AUTHORITY FOR PRESENTATION OF UNITED STATES FLAG UPON RETIREMENT.

(a) PUBLIC HEALTH SERVICE.—Section 221 of the Public Health Service Act (42 U.S.C. 221a) is amended—

(1) by striking at the end of subsection (a) the following:

'(17) Section 6141, Presentation of United States flag upon retirement.'; and

(2) by inserting ''the Secretary concerned'', after ''the Secretary of a military department,'' after ''the Secretary of Transportation'', after ''the Head of the National Oceanic and Atmospheric Administration'', after ''the Secretary of Defense''.

(b) OCCUPATIONAL AND ATMOSPHERIC ADMINISTRATION.—Section 3 of the Act entitled ''An Act to revise, codify, and enact into law, title 10 of the United States Code, entitled 'Armed Forces', and title 22 of the United States Code, entitled 'National Guard',', approved August 10, 1956 (33 U.S.C. 571a), is amended—

(1) by adding at the end of subsection (a) the following:

'(17) Section 6141, Presentation of United States flag upon retirement.'; and

(2) by inserting ''the Secretary of a military department'', after ''the Secretary concerned.''.

(c) EFFECTIVE DATE.—The amendments made by this section apply with respect to release from active duty for retirement on or after that date from service in the commissioned Regular Corps of the Public Health Service or for service as a commissioned officer of the National Oceanic and Atmospheric Administration on the active duty list, as the case may be.

SEC. 696. PARTICIPATION OF ADDITIONAL MEMBERS OF THE ARMED FORCES IN THE ACTIVE DUTY GI BILL PROGRAM.

(a) PARTICIPATION AUTHORIZED.—Subchapter II of chapter 30 of title 38, United States Code, is amended by inserting after section 3009C the following new section:

'3011D. Opportunity to enroll: certain VEAP participants; active duty personnel not previously enrolled.

''(a) Notwithstanding any other provision of law, an individual who—

''(1) is enrolled or not enrolled as a participant in the educational benefits program provided by chapter 32 of this title;

''(2) has made an election under subsection (a)(1) or (a)(2) of this title not to receive educational assistance under this chapter and has not withdrawn that election; and

''(3) makes an election described in paragraph (5), shall be entitled to the educational benefits provided by this part to the extent such benefits are available to individuals who make an election described in subsection (a)(4) of this title.''

SEC. 697. REVISION OF EDUCATIONAL ASSISTANCE UNIFORM PAYMENT REQUIREMENTS.

(a) IN GENERAL.—Clause (C) of the third sentence of section 3608(a) of title 38, United States Code, is amended to read as follows:

''(C) During periods between school terms where the educational institution certifies the enrollment of the eligible veteran or eligible person on an individual term basis if (i) the period between such terms does not exceed eight weeks, and (ii) both the term preceding and the term following the period are not less than in length than the period referred to in such program, the Secretary shall disburse to such individual the amount of the reduction in the individual's basic pay under subsection (b)(2); and

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to payments of educational assistance under title 38, United States Code, beginning on or after the date of the enactment of this Act.
SEC. 698. IMPLEMENTATION OF THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM.
(a) CLARIFICATION OF BENEFITS RESPONSIBILITY.—Subsection (a) of section 106a of title 10, United States Code, is amended by striking "shall carry out a program to provide supplemental foods and nutrition education and shall carry out a program to provide supplemental foods and nutrition education and to pay for costs for nutrition services and administration under the program required under subsection (a)." 
(b) FUNDING.—Subsection (b) of such section is amended to read as follows:
"(b) FEDERAL PAYMENTS.—The Secretary of Defense shall use funds available for the Department of Defense to provide supplemental foods and nutrition education and to pay for costs for nutrition services and administration under the program required under subsection (a)."
(c) PROGRAM ADMINISTRATION.—Subsection (c) of section 106a of such section is amended by inserting "and nutrition risk standards" after "eligibility standards" and by adding the following:
"(d) NUTRITIONAL RISK STANDARDS.—Subsection (c)(1)(B) of such section is amended by inserting "and nutritional risk standards" after "eligibility standards" and by adding the following:
"(e) DEFINITIONS.—Subsection (f) of such section is amended by adding at the end the following:
"(4) the terms "costs for nutrition services and administration, nutrition education and supplemental foods" have the meanings given the terms in paragraphs (4), (7), and (14), respectively, of section 101(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b))."

TITLE VII—HEALTH CARE
Subtitle A—TRICARE Program
SEC. 701. IMPROVEMENT OF TRICARE BENEFITS AND SERVICES
(a) IMPROVEMENT OF TRICARE PROGRAM.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1097a the following new section:
"*1097a. TRICARE dental program

"(a) ESTABLISHMENT OF DENTAL PLANS.—The Secretary of Defense may establish, and in the case of the dental plan described in paragraph (1) shall establish, the following voluntary enrollment dental plans:
"(1) PLAN FOR SELECTED RESERVE AND INDIVIDUAL READY RESERVE.—A dental insurance plan for members of the Selected Reserve of the Ready Reserve and for members of the Individual Ready Reserve described in section 1014(d) of title 10.
"(2) PLAN FOR OTHER RESERVES.—A dental insurance plan for members of the Individual Ready Reserve not eligible to enroll in the plan established under paragraph (1)."

(b) PLAN FOR ACTIVE DUTY DEPENDENTS.—Dental benefits plans for eligible dependents of members of the uniformed services who are on active duty for a period of more than 30 days.

(c) PLAN FOR PREMIUM SHARING PLANS.—A dental benefits plan for eligible dependents of members of the Ready Reserve and the Federal Employees Health Benefits program.

(d) PLAN FOR DENTAL FUNDING.—Dental plans established under subsection (a)(1) may provide for the following dental care:
"(1) Diagnostic, oral examination, and preventive services and palliative emergency care.
"(2) Basic restorative services of amalgam and composite restorations, stainless steel crowns for primary teeth, and dental appliance repairs.
"(3) Orthodontic services, crowns, gold fillings, bridges, complete or partial dentures, and other services as the Secretary of Defense considers to be appropriate.
"(4) PREMIUM.—(1) PREMIUM SHARING PLANS.—(A) The dental insurance plan established under subsection (a)(1) and the dental benefits plans established under subsection (a)(3) are premium sharing plans.
"(B) Members enrolled in a premium sharing plan for themselves or for their dependents shall be required to pay a share of the premium charged for the benefits provided under the plan. The member’s share of the premium charge may not exceed $20 per month for the enrollment.
"(C) Effective as of January 1 of each year, the amount of the premium required under subparagraph (A) shall be increased by the percentage equal to the lesser of—
"(i) the percent by which the rates of basic pay of members of the uniformed services are increased on such date; or
"(ii) the sum of one-half percent and the percent computed under section 5303(a) of title 5 for the increase in rates of basic pay for statutory pay systems for pay periods beginning on or after such date;

(D) The Secretary of Defense may reduce the amount of the premium required to be paid under paragraph (1) in the case of enlisted members in pay grade E-1, E-2, E-3, or E-4 if the Secretary determines that such a reduction is appropriate to encourage Members to participate in a dental plan referred to in subparagraph (A)."
“(2) FULL PREMIUM PLANS.—(A) The dental insurance plan established under subsection (a)(2) and the dental benefits plan established under subsection (a)(4) are full premium plans.

(B) Members enrolled in a full premium plan for themselves or for their dependents shall be required to pay the entire premium charged for the benefits provided under the plan.

(3) PAYMENT PROCEDURES.—A member’s share of the premium for a plan established under subsection (a)(2) may be paid by deductions from the basic pay of the member and from compensation paid under section 206 of title 37, as the case may be. The regulations prescribed under subsection (b) shall specify the procedures for payment of the premiums by enrollees who do not receive such pay.

(e) COPAYMENTS UNDER PREMIUM SHARING PLANS.—A member or dependent who receives dental care under a premium sharing plan referred to in subsection (d)(1) shall—

(1) in the case of care described in subsection (c)(1), pay no charge for the care; and

(2) in the case of care described in subsection (c)(2), pay 20 percent of the charges for the care.

(3) in the case of care described in subsection (c)(3), pay a percentage of the charges for the care that is determined appropriate to the Secretary of Defense, after consultation with the other administering Secretaries.

1. TRANSFER OF MEMBERS.—If a member whose care is enrolled in the dental plan established under subsection (a)(3) is transferred to a duty station where dental care is provided to the member’s eligible dependents under a plan other than that plan, the member may discontinue participation under the plan. If the member is later transferred to a duty station where dental care is not provided to the member’s eligible dependents except under the plan established under subsection (a)(3), the member may re-enroll in the plan.

(g) CARE OUTSIDE THE UNITED STATES.—The Secretary of Defense may exercise the authority provided under subsection (a) to establish dental insurance plans and dental benefits plans for dental benefits provided outside the United States for the eligible members and dependents of members of the uniformed services. In the case of such overseas dental plan, the Secretary may waive or reduce any copayments required by subsection (e) to the extent the Secretary determines appropriate for the effective and efficient administration of the plan.

(b) WAIVER OF REQUIREMENTS FOR SURVIVING DEPENDENTS.—The Secretary of Defense may waive (in whole or in part) any requirements of a dental plan established under this section as the Secretary determines necessary for the effective administration of the plan for a dependent who is an eligible dependent described in subsection (k)(2).

(i) AUTHORITY SUBJECT TO APPROPRIATIONS.—(A) The authority of the Secretary of Defense to enter into a contract under this section for any fiscal year is subject to the availability of appropriations for that purpose.

(2) LIMITATION ON REDUCTION OF BENEFITS.—(A) The Secretary of Defense may not reduce by more than 10 percent the benefits provided under a dental plan established under this section until—

(1) the Secretary provides notice of the Secretary’s intent to reduce such benefits to the Committees on Armed Services of the Senate and the House of Representatives; and

(2) one year has elapsed following the date of such notice.

(k) ELIGIBLE DEFINED.—In this section, the term ‘eligible dependent’—

(1) means a dependent described in subparagraph (A), (D), or (1) of section 1072(2) of this title; and

(2) includes any such dependent of a member who discontinues participation for a period of more than 30 days or a member of the Ready Reserve if the dependent is enrolled on the date of the death of the member in a dental plan established under subsection (a), except that the term does not include the dependent after the end of the one-year period beginning on the date of the member’s death.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of this title is amended by striking out the items relating to sections 1076a and 1076b and inserting the following:

‘‘1076a. TRICARE dental program.’’.

SEC. 703. SENSE OF CONGRESS REGARDING AUTOMATIC ENROLLMENT OF MEDICARE-ELIGIBLE BENEFICIARIES IN THE TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.

It is the sense of Congress that—

(1) any person who is enrolled in a managed health care program of the Department of Defense where the TRICARE Senior Prime Demonstration program is implemented and who attains eligibility for Medicare should be automatically authorized to enroll in the TRICARE Senior Prime demonstration program; and

(2) the Secretary of Defense, in coordination with the other administering Secretaries referred to in section 1072(3) of title 10, United States Code, should modify existing policies and procedures for the TRICARE Senior Prime demonstration program as necessary to implement the automatic enrollment to beneficiaries of Medicare.

SEC. 704. TRICARE BENEFICIARY ADVOCATES.

(a) ESTABLISHMENT OF POSITIONS.—The Secretary of Defense shall require in regulations that—

(1) each lead agent under the TRICARE program—

(A) designate a person to serve full-time as a beneficiary advocate for TRICARE beneficiaries; and

(B) provide for toll-free telephone communication between TRICARE beneficiaries and the beneficiary advocate; and

(2) the beneficiary advocate for TRICARE beneficiaries serve at a facility.

(b) DUTIES.—The Secretary shall prescribe the duties of the position of beneficiary advocate in the regulations.

(c) INITIAL DESIGNATIONS.—Each beneficiary advocate required under the regulations shall be designated not later than January 15, 2000.

SEC. 705. OPEN ENROLLMENT DEMONSTRATION PROGRAM.


SEC. 713. PROGRAM YEAR STABILITY IN HEALTH CARE BENEFITS.

Section 1073 of title 10, United States Code, is amended—

(1) by inserting ‘‘(a) RESPONSIBLE OFFICIAL’’ at the beginning of the text of the section; and

(2) by adding at the end the following:

‘‘(b) STABILITY IN PROGRAM OF BENEFITS.—The Secretary of Defense shall, to the maximum extent practicable, provide a stable program of benefits under this chapter throughout each fiscal year. To achieve the stability, in the case of any contract entered into under this chapter, the contracts shall be administered so as to implement at the beginning of a fiscal year all changes in benefits that would be made for that fiscal year. However, the Secretary of Defense may implement any such change after the fiscal year begins if the Secretary determines that the change significantly improves the provision of care to eligible beneficiaries under this chapter or that the later implementation of the change would provide the same or a more effective provision of care to eligible beneficiaries.’’.

Subtitle B—Other Matters

SEC. 711. CARE AT FORMER UNIFORMED SERV- I TIES TREATMENT FACILITIES FOR ACTIVE DUTY CIVILIANS STATIONED AT CERTAIN REMOTE LOCATIONS.

(a) AUTHORITY.—Care may be furnished by a designated provider pursuant to any contract entered into by the designated provider under section 722(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) to eligible members who reside within the service area of the designated provider.

(b) ELIGIBILITY.—A member of the Armed Forces is eligible for care under subsection (a) if the member is a member described in section 722 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1811; 10 U.S.C. 1074 note).

(c) APPLICABLE POLICIES.—In furnishing care to an eligible member under subsection (a), a designated provider shall adhere to the Department of Defense policies applicable to the determination of eligibility for care under the TRICARE Prime Remote program, including coordination with uniformed services medical authorities for hospitalizations and all referrals, specialty care.

(d) REIMBURSEMENT RATES.—The Secretary of Defense, in consultation with the designated providers, shall prescribe reimbursement rates for care furnished to eligible members under subsection (a). The rates prescribed for care may not exceed the amounts allow able under the TRICARE Standard plan for the same care.

SEC. 712. ONE-YEAR EXTENSION OF CHIRO- PRAC TIC HEALTH CARE DEM ONSTRATION PROGRAM.

Section 721(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 1092 note) is amended by striking ‘‘1999’’ and inserting ‘‘2000’’.

SEC. 713. PROGRAM YEAR STABILITY IN HEALTH CARE BENEFITS.

Section 1073 of title 10, United States Code, is amended—

(1) by inserting ‘‘(a) RESPONSIBLE OFFICIAL’’ at the beginning of the text of the section; and

(2) by adding at the end the following:

‘‘(b) STABILITY IN PROGRAM OF BENEFITS.—The Secretary of Defense shall, to the maximum extent practicable, provide a stable program of benefits under this chapter throughout each fiscal year. To achieve the stability, in the case of any contract entered into under this chapter, the contracts shall be administered so as to implement at the beginning of each fiscal year all changes in benefits that would be made for that fiscal year. However, the Secretary of Defense may implement any such change after the fiscal year begins if the Secretary determines that the change significantly improves the provision of care to eligible beneficiaries under this chapter or that the later implementation of the change would provide the same or a more effective provision of care to eligible beneficiaries.’’.
SEC. 714. BEST VALUE CONTRACTING.
(a) Authority.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073 the following:

"§ 1073a. Contracts for health care: best value contracting

"(a) Authority.—Under regulations prescribed by the administering Secretaries, health care contracts shall be awarded in the administration of a chapter to the offeror or offerors that will provide the best value to the United States to the maximum extent consistent with furnishing high-quality health care in a manner that protects the fiscal and other interests of the United States.

"(b) Factors Considered.—In the determination of best value:

"(1) consideration shall be given to the factors specified in the regulations;

"(2) greater weight shall be accorded to technical and performance-related factors than to cost and price-related factors.

"(c) Applicability.—The authority under the regulations shall apply to any contract in excess of $5,000,000.

(b) Clerical Amendment.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 1072 the following:

"1073a. Contracts for health care: best value contracting."

SEC. 715. AUTHORITY TO ORDER RESERVE COMPONENT TO ACTIVE DUTY FOR HEALTH SURVEILLANCE STUDIES.

Section 12306 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(h) When authorized by the Secretary of Defense, the Secretary concerned may order a member to active duty for health surveillance study, with the consent of that member, for a Department of Defense health surveillance study required under other authority, including any associated medical evaluation of the member. The Secretary concerned may, with the member’s consent, retain the member on active duty for medical treatment authorized by law for a condition associated with the study or evaluation. A member of the Army National Guard of the United States or of the Air National Guard of the United States may be ordered to active duty under this subsection without the consent of the governor or other appropriate authority of the State concerned.

SEC. 716. CONTINUATION OF PREVIOUSLY PROVIDED CUSTODIAL CARE BENEFITS FOR CERTAIN CHAMPUS BENEFICIARIES.

(a) Continuation of Coverage.—Subject to subsection (c), the Secretary of Defense may continue payments under the Civilian Health and Medical Program of the Uniformed Services (as defined in section 1072 of title 10, United States Code) for domiciliary or custodial care services, otherwise excluded by regulation, for a member, under section 1077 of such title, on behalf of beneficiaries described in subsection (b).

(b) Covered Beneficiaries.—Beneficiaries described in subsection (a) are covered beneficiaries (as defined in section 1072 of such title) who, prior to the effective date of final regulations to implement the individual health plan program authorized by section 1077(a)(17) of such title, were provided domiciliary or custodial care services for which the Secretary provided payment.

(c) Eligibility.—The eligibility provided by subsection (a) is subject to a case-by-case determination by the Secretary that discontinuation of payment for domiciliary or custodial care services or evaluation under the case management program authorized by such section 1077(a)(17) to alternate programs and services would be inadequate to meet the needs of, and unjust to, the beneficiary.

SEC. 717. ENHANCEMENT OF DENTAL BENEFITS FOR MANAGED CARE ORGANIZATIONS.

Subsection (d) of section 1076 of title 10, United States Code, is amended to read as follows:

"(d) Benefits Available Under the Plan.—The dental insurance plan established under subsection (a) shall provide benefits for dental treatment, which may be comparable to the benefits authorized under section 1076a of this title for plans established under that section and shall include diagnostic, preventive, restorative, endodontics and other basic restorative services, surgical services, and emergency services.

SEC. 718. MEDICAL AND DENTAL CARE FOR CERTAIN MEMBERS INCURRING INJURIES OR INACTIVE-DUTY TRAINING.

(a) Order to Active Duty Authorized.—

(1) Chapter 1239 of title 10, United States Code, is amended by adding at the end the following:

"§ 12322. Active duty for health care

"A member of a uniformed service described in paragraph (1) or (2) of section 1074(a) of this title may be ordered to active duty, and a member of a uniformed service described in paragraph (1) or (2) of such section may be continued on active duty, for a period of more than 30 days while the member is being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty as described in such paragraph.

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

"§ 12322. Active duty for health care.

(b) Medical and Dental Care for Members.—Subsection (e) of section 1074a of such title is amended to read as follows:

"(e)(1) A member of a uniformed service on active duty for health care or recuperation reasons, as described in paragraph (2), is entitled to medical and dental care on the same basis and to the same extent as members covered by section 1074(a) of this title while the member remains on active duty.

"(2) Paragraph (1) applies to a member described in paragraph (1) or (2) of subsection (b) of section 1074a of such title, entitled to medical and dental care on the same basis and to the same extent as members covered by section 1074(a) of this title while the member remains on active duty.

SEC. 719. HEALTH CARE QUALITY INFORMATION AND TECHNOLOGY ENHANCEMENT.

(a) Purpose.—It is the purpose of this section to ensure that the Department of Defense address the medical quality assurance, surveillance, and dissemination of data on health care quality.

(b) Improving the Use of Health Information Systems at the Department of Defense Center for Medical Informatics.—(1) The Secretary of Defense shall establish a Department of Defense Center for Medical Informatics.

(2) The Center shall serve as a primary resource for the Department of Defense for developing the capability to automate, capture, and exchange controlled clinical data and present providers with clinical guidance using a personal information carrier, clinical lexicon, or digital patient record.

(c) Enhancement Through DoD-VA Medical Informatics Council.—(1) The Secretary of Defense shall establish a Medical Informatics Council consisting of the following:

(A) The Assistant Secretary of Defense for Health Affairs.

(B) The Director of the TRICARE Management Activity, or the successor to that position, or any other position designated by the Secretary of Defense.

(C) The Surgeon General of the Army.

(D) The Surgeon General of the Navy.


(F) Representatives of the Department of Veterans Affairs, whom the Secretary of Veterans Affairs shall designate.

(G) Representatives of the Department of Health and Human Services, whom the Secretary of Health and Human Services shall designate.

(H) Any additional members that the Secretary of Defense may appoint to represent health care insurers and managed care organizations, academic health institutions, health care providers (including representatives of physicians and representatives of hospitals), and accreditors of health care plans and organizations.

(2) The primary mission of the Medical Informatics Council shall be to coordinate the development, deployment, and maintenance of health care informatics systems that allow for the collection, exchange, and dissemination of health care information at the Department of Defense in coordination with other departments and agencies of the Federal Government and of the private sector. Specific areas of responsibility shall include:

(A) Evaluation of the ability of the medical informatics systems at the Department of Defense and Veterans Affairs to monitor, evaluate, and improve the quality of care provided to beneficiaries.

(B) Coordination of key components of medical informatics systems including digital patient records both within the Federal Government, and between the Federal Government and private sector.

(C) Coordination of the development of operational capabilities for executive information systems and clinical decision support systems at the Department of Defense and Veterans Affairs.

(D) Standardization of processes used to collect, evaluate, and disseminate health care quality information.

(E) Refinement of methodologies by which the quality of health care is provided within the Departments of Defense and Veterans Affairs.

(F) Protecting the confidentiality of personal health information.
subsection the sum of $2,000,000.

appropriated for the Department of Defense for

macy services designated by the Secretaries.

projects shall include the following:

and pharmacy services by means of telecommunication.

TITLE VIII—INFORMATION, ACQUISITION,

management and related matters

SEC. 801. EXTENSION OF TEST PROGRAM FOR

negotiation of comprehensive small business subcontracting

PLANS.

Section 834(e) of the National Defense Au-

cession that unusual circumstances justify reim-

bursement of amounts of reimbursement, if any, that

ments that were in effect during the fiscal

year. The Secretary of Defense shall submit to Con-

gress an annual report on the mentor-protege

program for that fiscal year.

(2) The annual report for a fiscal year

shall include the following:

4. Program Participation Term.—Sub-

section (e)(2) of section 831 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is amended to read as follows:

(2) A program participation term for any period of not more than three years, except that the term may be a period of up to five years if the Secretary of Defense determines in writing that unusual circumstances justify a program participation term in excess of three years.

(b) Incentives Authorized for Mentor Firms.—Subsection (g) of such section is amended—

(1) in paragraph (1), by striking “shall” and inserting “may”;

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking “shall” and inserting “may”;

(ii) by striking “subsection (f)” and all that follows through “as provided for in a line item”;

(iii) by striking the semicolon preceding clause (ii) and inserting “and except that this clause does not apply in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract.”; and

(iv) by striking clauses (ii), (iii), and (iv); and

(B) by striking subparagraph (B) and in-

serting the following:

“(B) The determinations made in annual performance reviews of a mentor firm’s mentor-protege agreement under subsection (j)(2) shall be a major factor in the determinations of amounts of reimbursement, if any, that the mentor firm is eligible to receive in the remaining years of the program participation term of 3 years, together with the justification for the determination.”

(d) Reports and Reviews.—Subsection (l) of such section is amended to read as follows:

“(1) The Secretary shall act through the

Commander of the Defense Contract Manage-

ment Command in carrying out the reviews and making the determinations under subparagraph (A).

(2) No later than 6 months after the end of each fiscal year, the Secretary of Defense shall submit to Con-

gress an annual report on the mentor-protege program for that fiscal year.

(3) The total amount reimbursed to mentor firms pursuant to subsection (g) is reimbursed pursuant to subparagraph (B) of such paragraph and inserting “paragraph (2)”.

(c) Five-Year Extension of Authority.—

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

“(1) No mentor-protege agreement may be entered into under subsection (e) after September 30, 2005.

(2) No reimbursement may be paid, and no credit toward the attainment of a subcontracting goal may be granted, under subsection (g) for any cost incurred after September 30, 2005.

(d) Reports and Reviews.—Subsection (l) of such section is amended to read as follows:

“(1) The mentor firm and protege firm under a mentor-protege agreement shall submit to the Secretary of Defense an annual report on the progress made by the protege firm in employment, revenues, and participation in Department of Defense contracts during the fiscal year covered by the report. The require-

ment for submission of an annual report applies with respect to each fiscal year covered by the program participation term under the agreement and each fiscal year following the expiration of the program participation term. The Secretary shall pres-

cribe the timing and form of the annual re-

port.

“(2) (A) The Secretary shall conduct an annual performance review of each mentor-protege agreement that provides for reimbursement of costs. The Secretary shall determine on the basis of the review whether—

(i) all costs reimbursed to the mentor firm under the agreement were reasonably incurred for the purposes of furnishing health care services and pharmacy services covered by the mentor-protege agreement under subsection (f) as provided for in a line item; and

(ii) the mentor firm and protege firm accurately reported progress made by the protege firm in accordance with the requirements of this section and applicable regulations; and

“(B) the mentor firm and protege firm appropriately reported progress made by the protege firm in employment, revenues, and participation in Department of Defense contracts during the program participation term covered by the mentor-protege agreement and the two fiscal years following the expiration of the program participation term.

“(C) The Secretary shall act through the

Commander of the Defense Contract Manage-

ment Command in carrying out the reviews and making the determinations under subsection (A).

“(D) No later than 6 months after the end of each fiscal year, the Secretary of Defense shall submit to Cong-

ress an annual report on the mentor-protege program for that fiscal year.

“(2) The annual report for a fiscal year shall include, at a minimum, the following:

“(A) The number of mentor-protege agree-

ments that were entered into during the fiscal year.

“(B) The number of mentor-protege agree-

ments that were in effect during the fiscal year.

“(C) The total amount reimbursed to mentor firms pursuant to subsection (g) is reimbursed pursuant to subparagraph (B) of such paragraph and inserting “paragraph (2)”.

“(C) The total amount reimbursed to mentor firms pursuant to subsection (g) is reimbursed pursuant to subparagraph (B) of such paragraph and inserting “paragraph (2)”.

“(D) Each mentor-protege agreement, if approved, was approved in accordance with subsection (e)(2) to pro-

vide a program participation term in excess of 3 years, together with the justification for the determination.

“(E) Each reimbursement of a mentor firm in excess of the limitation in subsection (g)(2)(C) that was made during the fiscal year shall be reported in accordance with that subsection, together with the justification for the approval.
(F) Trends in the progress made in employment, revenues, and participation in Defense of Department contracts by the protege firms participating in the program during the period that the protege firms that completed or otherwise terminated participation in the program during the preceding two fiscal years.

(e) IMPACT LIMITATION ON AVAILABILITY OF FUNDING.—Subsection (n) of such section is repealed.

(f) EFFECTIVE AND SAVINGS PROVISIONS.—(1) The amendments made by this section shall take effect on October 1, 1999, and shall apply with respect to mentor-protege agreements that are entered into under section 831(e) of the National Defense Authorization Act for Fiscal Year 1991 on or after that date.

(2) Section 831 of the National Defense Authorization Act for Fiscal Year 1991, as in effect on September 30, 1999, shall continue to apply with respect to mentor-protege agreements entered into before October 1, 1999.

SEC. 803. REPORT ON TRANSITION OF SMALL BUSINESS INNOVATION RESEARCH PROGRAM ACTIVITIES INTO DEFENSE ACQUISITION PROGRAMS.

(a) REQUIREMENT FOR REPORT.—Not later than March 1, 2000, the Secretary of Defense shall provide the Comptroller General with a report containing the status of the implementation of the Small Business Innovation Research program transition plan that was developed pursuant to section 818 of the Small Business Act (15 U.S.C. 637(d)(3)) as of the date of the enactment of this Act. The report shall include the following:

(i) The status of the implementation of each of the provisions in the transition plan.

(ii) For any provision of the plan that has not been fully implemented, the date of the report, and the reasons for the provision not having been fully implemented;

(iii) A schedule, with specific milestones, for the implementation of the provision.

SEC. 804. AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) GAO EXAMINATION OF RECORDS.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) is amended—

(i) by redesigning subsection (c) as subsection (d); and

(ii) by inserting after subsection (b) the following:

"(c) COMPTROLLER GENERAL REVIEW.—(1) Each agreement entered into by an official referred to in subsection (a) to carry out a project under that subsection that provides for payments in a total amount in excess of $5,000,000 shall include a clause that provides for the Comptroller General, in the discretion of the Comptroller General, to examine the records of any party to the agreement or any entity that participates in the performance of the agreement.

(2) The official referred to in subsection (a) who is entering into an agreement described in paragraph (1) may waive the applicability of the requirement in that paragraph to the agreement if the official determines that it would not be in the public interest to require the agreement to the agreement to the agreement. The official shall be effective in response to the agreement if the official determines that it would not be in the public interest to require the agreement to the agreement to the agreement. The official shall be effective in response to the agreement only if the official transmits a notification of the waiver to Congress and the Comptroller General before entering into the agreement. The notification shall include the rationale for the determination.

(3) The Comptroller General may not examine a report pursuant to a clause included in an agreement under paragraph (1) more than three years after the final payment is made by the United States under the agreement."

"(b) TECHNICAL CORRECTION.—Subsection (b)(1) of such section is amended by striking subparagraph (B) and in subsection "(e)(1)(B) and (e)(2) of such section 2371.""

SEC. 805. PILOT PROGRAM FOR COMMERCIAL SERVICES.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to treat procurements of commercial services as procurements of commercial items as defined in section 614 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 103–161; 10 U.S.C. 2371 note). The program shall take effect on October 1, 1999, and shall apply with respect to the following:

(i) Utilities and housekeeping services.

(ii) Educational services.

(iii) Transportation, travel and relocation services.

(b) DESIGNATION OF PILOT PROGRAM CATEGORY.—The Secretary of Defense may designate as services covered by the pilot program:

(i) Utilities and housekeeping services.

(ii) Educational services.

(iii) Transportation, travel and relocation services.

(c) TREATMENT AS COMMERCIAL ITEMS.—A Department of Defense contract for the procurement of commercial services designated by the Secretary for the pilot program shall be treated as a contract for the procurement of commercial items as defined in section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)). The Secretary shall identify, in a report to Congress, the services covered by the pilot program.

(d) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish, in consultation with the Administrator of General Services, standards for the treatment of commercial services, including prices negotiated without competition, as fair and reasonable.

(e) DURATION OF PILOT PROGRAM.—(1) The pilot program shall begin on the date that the Secretary issues the guidance required by subsection (d) and may continue for a period, not in excess of five years, that the Secretary shall establish.

(2) The pilot program shall cover Department of Defense contracts for the procurement of services designated by the Secretary under subsection (b) that are awarded or modified during the period of the pilot program, regardless of whether the contracts are priced using the Glidden–Cohen (1979) (10 U.S.C. 2304 note).

(f) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall provide guidance to the services, including prices negotiated without competition, that are fair and reasonable.

(g) IMPACT OF PILOT PROGRAM.—(1) The program shall be effective on the date that the Secretary issues the guidance required by subsection (d) and may continue for a period, not in excess of five years, that the Secretary shall establish.

(2) The program shall be effective on the date that the Secretary issues the guidance required by subsection (d) and may continue for a period, not in excess of five years, that the Secretary shall establish.

(h) REPORT TO CONGRESS.—(1) The Secretary shall submit to Congress a report on the impact of the pilot program.

(a) prices paid by the Federal Government under contracts for commercial services covered by the pilot program;

(b) the quality and timeliness of the services provided by the Federal Government under contracts for commercial services covered by the pilot program;

(c) the number of Federal Government personnel that are necessary to enter into and administer such contracts; and

(d) the price negotiating standards for contracts awarded or modified during the period of the pilot program, regardless of whether the contracts are priced using the Glidden–Cohen (1979) (10 U.S.C. 2304 note).

(i) REPORT TO CONGRESS.—(1) The Secretary shall submit to Congress a report on the impact of the pilot program.

(a) prices paid by the Federal Government under contracts for commercial services covered by the pilot program;

(b) the quality and timeliness of the services provided by the Federal Government under contracts for commercial services covered by the pilot program;

(c) the number of Federal Government personnel that are necessary to enter into and administer such contracts; and

(d) the price negotiating standards for contracts awarded or modified during the period of the pilot program, regardless of whether the contracts are priced using the Glidden–Cohen (1979) (10 U.S.C. 2304 note).

(2) The report shall include the following:

(a) The impact of the pilot program on levels of competition, are fair and reasonable.

(b) The impact of the pilot program on levels of competition, are fair and reasonable.

(c) The impact of the pilot program on levels of competition, are fair and reasonable.

(d) The impact of the pilot program on levels of competition, are fair and reasonable.

(3) The term "small business concern" means a small business concern that meets the applicable size standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(4) The term "small business concern" means a small business concern that meets the applicable size standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(a) APPlicability.—Paragraph (2) of section 3(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)) is amended—

(i) by redesigning subparagraph (C) as subparagraph (D); and

(ii) by striking subparagraph (B) and inserting the following:

"(B) The cost accounting standards shall not apply to a contractor or subcontractor for a fiscal year (or other one-year period for cost accounting by the contractor or subcontractor) if the total value of all of the contracts and subcontracts (other than those that are cost accounting standards that were entered into by the contractor or subcontractor, respectively, in the previous or current fiscal year (or other one-year period) was less than $50,000,000."
(b) The head of an executive agency may also waive the applicability of cost accounting standards for a contract or subcontract under extraordinary circumstances when necessary to meet the needs of the agency. A determination to waive the applicability of cost accounting standards under this subparagraph shall be set forth in writing and shall be made only in the development of the circumstances justifying the waiver.

(c) The head of an executive agency may not delegate the authority under subparagraph (A) or (B) to any official in the executive agency below the senior policymaking level in the executive agency.

(d) The Federal Acquisition Regulation shall include the following:

(1) Criteria for selecting an official to be delegated authority to grant waivers under subparagraph (A) or (B).

(2) The specific circumstances under which such a waiver may be granted.

(E) The head of each executive agency shall report the waivers granted under subparagraphs (A) and (B) for that agency to the Board on an annual basis.

(f) CONSTRUCTION REGARDING CERTAIN NON-FOR-PROFIT ENTITIES.—The amendments made by this section shall not be construed as modifying or superseding, nor as intended to impede or restrict, the applicability of the cost accounting standards to—

(1) any educational institution or federally funded research and development center that is associated with an educational institution in accordance with Office of Management and Budget Circular A-21, as in effect on January 1, 1999; or

(2) any contract with a nonprofit entity that provides research and development and related products or services to the Department of Defense.

SEC. 907. GUIDANCE ON USE OF TASK ORDER AND DELIVERY ORDER CONTRACTS.

(a) GUIDANCE IN THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act shall be revised to provide guidance to agencies on the appropriate use of task order and delivery order contracts in accordance with sections 250a through 250d of title 10, United States Code and sections 2304a through 2304d of title 10, United States Code, and section 303k of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253k).

(b) CONTENT OF GUIDANCE.—The regulations issued pursuant to subsection (a) shall, at a minimum, provide the following:

(1) A description of the appropriate use of government-wide and other multi-agency contracts entered in accordance with the provisions of law referred to in that subsection.

(2) Specific guidance on steps that agencies should take in entering and administering multiple award task order and delivery order contracts to ensure compliance with—

(A) the requirement in section 5122 of the Clinger-Cohen Act (40 U.S.C. 1422) for capital planning and investment control in purchases of information technology products and services;

(B) the requirement in section 2304(c)(b) of title 10, United States Code, and section 303k(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253k(b)) to ensure that all contractors are afforded a fair opportunity to be considered for the award of contracts and delivery orders; and

(C) the requirement in section 2304(c)(2) of title 10, United States Code, and section 303k(j) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253k(j)) to ensure that the contractor's proposal for a statement of work in each task order or delivery order issued that clearly specifies all tasks to be performed or property to be delivered under the order.

(c) GSA FEDERAL SUPPLY SCHEDULES PROGRAM.—The Administrator for Federal Procurement Policy shall consult with the Administrator for Federal Management to assess the effectiveness of the multiple awards schedule program of the General Services Administration referred to in section 308(b)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b(3)) that is administered as the Federal Supply Schedules program. The assessment shall include examination of—

(1) the administration of the program by the Administrator of General Services.

(2) the ordering and program practices followed by Federal agencies in using schedules established under the program.

(d) GAO REPORT.—Not later than one year after the date on which the regulations required by subsection (a) are published in the Federal Register, the Comptroller General shall submit to Congress an evaluation of executive agency compliance with the regulations, together with any recommendations that the Comptroller General considers appropriate.

SEC. 908. CLARIFICATION OF DEFINITION OF COMMERCIAL ITEMS WITH RESPECT TO SERVICES.

Section 412(e) (E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(e)) is amended to read as follows:

(1) the services are procured for support of an item referred to in subparagraph (A), (B), (C), or (D), of section 253a of title 41, United States Code, that are provided by the same source or at the same time as the item; and

(2) the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government.

SEC. 909. ADDITIONAL MATTERS FOR ANNUAL REPORTS ON JOINT WARGAMING EXPERIMENTATION.

Section 483(b) of title 10, United States Code, is amended by adding at the end the following:

(5) Any recommendations that the commander considers appropriate regarding the development or procurement of advanced technologies, systems, or weapons or systems platforms, or other changes in doctrine, organization, training, materiel, leadership, personnel, or organizational concepts or resources, as a result of joint wargaming experimentation activities;

(6) A description of any actions taken by the Secretary of Defense to implement the recommendations of the commander..

SEC. 903. ACCEPTANCE OF GUARANTEES IN CONNECTION WITH GIFTS TO THE UNITED STATES MILITARY ACADEMY.

(a) AUTHORITY.—Chapter 483 of title 10, United States Code, is amended by adding at the end the following new section:

(5) A 4559. Acceptance of guarantees with gifts for major projects

(5) ACCEPTANCE AUTHORITY.—The Secretary of the Army, in the case of the Army, section 2(c), accept from a donor a qualified guarantee for the completion of a major project for the benefit of the Academy.

SEC. 910. EXTENSION OF INTERIM REPORTING RULE FOR CERTAIN PROCUREMENTS LESS THAN $100,000.

Section 3(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(e)) is amended by striking “October 1, 1999” and inserting “October 1, 2004”.

SEC. 911. CONTRACT GOAL FOR SMALL DISADVANTAGED BUSINESSES AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

Subsection (k) of section 2323 of title 10, United States Code, is amended by striking “2000” each place it appears and inserting “2003”.

SEC. 912. REPEAL OF PHASED REDUCTION REQUIREMENT.

Subsection (b) of such section is repealed.

SEC. 913. TECHNICAL AMENDMENT.

Subsections (c), (d), (e), and (f) are redesignated as subsections (b), (c), (d), and (e), respectively.
(b) GAO STUDY.—The Comptroller General shall conduct a study of potential improvements to Civil Air Patrol operations, including Civil Air Patrol financial management, Civil Air Patrol financial oversight, and the Civil Air Patrol safety program. Not later than February 15, 2000, the Inspector General shall submit a report on the results of the study to the congressional defense committees.

c. INSPECTOR GENERAL REVIEW.—(1) The Inspector General of the Department of Defense shall conduct a management operations audit of the Civil Air Patrol. The review shall include an audit.

(2) Not later than February 15, 2000, the Inspector General of the Department of Defense and the congressional defense committees shall report on the audit. The report shall include any recommendations that the Inspector General considers appropriate regarding actions necessary to ensure the proper oversight of the financial and management operations of the Civil Air Patrol.

SEC. 905. MINIMUM INTERVAL FOR UPDATING AND REVISING DEPARTMENT OF DEFENSE STRATEGIC PLAN

Section 306(b) of title 5, United States Code, is amended by striking ‘‘, and shall be updated and revised at least every three years.’’ and inserting the following: ‘‘(A) The strategic plan shall be updated and revised at least every three years, except that the strategic plan for the Department of Defense shall be updated and revised at least every four years.’’.

SEC. 906. PERMANENT REQUIREMENT FOR QUADDRENNIAL DEFENSE REVIEW

(a) REVIEW.—(1) The Armed Services Committee shall conduct in each year in which a President is inaugurated a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward determining the appropriate size, characteristics, and organization of the armed forces to support forces (commonly referred to as the ‘‘tooth-to-tail’’ ratio) under the defense strategy to meet the anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge these roles and missions.

(b) REPORT TO CONGRESS.—(1) The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, the Comptroller General, and others, shall conduct, in each year in which a President is inaugurated, a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward determining the appropriate size, characteristics, and organization of the armed forces to support forces (commonly referred to as the ‘‘tooth-to-tail’’ ratio) under the defense strategy to meet the anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge these roles and missions.

(c) REPORT TO CONGRESS.—(1) The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, the Comptroller General, and others, shall conduct, in each year in which a President is inaugurated, a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward determining the appropriate size, characteristics, and organization of the armed forces to support forces (commonly referred to as the ‘‘tooth-to-tail’’ ratio) under the defense strategy to meet the anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge these roles and missions.

(d) REPORT TO CONGRESS.—(1) The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, the Comptroller General, and others, shall conduct, in each year in which a President is inaugurated, a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward determining the appropriate size, characteristics, and organization of the armed forces to support forces (commonly referred to as the ‘‘tooth-to-tail’’ ratio) under the defense strategy to meet the anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge these roles and missions.

(e) REPORT TO CONGRESS.—(1) The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, the Comptroller General, and others, shall conduct, in each year in which a President is inaugurated, a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward determining the appropriate size, characteristics, and organization of the armed forces to support forces (commonly referred to as the ‘‘tooth-to-tail’’ ratio) under the defense strategy to meet the anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge these roles and missions.

(f) REPORT TO CONGRESS.—(1) The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, the Comptroller General, and others, shall conduct, in each year in which a President is inaugurated, a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward determining the appropriate size, characteristics, and organization of the armed forces to support forces (commonly referred to as the ‘‘tooth-to-tail’’ ratio) under the defense strategy to meet the anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge these roles and missions.

(g) REPORT TO CONGRESS.—(1) The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, the Comptroller General, and others, shall conduct, in each year in which a President is inaugurated, a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward determining the appropriate size, characteristics, and organization of the armed forces to support forces (commonly referred to as the ‘‘tooth-to-tail’’ ratio) under the defense strategy to meet the anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge these roles and missions.

(h) REPORT TO CONGRESS.—(1) The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, the Comptroller General, and others, shall conduct, in each year in which a President is inaugurated, a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward determining the appropriate size, characteristics, and organization of the armed forces to support forces (commonly referred to as the ‘‘tooth-to-tail’’ ratio) under the defense strategy to meet the anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge these roles and missions.
(2) The Secretary of Defense, in consultation with the chairman and ranking members of the Committees on Armed Services of the Senate and the House of Representatives, shall assess the major weapons systems of the United States to be considered by the members to serve as the chairman of the Panel.

(c) Duties.—(1) The Panel shall—

(A) assess the matters referred to in paragraph (2);

(B) assess the current and projected strategic environment, together with the programs made by the armed forces in transforming to meet the environment;

(C) identify the most dangerous threats to the national security interests of the United States to be encountered by the United States in the ensuing 10 years and those that are to be encountered in the ensuing 20 years;

(D) identify the strategic and operational challenges for the armed forces to address in order to prepare to counter the threats identified under subparagraph (C);

(E) (i) A recommendation on the priority that should be accorded to each of the strategic and operational challenges identified under subparagraph (D) and to each area of the defense program and policies established since the previous quadrennial defense review to be addressed in the report under this section;

(ii) a recommendation on the priority that should be accorded to each of the joint capability needed to meet each such challenge; and

(F) identify the issues that the Panel recommends for assessment during the next quadrennial review to be conducted under section 118 of this title.

(2) The matters to be assessed under paragraph (1)(A) are the defense strategy, force structure, modernization plans, infrastructure, budget plan, and other elements of the defense program and policies established since the previous quadrennial defense review.

(3) The Panel shall conduct the assessments under paragraph (1) with a view toward recommending—

(A) the most critical changes that should be made to the defense strategy of the United States for the ensuing 10 years and the most critical changes that should be made to the defense strategy of the United States for the ensuing 20 years; and

(B) any changes considered appropriate by the Panel in the major weapon systems programmed for the force, including any alternatives to those weapon systems.

(d) Report.—(1) The Panel, in the year that the final report is submitted under subsection (c), shall submit to the Secretary of Defense and to the Committees on Armed Services of the Senate and the House of Representatives two reports on the assessment, including a discussion of the Panel's activities, the findings and recommendations of the Panel, and any recommendations for legislation that the Panel considers appropriate, as follows:

(A) A status report and an outline of the current activities not later than July 1 of the year.

(B) A final report not later than December 1 of the year.

(2) Not later than December 15 of the year in which the Secretary receives a final report under paragraph (1)(B), the Secretary shall transmit to the appropriate Senate and House committees and to the Secretary of Defense a copy of the report together with the Secretary's comments on the report.

(e) Information from Federal Agencies.—The Panel may secure directly from the Department of Defense and any of its component departments or agencies, or any other Federal department or agency such information as the Panel considers necessary to carry out its duties under this section. The head of the department concerned shall provide such information requested by the Panel under this subsection is promptly provided.

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

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

(3) The Panel may, without regard to the civil service laws and regulations, appoint and terminate an executive director and staff who may be detailed to the Panel to perform its duties effectively. The employment of an executive director shall be subject to confirmation by the Senate. The executive director may fix the compensation of the executive director without regard to the provisions of chapter 51 and subchapter III of chapter 55 of title 5 relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director may not exceed the rate of pay of level V of the Executive Schedule under section 5316 of title 5.

(4) Any Federal Government employee may be detailed to the Panel without reimbursement of the employee's agency, and such detail shall be without interruption or loss of civil service status or privilege. The Secretary shall detail sufficient personnel to the Panel to enable the Panel to carry out its duties effectively.

(5) To the maximum extent practicable, the members of the Panel shall travel on military aircraft, military ships, military vehicles, or other military conveyances when travel is necessary in the performance of a duty of the Panel, except that no such aircraft, ship, vehicle, or other conveyance may be scheduled primarily for the transportation of any such member or employee when the cost of commercial transportation is less expensive.

(g) Administrative Provisions.—(1) The Panel may use the United States mails and telecommunication facilities of other departments and agencies of the Federal Government. Any member or staff member of the Panel may be detailed to the Panel without reimbursement of the member's or staff member's agency, and such detail shall be without interruption or loss of civil service status or privilege. The pay for the executive director may not exceed the rate of pay of level V of the Executive Schedule. The expenses of the Panel shall be paid out of funds available to the Panel to perform the duties of the Panel.

(2) The Panel may use the United States mails and telecommunication facilities of other departments and agencies of the Federal Government.

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

(i) Termination.—The Panel shall terminate at the end of the year following the year in which the Panel submits its final report under subsection (d)(1)(B). For the purposes of paragraphs (1), (2), and (3) of section 118 of title 5, the activities and staff of the Panel shall be reduced to a level that the Secretary of Defense considers sufficient to perform the duties of the Panel.

(j) Consultation.—The Comptroller General of the United States, the Secretary of Defense, and the Chief Financial Officers of the United States shall be permitted to consult with the Secretary of Defense and with the Committees on Armed Services of the Senate and the House of Representatives.

(k) Clerical Amendments.—(1) The table of sections at the beginning of chapter 2 of title 31, United States Code, is amended by inserting after the item relating to section 117 the following:

(118. Quadrennial defense review.)

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

(104. National Defense Panel.)

CHAPTER XVIII—COMMISSION TO ASSESS UNITED STATES NATIONAL SECURITY SPACE MANAGEMENT AND ORGANIZATION

SEC. 911. ESTABLISHMENT OF COMMISSION.

(a) Establishment.—There is hereby established a commission known as the "Commission To Assess United States National Security Space Management and Organization" (hereafter in this subtitle referred to as the "Commission").

(b) Composition.—The Commission shall be composed of nine members appointed by the Secretary of Defense. In selecting individuals for appointment to the Commission, the Secretary shall consult with—

(1) the Speaker of the House of Representatives concerning the appointment of three of the members of the Commission;

(2) the majority leader of the Senate concerning the appointment of three of the members of the Commission; and

(3) the minority leader of the House of Representatives and the minority leader of the Senate concerning the appointment of three of the members of the Commission.

(c) Qualifications.—Members of the Commission shall be appointed from among private citizens of the United States who have knowledge and expertise in the areas of national security space policy, programs, organizations, and future national security concepts.

(d) Chair.—The Speaker of the House of Representatives, after consultation with the majority leader of the Senate and the minority leaders of the House of Representatives and the Senate, shall designate one of the members of the Commission to serve as chairman of the Commission.

(e) Period of Appointment; Vacancies.—Members shall be appointed for the term of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(f) Security Clearances.—All members of the Commission shall hold appropriate security clearances.

(g) Initial Organization Requirements.—(1) All appointments to the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting not later than 60 days after the date of the enactment of this Act.

(h) Duties of Commission.—The Commission shall—

(1) study changes to be implemented over the near-term, medium-term, and long-term that would strengthen United States national security, review the following:

(1) The relationship between the intelligence and nonintelligence aspects of national security space (so-called "white space" and "black space"); and

(2) the potential benefits of a partial or complete merger of the intelligence and nonintelligence aspects of national security space.

(2) In conducting its study, the Commission shall—

(1) consult with the heads of appropriate departments and agencies and members of the Congress; and

(2) report to the President and the Congress the recommendations of the Commission.
(B) A corps within the Air Force dedicated to the national security space mission.

(C) A position of Assistant Secretary of Defense for Space within the Office of the Secretary of Defense.

(D) Any other change to the existing organizational structure of the Department of Defense for national security space management.

(3) The benefits of establishing a new major force program, or other budget mechanism, for managing national security space funding within the Department of Defense.

(b) COOPERATION FROM GOVERNMENT OFFICIALS.—In carrying out its duties, the Commission should receive the full and timely cooperation of the Director of Central Intelligence, and any other United States Government official responsible for providing the Commission with analyses, briefings, and other information necessary for the fulfillment of its responsibilities.

SEC. 913. REPORT.

The Commission shall, not later than six months after the date of its first meeting, submit to Congress a report on its findings and conclusions.

SEC. 914. MANDATORY REPORTS.

(a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this subtitle, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense, the other departments and agencies of the intelligence community, and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities.

SEC. 915. COMMISSION PROCEDURES.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(c) COMMITTEES.—The Commission may establish panels composed of less than full membership for the purpose of carrying out the Commission’s duties. The actions of each such panel shall be subject to the review and control of the Commission.

(d) DETERMINATION.—The Commission may determine the findings and determinations of the Commission unless approved by the Commission.

(e) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this subtitle.

SEC. 916. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their official places of business in the performance of services for the Commission.

(c) STAFF.—The Chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The appointment of a staff director shall be subject to approval by the Commission.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS–15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of the Commission is authorized to use temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 917. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 918. FUNDING.

Funds for activities of the Commission shall be provided from amounts appropriated for defense operations and maintenance for Defense-wide activities for fiscal year 2000. Upon receipt of a written certification from the Chairman of the Commission that the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

SEC. 919. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 917.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1) Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2000 between any such authorizations for that fiscal year (or any subdivisions thereof).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than those items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. SECOND BIENNIAL FINANCIAL MANAGEMENT IMPROVEMENT PLAN.

The second biennial financial management improvement plan devoted to the Office of the Secretary of Defense under section 2222 of title 10, United States Code, shall include the following matters:

(1) An inventory of the finance and accounting systems and data feeder systems of the Department of Defense and, for each such system—

(A) a description of the actions necessary for the system to be consolidated or eliminated;

(B) a detailed plan of the actions that are being taken or are to be taken within the Department of Defense (including provisions for schedule, performance objectives, interim milestones, and necessary resources)—

(i) to ensure easy and reliable interfacing of the system (or a consolidated or successor system) with the department’s core finance and accounting systems and with other data feeder systems; and

(ii) to institute appropriate internal controls that, among other things, ensure the integrity of the data in the system (or a consolidated or successor system);

(D) for each system that is to be consolidated or eliminated, a detailed plan of the actions that are being taken or are to be taken within the Department of Defense to replace or improve a finance and accounting system or a data feeder system listed in the inventory under paragraph (1) and, for each such procurement action, the measures that are being taken or are to be taken to ensure that the new or enhanced system—

(i) provides easy and reliable interfacing of the system with the core finance and accounting systems of the department and with other data feeder systems; and

(ii) includes appropriate internal controls that, among other things, ensure the integrity of the data in the system.

(2) A description of each major procurement action that is being taken within the Department of Defense to replace or improve a finance and accounting system or a data feeder system listed in the inventory under paragraph (1) and, for each such procurement action, the measures that are being taken or are to be taken to ensure that the new or enhanced system—

(A) provides easy and reliable interfacing of the system with the core finance and accounting systems of the department and with other data feeder systems; and

(B) includes appropriate internal controls that, among other things, ensure the integrity of the data in the system.

(3) A financial management competency plan that includes performance objectives, measures, and other benchmarks, and respon-
the Department of Defense, whether a member of the Armed Forces or a civilian employee, has the education, technical competence, and experience to perform in accordance with the core competencies necessary for financial management.

(b) A description of the education that is necessary for a financial manager in a senior grade to be knowledgeable in:

(i) establishing and adhering to administrative and regulatory requirements, including the requirements and procedures relating to Government performance and results under sections 3107, 3108, and 3112 of title 31, United States Code;

(ii) the strategic planning process and how the process relates to resource management;

(iii) budget operations and analysis systems;

(iv) management analysis functions and evaluation; and

(v) systems results in posting of payments to accounting, and systems of financial management.

(c) The advantages and disadvantages of establishing and operating a consolidated Department of Defense school that instructs in the principles referred to in subparagraphs (B)(v) and (B)(vi).

(d) The applicable requirements for formal civilian education.

(4) A detailed plan (including performance objectives and milestones and standards for measuring progress toward attainment of the objectives) for—

(A) improving the internal controls and internal review processes of the Defense Finance and Accounting Service to provide reasonable assurances that—

(i) obligations and costs are in compliance with the applicable laws;

(ii) funds, property, and other assets are safeguarded against waste, loss, unauthorized use, and misappropriation;

(iii) revenues and expenditures applicable to agency operations are properly recorded and accounted for so as to permit the preparation of accounts and reliable financial and statistical reports and to maintain accountability over assets;

(iv) obligations and expenditures are recorded contemporaneously with each transaction;

(v) organizational and functional duties are performed separately at each step in the cycle of transactions, including, in the case of a contract, the specification of requirements, the formation of the contract, the certification of contract performance, receiving and warehousing, accounting, and disbursing; and

(vi) use of progress payment allocation systems results in posting of payments to appropriation accounts consistent with section 1301 of title 31, United States Code.

(B) ensuring that the Defense Finance and Accounting Service has—

(i) a single standard transaction general ledger that, at a minimum, uses double-entry bookkeeping and complies with the United States Government Standard General Ledger at the transaction level as required under section 803(a) of the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note);

(ii) an integrated data base for finance and accounting functions; and

(iii) automated cost, performance, and other output measures;

(C) providing a single, consistent set of policies and procedures for financial transactions throughout the Department of Defense;

(D) ensuring compliance with applicable polices and procedures for financial transactions throughout the Department of Defense;

(E) reviewing safeguards for preservation of assets and verifying the existence of assets.

(5) An internal controls checklist which, consistent with the policies and procedures required in sections 3111 and 3112 of title 31, United States Code, the Comptroller General shall prescribe as the standards for use throughout the Department of Defense, together with a statement of the Department of Defense policy on use of the checklist throughout the department.

SEC. 1003. SINGLE PAYMENT DATE FOR INVOICE FOR VARIOUS SUBSISTENCE ITEMS.

Section 3903 of title 31, United States Code, is amended—

(1) by redesigning subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

"(c) A contract for the procurement of subsistence items that is entered into under the prime vendor program of the Defense Logistics Agency may specify for the purposes of this subsection—

(i) a single required payment date that is to be applicable to an invoice for subsistence items furnished under the contract when more than one payment date would otherwise be applicable to the invoice under the regulations prescribed under paragraphs (2), (3), and (4) of section (a) or under any other provisions of law. The required payment date specified in the contract shall be consistent with prevailing industry practices for the subsistence items, but may not be more than 10 days after the date of receipt of the invoice or the certified date of receipt of the items. The Director of the Office of Management and Budget shall provide in the regulations under subsection (a) that when a required payment date is so specified for an invoice, no other payment due date applies to the invoice."

SEC. 1004. AUTHORITY TO REQUIRE USE OF ELECTRONIC TRANSFER OF FUNDS FOR THE PAYMENT OF DEFENSE PERSONNEL PAYMENTS.

(a) AUTHORITY.—Chapter 165 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"32784. Payments to personnel: electronic transfers of funds

"(a) AUTHORITY.—The Secretary of Defense may require that pay, allowances, retired or survivor benefits, and other proceeds of sales not paid under the authorities in this title shall be paid by electronic transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, or computer or magnetic tape so as to order, instruct, or authorize a debit or credit to a financial account.

"(B) AUTHORITY TO PAY FOREIGN LICENSING AND OTHER FEES.—The Secretary of Defense may pay, out of the proceeds of sales of maps, charts, and other publications of the National Imagery and Mapping Agency (which are hereby available for the purpose), any licensing and other fees imposed by foreign countries or international organizations for the acquisition or use of data or products by such foreign countries or international organizations for the acquisition or use of data or products by the Agency.

"(C) AUTHORITY TO DISBURSE OFFICIAL TRAVEL ACCOUNTS TO NAVAL VESSELS FOR FINANCIAL TRANSACTIONS.—Section 3332(a) of title 31, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2); and

(2) by adding at the end the following new paragraph (5):

"(5) The Director of the Office of Management and Budget may require that payment be made by electronic transfer of funds, including, but not limited to, authorized deobligations, deposits, and transfers of funds made through the automated teller machines.

SEC. 1005. AUTHORITY TO DISBURSE OFFICIAL TRAVEL ACCOUNTS TO NAVAL VESSELS FOR FINANCIAL TRANSACTIONS.

(a) AMOUNT FOR FISCAL YEAR 2000.—(1) Of the amounts authorized to be appropriated
SEC. 1010. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999.

Amounts authorized to be appropriated to the Department of Defense for fiscal year 1999, as a condition of the transfer of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261) are hereby adjusted, with respect to any such authorized amount, by the Secretary of Defense in a condition to receive an unqualified audit opinion and that such an opinion is obtained for the statements:

(1) If the Secretary of Defense delegates the authority to perform a duty, including any duty relating to disbursement or accounting, to another officer, employee, or entity of the United States, the Under Secretary continues after the delegation to be responsible for ensuring that the financial statements of the Department of Defense are in a condition to receive an unqualified audit opinion and that such an opinion is obtained for the statements.

(2) If the Under Secretary delegates the authority to perform a duty, including any duty relating to disbursement or accounting, to another officer, employee, or entity of the United States, the Under Secretary continues after the delegation to be responsible for ensuring that the financial statements of the Department of Defense are in a condition to receive an unqualified audit opinion and that such an opinion is obtained for the statements.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. SALES OF NAVAL SHIPYARD ARTICLES AND SERVICES TO NUCLEAR SHIP CONTRACTORS.

(a) WAIVER OF REQUIRED CONDITIONS.—

(1) a remittance address for a disbursement that is authorized under subsection (a) shall be increased (by a rescission), or both, in the 1999 Defense Authorization Act for Fiscal Year 1999.

(b) MANAGEMENT OF CREDIT CARDS.—(1) The Under Secretary of Defense (Comptroller) shall prescribe regulations governing the use and control of all credit cards and convenience checks that are issued to Department of Defense personnel for official use. The regulations shall be consistent with regulations that apply government-wide regarding use of credit cards by Federal Government personnel for official purposes.

(2) The regulations shall include safeguards and internal controls to ensure the following:

(A) There is a record of all credited card holders that is annotated with the limitations on amounts that are applicable to the use of each card by each credit card holder.

(B) The credit card holders and authorizing officials are responsible for reconciling the charged account with receipts and other supporting documentation and for forwarding reconciled statements to the designated disbursing office in a timely manner.

(C) Disputes and discrepancies are resolved in the manner prescribed in the applicable Governmentwide credit card contracts entered into by the Administrator of General Services.

(D) Credit card payments are made promptly on the prescribed deadlines to avoid interest penalties.

(E) Rebates and refunds based on prompt payment on credit card accounts are properly recorded by the contractor.

(F) Records of a credit card transaction (including records on associated contracts, reports, accounts, and invoices) are retained in accordance with standard Federal Government policies on the disposition of records.

(1) by striking ''(B)'' and all that follows thereof.
SUBTITLE C—MISCELLANEOUS REPORT REQUIREMENTS AND REPEALS

SEC. 1021. PRESERVATION OF CERTAIN DEFINITIONS AND REPORTS.

(a) PREPARATION.—Any provision of law specified in subsections (b) through (i) that requires the submittal to Congress (or any committee of the Congress) of any annual, semiannual, or other regular periodic report shall remain in effect with respect to that requirement notwithstanding any other provision in this Act in accordance with the terms of the specified provision of law.

(b) TITLE 10.—Subsection (a) applies with respect to the following provisions of title 10, United States Code, listed in the Clerk's Report (defined in subsection (j)), as follows:

(1) Sections 113(c) and 113(j), listed on page 57 of the Clerk's Report.
(2) Section 115(a), listed on page 57 of the Clerk's Report as 10 U.S.C. 115(b)(3)(A).
(3) Section 1036(f), listed on page 62 of the Clerk's Report as 10 U.S.C. 1036(g)(1).
(4) Section 221, listed on page 64 of the Clerk's Report as 10 U.S.C. 114.
(5) Section 226, specified on page 149 of the Clerk's Report as section 1002 of Public Law 102–190.
(6) Section 662(b), listed on page 58 of the Clerk's Report.
(7) Section 1464(c), listed on page 60 of the Clerk's Report.
(9) Section 2011(e), listed on page 56 of the Clerk's Report.
(10) Section 2011(e), listed as Pub. L. 102–192, Sec. 1052(a).
(11) Section 2208(q), listed on page 64 of the Clerk's Report as 10 U.S.C. 2208(i).
(12) Section 2209(i), listed on page 62 of the Clerk's Report.
(13) Section 2431(a), listed on page 63 of the Clerk's Report.
(14) Section 2432, listed on page 63 of the Clerk's Report.
(15) Section 2433, listed on page 63 of the Clerk's Report as 10 U.S.C. 2433(e)(1) and 2433(e)(2)(A) (V.A.A.).
(16) Section 2461(g), listed on page 62 of the Clerk's Report as 10 U.S.C. 2304 note.
(17) Section 2662(b), listed on pages 69, 74, and 76 of the Clerk's Report.
(18) Section 2697(b), listed on page 62 of the Clerk's Report.
(19) Section 2706, listed on page 60 of the Clerk's Report.
(20) Section 2859, listed on page 58 of the Clerk's Report.
(21) Section 2902(g)(2), specified on page 148 of the Clerk's Report as section 1094(a) of Public Law 101–510.
(22) Section 10541(a), listed on page 57 of the Clerk's Report as 10 U.S.C. 115(a).
(23) Section 15634, listed on page 14 of the Clerk's Report as 10 U.S.C. 673(d).
(25) Section 16142, listed on page 61 of the Clerk's Report.

(c) TITLE 37.—Subsection (a) applies with respect to sections 1008(a) and 1008(b) of title 37, United States Code, listed on page 14 of the Clerk's Report (defined in subsection (j)).

(d) NATIONAL DEFENSE AND MILITARY CONSTRUCTION AUTHORIZATION ACTS.—Subsection (a) applies with respect to provisions of law listed in the Clerk's Report (defined in subsection (j)), as follows:

(1) Section 509(b)(2) of title 10, United States Code (listed on page 36 of the Clerk's Report).
(2) Section 1209(f) of title 22, United States Code (listed on page 15 of the Clerk's Report).
(3) OTHER TITLES OF THE UNITED STATES CODE.—Subsection (a) applies with respect to provisions of the United States Code listed in the Clerk's Report (defined in subsection (j)), as follows:
(1) Title 37.—The following provisions of title 37:
(2) Section 3554(e)(2) of title 37, United States Code (listed on page 8 of the Clerk's Report as 37 U.S.C. 3554(e)(2)).
(3) Section 9530(a)(1) (listed on page 51 of the Clerk's Report as 49 U.S.C. 7601(1)).
(4) Title 32.—Section 30010(b) of title 36, listed on page 65 of the Clerk's Report as 36 U.S.C. 6.
(5) OTHER LAWS.—Subsection (a) applies with respect to the following provisions of law listed in the Clerk's Report (defined in subsection (j)):
(2) FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1986.—Section 205(b) of the Federal Property and Administrative Services Act of 1986 (2 U.S.C. 3101(b)) (listed on page 56 of the Clerk's Report).
requiring the Clerk to prepare, at the commencement of every regular session of Congress, a list of reports which it is the duty of any officer or department to make to Congress.

SEC. 1022. ANNUAL REPORT ON COMBATANT COMMAND REQUIREMENTS.

Section 133 of title 10, United States Code, is amended by adding at the end the following:

"(c) ANNUAL REPORT ON COMBATANT COMMAND REQUIREMENTS.—(1) Not later than August 15 of each year, the Chairman shall submit to the committees of Congress named in paragraph (2) a report on the requirements of the combatant commands established under section 166 of this title. The report shall contain the following:

(A) A consolidation of the integrated priority lists of requirements of the combatant commands;

(B) The Chairman’s views on the consolidated lists.

(2) The committees of Congress referred to in paragraph (1) are the Committees on Armed Services and on Appropriations of the Senate and House of Representatives.’’.

SEC. 1023. REPORT ON ASSESSMENTS OF READINESS TO EXECUTE THE NATIONAL MILITARY STRATEGY.

(a) REQUIREMENT FOR REPORT.—(1) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the inventory and control of the military equipment of the Department of Defense as of the end of fiscal year 1999. The report shall address the inventories of each of the Army, Navy, Air Force, and Marine Corps separately.

(b) CONTENT.—The report shall include the following:

(1) For each item of military equipment in the inventory, stated by item nomenclature—

(A) the quantity of the item in the inventory as of the beginning of the fiscal year;

(B) the quantity of acquisitions of the item during the fiscal year;

(C) the quantity of disposals of the item during the fiscal year;

(D) the quantity of losses of the item during the performance of military missions during the fiscal year; and

(E) the quantity of the item in the inventory as of the end of the fiscal year.

(2) A reconciliation of the quantity of each item in the inventory as of the beginning of the fiscal year with the quantity of the item in the inventory as of fiscal year 1999.

(3) For each item of military equipment that cannot be reconciled—

(A) an explanation of why the quantities cannot be reconciled;

(B) a discussion of the remedial actions planned to be taken, including target dates for accomplishing the remedial actions.

SEC. 1024. REPORT ON INVENTORY AND CONTROL OF MILITARY EQUIPMENT.

(a) REPORT REQUIRED.—Not later than August 31, 2000, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the inventory and control of the military equipment of the Department of Defense as of the end of fiscal year 1999. The report shall address the inventories of each of the Army, Navy, Air Force, and Marine Corps separately.

(b) CONTENT.—The report shall include the following:

(1) For each item of military equipment in the inventory, stated by item nomenclature—

(A) the quantity of the item in the inventory as of the beginning of the fiscal year;

(B) the quantity of acquisitions of the item during the fiscal year;

(C) the quantity of disposals of the item during the fiscal year;

(D) the quantity of losses of the item during the performance of military missions during the fiscal year; and

(E) the quantity of the item in the inventory as of the end of the fiscal year.

(2) A reconciliation of the quantity of each item in the inventory as of the beginning of the fiscal year with the quantity of the item in the inventory as of fiscal year 1999.

(3) For each item of military equipment that cannot be reconciled—

(A) an explanation of why the quantities cannot be reconciled;

(B) a discussion of the remedial actions planned to be taken, including target dates for accomplishing the remedial actions.

(d) LIMITATION ON USE OF FUNDS PENDING REPORT.—Not later than August 31, 2000, the Secretary of Defense shall take into account the report required under subsection (a) and shall submit to the committees any comments that the Inspector General considers appropriate.

(e) LIMITATION ON USE OF FUNDS PENDING REPORT.—Not later than August 31, 2000, the Secretary of Defense shall take into account the report required under subsection (a) and shall submit to the committees any comments that the Inspector General considers appropriate.

SEC. 1025. SPACE TECHNOLOGY GUIDE.

(a) REQUIREMENT.—The Secretary of Defense shall prepare and issue a called guide for investment in space science and technology, demonstrations of space technology, and planning and development for space technology applications. In the guide, the goal shall be to identify the technologies and technology demonstrations needed for the United States to take full advantage of use of space for national security purposes.

(b) RELATIONSHIP TO FUTURE-YEARS DEFENSE PROGRAM.—The space technology guide shall be informative, not prescriptive. One shall be consistent with the applicable funding limitations associated with the future-years defense program. The guide shall reflect that it is not constrained by funding limitations.

(c) RELATIONSHIP TO ACTIVITIES OUTSIDE THE DEPARTMENT OF DEFENSE.—The Secretary shall include in the guide a discussion of the potential for cooperative investment and technology development with other departments and agencies of the United States and with private sector entities.

(d) UTILIZATION OF PREVIOUS STUDIES AND REPORTS.—The Secretary shall take into consideration past studies and reports that may be relevant to the development of the guide, including the United States Space Command’s Long Range Plan of March 1997 and the Chairman of the Joint Chiefs of Staff’s Strategic Master Plan of December 1997.

SEC. 1026. REPORT AND REGULATIONS ON DEPARTMENT OF DEFENSE POLICIES ON PROTECTING THE CONFIDENTIALITY OF COMMUNICATIONS WITH PROFESSIONALS PROVIDING THERAPEUTIC OR RELATED SERVICES REGARDING GENDER, SEXUAL OR DOMESTIC ABUSE.

(a) STUDY AND REPORT.—(1) The Comptroller General shall study the policies, procedures, and practices of military departments for protecting the confidentiality of communications between—

(A) a dependent of a member of the Armed Forces who—

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

(ii) has engaged in such misconduct; and

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

(2) Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall conclude the study and submit a report on the results of the study to Congress.

(b) REGULATIONS.—The Secretary of Defense shall prescribe in regulations the policies and procedures that the Secretary considers appropriate to provide the maximum protections for the confidentiality of communications described in subsection (a) relating to misconduct described in that subsection, consistent with—

(1) the findings of the Comptroller General;

(2) the standards of confidentiality and ethical standards issued by relevant professional organizations;

(3) applicable requirements of Federal and State law;

(4) the best interest of victims of sexual harassment, sexual assault, or intrafamily abuse;

(5) military necessity; and

(6) such other factors as the Secretary, in consultation with the Attorney General, may consider appropriate.

(c) REPORT BY SECRETARY OF DEFENSE.—Not later than January 21, 2000, the Secretary of Defense shall submit to the Committees on Armed Services a report on the proposal in the fiscal year with the quantity of the item in the inventory as of fiscal year 1999.

(3) For each item of military equipment that cannot be reconciled—

(A) an explanation of why the quantities cannot be reconciled;

(B) a discussion of the remedial actions planned to be taken, including target dates for accomplishing the remedial actions.

SEC. 1027. COMPTROLLER GENERAL REPORT ON ANTICIPATED EFFECTS OF PROPOSED CHANGES IN OPERATION OF STORAGE SITES FOR LETHAL CHEMICAL AGENTS AND MUNITIONS.

(a) REPORT REQUIRED.—Not later than March 31, 2000, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the proposal in the latest quadrennial defense review to reduce the Federal civilian workforce involved in the operation of the eight storage sites for lethal chemical agents and munitions in the continental United States and to convert to contractor operation of the storage sites.

(b) RELATIONSHIP TO FUTURE-YEARS DEFENSE PROGRAM.—The report shall include the maximum possible protections for the confidentiality described in that subsection.

The workforces reduced in the report shall include the maximum possible protections for the confidentiality described in that subsection.
(A) the capabilities necessary to respond effectively to emergencies involving chemical accidents; and
(B) the industrial capabilities necessary to meet requirements for emergency response equipment.

3. The risks associated with the proposed workforce reductions and contractor performance, particularly regarding chemical accident response capabilities, community-wide emergency preparedness programs, and current or planned chemical demilitarization programs.

SEC. 1028. REPORT ON DEPLOYMENTS OF RAPID ASSESSMENT AND INITIAL DETECTION TEAMS ACROSS STATE BOUNDARIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on out-of-State use of Rapid Assessment and Initial Detection Teams for responses to incidents involving a weapon of mass destruction missions, particularly the materiel replenishment capabilities and contractor performance on the capability to perform assigned industrial missions, particularly the material replenishment missions for chemical or biological defense or for chemical munitions.

4. Recommendations for mitigating the risks and adverse effects identified in the report.

SEC. 1029. REPORT ON CONSEQUENCE MANAGEMENT PROGRAM INTEGRATION OF THE C3 SYSTEM ARCHITECTURE.

(a) Joint Readiness Review.—(1) The Secretary of Defense shall include in the quarterly report submitted to Congress under section 482 of title 10, United States Code, for the first quarter beginning after the date of the enactment of this Act an assessment of the readiness, training status, and future funding requirements of all active and reserve components that are assets of the Consequence Management Program Integration Office of the Department of Defense.

(b) Decontamination Readiness Plan.—The Secretary of Defense shall prepare a decontamination readiness plan for the Consequence Management Program Integration Office of the Department of Defense. The plan shall include the following:

1. The actions necessary to ensure that the units designated to carry out decontamination missions under the program are at the highest level of readiness for carrying out the missions.

2. The funding necessary for attaining and maintaining that level of readiness.

3. Procedures for ensuring that each decontamination unit is available to respond to an incident in the United States that involves a weapon of mass destruction within 12 hours after being notified of the incident by a Rapid Assessment and Initial Detection Team.


(a) Report Required.—The Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Director of Central Intelligence, shall submit to the Committees on Appropriations, on the date that the President submits the budget for fiscal year 2001 to Congress under section 1105 of title 31, United States Code, a relationship between the budget proposed for budget function 050 (National Defense) for that fiscal year and the then-current and emerging threats to the security interests of the United States identified in the annual national security strategy report required under section 108 of the National Security Act of 1947 (50 U.S.C. 404a).

(b) Content.—The report shall contain the following:

1. A detailed description of the threats referred to in subsection (a);

2. An analysis of such threats in terms of the probability that an attack or other threat event will actually occur, the military challenge posed by the threats, and the potential damage that the threats could have to the national security interests of the United States;

3. An analysis of the allocation of funds in the fiscal year 2001 budget and the future-years defense program that addresses the threats in subsection (b);

4. A justification for each major defense acquisition program (as defined in section 2430 of title 10, United States Code) that is provided for in the budget in light of the description and analyses set forth in the report.

(c) Form of Report.—The report shall be submitted in classified form.

SEC. 1031. REPORT ON NATO’S DEFENSE CAPABILITIES INITIATIVE.

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

1. At the Washington Summit meeting of the North Atlantic Council in April 1999, NATO Heads of State and Governments launched a Defense Capabilities Initiative.

2. The Defense Capabilities Initiative is designed to improve the defense capabilities of the individual NATO Alliance to ensure the effectiveness of future operations across the full spectrum of Alliance missions in the present and foreseeable security environment.

3. Under the Defense Capabilities Initiative, special focus will be given to improving interoperability among Alliance forces and to increasing defense capabilities through improvements in the deployability and mobility of Alliance forces, the sustainability and logistics of the forces, the survivability and effective engagement capability of the forces, and command and control information systems.

4. The successful implementation of the Defense Capabilities Initiative will serve to enable all NATO allies to make a more equitable contribution to the full spectrum of Alliance missions, thereby increasing burdensharing within the Alliance and enhancing the ability of European allies to undertake operations pursuant to the European Security and Defense Identity within the Alliance.

(b) Annual Report.—(1) Not later than January 31 of each year, the Secretary of Defense shall submit a report to the Committees on Armed Services and foreign relations of the Senate and the Committees on Armed Services and the Committees on the Budget of the House of Representatives a report on implementation of the Defense Capabilities Initiative by the nations of the NATO Alliance.

The report shall include the following:

1. A discussion of the work of the temporary High-Level Steering Group, or any successor group, established by the Alliance as a whole to further the Defense Capabilities Initiative.

2. A description of the actions taken, including implementation of the Multinational Logistics Center concept and development of the system architecture, by the Alliance as a whole to further the Defense Capabilities Initiative.

3. A description of the actions taken by each of the NATO allies to improve their capabilities of their forces in each of the following areas:

(a) Interoperability with other Alliance forces

(b) Deployment and mobility

(c) Sustainability and logistics

(d) Survivability and effective engagement

4. Command and control and information systems.

(b) In addition, the report shall be submitted in classified form, but may also be submitted in unclassified form if necessary.

SEC. 1032. REVIEW OF INCIDENCE OF STATE MOTOR VEHICLE VIOLATIONS BY ARMY PERSONNEL.

(a) Review and Report Required.—The Secretary of the Army shall submit to Congress a report on the incidence of violations of State and local motor vehicle laws applicable to the operation and parking of Army motor vehicles by Army personnel during fiscal year 1999, and, not later than March 31, 2000, submit a report on the results of the review to Congress.

(b) Content of Report.—The report under subsection (a) shall include the following:

1. A quantitative description of the extent of the violations described in subsection (a).

2. An estimate of the total amount of the fines that are associated with citations issued for the violations.

3. Any recommendations that the Inspector General considers appropriate to curtail the incidence of the violations.

SEC. 1033. REPORT ON USE OF NATIONAL GUARD FACILITIES AND INFRASTRUCTURE FOR SUPPORT OF PROVISION OF VETERANS SERVICES.

(a) Report.—(1) The Chief of the National Guard Bureau shall consult with the Secretary of Veterans Affairs to submit to Congress a report on the use of National Guard facilities and infrastructure for the provision of services to veterans by the Secretary. The report shall include an assessment of any costs and benefits associated with the use of such facilities and infrastructure for such support.

(2) The Secretary of Defense shall transmit to Congress the report submitted under paragraph (1), together with any comments on the report that the Secretary considers appropriate.

(b) Transmission Date.—The report shall be transmitted under subsection (a)(2) not later than April 1, 2000.

SEC. 1034. REPORT ON MILITARY-TO-MILITARY CONTACTS WITH THE PEOPLE’S REPUBLIC OF CHINA.

(a) Report Required.—The Secretary of Defense shall submit to Congress a report on military-to-military contacts between the United States and the People’s Republic of China.

(b) Report Elements.—The report shall include the following:

1. A list of the general and flag grade officers and the People’s Liberation Army who have visited United States military installations since January 1, 1993.
The itineraries of the visits referred to in paragraph (2), including the installations visited, the duration of the visits, and the activities conducted during the visits.

(3) If any of the general and flag officers referred to in paragraph (2) in the Tiananmen Square massacre of June 1989.

(4) A list of facilities in the People’s Republic of China that have been the subject of a request for a visit by the Department of Defense which has been denied by People’s Republic of China authorities.

(5) A list of facilities in the United States that the Department of Defense Act for Fiscal Year 1999 (Public Law 105-105; 22 U.S.C. 2751 note) is amended by striking “May 1 of each year” and inserting “February 1 of each year.”

(6) Funds authorized to be appropriated under this Act may not be obligated or expended for assistance for a country under any Cooperative Threat Reduction program specified under section 500(a) of the National Defense Authorization Act for Fiscal Year 1997 (22 U.S.C. 2362 note) until the President certifies to Congress that the government of that country is committed to—

(1) complying with all relevant arms control agreements;

(2) facilitating United States verification of weapons destruction;

(3) forgoing any use of fissionable and other components of destroyed nuclear weapons in new nuclear weapons;

(4) forgoing the replacement of destroyed weapons of mass destruction; and

(5) forgoing any military modernization program that exceeds legitimate defense requirements.

SEC. 1044. PERIOD COVERED BY ANNUAL REPORT ON COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.—Section 1005(a) of the National Defense Authorization Act for Fiscal Year 1997 (22 U.S.C. 2362 note) is amended by striking “May 1 of each year” and inserting “February 1 of each year.”

(1) The United States is becoming increasingly dependent upon information systems for national security, defense, and a broad range of other vital national interests.

(2) Presidential Decision Directive 83, dated May 22, 1986, recognizes the importance of information assurance and sets forth policy and organizational recommendations for addressing the information assurance challenges.

(3) The Department of Defense has undertaken significant steps to address threats to the Information Infrastructure, including the establishment of a Defense Information Assurance Program.

(4) Notwithstanding those actions and other important actions taken by the President, Congress, and the Department of Defense to address the challenges of information assurance, the Department of Defense, other Federal departments and agencies, and a broad range of private sector entities continue to face new challenges and threats to their information systems.

(5) Although the Secretary of Defense can and should play an important role in helping address a broad range of information warfare threats to the United States, the Secretary necessarily focuses primarily on addressing the vulnerabilities of the information systems and other infrastructures, within and outside of the Department of Defense, on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(6) It is important for the Secretary of Defense to work closely with the heads of all departments and agencies of the Federal Government concerned to identify areas in which the Department of Defense can contribute to securing critical infrastructures beyond the areas under the direct oversight and control of the Secretary of Defense.

(1) The Secretary of Defense shall carry out an information assurance program.

(2) The Secretary shall submit to Congress an annual report on the program. The annual report shall include the Department of Defense information assurance guide applicable under subsection (c) of the report. The first report shall be submitted not later than March 15, 1999.

(3) The Department of Defense information assurance guide shall include the following:

(a) A plan for Defense information assurance technologies, including the criteria used to prioritize research, development, and procurement investments in such technologies.

(b) A plan for organizing the Department of Defense to defend against information
warfare threats, including the organizational changes that are planned or being considered together with a recitation of the organizational changes that have been implemented.

(C) A plan for conducting exercises, war games, simulations, experiments, and other activities designed to prepare the Department of Defense to respond to information warfare threats.

(F) A proposal for legislation that the Secretary considers necessary for implementing the Defense information assurance program or for otherwise responding to information warfare threats.

(G) Any other information that the Secretary determines relevant.

(d) Information Assurance Testbed.—(1) The Secretary of Defense shall develop an information assurance testbed. In developing the testbed, the Secretary shall consult with the heads of the other departments and agencies of the Federal Government that the Secretary determines as being concerned with defense information assurance.

(2) The information assurance testbed shall be organized and planned for the following:

(A) An integrated organizational structure within the Department of Defense to plan and facilitate the conduct of simulations, war games, exercises, experiments, and other activities designed to prepare and inform the Department of Defense regarding information warfare threats.

(B) Organization and planning means for the conduct by the Department of Defense of integrated or joint exercises and experiments with the commercial organizations and other governmental organizations that the Secretary considers as being responsible for the oversight and management of critical information systems and infrastructures on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(e) Funding.—(1) Of the amounts authorized to be appropriated under section 104—

(A) $10,000,000 is available for procurement of secure terminal equipment for use by the Department of Defense for the conduct of daily operations and the conduct of operations in crises.

(D) An assessment of the threats to information systems and infrastructures on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(2) Of the amounts authorized to be appropriated under section 301(a)(5), $10,000,000 is available for training, education, and retention of information technology professionals.

SEC. 104C. DEFENSE SCIENCE BOARD TASK FORCE ON TELEVISION AND RADAR AS A PROPAGANDA INSTRUMENT IN TIME OF MILITARY CONFLICT.

(a) Defense Science Board Task Force on Radio and Television as a Propaganda Instrument in Time of Conflict.—The Secretary of Defense shall establish a task force of the Defense Science Board to examine the use of radio and television broadcasting as a propaganda instrument to enhance the capabilities of the United States Armed Forces in this area to deal with situations such as the conflict in the Federal Republic of Yugoslavia.

(b) Duties of the Task Force.—The task force shall assess and develop recommendations as to the appropriate capabilities, if any, that the United States Armed Forces should have to broadcast radio and television into an area so as to ensure that the general public in that area are exposed to the facts regarding the conflict with any other country that is involved and developing the recommendations, the task force shall review the following:

(1) The capabilities of the United States Armed Forces in broadcasting and developing an approach to broadcast factual information that can reach a large segment of the general public in a country like the Federal Republic of Yugoslavia.

(2) The potential of various airborne or land-based mechanisms to have capabilities described in paragraph (1), including but not limited to developments in the EC-130 Commando Solo aircraft, and the utilization of other airborne platforms, unmanned aerial vehicles, unmanned ground-based systems, and land-based transmitters in conjunction with satellites.

(3) Other issues relating to the use of television and radio as a propaganda instrument in time of conflict.

(c) Report.—The task force shall submit to the Secretary of Defense a report containing its assessments and recommendations not later than February 1, 2000. The Secretary shall submit the report, together with the comments and recommendations of the Secretary of Defense, to the congressional defense committees not later than March 1, 2000.

(d) Federal Republic of Yugoslavia Defined.—In this section, the term “Federal Republic of Yugoslavia” means the Federal Republic of Yugoslavia (Serbia and Montenegro).

SEC. 104D. PREVENTION OF INTERFERENCE WITH DEPARTMENT OF DEFENSE USE OF FREQUENCY SPECTRUM.

(a) Compatibility with Defense Systems.—The Department of Defense shall ensure that any Defense Department entity operating a communication system, device, or apparatus on any portion of the frequency spectrum used by the Department of Defense shall not interfere with or not to receive interference from the communication systems that are operated by or for the Department of Defense on that portion of the frequency spectrum as of the date of the enactment of this Act. The preceding sentence does not apply to the non-Defense Department of Defense entity, of a communication system, device, or apparatus on any portion of the frequency spectrum that is re- served for or governmental use.

(b) Costs of Redesign or Rebuilding of Military Systems.—If it is necessary for the Department of Defense to redesign or rebuild a communication system by the Department of Defense because of a violation of subsection (a) by a non-Department of Defense entity, that entity shall be liable to the United States for the costs incurred by the United States for the redesign or rebuilding of the Department of Defense system or, if the entity is a department or agency of the United States, shall transfer to the Department of Defense funds in the amount of such costs.

(c) Effective Date.—This section applies with respect to operation of communication system, device, or apparatus fielded on or after October 1, 1999.

(d) Nonapplicability.—This section does not apply to any upgrades, modifications, or system redesign to a Department of Defense communication system made after the date of enactment of this Act. The preceding sentence is modified such that the redesign would result in interference with or receiving interference from a non-Department of Defense system.

SEC. 1050. OFF-SHORE ENTITIES INTERFERING WITH DEPARTMENT OF DEFENSE USE OF THE FREQUENCY SPECTRUM.

(a) Limitation on Use of Funds.—Funds authorized to be appropriated or otherwise made available by this or any other Act may not be obligated to enter into any contract with, make any payment to, or issue any broadcast or other license or permit to any entity that broadcasts from outside the United States to the United States on any frequency that, as of the date of enactment of this Act, is reserved to or used by the Department of Defense, unless the broadcasting is authorized under law.

(b) Saving Provisions.—The provisions of subsection (a) shall not be construed to interfere with the enforcement authority of the Federal Communications Commission under the Communications Act of 1934 or any other law.

SEC. 1051. REPEAL OF LIMITATION ON AMOUNT OF FEDERAL EXPENDITURES FOR THE NATIONAL GUARD CHALLENGE PROGRAM.

Section 595(jj) of title 32, United States Code, is amended by striking “, except that Federal expenditures under the program may not exceed $50,000,000 for any fiscal year”.

SEC. 1052. NONDISCLOSURE OF INFORMATION ON PERSONNEL OF OVERSEAS, SENSITIVE, OR ROUTINELY DEPLOYABLE UNITS.

(a) In General.—Chapter 3 of title 10, United States Code, is amended by inserting after section 130a the following:

“130b. Nondisclosure of information: personnel in overseas, sensitive, or routinely deployable units

“(a) Exemption from Disclosure.—Notwithstanding any other provision of law, the Secretary of Defense and, with respect to the Coast Guard when it is not operating as a service in the Navy, the Secretary of Transportation may authorize to be withheld from disclosure to the public the name, rank, duty address, official title, and information regarding the pay of—

“(1) members of the armed forces assigned to overseas, sensitive, or routinely deployable units; and

“(2) employees of the Department of Defense or of the Coast Guard whose duty stations are with overseas, sensitive, or routinely deployable units.

“(b) Exceptions.—(1) The authority in subsection (a) is subject to such exceptions as the Secretary of Defense determines are necessary.

“(2) Subsection (a) does not authorize any official to withhold, or to authorize the withholding, of information from Congress.

“(c) Effective Dates.—In this section—

“(1) The term ‘unit’ means a military organization of the armed forces designated as a unit by a competent authority.

“(2) The term ‘overseas’ means a unit that is located outside the continental United States and its territories.
"(3) The term 'sensitive unit' means a unit that is primarily involved in training for the conduct of, or conducting, special activities or classified missions, including the following:

(A) A unit involved in collecting, handling, disposing, or storing of classified information and materials.

(B) A unit involved in training—

(i) special operations units;

(ii) security group commands weapons stations; or

(iii) communications stations.

(C) Any other unit that is designated as a sensitive unit by the Secretary of Defense or, in the case of the Coast Guard when it is not operating as a service in the Navy, by the Secretary of Transportation.

(4) The term 'routinely deployable unit'—

(A) means a unit that normally deploys from its permanent home station on a periodic or rotating basis to meet peacetime operational requirements that, or to participate in scheduled training exercises that, routinely require deployments outside the United States and its territories; and

(B) includes a unit that is alerted for deployment outside the United States and its territories in an actual or potential contingency plan or in support of a crisis operation.

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

"130b. Non disclosure of information: personnel in overseas, sensitive, or routinely deployable units."

SEC. 1053. NONDISCLOSURE OF OPERATIONAL FILES OF THE NATIONAL IMAGERY AND MAPPING AGENCY

(a) Authority To Withhold.—Subchapter II of chapter 22 of title 10, United States Code, as amended by section 1005, is further amended by adding at the end the following:

"§ 458. Withholding of operational files from public disclosure

"(a) Authority.—The Secretary of Defense may withhold from public disclosure operational files described in subsection (b) to the same extent that operational files may be withheld under section 701 of the National Security Act of 1947 (50 U.S.C. 431).

"(b) COVERED OPERATIONAL FILES.—The authority under subsection (a) applies to operational files in the possession of the National Imagery and Mapping Agency that—

"(1) as of September 22, 1996, were maintained by the National Photographic Interpretation Center; or

"(2) concern the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center.

"(c) Operational Files Defined.—In this section, the term ‘operational files’ has the meaning given the term in section 701(b) of the National Security Act of 1947 (50 U.S.C. 431(b))."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of this subchapter, as amended by section 1005, is further amended by adding at the end the following:

"130h. Withholding of certain commercially significant information from public disclosure."

SEC. 1055. CONTINUED ENROLLMENT OF DEPENDENTS IN DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT SCHOOLS AFTER LOSS OF ELIGIBILITY

Section 2164(c) of title 10, United States Code, is amended to read as follows:

"(3) The Secretary may, for good cause, authorize a dependent of a member of the armed forces or of a Federal employee to continue enrollment in a program under this subsection notwithstanding a change in the status of the member or employee that, except for this paragraph, would otherwise terminate the eligibility of the dependent to be enrolled in the program. The enrollment may continue for as long as the Secretary determines that the withholding of imagery and imagery intelligence from public disclosure under the National Security Act of 1947 (50 U.S.C. 401 et seq.), Executive Order No. 12951 or any successor Executive order, or directives of the President."

SEC. 1056. UNIFIED SCHOOL BOARDS FOR ALL DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT SCHOOLS IN THE COMMONWEALTH OF PUERTO RICO AND GUAM

Section 2164(d)(1) of title 10, United States Code, is amended by adding at the end the following:

"(2) The Secretary of Defense and the Secretary of the Army or the Secretary of the Navy, in accordance with the provisions of section 1055, may provide for the establishment of one school board for all such schools in the Commonwealth of Puerto Rico and one school board for all such schools in Guam. Such one school board shall function as a military installation in those locations.

SEC. 1057. DEPARTMENT OF DEFENSE STARBASE PROGRAM

(a) Program Authority.—Chapter 111 of title 10, United States Code, is amended by inserting after section 2193 the following:

"§ 2193b. Improvement of education in technical fields for elementary and secondary education in science, mathematics, and technology

"(a) Authority for Program.—The Secretary of Defense may conduct a science, technology, engineering, and mathematics improvement program known as the Department of Defense STARBASE Program. The Secretary shall carry out the program through the Secretaries of the military departments.

"(b) Purpose.—The purpose of the program is to improve knowledge and skills of students in kindergarten through twelfth grade in mathematics, science, and technology.

"(c) STARBASE ACTIVITIES.—(1) The Secretary shall provide for the establishment of at least 25 academies under the program.

"(2) An academy established under the program shall provide the following:

"(A) For each elementary and secondary grade level, the presentation of a curricula of 20 hours of instruction in science, mathematics, and technology.

"(B) Outreach programs for the support of elementary and secondary level instruction in science, mathematics, and technology at other locations.

"(3) The Secretary may support the establishment and operation of any academy in excess of two academies in a State only if the Secretary has first authorized in writing the establishment of the academy and the costs of the establishment and operation of the academy are paid out of funds provided by sources other than the Defense Department. Any such costs that paid out of appropriated funds shall be considered as paid out of funds provided by other sources if such costs fully reimburse the United States for the costs.

"(d) UNIFORM SUPPORT.—The following support may be provided for activities under the program:

"(1) Administrative and instructional personnel.

"(2) Facilities.

"(3) Instructional materials, including textbooks.

"(4) Equipment.

"(5) To the extent considered appropriate by the Secretary of the military department concerned, any additional resources (including transportation and billeting) that may be available.

"(e) PERSONS ELIGIBLE TO PARTICIPATE IN PROGRAM.—The Secretary of Defense shall prescribe the standards and procedures for selecting persons to participate in the program.

"(f) PROGRAM PERSONNEL.—(1) The Secretary of the military department concerned may authorize members of the armed forces to serve in a command, training, or supporting service for the program on a full-time basis;

"(2) employ or procure by contract civilian personnel to provide such services.

"(g) REGULATIONS.—The Secretary of Defense shall prescribe regulations governing the conduct of the program.

"(h) Funding.—The Secretary shall ensure that each academy meeting at least the minimum operating standards established for such program is funded at a level of at least $200,000 for each fiscal year.

"(2) The Secretary of Defense and the Secretary of the Army or the Secretary of the Navy may accept financial and other support for the program from other departments and agencies of the Federal Government, State governments, local governments, and not-for-profit and other organizations in the private sector.

"(i) ANNUAL REPORT.—Within 90 days after the end of each fiscal year, the Secretary of Defense shall submit a report on the program to Congress. The report shall contain a discussion of the design and conduct of the program and an evaluation of the effectiveness of the program.

"(j) STATE DEFINED.—In this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and Guam."
(b) EXISTING STARRBASE ACADEMIES.—While continuing in operation, the academies existing on the date of the enactment of this Act under the Department of Defense STARRBASE program, as such program is in effect on such date, shall be counted for the purpose of meeting the requirement under section 2191(c)(1) of title 10, United States Code (as added by subsection (a)), relating to the minimum number of STARRBASE academies.

(3) REORGANIZATION OF CHAPTER.—Chapter 111 of title 10, United States Code, as amended by subsection (a), is further amended—
(1) by inserting after section 2193 and before the section 2193b added by subsection (a) the following subpart:

"§ 2193a. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering.

(2) The heading for section 2193 is amended to read as follows:

"§ 2193b. Improvement of education in technical fields: general authority for support of elementary and secondary education in science and mathematics";

(3) by redesignating subsection (b) of section 2193 as subsection (b); and

(d) C LERICAL AMENDMENTS.—(1) The heading for section 2192 of such title is amended to read as follows:

"§ 2192. Improvement of education in technical fields: general authority for support of education in science and mathematics".

(2) The table of sections at the beginning of such chapter is amended by striking the items relating to sections 2192 and 2193 and inserting the following:

"2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering.
2193. Improvement of education in technical fields: grants for higher education in science and mathematics".

(3) the table of sections at the beginning of this chapter is amended by striking the items relating to sections 2192 and 2193 and inserting the following:

"2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering.
2193. Improvement of education in technical fields: grants for higher education in science and mathematics.";

SEC. 1058. PROGRAM TO COMMEMORATE THE 50TH ANNIVERSARY OF THE KOREAN WAR.

(a) PERIOD OF PROGRAM.—Section 1083(a) of the National Defense Authorization Act for Fiscal Year 1988 (Public Law 105-85; 111 Stat. 1918; 31 U.S.C. 1401) is amended by striking "The Secretary of Defense and" inserting "The Secretary of Defense and" and "Secretary of Defense and" inserting "Secretary of Defense" and "Secretary of Defense".

(b) CHANGE OF NAME.—(1) Section 1083(c) of such Act is amended by striking "The Department of Defense Korean War Commemoration" and inserting in lieu thereof "The United States Korean War Commemoration".

(2) The amendment made by paragraph (1) may not be construed to supersede any rights that are established or vested before the date of the enactment of this Act.

(c) FUNDING.—Section 1083(f) of such Act is amended to read as follows:

"(f) USE OF FUNDS.—(1) Funds appropriated for the Army for fiscal years 2000 through 2004 for operation and maintenance shall be available for the program authorized under subsection (a).

(2) The total amount expended by the Department of Defense through the Department of Defense 50th Anniversary of the Korean War Commemoration Committee, an entity within the Department of the Army, to carry out the program authorized under subsection (a) for fiscal years 2000 through 2004 may not exceed $7,000,000.

(3) The limitation in paragraph (2) shall not apply to expenditures by a unit of the Armed Forces or a similar organization to commemorate the Korean War from funds available to the unit or similar organization for that purpose.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1999.


(a) EXTENSION OF TERMINATION DATE.—Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking "September 30, 1999" and inserting "September 30, 2000".

(b) EXTENSION OF AUTHORIZATION.—Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking "fiscal years 1956, 1957, 1996, and 1997" and inserting "fiscal years 1996 through 2000".

SEC. 1060. EXTENSION TO NAVAL AIRCRAFT OF COAST GUARD AUTHORITY FOR DRUG INTERDICTOR ACTIVITIES.

Section 853(c) of title 14, United States Code, is amended—

(1) by striking "or" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting "; or"; and

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

"(3) it is a naval aircraft on which one or more members of the Coast Guard are assigned.".

SEC. 1061. REGARDING THE NEED FOR VIGOROUS PROSECUTION OF WAR CRIMES, GENOCIDE, AND CRIMES AGAINST HUMANITY IN THE FORMER BOSNIA AND HERZEGOVINA.

(a) The Senate—

(1) the United Nations Security Council created the International Criminal Tribunal for the former Yugoslavia (in this section referred to as the "ICTY") by resolution on May 25, 1993;

(2) although the ICTY has indicted 84 people since its creation, these indictments have only resulted in the trial and conviction of 8 criminals;

(3) the ICTY has jurisdiction to investigate: Grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war (Article 3); genocide (Article 4); and crimes against humanity (Article 5);

(4) the Chief Prosecutor of the ICTY, Justice Louise Arbour, stated on July 7, 1998, to the Contact Group for the former Yugoslavia that "[t]he Prosecutor believes that the nature and scale of the fighting indicate that an armed conflict', within the meaning of international law, exists in Kosovo. As a consequence, she intends to bring charges for violations of the 1949 Geneva Conventions (Article 2); violations of the laws or customs of war (Article 3); genocide (Article 2); and crimes against humanity (Article 5).

(5) investigative reporters have identified specific documentary evidence implicating the Serbian leadership in the commission of war crimes.

(b) It is the sense of Congress that—

(1) the United States, in coordination with other United Nations contributors, should provide sufficient assistance for an expeditious and thorough investigation of allegations of the atrocities and war crimes committed in Kosovo;

(2) the United States, through its intelligence services, should provide all possible cooperation in the gathering of evidence of sufficient specificity to secure the indictment of those responsible for the commission of war crimes, crimes against humanity, and genocide in the former Yugoslavia;

(3) where evidence warrants, indictments for war crimes, crimes against humanity, and genocide should be issued against suspects regardless of their position within the Serbian leadership;

(4) the United States and all nations have an obligation to honor arrest warrants issued by the ICTY, and the United States should use all appropriate means to apprehend war criminals already under indictment;

and

(a) NATO should not accept any diplomatic resolution to the conflict in Kosovo that would bar the indictment, apprehension, or prosecution of war criminals for crimes committed during operations in Kosovo.

SEC. 1062. EXPANSION OF LIST OF DISEASES PRESUMED TO BE SERVICE-CONNECTED FOR RADIATION-EXPOSED VETERANS.

Section 1112(c)(2) of title 38, United States Code, is amended by adding at the end the following:

"(9) Lung cancer.

(10) Colon cancer.

(11) Tumors of the brain and central nervous system.".

SEC. 1063. LEGAL EFFECT OF THE NEW STRATEGIC CONCEPT OF NATO.

(a) CERTIFICATION REQUIREMENT.—Not later than 30 days after the date of enactment of this Act, the President shall determine and certify to the Senate whether or not the new Strategic Concept of NATO imposes any new commitment or obligation on the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, if the President certifies under subsection (a) that the new Strategic Concept of NATO imposes any new commitment or obligation on the United States, the President should submit the new Strategic Concept of NATO to the Senate as a treaty for the Senate’s advice and consent to ratification pursuant to Article II, Section 2, Clause 2 of the Constitution of the United States.

(c) REPORT.—Together with the certification and certificate under subsection (a) of this Act, the President shall submit to the Senate a report containing an analysis of the potential threats
facing NATO in the first decade of the next millennium, with particular reference to those threats facing a member nation, or several member nations, where the commitment of U.S. forces will be "out of area" beyond the borders of NATO member nations.

DEFINITION.—For the purposes of this section, the term "new Strategic Concept of NATO" means the document approved by the Heads of State and Government participating of the North Atlantic Council in Washington, DC, on April 23 and 24, 1999.

SEC. 1064. MULTINATIONAL ECONOMIC EMBARGOES AGAINST GOVERNMENTS IN ARMED CONFLICT WITH THE UNITED STATES.

(a) POLICY ON THE ESTABLISHMENT OF EMBARGOES.—

(1) GENERAL.—It is the policy of the United States, that upon the use of the Armed Forces of the United States to engage in hostilities against any foreign country, the President shall as appropriate—

(A) seek the establishment of a multinational economic embargo against such country; and

(B) seek the seizure of its foreign financial assets.

(b) REPORTS.—Not later than 20 days, or earlier than 14 days, after the first day of the engagement of the United States in any armed conflict, as defined in subsection (a), the President shall, if the armed conflict continues, submit a report to Congress setting forth—

(1) the specific steps the United States has taken and will continue to take to institute the embargo and financial asset seizures pursuant to subsection (a); and

(2) any foreign country or entity not engaged in a trade of revenue that directly or indirectly support the ability of the adversarial government to sustain a military conflict against the Armed Forces of the United States.

SEC. 1065. CONDITIONS FOR LENDING OBSOLETE OR CONDEMNED RIFLES FOR FUNERAL CEREMONIES.

Section 4883(a)(2) of title 10, United States Code, is amended to read as follows:

"(2) issue and deliver those rifles, together with black armbands, to those units without charge if the rifles and ammunition are to be used for ceremonies and funerals in honor of veterans at national or other cemeteries."

SEC. 1066. PROHIBITION ON THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN COUNTRIES WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) PROHIBITION.—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—A term "entity controlled by a foreign government" has the meaning given that term in section 2586(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term "veterans memorial object" means any object, including a physical structure or portion thereof, that—

(A) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, veterans of combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.

SEC. 1067. MILITARY ASSISTANCE TO CIVIL AUTHORITIES IN ARMED CONFLICT.

(a) AUTHORITY.—During fiscal year 2000, the Secretary of Defense, upon the request of the Attorney General, may provide assistance to the Department of Justice to support a search, seizure, arrest, or trial of any individual in the United States, if the Secretary of Defense determines that—

(1) the specific steps the United States has taken and will continue to take to institute the requirement pursuant to subsection (a); and

(2) the provision of such assistance will not adversely affect the military preparedness of the armed forces.

(b) NATURE OF ASSISTANCE.—Assistance provided under subsection (a) may include the deployment of Department of Defense personnel and the use of any Department of Defense resources to the extent and for such period as the Secretary of Defense determines necessary to prepare for, prevent, or respond to an act or threat described in the paragraph.

Actions taken to provide the assistance may include the prepositioning of Department of Defense personnel, equipment, and supplies in or near the United States.

(c) REIMBURSEMENT.—(1) Assistance provided under this section shall be provided on a reimbursable basis. Notwithstanding any other provision of law, the amounts of reimbursement shall be limited to the amounts of the incremental costs of providing the assistance. In extraordinary circumstances, the Secretary of Defense may waive reimbursement upon determining that a waiver of the reimbursement is in the national security interests of the United States and submitting to Congress a notification of the determination.

(2) If funds are appropriated for the Department of Justice to cover the costs of responding to an act or threat for which assistance is provided under subsection (a), the Department of Defense shall be reimbursed out of such funds for the costs incurred by the department in providing the assistance without regard to whether the assistance was provided on a reimbursable basis.

(d) LIMITATIONS.—Not more than $10,000,000 may be obligated to provide assistance pursuant to subsection (a) in a fiscal year.

(e) PERSONNEL RESTRICTIONS.—In carrying out this section, a member of the Army, Navy, Air Force, or Marine Corps may not, unless authorized by another provision of law—

(1) directly participate in a search, seizure, arrest, or other similar activity; or

(2) collect intelligence for law enforcement purposes.

(f) NONDELEGABILITY OF AUTHORITY.—(1) The Secretary of Defense may not delegate to any other official authority to make determinations to authorize assistance under this section.

(2) The Attorney General may not delegate to any other official authority to make a request for assistance under this section.

(h) RELATIONSHIP TO OTHER AUTHORITY.—(1) The authority provided in this section is in addition to any other authority available to the Secretary of Defense.

(2) Nothing in this section shall be construed to restrict any authority regarding the use of the Department of Defense equipment of the Department of Defense that was in effect before the date of enactment of this Act.

SEC. 1067. MILITARY ASSISTANCE TO CIVIL AUTHORITIES IN ARMED CONFLICT.

(a) AUTHORITY.—During fiscal year 2000, the Secretary of Defense, upon the request of the Attorney General, may provide assistance to the Department of Justice to support a search, seizure, arrest, or trial of any individual in the United States, if the Secretary of Defense determines that—

(1) the specific steps the United States has taken and will continue to take to institute the requirement pursuant to subsection (a); and

(2) the provision of such assistance will not adversely affect the military preparedness of the armed forces.

(b) NATURE OF ASSISTANCE.—Assistance provided under subsection (a) may include the deployment of Department of Defense personnel and the use of any Department of Defense resources to the extent and for such period as the Secretary of Defense determines necessary to prepare for, prevent, or respond to an act or threat described in the paragraph. Actions taken to provide the assistance may include the prepositioning of Department of Defense personnel, equipment, and supplies in or near the United States.

(c) REIMBURSEMENT.—(1) Assistance provided under this section shall be provided on a reimbursable basis. Notwithstanding any other provision of law, the amounts of reimbursement shall be limited to the amounts of the incremental costs of providing the assistance. In extraordinary circumstances, the Secretary of Defense may waive reimbursement upon determining that a waiver of the reimbursement is in the national security interests of the United States and submitting to Congress a notification of the determination.

(2) If funds are appropriated for the Department of Justice to cover the costs of responding to an act or threat for which assistance is provided under subsection (a), the Department of Defense shall be reimbursed out of such funds for the costs incurred by the department in providing the assistance without regard to whether the assistance was provided on a reimbursable basis.

(d) LIMITATIONS.—Not more than $10,000,000 may be obligated to provide assistance pursuant to subsection (a) in a fiscal year.

(e) PERSONNEL RESTRICTIONS.—In carrying out this section, a member of the Army, Navy, Air Force, or Marine Corps may not, unless authorized by another provision of law—

(1) directly participate in a search, seizure, arrest, or other similar activity; or

(2) collect intelligence for law enforcement purposes.

(f) NONDELEGABILITY OF AUTHORITY.—(1) The Secretary of Defense may not delegate to any other official authority to make determinations to authorize assistance under this section.

(2) The Attorney General may not delegate to any other official authority to make a request for assistance under this section.

(h) RELATIONSHIP TO OTHER AUTHORITY.—(1) The authority provided in this section is in addition to any other authority available to the Secretary of Defense.

(2) Nothing in this section shall be construed to restrict any authority regarding the use of the Department of Defense equipment of the Department of Defense that was in effect before the date of enactment of this Act.

SEC. 1068. MILITARY RESOURCES REGARDING THE CONTINUATION OF SANCTIONS AGAINST LIBYA.

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

(1) On December 21, 1988, 270 people, including 189 United States citizens, were killed in a terrorist bombing of Pan Am Flight 103 over Lockerbie, Scotland.

(2) Britain and the United States indicted two Libyan intelligence agents, Abd al-Baset Ali al-Megrahi and Al-Amin Khalifah Fhimah, in 1991 and sought their extradition from Libya to the United States or the United Kingdom to stand trial for this heinous terrorist act.

(3) The United Nations Security Council called for the extradition of the suspects in Security Council Resolution 781 and imposed sanctions on Libya in Security Council Resolutions 748 and 883 because Libyan leader Colonel Muammar Qadhafi refused to transfer the suspects to the United States or the United Kingdom to stand trial.

(4) The United Nations Security Council Resolutions 731, 748, and 883 demand that Libya cease all support and turn over the two suspects, cooperate with the investigation and the trial, and address the issue of appropriate compensation.

(5) The sanctions in United Nations Security Council Resolutions 748 and 883 include—

(A) a worldwide ban on Libya’s national airline;

(B) a ban on flights into and out of Libya by other nations’ airlines; and

(C) a prohibition on supplying arms, airplane parts, and certain oil equipment to Libya, and a blocking of Libyan Government funds in other countries.

(6) Colonel Muammar Qadhafi for many years refused to extradite the suspects to either the United States or the United Kingdom and had insisted that he would only transfer the suspects to a third and neutral country to stand trial.

(7) On August 24, 1998, the United States and the United Kingdom agreed to the proposals that Colonel Qadhafi transfer the suspects to The Netherlands, where they would stand trial under a Scottish court, under Scottish law, and with a panel of Scottish judges.


(9) The United States, consistent with United Nations Security Council resolutions, called on Libya to ensure the production of appropriate compensation including the transfer of businesses before the court, and to comply fully with all the requirements of the United Nations Security Council resolutions.

By years of intensive diplomacy, Colonel Qadhafi finally transferred the two Libyan suspects to The Netherlands on April 5, 1999, and the United Nations Security Council in turn, substantially lifted its sanctions against Libya that same day.

(11) Libya has only fulfilled one of four conditions (the transfer of the two suspects described in the last sentence) set forth in United Nations Security Council Resolutions 731, 748, and 883 that would justify the lifting of United Nations Security Council sanctions against Libya.

(12) Libya has not fulfilled the other three conditions (cooperation with the Lockerbie...
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investigation and trial; renunciation of and
ending support for terrorism; and payment of
appropriate compensation) necessary to lift

(13) The United Nations Security Council is expected to issue a report to the Security Council on or before July 5, 1999, on the issue of
libya’s compliance with the remaining conditions.

(14) Any member of the United Nations Security Council has the right to introduce a resolution to lift the sanctions against Libya after the United Nations Security Council’s report has been issued.

(15) The United States Government considers Libya a state sponsor of terrorism, and the State Department Report, “Patterns of Global Terrorism; 1998,” stated that Colonel Qaddafi “continued publicly and privately to support terrorist groups, including
the PIJ and the FFLP- GC”.

(16) United States Government sanctions (other than sanctions on food or medicine) should be maintained on Libya, and in accordance with United States law, the Secretary
of State should keep Libya on the list of countries the governments of which have repeatedly provided support for acts of international terrorism under section 6(j) of the Export Administration Act of 1979 in light of Libya’s ongoing support for terrorist groups.

(b) ANNUAL REPORT ON IMPLEMENTATION OF
EXPORT CONTROLS BY UNITED STATES SATELLITE MANUFACTURERS.

(a) NOTICE TO CONGRESS OF INVESTIGATIONS.
The President shall promptly notify Congress whenever an investigation is under
taken of an alleged violation of United States export control laws in connection with
a commercial satellite of United States origin.

(b) NOTICE TO CONGRESS OF CERTAIN EXPORT
WAIVERS.—The President shall promptly no-
that is furnished to Congress pursuant to
procedures to protect from unauthorized disclo-
sure classified information, information re-
quired by the Agency to monitor the launch
campaign and;

(b) the reimbursement of the Department,
the Agency, and the Federal Republic of Germany,
for amounts expended by the Agency in moni-
toring the launch campaign;

(5) to establish a formal technology training
program for personnel of the Agency who
monitor satellite launch campaigns over-
seas, including a structured framework for
providing training in areas of export control
laws;

(6) to review and improve guidelines on the
scope of permissible discussions with foreign
persons regarding technology and technical
information, including the technology and
technical information that should not be in-
cluded in such discussions;

(7) to provide, on at least an annual basis,
briefings to the officers and employees of
United States commercial satellite entities
on United States export license standards,
guidelines, and restrictions, and encourage
such officers and employees to participate in
such briefings;

(8) to establish a system for—
(A) the preparation and filing by personnel
of the Offices of the Agency who
monitor satellite launch campaigns over-
seas of detailed reports of all
activities observed by such personnel in
the course of monitoring such campaigns;

(b) ANNUAL REPORT ON IMPLEMENTATION OF
SATellite Launch Monitoring program.

(b) ANNUAL REPORT ON IMPLEMENTATION OF
SATellite Launch Monitoring program.

(1) The Secretary of Defense and the Secretary
of State shall submit to Congress each year
a part of the annual report for that year
under section 1514(a)(8) of the Strom
Thurmond National Defense Authorization
Act for Fiscal Year 1999 (Public Law
105-261; 112 Stat. 2175; 22 U.S.C. 2778
note) that provide for—

(A) the preparation and filing by personnel
of the Offices of the Agency who
monitor satellite launch campaigns over-
seas of detailed reports of all
activities observed by such personnel in
the course of monitoring such campaigns;

(b) the systematic archiving of reports
filed under subparagraph (A); and

(C) the preservation of such reports in ac-
cordance with applicable laws; and

(d) PROTECTION OF CLASSIFIED AND OTHER
SENSITIVE INFORMATION.—The Senate and the
House of Representatives shall each estab-
lish, by rule or resolution of such House, pro-
cedures to protect from unauthorized disclo-
sure classified information, information re-
quiring to intelligence sources and methods,
and sensitive law enforcement information that
is furnished to Congress pursuant to
this section.

(e) EXCEPTION.—The requirements of sub-
sections (a) and (b) shall not apply if the President
determines that notification of Congress would jeopardize an on-going crimi-
nal investigation.

(f) REPORT TO CONGRESS.—The President
makes such a determination he shall provide writ-
ten notification to the Majority Leader of the
Senate, the Minority Leader of the Sen-
ate, the Speaker of the House of Represen-
tatives and the Minority Leader of the House
of Representatives. Such notification shall
include a justification for any such deter-
mation.

SEC. 1070. ENHANCEMENT OF ACTIVITIES OF DE-
FENSE THREAT REDUCTION AGEN-
tions.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regu-
lar for the personnel of the Defense
Threat Reduction Agency (DTRA) who
monitor the overseas launch campaigns to
suspend such campaigns at any time if the
suspension is required for purposes of the
national security of the United States;

(2) to establish appropriate professional
and technical qualifications for such per-
sone;

(3) to allocate funds and other resources to
the Agency at levels sufficient to prevent
any shortfalls in the number of such per-
sone;

(4) to establish mechanisms in accordance
with the provisions of section 1514(a)(12)(A)
of the Strom Thurmond National Defense
Authorization Act for Fiscal Year 1999 (Public
Law 105-261; 112 Stat. 2175; 22 U.S.C. 2778
note) that provide for—

(A) the allocation to the Agency, in ad-
anced of a launch campaign, of an amount
equal to the amount estimated to be re-
quired by the Agency to monitor the launch
campaign;

(b) the reimbursement of the Department,
the Agency, and the Federal Republic of
Germany, for amounts expended by the Agency in moni-
toring the launch campaign;

(5) to establish a formal technology training
program for personnel of the Agency who
monitor satellite launch campaigns over-
seas, including a structured framework for
providing training in areas of export control
laws;

(6) to review and improve guidelines on the
scope of permissible discussions with foreign
persons regarding technology and technical
information, including the technology and
technical information that should not be in-
cluded in such discussions;

(7) to provide, on at least an annual basis,
briefings to the officers and employees of
United States commercial satellite entities
on United States export license standards,
guidelines, and restrictions, and encourage
such officers and employees to participate in
such briefings;

(8) to establish a system for—
(A) the preparation and filing by personnel
of the Offices of the Agency who
monitor satellite launch campaigns over-
seas of detailed reports of all
activities observed by such personnel in
the course of monitoring such campaigns;

(b) the systematic archiving of reports
filed under subparagraph (A); and

(C) the preservation of such reports in ac-
cordance with applicable laws; and

(b) ANNUAL REPORT ON IMPLEMENTATION OF
SATellite Launch Monitoring program.

(b) ANNUAL REPORT ON IMPLEMENTATION OF
SATellite Launch Monitoring program.

(1) The Secretary of Defense and the Secretary
of State shall submit to Congress each year
a part of the annual report for that year
under section 1514(a)(8) of the Strom
Thurmond National Defense Authorization
Act for Fiscal Year 1999, the following:

(A) A summary of the satellite launch campaigns and related activities monitored by the Defense Threat Reduction Agency
during the preceding year;

(b) A list of all license infractions or violations that may have occurred during
such campaigns and activities.

(C) A description of the personnel, funds, and other resources dedicated to the satellite
launch monitoring program of the Agency
during that year;
France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the MTCR Annex, and any amendments thereto.

(2) "MTCR Annex" means the Guidelines and Equipment and Technology Annex of the Missile Technology Control Regime, and any amendments thereto.

SEC. 1074. UNITED STATES COMMERCIAL SPACE LAUNCH CAPACITY.

It is the sense of Congress that—

(1) Congress and the President should work together to stimulate and encourage the expansion of a commercial space launch capacity in the United States, including by taking actions to eliminate legal or regulatory barriers to long-term competitiveness in the United States commercial space launch industry; and

(2) Congress and the President should—

(A) reexamine the current United States policy of permitting the export of commercial satellites of United States origin to the People’s Republic of China for launch;

(B) review the advantages and disadvantages of phasing out the policy over time, including advantages and disadvantages identified by Congress, the executive branch, the United States space industry, the United States space launch industry, the United States telecommunications industry, and other interested persons; and

(C) as the phases of the policy is adopted, permit launches of commercial satellites of United States origin by the People’s Republic of China only if—

(i) such launches are licensed as of the commencement of the phase out of the policy; and

(ii) additional actions are taken to minimize transfer of technology to the People’s Republic of China during the course of such launches.

SEC. 1075. ANNUAL REPORTS ON SECURITY IN THE TAIWAN STRAIT.

(a) IN GENERAL.—Not later than February 1 of each year, beginning in the first calendar year after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report, in both classified and unclassified form, detailing the security situation in the Taiwan Strait.

(b) REPORT ELEMENTS.—Each report shall include—

(1) an analysis of the military forces facing Taiwan and the People’s Republic of China;

(2) an evaluation of the security needs of the People’s Republic of China since 1938, necessitating the redeployment of forces to support operations in the Balkans.

(3) an assessment of any challenges during the preceding year to the offensive military capabilities of the People’s Republic of China; and

(4) an assessment of any challenges during the preceding year to the deterrent forces of the Republic of China on Taiwan, consistent with the commitments made by the United States in the Taiwan Relations Act (Public Law 96-8).

(c) APPROPRIATE CONGRESSIONAL COMMIT­TEES.—The term “appropriate congressional committees” means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on International Relations and the Committee on Armed Services of the House of Representatives.

SEC. 1076. DECLASSIFICATION OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.

Section 316I(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 2485, 35 U.S.C. 455 note) is amended by adding at the end the following:

(9) The actions to be taken to ensure that records subject to Executive Order No. 12888 that have previously been determined to be suitable for release to the public are reviewed on a page by page basis for Restricted Data or Formerly Restricted Data unless such records have been determined to be highly unlikely to contain Restricted Data or Formerly Restricted Data.

SEC. 1077. DISENGAGING FROM NONCRITICAL OVERSEAS MISSIONS INVOLVING UNITED STATES COMBAT FORCES.

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

(1) It is the National Security Strategy of the United States to “deter and defeat large-scale, cross-border aggression in two distant theaters in overlapping time frames”.

(2) The deterrence of Iraq and Iran in Southwest Asia; North Korea in Northeast Asia represent two such potential large-scale, cross-border theater requirements.

(3) The United States has 120,000 troops permanently assigned to those theaters.

(4) The United States has an additional 70,000 forces assigned to non-NATO non-Pacific threat foreign countries.

(5) The United States has more than 6,000 troops in Bosnia-Herzegovina on indefinite assignment.

(6) The United States has diverted permanently assigned resources from other theaters to support operations in the Balkans.

(7) The United States provides military forces to several United Nations peacekeeping operations, including some missions that have continued for decades.

(B) by inserting the following:

(1) by inserting “the term ‘armed forces educational liabilities’ means liabilities of the armed forces for benefits under chapter 30 of title 38 for Department of Defense benefits under chapter 1606 of this title”;

(2) by replacing “Department of Defense” wherever it appears in the Department of Defense;

(3) by replacing “Department of Defense” wherever it appears in the Department of Defense;

(4) by inserting “the Secretary of the Department in which the Coast Guard is operating” after “Secretary of Defense”;

(5) by inserting “and the Secretary of the Department in which the Coast Guard is operating” after “Secretary of Defense”;

(6) by inserting “Department of Defense” in subsection (d) and inserting “armed forces”;

(7) by inserting “Secretary of the Department in which the Coast Guard is operating” after “Secretary of Defense”; and

(8) by inserting the Department in which the Coast Guard is operating” in subsection (d) after “Secretary of Defense”;

(9) by inserting “Secretary of the Department in which the Coast Guard is operating” in subsection (d) after “Secretary of Defense”;

(10) by inserting “Secretary of the Department in which the Coast Guard is operating” in subsection (d) after “Secretary of Defense”;

SEC. 1078. SENSE OF THE SENATE ON NEGOTIATIONS WITH INDICTED WAR CRIMINALS.

(a) IN GENERAL.—It is the sense of the Senate that the United States, as a member of the NATO, should not negotiate with Slobodan Milosevic, an indicted war criminal, or any other indicted war criminal with respect to reaching an end to the conflict in the Federal Republic of Yugoslavia.

(b) YUGOSLAVIA DEFINED.—In this section, the term “Federal Republic of Yugoslavia” means the Federal Republic of Yugoslavia (Serbia and Montenegro).

SEC. 1079. COAST GUARD EDUCATION FUNDING.

Section 2006 of title 10, United States Code, is amended—

(1) by striking “Department of Defense education liabilities” in subsection (a) and inserting “armed forces education liabilities”;

(2) by striking paragraph (1) of subsection (b) and inserting the following:

“(1) by inserting “and the Secretary of the Department of Defense” in subsection (d) after “Secretary of Defense”;

(3) by striking “Department of Defense” in subsection (d) and inserting “armed forces”;

(4) by striking “Secretary of the Department in which the Coast Guard is operating” in subsection (d) after “Secretary of Defense”;

(5) by inserting the Department in which the Coast Guard is operating” in subsection (d) after “Secretary of Defense”;

(6) by inserting “and the Secretary of the Department in which the Coast Guard is operating” after “Secretary of Defense”;

(7) by inserting “Secretary of the Department in which the Coast Guard is operating” in subsection (d) after “Secretary of Defense”;

(8) by inserting “Secretary of the Department in which the Coast Guard is operating” in subsection (d) after “Secretary of Defense”;

SEC. 1080. TECHNICAL AMENDMENT TO PROHIBITION ON RELEASE OF CONTRACTOR PROPOSALS UNDER THE FREEDOM OF INFORMATION ACT.

Section 2306(g) of title 10, United States Code, is amended by striking “the Department of Defense” and inserting “an agency named in section 2303 of this title”.

SEC. 1081. ATTENDANCE AT PROFESSIONAL MILITARY EDUCATION SCHOOLS BY MILITARY PERSONNEL OF THE NEW MEMBER NATIONS OF THE NORTH ATLANTIC TREATY ORGANIZATION.

(a) FINDING.—Congress finds that it is in the national interests of the United States to fully integrate Poland, Hungary, and the Czech Republic, the nations of the North Atlantic Treaty Organization, into the NATO alliance as quickly as possible.

(b) MILITARY EDUCATION AND TRAINING PROGRAMS.—The Secretary of the Army shall provide for Department of Defense benefits for military personnel of Poland, Hungary, and the Czech Republic who attend professional military education schools and training programs in the United States, including the United
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States Military Academy, the United States Naval Academy, the United States Air Force Academy, the National Defense University, the war colleges of the Armed Forces, the command and general staff officer courses of the Armed Forces, and other schools and training programs of the Armed Forces that admit personnel of foreign armed forces.

SEC. 1082. RECOVERY AND IDENTIFICATION OF REMAINS OF U.S. MILITARY PERSONNEL KILLED OR MISSING IN ACTION IN AFRICA AND ASIA.

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

(1) the United States should agree to increase the limitations applicable to commercial space launch services provided by Russian space launch services providers if the Government of the Russian Federation takes full and complete steps from the Government of the Russian Federation to prevent the illegal transfer from Russia to Iran or any other country of any prohibited ballistic missile equipment or any technology necessary for the acquisition or development by the recipient country of any ballistic missile;

(2) the United States should demand full and complete compliance from the Government of the Russian Federation to preclude the illegal transfer from Russia to Iran or any other country of any prohibited fissile material or ballistic missile equipment or any technology necessary for the acquisition or development by the recipient country of any nuclear weapon or ballistic missile and

(3) the United States should take every appropriate measure necessary to encourage the Government of the Russian Federation to seek out and prevent the illegal transfer from Russia to Iran or any other country of any prohibited fissile material or ballistic missile equipment or any technology necessary for the acquisition or development by the recipient country of any nuclear weapon or ballistic missile.

(b) DEFINITIONS.—

(1) In general.—The terms ‘‘commercial space launch services’’ and ‘‘Russian space launch service providers’’ have the same meanings given those terms in Article I of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding Commercial Space Launch Services, signed in Washington, D.C., on September 2, 1993.

(2) Quantitative limitations applicable to commercial space launch services—In this subsection the term ‘‘quantitative limitations applicable to commercial space launch services’’ means the quantitative limits applicable to commercial space launch services contained in Article IV of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding Commercial Space Launch Services, signed in Washington, D.C., on September 2, 1993, as amended by the agreement between the United States and the Russian Federation done at Washington, D.C., on January 30, 1996.

SEC. 1083. RECOVERY AND IDENTIFICATION OF REMAINS OF CERTAIN WORLD WAR II SERVICEMEN.

(a) RESPONSIBILITIES OF THE SECRETARY OF THE ARMED FORCES.—(1) The Secretary of the Army, in consultation with the Secretary of Defense, shall make every reasonable effort, as a matter of high priority, to search for, recover, and identify the remains of United States servicemen of the United States aircraft lost in the Pacific theater of operations during World War II, including in New Guinea.

(2) The Secretary of the Army shall submit to Congress not later than September 30, 2000, a report detailing the efforts made by the United States Army Central Identification Laboratory to accomplish the objectives described in paragraph (1).

(b) RESPONSIBILITIES OF THE SECRETARY OF STATE.—The Secretary of State, upon request by the Secretary of the Army, shall work with officials of governments of sovereign nations that were the principal combatant nations of World War II to overcome any political obstacles that have the potential for precluding the Secretary of the Army from accomplishing the objectives described in subsection (a)(1).

SEC. 1084. CHEMICAL AGENTS USED FOR DEFENSIVE TRAINING.

(a) AUTHORITY TO TRANSFER AGENTS.—(1) The Secretary of Defense may transfer to the Attorney General, in accordance with the Chemical Weapons Convention, quantities of lethal chemical agents required to support training at the Center for Domestic Preparedness in Fort McClellan, Alabama. The quantity of lethal chemical agents transferred under this section may not exceed any prohibited fissile material or ballistic missile equipment or any technology necessary for the acquisition or development by the recipient country of any nuclear weapon or ballistic missile and

(2) The Secretary of Defense may not transfer lethal chemical agents under this section until—

(A) the Center referred to in paragraph (1) is transferred from the Department of Defense to the Department of Justice; and

(B) the Secretary determines that the Attorney General is prepared to receive such agents.

(3) To carry out the training described in paragraph (1) and other defensive training not prohibited by the Chemical Weapons Convention, the Department of Defense may transport lethal chemical agents from a Department of Defense facility in one State to a Department of Justice or Department of Defense facility in another State.

(4) Quantities of lethal chemical agents transferred under this section shall meet all applicable requirements for transportation, storage, transfer, and disposal of such agents and for any resulting hazardous waste products.

(b) ANNUAL REPORT.—The Secretary of Defense, in consultation with the Attorney General, shall report annually to Congress regarding the disposition of lethal chemical agents transferred under this section.

(c) NON-INTERVENTION TREATY OBLIGATIONS.—Nothing in this section may be construed as interfering with United States treaty obligations under the Chemical Weapons Convention.

(d) CHEMICAL WEAPONS CONVENTION DEFINED.—In this section, 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.

SEC. 1085. UNITED STATES NONSTRATEGIC NUCLEAR ARMS.

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

(1) it is in the interest of Russia to fully implement the Presidential Nuclear Initiative announced in 1991 and 1992 by then-President of the Soviet Union Gorbachev and then-President of Russia Yeltsin;

(2) the President of the United States should call on Russia to match the unilateral reductions in the United States inventory of tactical nuclear weapons, which have reduced the inventory by nearly 90 percent; and

(3) if the certification under section 1041 is made, the President should emphasize the continued interest of the United States in working cooperatively with Russia to reduce the weapons associated with Russia’s tactical nuclear arsenal.

(b) ANNUAL REPORT.—(1) Each annual report on accounting for United States assistance under Cooperative Threat Reduction programs that is submitted to Congress under section 1206 of Public Law 104-106 (110 Stat. 77; 22 U.S.C. 6555 note) after fiscal year 1999 shall include, regarding Russia’s arsenal of tactical nuclear warheads, the following:

(A) Estimates regarding current types, numbers, yields, viability, locations, and deployment status of the warheads.

(B) An assessment of the strategic relevance of the warheads.

(C) An assessment of the current and projected threat of theft, sale, or unauthorized use of the warheads.

(D) A summary of past, current, and planned United States efforts to work cooperatively with Russia to account for, secure, and reduce Russia’s tactical nuclear warheads and associated fissile material.

(2) The Secretary shall include in the annual report, with the matters included under paragraph (1), the views of the Director of Central Intelligence and the views of the Commander in Chief of the United States Strategic Command regarding those matters.

(c) VIEWS OF THE DIRECTOR OF CENTRAL INTELLIGENCE.—The Director of Central Intelligence shall submit to the Secretary of Defense, for inclusion in the annual report under subsection (b), the Director’s views on the matters described in paragraph (1) of that subsection regarding Russia’s tactical nuclear weapons.

SEC. 1086. COMMEMORATION OF THE VICTORY OF FREEDOM IN THE COLD WAR.

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

(1) The Cold War between the United States and the former Union of Soviet Socialist Republics was the longest and most costly struggle for democracy and freedom in the history of mankind.

(2) Whether millions of people all over the world would live in freedom hinged on the outcome of the Cold War.

(3) Democratic countries bore the burden of the struggle and paid the costs in order to preserve and promote democracy and freedom.

(4) The Armed Forces and the taxpayers of the United States bore the greatest portion of such a burden and struggle in order to promote these principles.

(5) Tens of thousands of United States soldiers, sailors, Marines, and airmen paid the ultimate price during the Cold War in order to preserve the freedoms and liberties enjoyed in democratic countries.

(6) The Berlin Wall erected in Berlin, Germany, epitomized the totalitarianism that the United States struggled to eradicate during the Cold War.

(7) The fall of the Berlin Wall on November 9, 1989, marked the beginning of the end for Soviet totalitarianism and the Cold War.

(8) November 9, 1989, is the 10th anniversary of the fall of the Berlin Wall.

(b) DESIGNATION OF VICTORY IN THE COLD WAR DAY.—Congress hereby—
medals and decorations to current and private sector under paragraph (3)(A) of that States or from amounts contributed by the funds are derived from funds of the United graph (1) of that subsection, whether such

**§ 1133. Cold War medal: award**

(a) AWARD.—There is hereby authorized an award of an appropriate decoration, as provided for under subsection (b), to all individuals whose efforts were vital to United States victory in the Cold War. The decoration shall be of appropriate design, with ribbons and appurtenances.

(b) **PERIOD OF COLD WAR.**—For purposes of subsection (a), the term ‘Cold War’ shall mean the period beginning on August 14, 1945, and ending on November 9, 1993.

(2) The amount of funds authorized under paragraph (2) of such chapter is amended by adding at the end the following:

**1133. Cold War medal: award.**

(d) **COMMISSION ON VICTORY IN THE COLD WAR.**—(1) There is hereby established a commission to be known as the ‘Commission on Victory in the Cold War.’ (In this subsection to be known as ‘Commission’).

(2) The Commission shall be composed of twelve individuals, as follows:

(A) Two shall be appointed by the President.

(B) Two shall be appointed by the Majority Leader of the Senate.

(C) Two shall be appointed by the Majority Leader of the House of Representatives.

(D) Three shall be appointed by the Secretary of Defense.

(E) Three shall be appointed by the Speaker of the House of Representatives.

(3) The Commission shall have as its duty the review and approval of the expenditure of funds by the Armed Forces under subsection (d) pursuant to the participation of the Armed Forces in the celebration referred to in paragraph (1) of that subsection, whether such funds are derived from funds of the United States or from amounts contributed by the private sector under paragraph (3)(A) of that subsection.

(4) In addition to the duties provided for under paragraph (3), the Commission shall also have the authority to design and award medals and decorations to current and former public officials and other individuals whose efforts were vital to United States victory in the Cold War.

(5) The Commission shall be chaired by two individuals selected from among those appointed pursuant to subparagraphs (A), (B), and (C) of paragraph (2).

(B) One selected from among those appointed pursuant to subparagraphs (D) and (E) of paragraph (2).

**TITLE XI—DEPARTMENT OF DEFENSE VICTORY MEDAL**

SEC. 1101. ACCELERATED ACQUISITION OF VOLUNTARY EARLY RETIREMENT AUTHORITY.

Section 1134 of title 10, United States Code, is amended by adding the following:

(a) **SERVICE IN A COMBAT ZONE AS EXIGENCY OF THE PUBLIC BUSINESS.**—Section 6304(d) of title 5, United States Code, is amended by adding at the end the following:

(b) **RESTORATION OF LEAVE AND PENSION PAY FOR MILITARY PERSONNEL.**—Section 1581(a) of title 10, United States Code, is amended by striking ‘‘or a civilian employee under the supervision of the officer’’.

SEC. 1102. DEFERRENG TO EEFC PROCEDURES FOR INVESTIGATION OF COMPLAINTS OF SEXUAL HARASSMENT MADE BY EMPLOYEES.

Section 1561(a) of title 10, United States Code, is amended by striking ‘‘or a civilian employee under the supervision of the officer’’.

SEC. 1103. RESTORATION OF LEAVE AND PENSION PAY FOR MILITARY PERSONNEL SERVING IN A COMBAT ZONE.

(a) **SERVICE IN A COMBAT ZONE AS EXIGENCY OF THE PUBLIC BUSINESS.**—Section 6304(d) of title 5, United States Code, is amended by adding at the end the following:

(b) **AS USED IN SUBPARA-GRAPH (A).**—

(i) the term ‘Department of Defense emergency essential employee’ means an employee of the Department of Defense who is designated under section 1500 of title 10 as an emergency essential employee; and

(ii) the term ‘combat zone’ has the meaning given such term in section 112(c)(2) of the Internal Revenue Code of 1986.

(c) **PERIOD OF COLD WAR.**—For purposes of this section, the term ‘Cold War’ shall mean the period beginning on August 14, 1945, and ending on November 9, 1993.

(2) The total amount of funds available under paragraph (1) for the purpose set forth in that paragraph may not exceed $15,000,000.

(3)(A) The Secretary of Defense may accept contributions from the private sector for the purpose of reducing the costs of the Armed Forces described in paragraph (1).

(B) The amount of funds available under paragraph (1) for the purpose set forth in that paragraph shall be reduced by an amount equal to the amount of contributions accepted by the Secretary under subparagraph (A).

(c) **COMMISSION ON VICTORY IN THE COLD WAR.**—(1) There is hereby established a commission to be known as the ‘Commission on Victory in the Cold War.’ (In this subsection to be known as ‘Commission’).

(2) The Commission shall be composed of twelve individuals, as follows:

(A) Two shall be appointed by the President.

(B) Two shall be appointed by the Majority Leader of the Senate.

(C) Two shall be appointed by the Majority Leader of the House of Representatives.

(D) Three shall be appointed by the Secretary of Defense.

(E) Three shall be appointed by the Speaker of the House of Representatives.

(3) The Commission shall have as its duty the review and approval of the expenditure of funds by the Armed Forces under subsection (d) pursuant to the participation of the Armed Forces in the celebration referred to in paragraph (1) of that subsection, whether such funds are derived from funds of the United States or from amounts contributed by the private sector under paragraph (3)(A) of that subsection.

(4) In addition to the duties provided for under paragraph (3), the Commission shall also have the authority to design and award medals and decorations to current and former public officials and other individuals whose efforts were vital to United States victory in the Cold War.

(5) The Commission shall be chaired by two individuals selected from among those appointed pursuant to subparagraphs (A), (B), and (C) of paragraph (2).

(B) One selected from among those appointed pursuant to subparagraphs (D) and (E) of paragraph (2).

**TITLE XI—DEPARTMENT OF DEFENSE VICTORY MEDAL**

SEC. 1101. ACCELERATED ACQUISITION OF VOLUNTARY EARLY RETIREMENT AUTHORITY.

Section 1134 of title 10, United States Code, is amended by adding the following:

(a) **SERVICE IN A COMBAT ZONE AS EXIGENCY OF THE PUBLIC BUSINESS.**—Section 6304(d) of title 5, United States Code, is amended by adding at the end the following:

(b) **AS USED IN SUBPARA-GRAPH (A).**—

(i) the term ‘Department of Defense emergency essential employee’ means an employee of the Department of Defense who is designated under section 1500 of title 10 as an emergency essential employee; and

(ii) the term ‘combat zone’ has the meaning given such term in section 112(c)(2) of the Internal Revenue Code of 1986.

(c) **PERIOD OF COLD WAR.**—For purposes of this section, the term ‘Cold War’ shall mean the period beginning on August 14, 1945, and ending on November 9, 1993.

(2) The total amount of funds available under paragraph (1) for the purpose set forth in that paragraph may not exceed $15,000,000.

(3)(A) The Secretary of Defense may accept contributions from the private sector for the purpose of reducing the costs of the Armed Forces described in paragraph (1).

(B) The amount of funds available under paragraph (1) for the purpose set forth in that paragraph shall be reduced by an amount equal to the amount of contributions accepted by the Secretary under subparagraph (A).

(c) **COMMISSION ON VICTORY IN THE COLD WAR.**—(1) There is hereby established a commission to be known as the ‘Commission on Victory in the Cold War.’ (In this subsection to be known as ‘Commission’).

(2) The Commission shall be composed of twelve individuals, as follows:

(A) Two shall be appointed by the President.

(B) Two shall be appointed by the Majority Leader of the Senate.

(C) Two shall be appointed by the Majority Leader of the House of Representatives.

(D) Three shall be appointed by the Secretary of Defense.

(E) Three shall be appointed by the Speaker of the House of Representatives.

(3) The Commission shall have as its duty the review and approval of the expenditure of funds by the Armed Forces under subsection (d) pursuant to the participation of the Armed Forces in the celebration referred to in paragraph (1) of that subsection, whether such funds are derived from funds of the United States or from amounts contributed by the private sector under paragraph (3)(A) of that subsection.

(4) In addition to the duties provided for under paragraph (3), the Commission shall also have the authority to design and award medals and decorations to current and former public officials and other individuals whose efforts were vital to United States victory in the Cold War.

(5) The Commission shall be chaired by two individuals selected from among those appointed pursuant to subparagraphs (A), (B), and (C) of paragraph (2).

(B) One selected from among those appointed pursuant to subparagraphs (D) and (E) of paragraph (2).
SEC. 1106. SALARY SCHEDULES AND RELATED BENEFITS FOR FACULTY AND STAFF OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

Section 2113a(f) of title 10, United States Code, is amended by adding at the end the following:

“(3) The limitations in sections 5307 and 5373 of title 5 do not apply to the authority of the Secretary of Defense under paragraph (1) to prescribe salary schedules and other related benefits.”.

SEC. 1107. EXTENSION OF CERTAIN TEMPORARY AUTHORITIES TO PROVIDE BENEFITS FOR EMPLOYEES IN CONNECTION WITH DEFENSE WORKFORCE REDUCTIONS AND RESTRUCTURING.

(a) LUMP-SUM PAYMENT OF SEVERANCE PAY.—Section 5595(i)(4) of title 5, United States Code, is amended by striking “the date of the enactment of the National Defense Authorization Act for Fiscal Year 1996 and before October 1, 1999” and inserting “February 10, 1996, and before October 1, 2003.”

(b) VOLUNTARY SEPARATION INCENTIVE.—Section 5595(e) of such title is amended by striking “September 30, 2001” and inserting “September 30, 2003.”

(c) CONTINUATION OF FEHBP ELIGIBILITY.—Section 8903(a)(4)(B) of such title is amended by striking clauses (i) and (ii) and inserting the following:

“(ii) October 1, 2003; or

“(ii) February 1, 2004, if specific notice of such separation was given to such individual before October 1, 2003.”

TITLE XII—NATIONAL MILITARY MUSEUM AND RELATED MATTERS

Subtitle A—Commission on National Military Museum

SEC. 1201. ESTABLISHMENT.

(a) ESTABLISHMENT.—There is hereby established a commission known as the “Commission on the National Military Museum” (in this subtitle referred to as the “Commission”).

(b) COMPOSITION.—(1) The Commission shall be composed of 19 individuals appointed from among individuals who have an expertise in military history, art, architecture, or design, of whom:

(A) six shall be appointed by the President;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) The following shall be ex officio members of the Commission:

(A) the Secretary of Defense;

(B) the Secretary of the Army;

(C) the Secretary of the Navy;

(D) the Secretary of the Air Force;

(E) the Commandant of the Marine Corps;

(F) the Secretary of the Army;

(G) the Secretary of the Smithsonian Institution.

(3) The Chairman of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of title 5, United States Code, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for grade GS-15 of the General Schedule.

(d) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

SEC. 1203. REPORT.

The Commission shall not, later than 12 months after the date of its first meeting, submit to Congress a report on its findings and conclusions under this subtitle, including any recommendations under section 1202.

SEC. 1204. POWERS.

(a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this subtitle, hold hearings, sit and act at times and places, take testimony, receive evidence, administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this subtitle.

SEC. 1205. COMMISSION PROCEDURES.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum.

(2) Nine members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(c) COMMISSION.—The Commission may establish panels composed of less than full membership of the Commission for the purpose of carrying out the Commission’s duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this subtitle.

SEC. 1206. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties.

(2) The appointment of the staff director shall be subject to the approval of the Commission.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Subject to the approval of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis,
basis, any personnel of that department or agency to the Commission to assist in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTANGIBLE SERVICES.—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 31, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 1207. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 1208. FUNDING.

(a) IN GENERAL.—Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2000.

(b) REIMBURSEMENT.—Upon receipt of a written certification from the Chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

(c) AVAILABILITY OF CERTAIN FUNDS.—Of the funds available for activities of the Commission under this section, $2,000,000 shall be available for the activities, if any, of the Commission under section 1202(c).

SEC. 1209. TERMINATION OF COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 1203.

Subtitle B—Related Matters

SEC. 1211. FUTURE USE OF NAVY ANNEX PROPERTY, ARLINGTON, VIRGINIA.

(a) LIMITATION ON FUTURE USE.—No transfer of any real property of the Navy Annex property, or other use of that property, not authorized as of the date of the enactment of this Act, may be carried out until 2 years after the later of—

(1) the date of the submittal of the study on the expansion of Arlington Cemetery required by the Joint Explanatory Statement of the Committee of Conference to accompany the Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261); or

(2) the date of the submittal of the report of the Commission on the National Military Museum under section 1203.

(b) NAVY ANNEX PROPERTY DESCRIBED.—For purposes of subsection (a), the Navy Annex property is the parcels of real property under the jurisdiction of the Federal Government located in Arlington, Virginia, as follows:

(1) A parcel bounded by Columbia Pike to the south and east, the rear property line of the residential properties fronting Oak Street to the west, and the southern limit of Southgate Road to the north.

(2) A parcel bounded by Shirley Memorial Boulevard (Interstate Route 395) to the south, the eastern edge of the Department of Transportation of the Commonwealth of Virginia to the west, Columbia Pike to the north, and the access road to Shirley Memorial Boulevard immediately east of Joyce Street to the west.

TITLE XIII—MILITARY VOTING RIGHTS

ACT OF 1999

SEC. 1301. SHORT TITLE.

This title may be cited as the “Military Voting Rights Act of 1999”.

SEC. 1302. GUARANTEE OF RESIDENCY.

Article VII of the Soldiers’ and Sailors’ Civil Relief Act of 1940 (50 U.S.C. 700 et seq.) is amended by adding at the end the following:

“‘SEC. 704. (a) For purposes of voting for an office of the United States or of a State, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—

(1) be deemed to have lost a residence or domicile in that State;

(2) be deemed to have acquired a residence or domicile in any other State; or

(3) be deemed to become resident in or a resident of any other State.

(b) In this section, the term ‘State’ includes a territory or possession of the United States, a political subdivision of a State, territory, or possession, and the District of Columbia.”

SEC. 1303. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (2 U.S.C. 1973ff–1) is amended—

(1) by inserting “(a) ELECTIONS FOR FEDERAL OFFICES.—” before “Each State shall—”; and

(2) by adding at the end the following:

“(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—

“(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and run-off elections for State and local offices; and

“(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.”.

(b) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking out “FOR FEDERAL OFFICE”.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2000”.

TITLE XVI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Richardson</td>
<td>$14,600,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Fort Wainwright</td>
<td>$34,800,000</td>
</tr>
<tr>
<td>California</td>
<td>Ngawan Bluff Arsenal</td>
<td>$18,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Lewis</td>
<td>$33,400,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Peterson Air Force Base</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort McPherson</td>
<td>$1,250,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Walter Reed Medical Center</td>
<td>$6,800,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Benning</td>
<td>$48,400,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Stewart</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Stewart/Hunter Army Air Field</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Hunter Army Air Field</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Schofield Barracks</td>
<td>$59,200,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Fort Leavenworth</td>
<td>$34,100,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Fort Riley</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Blue Grass Army Depot</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Fort Campbell</td>
<td>$56,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Meade</td>
<td>$22,450,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Westover Air Force Reserve Base</td>
<td>$4,200,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Leonard Wood</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Hawthorne Army Depot</td>
<td>$1,700,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Monroe</td>
<td>$11,800,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$25,400,000</td>
</tr>
<tr>
<td></td>
<td>Military Ocean Terminal Sunny Point</td>
<td>$3,400,000</td>
</tr>
<tr>
<td></td>
<td>Fort Shil</td>
<td>$13,100,000</td>
</tr>
<tr>
<td></td>
<td>McAlester Army Armament</td>
<td>$16,600,000</td>
</tr>
<tr>
<td></td>
<td>Carlisle Barracks</td>
<td>$5,000,000</td>
</tr>
<tr>
<td></td>
<td>Letterkenny Army Depot</td>
<td>$3,450,000</td>
</tr>
<tr>
<td></td>
<td>Fort Jackson</td>
<td>$7,400,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bliss</td>
<td>$59,400,000</td>
</tr>
<tr>
<td></td>
<td>Fort Hood</td>
<td>$68,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Belvoir</td>
<td>$3,450,000</td>
</tr>
<tr>
<td></td>
<td>Fort Eustis</td>
<td>$39,000,000</td>
</tr>
</tbody>
</table>
SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installation, for the purpose, and in the amount set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington</td>
<td>Fort Myer</td>
<td>$7,450,000</td>
</tr>
<tr>
<td></td>
<td>Fort Lewis</td>
<td>$6,200,000</td>
</tr>
<tr>
<td></td>
<td>Yakima Training Center</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>CONUS Various</td>
<td></td>
<td>$36,400,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$87,500,000</td>
</tr>
</tbody>
</table>

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,300,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $32,600,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $2,194,333,000 as follows:

1. For military construction projects inside the United States authorized by section 2101(a), $796,708,000.
2. For military construction projects outside the United States authorized by section 2101(b), $36,400,000.
3. For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $9,560,000.
4. For architectural and engineering services and construction design under section 2007 of title 10, United States Code, $83,414,000.
5. For military family housing functions:
   A. For construction and acquisition, planning and design, and improvement of military family housing and facilities, $61,531,000.
   B. For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,098,080,000.
8. For the construction of the Multi-Purpose Digital Training Range, Fort Knox, Kentucky, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $2,400,000.
9. For the construction of the Cadet Development Center, United States Military Academy, West Point, New York, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $28,500,000.
10. For the construction of the Force XXI Soldier Development Center, Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $34,760,000.
(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2833 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed:
1. the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a);
2. $80,800,000 (the balance of the amount authorized under section 2101(a) for the construction of the whole barracks complex renewal at Schofield Barracks, Hawaii); and
3. $57,492,000 (the balance of the amount authorized under section 2101(a) for the construction of the whole barracks complex renewal at Fort Bragg, North Carolina).

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Marine Corps Air Station, Yuma</td>
<td>$17,050,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Detachment, Camp Navajo</td>
<td>$7,560,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Air-Ground Combat Center, Twentyfour Palms</td>
<td>$34,760,000</td>
</tr>
<tr>
<td>Marine Corps Base, Camp Pendleton</td>
<td></td>
<td>$31,660,000</td>
</tr>
</tbody>
</table>
SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $17,715,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $165,050,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,076,435,000 as follows:

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $17,715,000.

SEC. 2205. TECHNICAL MODIFICATION OF AUTHORITY RELATING TO CERTAIN FISCAL YEAR 1997 PROJECT.

The table in section 2202(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2708) is amended in the item referring to Naval Air Station Brunswick, Maine, by striking “92 Units” in the purpose column and inserting “72 Units.”
SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $17,471,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $129,962,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,951,051,000 as follows:

(b) PLANNING AND DESIGN.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2303 of this Act may not exceed $651,833,000.

SEC. 2305. CONSOLIDATION OF AIR FORCE RESEARCH LABORATORY FACILITIES AT ROME RESEARCH SITE, ROME, NEW YORK.

The Secretary of the Air Force may accept contributions from the State of New York in addition to amounts authorized in section 2304(a)(1) for the project authorized by section 2304(a) for Rome Laboratory, New York, for purposes of carrying out military construction relating to the consolidation of Air Force Research Laboratory facilities at the Rome Research Site, Rome, New York.

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:
Defense Agencies: Inside the United States

SEC. 2402. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to paragraph (1) of the authorization of appropriations in section 2405(a)(8)(A), the Secretary of Defense may improve existing military family housing units in an amount not to exceed $50,000.

SEC. 2403. MILITARY FAMILY HOUSING IMPROVEMENT PROGRAM.

Of the amount appropriated to be appropriated pursuant to paragraph (1) of section 2405(a)(8)(A), $78,756,000 shall be available for credit to the Department of Defense Family Housing Improvement Fund established by section 2802(a)(11) of title 10, United States Code.

SEC. 2404. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(6), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $31,900,000.

SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) In general—Funds are hereby authorized to be appropriated pursuant to fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of $1,842,582,000 as follows:

(b) Outside the United States—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.

The table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), under the heading relating to Chemical Demilitarization Pro-

gram, is amended in the column relating to Pueblo Chemical Activity, Colorado, by striking ‘‘$179,000,000’’ in the amount column and inserting ‘‘$203,500,000’’.
TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment program authorized by section 2501, in the amount of $158,340,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 1999, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

1. For the Department of the Army—
   (A) for the Army National Guard of the United States, $189,639,000; and
   (B) for the Army Reserve, $194,817,000.

2. For the Department of the Navy, for the Naval and Marine Corps Reserve, $28,475,000.

3. For the Department of the Air Force—
   (A) for the Air National Guard of the United States, $232,340,000; and
   (B) for the Air Force Reserve, $34,864,000.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) Expiration of Authorizations After Three Years.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefore) shall expire on the later of—

1. October 1, 2002; or
2. the date of the enactment of an Act authorizing funds for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1997 PROJECTS.

(a) Extensions.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2782), authorizations for the projects set forth in the tables referred to in subsection (b), as provided in sections 2101, 2202, and 2601 of that Act and amended by section 2406 of this Act, shall remain in effect until October 1, 2000, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2001, whichever is later.

(b) Tables.—The tables referred to in subsection (a) are as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Naval Station Mayport</td>
<td>Family Housing Construction (100 units)</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Naval Station Brunswick</td>
<td>Family Housing Construction (72 units)</td>
<td>$10,925,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Base Camp Lejuene</td>
<td>Family Housing Construction (94 units)</td>
<td>$10,110,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Air Station Beaufort</td>
<td>Family Housing Construction (140 units)</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Naval Complex Corpus Christi</td>
<td>Family Housing Construction (104 units)</td>
<td>$11,675,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Marine Corps Combat Development Command, Quantico.</td>
<td>Family Housing Construction (48 units)</td>
<td>$7,550,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Naval Station Everett</td>
<td>Family Housing Construction (100 units)</td>
<td>$8,900,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$15,015,000</td>
</tr>
</tbody>
</table>
SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1996 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104-106; 110 Stat. 541), authorizations for the projects set forth in the tables in subsection (a), as provided in sections 2202 and 2601 of that Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105-261; 112 Stat. 2199), shall remain in effect until October 1, 2000, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2001, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi</td>
<td>Camp Shelby</td>
<td>Multipurpose Range.</td>
<td>$5,000,000</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado</td>
<td>Pueblo Chemical Activity</td>
<td>Ammunition Demilitarization Facility</td>
<td>$179,000,000</td>
</tr>
</tbody>
</table>

SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, and XXVI shall take effect on the later of—

(1) October 1, 1996; or

(2) the date of the enactment of this Act.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Program Changes

SEC. 2801. EXEMPTION FROM NOTICE AND WAIT REQUIREMENTS OF MILITARY CONSTRUCTION PROJECTS SUPPORTED BY BURDENSHARING FUNDS UNDER TAKEN FOR WAR OR NATIONAL EMERGENCY.

Section 2350j of title 10, United States Code, is amended—

(1) in subsection (e), by adding at the end the following new paragraph:

"(3)(A) A military construction project under subsection (d) may be carried out without regard to the requirement in paragraph (1) and the limitation in paragraph (2) if the project is necessary to support the armed forces in the country or region in which the project is carried out by reason of a declaration of war, or a declaration by the President of a national emergency pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.), that is in force at the time of the commencement of the project.

(B) When a decision is made to carry out a military construction project under subparagraph (A), the Secretary of Defense shall submit to the congressional committees specified in subsection (g)—"

"(i) a notice of the decision; and

(ii) a statement of the current estimated cost of the project, including the cost of any real property transaction in connection with the project.

(2) in subsection (g), by striking "subsection (e)(1)" and inserting "subsection (e)(1)".

SEC. 2802. PROHIBITION ON CARRYING OUT MILITARY CONSTRUCTION PROJECTS FUNDED USING INCREMENTAL FUNDING.

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

(1) the President should request in the budget for each fiscal year submitted to Congress under section 1305 of title 31, United States Code, sufficient amounts to fund fully each military construction and family housing construction project proposed to be authorized in such fiscal year; and

(2) Congress should authorize and appropriate each fiscal year amounts sufficient to fund fully each military construction and family housing construction project authorized in such fiscal year.

(b) PROHIBITION ON INCREMENTAL FUNDING OF MILITARY CONSTRUCTION PROJECTS.—Section 2802 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) The Secretary of Defense and the Secretaries of the military departments may not obligate funds for a military construction project (including a military family housing project) otherwise authorized by law unless the total amount of appropriations allocated for obligation and expenditure for the project as of the initial obligation of funds for the project is sufficient, without additional funds, to provide for the construction of a usable facility meeting the purpose of the project."

SEC. 2803. DEFENSE CHEMICAL DEMILITARIZATION CONSTRUCTION ACCOUNT.

(a) ESTABLISHMENT.—Subchapter I of chapter 109 of title 10, United States Code, is amended by adding at the end the following:

"2814. Defense Chemical Demilitarization Construction Account

"(a) ESTABLISHMENT.—There is established on the books of the Treasury the Defense Chemical Demilitarization Construction Account (in this section referred to as the 'Account').

"(b) CREDITS TO ACCOUNT.—There shall be credited to the Account amounts authorized for and appropriated to the Account.

"(c) USE OF AMOUNTS IN ACCOUNT.—Amounts in the Account shall be available to the Secretary of Defense for carrying out military construction projects authorized by law in support of the chemical demilitarization activities of the Department of Defense under section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) and other provisions of law.

"(d) LIMITATION ON OBLIGATION AND EXPENDITURE.—(1) Subject to paragraph (2), amounts appropriated to the Account for a military construction project shall remain
available for obligation and expenditure for the project in the fiscal year for which appropriated and the two succeeding fiscal years.

"(2) Amounts appropriated for a military construction project for a fiscal year shall remain available for the project until expended without regard to the limitation specified in paragraph (1) if—

"(A) any portion of such amounts are obligated for the project before the end of the fiscal years referred to in that paragraph; or

"(B) the availability of such amounts for the project are otherwise extended by law.".

(b) Clerical Amendment.—The table of sections at the beginning of that subchapter is amended by adding at the end the following new item:

"2814. Defense Chemical Demilitarization Construction Account.".

SEC. 2804. LIMITATION ON AUTHORITY REGARDING ARMED FORCES UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND CONSTRUCTION OF MILITARY HOUSING.

Section 2801 of title 10, United States Code, is amended—

(1) by inserting "(a) IN GENERAL.—" before "Any project"; and

(2) by adding at the end the following new subsection:

"(b) LIMITATION.—A project referred to in subsection (a) may not include the acquisition or construction of an ancillary supporting facility if, as determined by the Secretary concerned, the facility is to be used for providing merchandise or services in direct competition with—

"(1) the Army and Air Force Exchange Service;

"(2) the Navy Exchange Service Command;

"(3) a Marine Corps exchange;

"(4) the Defense Commissary Agency; or

"(5) any nonappropriated fund activity of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.".

SEC. 2805. AVAILABILITY OF FUNDS FOR PLANNING AND DESIGN IN CONNECTION WITH ACQUISITION OF RESERVE COMPONENT FACILITIES.

Section 18233(a) of title 10, United States Code, is amended by inserting "and design" after "planning".

SEC. 2806. MODIFICATION OF LIMITATIONS ON RESERVATION OF BUILDING PROJECTS FOR CERTAIN SAFETY PROJECTS.

(a) Exemption from Notice and Warrant Requirements.—(A) of section 18233a of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(7) An unspecified minor military construction project (as defined in section 2806(a) of this title) that is intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening;".

(b) Availability of Operation and Maintenance Funds.—Subsection (b) of that section is amended to read as follows:

"(b) Under an order of the Secretary of Defense, to the extent that the Secretary of Defense may prescribe, the Secretary may spend from appropriations available for operation and maintenance amounts necessary to carry out any project authorized under section 18233(a) of this title costing not more than—

"(1) the amount specified in section 2806(c)(2) of this title, in the case of any other project.".

SEC. 2807. EXPANSION OF ENTITIES ELIGIBLE TO PARTICIPATE IN ALTERNATIVE AUTHORITY FOR ACQUISITION AND CONSTRUCTION OF MILITARY HOUSING.

(a) Definition of Eligible Entity.—Section 2871 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8) respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

"(5) The term 'eligible entity' means any individual, corporation, firm, partnership, company, State or local government, or housing authority of a State or local government.''.

(b) General Authority.—Section 2872 of such title is amended—

(1) in subsection (a)(1), by striking "private persons" and inserting "eligible entities"; and

(2) in subsection (b)(1), by striking "any person in the private sector" and inserting "an eligible entity"; and

(3) by striking subparagraph (B) and inserting the following new subparagraph (B):

"(B) the availability of such amounts for providing merchandise or services in direct competition with—

"(i) the Army and Air Force Exchange Service;

"(ii) the Navy Exchange Service Command;

"(iii) a Marine Corps exchange;

"(iv) the Defense Commissary Agency; or

"(v) any nonappropriated fund activity of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.".

SEC. 2808. CONVEYANCE OF PROPERTY AT INSTALLATIONS CLOSED OR REALEDGED UNDER THE BASE CLOSURE AND REALIGNMENT LAWS WITHOUT CONSIDERATION FOR ECONOMIC REDEVELOPMENT PURPOSES.


(1) in subparagraph (A)—

"(A) by inserting "or realigned" after "closed"; and

"(B) by inserting "for purposes of creating jobs at the installation" before the period at the end; and

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

"(B) Subject to clauses (ii) and (iii), the transfer of property under this paragraph shall be for consideration at the fair market value of the property.

The transfer of property under this paragraph shall be without consideration in the case of an installation located in a rural area whose closure or realignment under this act will have a substantial adverse impact on the economy of the communities in the vicinity of the installation.

(iii) The transfer of property under this paragraph shall also be without consideration if the redevelopment authority with respect to the installation—

"(I) provides in the agreement for the transfer of such property proceeds of any sale or lease of such property, or portion of such property, received by the redevelopment authority during the period after the date of the transfer of such property, agreed upon by the redevelopment authority and the Secretary (but not less than 10 years after that date) shall be used for economic redevelopment of the installation or related to the installation; and

"(II) accepts control of such property under the agreement within a reasonable time (as determined by the Secretary) after the completion of the property disposal record of decision or the entry of a finding of..."
no significant environmental impact with respect to the transfer under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(iv) For purposes of clause (iii), the following activities shall be treated as economic redevelopment of an installation or related to the installation:

(I) Road construction or improvement.

(II) Construction or improvement of transportation management facilities.

(III) Construction or improvement of storm and sanitary sewers.

(IV) Construction or improvement of facilities for police or fire protection services.

(V) Construction or improvement of other public facilities.

(VI) Rehabilitation or improvement of utilities.

(VII) Construction or improvement of buildings, including preservation of historic property.

(VIII) Construction, improvement, or acquisition of pollution prevention equipment or facilities.

(X) Property management activities, including removal of hazardous material, landscaping, grading, and other site or pulp improvements.

(XI) Planning and marketing the development of the installation.

(V) An agreement for the transfer of property of an installation under clause (iii)(I) shall permit the Secretary to recoup from the redevelopment authority concerned such portion as the Secretary determines appropriate of the amount of any proceeds of the sale or lease of the property that the redevelopment authority does not use to support economic redevelopment of the installation or related to the installation for the period specified in the agreement.

(c) APPLICABILITY TO CERTAIN PRIOR AGREEMENTS.—(1) Subject to subparagraph (B), the Secretary of Defense may modify an agreement for the transfer of property under section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990, or under section 2904(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act of 1993, as applicable.

(2) The purpose of the conveyance is to permit the City to use the property for educational purposes.

(b) ALTERNATIVE CONVEYANCE AUTHORITY.—(1) The Secretary may modify an agreement under this section if—

(i) the Secretary determines that the property is not being used for the purposes of the agreement, or (ii) the modification is necessary to provide for economic redevelopment of the installation or related to the installation for the period specified in the agreement.

(c) REPEAL OF CERTAIN OBSOLETE AUTHORITY.—(1) Section 2904(b)(4)(D) of the Defense Authorization Amendments and Base Closure and Realignment Act of 1990 is amended—

(A) by striking ‘‘(i)’’; and

(B) by striking clause (ii).

(2) Section 2656(b)(4)(D) of the Defense Base Closure and Realignment Act of 1990 is amended—

(A) by striking ‘‘(i)’’; and

(B) by striking clause (ii).

(d) SUBTITLE D—LAND CONVEYANCES.
on the record after an opportunity for a hearing.

(e) Description of Property.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the official having jurisdiction over the property at the time of the conveyance. The cost of the survey shall be borne by the recipient of the real property.

(f) Additional Terms and Conditions.—The official having jurisdiction over the property authorized to be conveyed by subsection (a) at the time of the conveyance may require such additional terms and conditions in connection with the conveyance as that official considers appropriate to protect the interests of the United States.

SEC. 2832. LAND CONVEYANCES, TWIN CITIES ARMY AMMUNITION PLANT, MINNESOTA

(a) Conveyance to City Authorized.—The Secretary of the Army may convey to the City of Arden Hills, Minnesota (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4 acres at the Twin Cities Army Ammunition Plant, for the purpose of permitting the City to construct a city hall complex on the parcel.

(b) Provision of Funds.—Not later than 60 days after the date of the enactment of this Act, the Secretary may make funds available to the District for purposes of the improvement of Red Butte Dam and Reservoir to meet the standards applicable to the dam and reservoir under the laws of the State of Utah.

(c) Use of Funds.—The District shall use funds made available to the District under subsection (b) solely for purposes of improving the dam and reservoir to meet the standards referred to in that subsection.

(d) Responsibility for Maintenance and Operation.—Upon the conveyance of Red Butte Dam and Reservoir under subsection (a), the District shall assume all responsibility for the operation and maintenance of Red Butte Dam and Reservoir for fish, wildlife, and recreation purposes in accordance with the repayment contract or other applicable agreement between the District and the Bureau of Reclamation with respect to Red Butte Dam and Reservoir.

(e) Description of Property.—The legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(f) Additional Terms and Conditions.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. Clarification of Land Exchange, Naval Reserve Readiness Center, Portland, Maine

(a) Clarification on Conveyee.—Subsection (a)(1) of section 2832 of the Military Construction Authorization Act for Fiscal Year 1999 (103 Stat. 2220) is amended by striking “Gulf of Maine Aquarium Development Corporation, Portland, Maine (in this section referred to as the ‘Corporation’)” and inserting “Gulf of Maine Aquarium Development Corporation, Portland, Maine, a non-profit education and research institute (in this section referred to as the ‘Aquarium’).”

(b) Conforming Amendments.—That section is further amended by striking “the Corporation” each place it appears and inserting “the Aquarium”.

SEC. 2842. Land Conveyance, Newport, Rhode Island

(a) Conveyance Authorized.—The Secretary of the Navy may convey to the City of Newport, Rhode Island (in this section referred to as the “City”), all right, title, and interest of the United States in and to parcels of real property consisting of approximately 314 acres and comprising the Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas.

(b) Provision of Funds.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall deposit in the General Fund of the Treasury as miscellaneous fund $500,000 to be available to the City for one or more of the following purposes:

(1) A center for offices of the Government of the State of Rhode Island.

(2) A center for child day care and early childhood education.

(3) A service center for the Armories of the Government of the State of Rhode Island.

(4) A service center for the National Guard of the State of Rhode Island.

(5) A cultural, recreational, or historical attraction.

(6) A convention center.

(7) Any other purpose that the Secretary of the Navy considers appropriate to protect the interests of the United States.
(c) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by this section the Secretary has transferred jurisdiction over any of the property to be conveyed under this Act to the Administrator of the Federal Emergency Management Agency, the Administrator shall make the conveyance of such property under this section.

SEC. 2855. FEDERAL SCREENING.—(1) If any of the property authorized to be conveyed by this section is under the jurisdiction of the Administrator of the Federal Emergency Management Agency as of the date of the enactment of this Act, the Administrator shall conduct with respect to such property the screening for further Federal use otherwise required by subsection (a) of section 2806 of title 10, United States Code.

(2) Subsections (b) through (d) of such section 2806 shall apply to the screening under paragraph (1) as if the screening were a screening conducted under subsection (a) of such section 2806. For purposes of such subsection (b), the date of the enactment of the provision of law authorizing the conveyance of the property authorized to be conveyed by this section shall be the date of the enactment of this Act.

(b) RELATED PIPELINE AND EASEMENT.—As a condition of the conveyance under subsection (a), the easement to be conveyed under subsection (b) shall be consigned on a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(c) 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.

SEC. 2852. LAND CONVEYANCE, NEWINGTON DEFENSE SUPPLY POINT, NEW HAMPSHIRE

(a) CONVEYANCE AUTHORIZED.—The Secretary shall convey to the Newington Defense Supply Point, New Hampshire, any trust mineral estate of the State of New Hampshire in and to approximately 1,536.47 acres in the Fort Huachuca East Range, Cochise County, Arizona.

(b) RELATED PIPELINE AND EASEMENT.—As part of the conveyance authorized by subsection (a), the Secretary may convey to the Newington Defense Supply Point, New Hampshire, any trust mineral estate of the State of New Hampshire in and to approximately 12,943 acres in the Fort Huachuca East Range, Cochise County, Arizona.

(c) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by this section the Secretary has transferred jurisdiction over any of the property to be conveyed under this Act to the Administrator of the Federal Emergency Management Agency, the Administrator shall make the conveyance of such property under this section.

SEC. 2851. ACQUISITION OF STATE-HELD INHOLDINGS, EAST RANGE OF FORT HUACHUCA, ARIZONA

(a) ACQUISITION AUTHORIZED.—(1) The Secretary may acquire parcels of real property by condemnation, to the Pease Development Authority, New Hampshire (in this section referred to as the ‘‘Authority’’), all right, title, and interest of the United States in and to parcels of real property, together with any improvements thereon, consisting of the McClellan Nuclear Radiation Center, California.

(b) INSPECTION OF PROPERTY.—The Secretary shall, at an appropriate time before the conveyance authorized by subsection (a), permit the Regents access to the property to be conveyed under such subsection to inspect the McClellan Nuclear Radiation Center and the atomic reactor located at the Center as the Regents consider appropriate.

(c) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by this section the Secretary has transferred jurisdiction over any of the property to be conveyed under this Act to the Administrator of the Federal Emergency Management Agency, the Administrator shall make the conveyance of such property under this section.

SEC. 2832. LAND CONVEYANCE, EAST RANGE OF FORT HUACHUCA, ARIZONA

(a) ACQUISITION AUTHORIZED.—The Secretary shall acquire by condemnation, to the State of Arizona, any trust mineral estate of the State of Arizona in and to approximately 10.26 acres and located in and to parcels of real property, together with any improvements thereon, consisting of the McClellan Nuclear Radiation Center, California.

(b) INSPECTION OF PROPERTY.—The Secretary shall, at an appropriate time before the conveyance authorized by subsection (a), permit the Regents access to the property to be conveyed under such subsection to inspect the McClellan Nuclear Radiation Center and the atomic reactor located at the Center as the Regents consider appropriate.

(c) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by this section the Secretary has transferred jurisdiction over any of the property to be conveyed under this Act to the Administrator of the Federal Emergency Management Agency, the Administrator shall make the conveyance of such property under this section.

SEC. 2851. ACQUISITION OF STATE-HELD INHOLDINGS, EAST RANGE OF FORT HUACHUCA, ARIZONA

(a) ACQUISITION AUTHORIZED.—(1) The Secretary may acquire for the use and benefit of the United States, or some part thereof, any trust mineral estate of the State of Arizona in and to approximately 10.26 acres and located in and to parcels of real property, together with any improvements thereon, consisting of the McClellan Nuclear Radiation Center, California.

(b) RELATI...
State of Arizona, as provided in subsection (c)(1).

(3) The value of the lands conveyed out of Federal ownership under this subsection either by transfer of the Federal lands and mineral interests received by the United States under subsection (a) or, if not, shall be equalized by a payment made by the Secretary of the Interior and the Secretary of the Navy for the lands acquired by the United States under subsection (a) in the same manner as other Federal lands served, in accordance with all applicable environmental laws, for use by the Secretary of the Navy, in accordance with the Uniform Appraisal Standards for Federal Land Acquisition, as published by the Department of Justice in 1992. The appraisal shall be subject to the review and acceptance by the Land Department of the State of Arizona and the Bureau of Land Management.

(d) USE OF EMINENT DOMAIN.—The Secretary may acquire the lands and mineral rights under subsection (a) pursuant to the laws and regulations governing eminent domain.

(e) DETERMINATION OF FAIR MARKET VALUE.—Notwithstanding any other provision of law, the value of lands and interests in lands acquired or conveyed by the United States under this section shall be determined in accordance with the Uniform Appraisal Standards for Federal Land Acquisition, as published by the Department of Justice in 1992. The appraisal shall be subject to the review and acceptance by the Land Department of the State of Arizona and the Bureau of Land Management.

(f) WITHDRAWAL OF ACQUIRED LANDS FOR MILITARY PURPOSES.—After acquisition, the lands acquired by the United States under subsection (a) may be withdrawn and reserved, in accordance with all applicable environmental laws, by the Secretary of the Army for military training and testing in the same manner as other Federal lands located in the Fort Huachuca East Range that were reserved and reserved for the use of the Army by Public Land Order 1471 of 1957.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance of lands and interests in land under this section as the Secretary considers to be appropriate to protect the interests of the United States and any valid existing rights.

(h) COST REIMBURSEMENT.—All costs associated with the processing of the acquisition of State trust lands and mineral interests under subsection (a) and the conveyance of public lands under subsection (b) shall be borne by the Secretary of the Army.

SEC. 2862. DEVELOPMENT OF FORD ISLAND, HAWAII.

(a) IN GENERAL.—(1) Subject to paragraph (2), the Secretary of the Navy may exercise any authority or combination of authorities in this section for the purpose of developing or facilitating the development of Ford Island, Hawaii, to the extent that the Secretary determines the development is compatible with the mission of the Navy.

(2) The Secretary may not exercise any authority under this section until—

(A) the Secretary submits to the appropriate committees of Congress a master plan for the development of Ford Island; and

(B) a period of 30 calendar days has elapsed following the date on which the notification is received by those committees.

(b) CONVEYANCE AUTHORITY.—(1) The Secretary of the Navy may acquire all public or private land or personal property under the jurisdiction of the Secretary of the Interior in the State of Hawaii that the Secretary determines—

(A) is excess to the needs of the Navy and all of the other Armed Forces; and

(B) will promote the purpose of this section.

(2) A conveyance under this subsection may include such terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(c) LEASE AUTHORITY.—(1) The Secretary of the Navy may lease to any public or private person or entity any real property or personal property under the jurisdiction of the Secretary in the State of Hawaii that the Secretary determines—

(A) is not needed for current operations of the Navy and all of the other Armed Forces; and

(B) will promote the purpose of this section.

(2) A lease under this subsection shall be subject to section 2883 of title 10, United States Code, and may include such other terms as the Secretary considers appropriate to protect the interests of the United States.

(d) ACQUISITION OF LEASEHOLD INTEREST BY SECRETARY.—(1) The Secretary of the Navy may acquire a leasehold interest in any facility constructed under subsection (f) as consideration for a transaction authorized by this section upon such terms as the Secretary considers appropriate to promote the purpose of this section.

(2) The term of a lease under paragraph (1) may not exceed 10 years, unless the Secretary of Defense approves a term in excess of 10 years for the purpose of this section.

(e) REQUIREMENT FOR COMPETITION.—The Secretary of the Navy shall use competitive procedures when acquiring the right of first refusal to acquire the property covered by the lease.

(f) REQUIREMENT FOR COMPETITION.—The Secretary of the Navy shall use competitive procedures when acquiring the right of first refusal to acquire the property covered by the lease.

(g) USE OF EMINENT DOMAIN.—The Secretary of the Navy may acquire the State lands and mineral rights under subsection (a) pursuant to the laws and regulations governing eminent domain.

(h) FORD ISLAND IMPROVEMENT ACCOUNT.—(1) There is established on the books of the Treasury an account to be known as the "Ford Island Improvement Account." (2) There shall be deposited into the account the following amounts:

(A) Amounts authorized and appropriated to the account.

(B) Except as provided in subsection (c)(4)(B), the amount of any cash payment received by the Secretary for a transaction under this section.

(i) USE OF ACCOUNT.—(1) Subject to paragraph (2), the purposes of the Ford Island Improvement Account may be used as follows:

(A) To carry out or facilitate the carrying out of a transaction authorized by this section.

(B) To carry out improvements of property or facilities at Ford Island.

(C) To obtain property support services for property or facilities at Ford Island.

(2) The purposes of the Ford Island Improvement Account may be used as follows:

(A) To carry out or facilitate the carrying out of a transaction authorized by this section.

(B) To carry out improvements of property or facilities at Ford Island.

(C) To obtain property support services for property or facilities at Ford Island.

(j) APPEALS.—Any appeal filed to the United States Court of Federal Claims with respect to the “Ford Island Improvement Account” shall be treated in the same manner as the "Ford Island Unaccompanied Housing Improvement Fund Established by Section 2883(a)(1) of Title 10, United States Code.

(k) U.S. Code References.—The provisions of this section shall be referred to in the United States Code as the “Ford Island Improvement Account.”

(l) INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.—The provisions of sections 2833 of title 10, United States Code, are available to the Secretary of the Navy for activities authorized under chapter IV of part 169 of title 10, United States Code, are available to the Secretary of the Navy, the Secretary may not use the authorities in this section to acquire, construct, or improve family housing units, military unaccompanied housing units, or ancillary supporting facilities related to military housing at Ford Island.

(m) FORD ISLAND IMPROVEMENT FUND.—The Department of Defense Family Housing Improvement Fund established by section 2883 of title 10, United States Code.

(n) FORD ISLAND INDEPENDENT FUND.—The Department of Defense Military Unaccompanied Housing Improvement Fund established by section 2883 of title 10, United States Code.

(o) FORD ISLAND IMPROVEMENT ACCOUNT.—The purposes of the Ford Island Improvement Account may be used as follows:

(A) To carry out or facilitate the carrying out of a transaction authorized by this section.

(B) To carry out improvements of property or facilities at Ford Island.

(C) To obtain property support services for property or facilities at Ford Island.

(D) To carry out improvements of property or facilities at Ford Island.

(E) To obtain property support services for property or facilities at Ford Island.

(F) To carry out or facilitate the carrying out of a transaction authorized by this section.

(G) To carry out improvements of property or facilities at Ford Island.

(H) To obtain property support services for property or facilities at Ford Island.

(I) To carry out or facilitate the carrying out of a transaction authorized by this section.

(J) To carry out improvements of property or facilities at Ford Island.

(K) To obtain property support services for property or facilities at Ford Island.

(L) To carry out or facilitate the carrying out of a transaction authorized by this section.

(M) To carry out improvements of property or facilities at Ford Island.
(1) CONFORMING AMENDMENTS.—Section 283(c) of title 10, United States Code, is amended—
(1) in paragraph (1), by adding at the end the following new subparagraph:
``(E) Any amounts that the Secretary of the Navy transfers to that Fund pursuant to section 2861(a)(3)(A) of the Military Construction Authorization Act for Fiscal Year 2000, subject to the restrictions on the use of the transferred amounts specified in that section.”; and
(2) in paragraph (2), by adding at the end the following new subparagraph:
``(E) Any amounts that the Secretary of the Navy transfers to that Fund pursuant to section 2861(a)(3)(A) of the Military Construction Authorization Act for Fiscal Year 2000, subject to the restrictions on the use of the transferred amounts specified in that section.”; and

m DEFINITIONS.—In this section:
(1) the term "appropriating committees of Congress" has the meaning given that term in section 2801(t) of title 10, United States Code.
(2) the term "property support service" means the following:
(A) any utility service or other service listed in section 2866(a) of title 10, United States Code.
(B) any other service determined by the Secretary to be a service that supports the operation and maintenance of real property, personal property, or facilities.

SEC. 2863. EMERGENCY FUNDING OF PENTAGON RENOVATION ACTIVITIES.
The Secretary of Defense in conjunction with the Pentagon Renovation Program is authorized to design and construct secure and closed secretarial office and support facilities and security-related changes to the METRO entrance at the Pentagon Reservation. The Secretary of Defense, prior to January 15, 2000, shall submit to the congressional defense committees the estimated cost for the planning, design, construction, and installation of equipment for these enhancements, together with the revised estimate for the total cost of the renovation of the Pentagon.

SEC. 2864. ONE-YEAR DELAY IN DEMOLITION OF RADIO TRANSMITTING TOWERS AT NAVAL STATION, ANNAPOLIS, MARYLAND, TO FACILITATE PENTAGON RENOVATION ACTIVITIES.
(a) ONE-YEAR DELAY.—The Secretary of the Navy may not obligate or expend any funds for the demolition of the naval radio transmitting towers located at Naval Station, Annapolis, Maryland, that are scheduled for demolition as of the date of enactment of this Act.
(b) COVERED TOWERS.—The naval radio transmitting towers described in this subsection are the three southeastmost most naval radio transmitting towers located at Naval Station, Annapolis, Maryland that are scheduled for demolition as of the date of enactment of this Act.
(c) TRANSFER OF TOWERS.—The Secretary may transfer, to the State of Maryland, or the County of Anne Arundel, Maryland, all real, title, and interest (including maintenance responsibility) of the United States in and to these towers described in subsection (b) if the State of Maryland or the County of Anne Arundel, Maryland, as the case may be, agrees to accept such right, title, and interest (including maintenance responsibility) during the one-year period referred to in subsection (a).

SEC. 2865. ARMY RESERVE RELOCATION FROM PORT DOUGLAS, UTAH.
Section 2865 of the National Defense Authorization Act for fiscal year 1998 (P.L. 105–85) is amended as follows:
``(a) The Secretary of the Army may accept the conveyance of a portion of Port Douglas, Utah to the University of Utah and the resulting relocation of Army Reserve activities to temporary and permanent relocation facilities, the Secretary of the Army may accept the funds paid by the University of Utah or State of Utah to pay costs associated with the conveyance and relocation. Funds so credited shall be used to acquire, fund or account for which the expenses are ordinarily paid. Amounts so credited shall be available until expended.”.

TITLE XXIX—RENEWAL OF MILITARY LAND WITHDRAWALS

SEC. 2901. FINDINGS.
The Congress finds that—
(1) Public Law 99–606 authorized public land withdrawals for several military installations, including the Barry M. Goldwater Air Force Range in Arizona, the McGregor Range in New Mexico, and Fort Wainwright and Fort Greely in Alaska, collectively comprising over 4 million acres of public land;
(2) these military ranges provide important training opportunities and serve a critical role in the national security of the United States, and the Congress believes that for these purposes should be continued;
(3) in addition to their use for military purposes, these ranges contain significant natural resources, and provide important wildlife habitats;
(4) the future use of these ranges is important not only for the affected military installations, but also for local residents and other public land users;
(5) the public land withdrawals authorized in 1966 under Public Law 99–606 were for a period of 15 years, and expire in November 2001; and
(6) it is important that the renewal of these public land withdrawals be completed in accordance with the process established in Public Law 99–606 and other applicable laws, including the completion of appropriate environmental impact studies and opportunities for public comment and review.

SEC. 2902. SENSE OF THE SENATE REGARDING PROPOSAL TO RENEW PUBLIC LAND WITHDRAWALS.
It is the sense of the Senate that the Secretary of Defense and the Secretary of the Interior are responsible for the renewal of the public land withdrawals in the interests of the Armed Forces and to provide important wildlife habitat, natural and cultural resources, and military training opportunities and serve a critical role in the national security of the United States.

SEC. 2903. SENSE OF SENATE REGARDING WITHDRAWALS OF CERTAIN LANDS IN ARIZONA.
It is the sense of the Senate that—
(1) it is vital to the national interest that the weapons design and testing be conducted at the facility known by section 1(c) of the Military Lands Withdrawal Act of 1986 (Public Law 99–606), relating to Barry M. Goldwater Air Force Range and Picacho Prieta National Wildlife Refuge, which would otherwise expire in 2001, be renewed in 1999;
(2) the renewed withdrawal of such lands is critical to meet the military training requirements of the Armed Forces and to provide the Armed Forces with experience necessary to defend the national interests;
(3) the Armed Forces currently carry out environmental stewardship of such lands in a comprehensive and focused manner; and
(4) a continuation in high-quality management of cultural resources is required if the United States is to preserve its national heritage.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
Subtitle A—National Security Programs

SEC. 3101. WEAPONS ACTIVITIES.
Funds are hereby authorized to be appropriated to the Department of Energy for the fiscal year 2000 for weapons activities in carrying out programs necessary for national security in the amount of $4,530,000,000, to be allocated as follows:
(1) STOCKPILE STEWARDSHIP.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for stockpile stewardship programs, for weapons activities necessary for national security programs in the amount of $2,246,700,000, to be allocated as follows:
(A) For core stockpile stewardship, $1,748,500,000, to be allocated as follows:
(i) For research and development, $1,615,356,000.
(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in previous years, and related thereto), $131,145,000, to be allocated as follows:
(1) Project 00–D–103, terascale simulation facility, Lawrence Livermore National Laboratory, Livermore, California, $3,800,000.
(2) Project 00–D–105, strategic computing complex, Los Alamos National Laboratory, Los Alamos, New Mexico, $26,000,000.
(3) Project 00–D–107, joint computational engineering laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $1,900,000.
(4) Project 99–D–102, rehabilitation of maintenance facility, Lawrence Livermore National Laboratory, Livermore, California, $3,900,000.
(5) Project 99–D–101, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.
(6) Project 99–D–104, protection of real property (roof reconstruction, Phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,400,000.
(7) Project 99–D–105, central health physics certification facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $1,000,000.
(8) Project 99–D–106, model validation and systems verification test site, Sandia National Laboratories, Albuquerque, New Mexico, $6,500,000.
(9) Project 99–D–108, renovate existing roadway, Nevada Test Site, Nevada, $79,000,000.
(10) Project 97–D–102, dual-axis radiographic hydrotest facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $61,000,000.
(11) Project 96–D–102, stockpile stewardship facilities revitalization, Phase VI, various locations, $2,640,000.
(12) Project 96–D–104, processing and environmental technology laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $19,900,000.
(13) Project 95–D–107, model validation and systems verification test site, Sandia National Laboratories, Albuquerque, New Mexico, $3,900,000.
(B) For inertial fusion, $465,700,000, to be allocated as follows:
(i) For operation and maintenance, $217,600,000.
(ii) For the following plant project (including maintenance, restoration, planning, construction, acquisition, and modification of facilities, and land acquisition related thereto), $248,100,000, to be allocated as follows:
(1) The construction project for the National Ignition Facility, Lawrence Livermore National Laboratory, Livermore, California, $248,100,000.
(C) For technology partnership and education, $34,500,000, to be allocated as follows:
(i) For technology partnership, $15,200,000.
(ii) For education, $19,300,000.
(2) STOCKPILE MANAGEMENT.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for stockpile management in carrying out weapons activities in national security programs in the amount of $2,039,300,000, to be allocated as follows:

(A) For operation and maintenance, $1,480,000,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $158,679,000, to be allocated as follows:

- Project 99–D–122, rapid reactivation, various locations, $11,700,000.
- Project 99–D–127, stockpile management restructuring initiative, Kansas City Plant, Kansas City, Missouri, $17,000,000.
- Project 99–D–128, stockpile management restructuring initiative, Pantex Plant consolidation, Amarillo, Texas, $8,429,000.

Project 99–D–132, stockpile management restructuring initiative, Savannah River Site, Aiken, South Carolina, $12,220,000.

Project 99–D–123, stockpile management restructuring initiative, tritium facility modernization and consolidation, Savannah River Site, Aiken, South Carolina, $21,800,000.

Project 98–D–124, stockpile management restructuring initiative, Y–12 Plant consolidation, Oak Ridge, Tennessee, $3,150,000.

Project 98–D–125, tritium extraction facility, Savannah River Site, Aiken, South Carolina, $33,000,000.

Project 98–D–126, accelerator production of tritium, various locations, $31,000,000.

Project 97–D–123, structural upgrades, Kansas City Plant, Kansas City, Missouri, $4,800,000.

Project 95–D–102, chemistry and metalurgy research building upgrades, Los Alamos National Laboratory, Los Alamos, New Mexico, $18,000,000.

Project 88–D–123, security enhancements, Pantex Plant, Amarillo, Texas, $3,500,000.

(3) PROGRAM DIRECTION.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for program direction in carrying out weapons activities in national security programs in the amount of $242,000,000.

(A) For operation and maintenance, $2,039,300,000, to be allocated as follows:

- Project 99–D–401, tank farm support services, Oak Ridge, Tennessee, $12,000,000.
- Project 99–D–403, tank farm support services, Savannah River Site, Aiken, South Carolina, $2,977,000.
- Project 99–D–404, health physics instrumentation laboratory, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $7,250,000.
- Project 98–D–121, facility stabilization and handling system for plutonium finishing plant, Richland, Washington, $16,860,000.
- Project 98–D–700, road rehabilitation, Idaho National Engineering and Environmental Laboratory, Idaho, $2,590,000.
- Project 97–D–450, Actinide packaging and storage facility, Savannah River Site, Aiken, South Carolina, $4,000,000.

(2) STOCKPILE MANAGEMENT.—Funds are hereby authorized to be appropriated to the Department of Energy for national security in the amount of $2,039,300,000, to be allocated as follows:

- Project 99–D–122, rapid reactivation, various locations, $11,700,000.
- Project 99–D–127, stockpile management restructuring initiative, Kansas City Plant, Kansas City, Missouri, $17,000,000.
- Project 99–D–128, stockpile management restructuring initiative, Pantex Plant consolidation, Amarillo, Texas, $8,429,000.

Project 99–D–132, stockpile management restructuring initiative, Savannah River Site, Aiken, South Carolina, $12,220,000.

Project 99–D–123, stockpile management restructuring initiative, tritium facility modernization and consolidation, Savannah River Site, Aiken, South Carolina, $21,800,000.

Project 98–D–124, stockpile management restructuring initiative, Y–12 Plant consolidation, Oak Ridge, Tennessee, $3,150,000.

Project 98–D–125, tritium extraction facility, Savannah River Site, Aiken, South Carolina, $33,000,000.

Project 98–D–126, accelerator production of tritium, various locations, $31,000,000.

Project 97–D–123, structural upgrades, Kansas City Plant, Kansas City, Missouri, $4,800,000.

Project 95–D–102, chemistry and metalurgy research building upgrades, Los Alamos National Laboratory, Los Alamos, New Mexico, $18,000,000.

Project 88–D–123, security enhancements, Pantex Plant, Amarillo, Texas, $3,500,000.

(3) PROGRAM DIRECTION.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for program direction in carrying out weapons activities in national security programs in the amount of $2,902,548,000, to be allocated as follows:

(A) For operation and maintenance, $2,847,997,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $62,891,000, to be allocated as follows:

- Project 99–D–401, tank farm support services, Oak Ridge, Tennessee, $12,000,000.
- Project 99–D–403, tank farm support services, Savannah River Site, Aiken, South Carolina, $2,977,000.
- Project 99–D–404, health physics instrumentation laboratory, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $7,250,000.
- Project 98–D–121, facility stabilization and handling system for plutonium finishing plant, Richland, Washington, $16,860,000.
- Project 98–D–700, road rehabilitation, Idaho National Engineering and Environmental Laboratory, Idaho, $2,590,000.
- Project 97–D–450, Actinide packaging and storage facility, Savannah River Site, Aiken, South Carolina, $4,000,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for other defense activities in carrying out programs necessary for national security in the amount of $1,821,000,000, to be allocated as follows:

(1) NONPROLIFERATION AND NATIONAL SECURITY.—For nonproliferation and national security, $744,300,000, to be allocated as follows:

(A) For verification and control technology, $497,000,000, to be allocated as follows:

- For verification and verification research and development, $215,000,000.
- For arms control, $276,000,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $6,000,000, to be allocated as follows:

- Project 00–D–192, Nonproliferation and International Security Centers (NSDC), Los Alamos National Laboratory, New Mexico, $6,000,000.
- For nuclear safeguards and security, $59,100,000.
- For security investigations, $47,000,000.
- For emergency management, $21,000,000.
- For program direction, $90,450,000.
- For HEV Transparency implementation, $35,750,000.
- For international nuclear safety, $34,000,000.

(2) INTELLIGENCE.—For intelligence, $654,400,000, to be allocated as follows:

(A) For operation and maintenance, $129,766,000.

(B) For program direction, $7,343,000.

(C) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $62,891,000, to be allocated as follows:

- Project 00–D–142, Immobilization and associated processing facility, various locations, $21,756,000.
- Project 99–D–141, pit disassembly and conversion facility, various locations, $26,751,000.
- Project 99–D–143, mixed oxide fuel fabrication facility, various locations, $12,375,000.

(3) ENVIRONMENT, SAFETY, AND HEALTH.—For environment, safety, and health, defense, $79,000,000, to be allocated as follows:

(A) For the Office of Environment, Safety, and Health (Defense), $54,231,000.

(B) For arms control, $276,000,000.

(C) For HEV Transparency implementation, $35,750,000.

(D) For emergency management, $21,000,000.
Project 98–D–200, site laboratory/facility upgrade, various locations, $3,000,000.

Project 90–N–102, expended core facility dry cell project, Naval Reactors Facility, Idaho, $22,000,000.

(B) For program direction, $20,600,000.

(2) Funds appropriated pursuant to this title may not be used for an item for which Congress has specifically denied funds.

SEC. 3122. LIMITS ON GENERAL PLANT CONSTRUCTION PROJECTS.

(a) In General.—The Secretary of Energy may carry out any construction project under the general plant projects authorized by any Act that exceeds the estimated cost of $5,000,000, only if the Secretary certifies to Congress a request for funds for the construction project that, as determined by the Secretary, is in support of national security and defense, or to protect property.

(b) Limitation.—The Secretary may not use amounts appropriated pursuant to this title for any program—

(1) in amounts that exceed, in a fiscal year—

(A) 110 percent of the amount authorized for that program by this title; or

(B) $1,000,000 more than the amount authorized by this title; or

(2) which has not been requested to, or re-requested of, Congress.

(2) Funds appropriated pursuant to this title may not be used for an item for which Congress has specifically denied funds.

SEC. 3125. AUTHORITY FOR CONCEPTUAL AND CONSTRUCTION DESIGN.

(a) Requirement for Conceptual Design.—(1) Subject to paragraph (2) and except as provided in paragraph (3), before submitting to Congress a request for funds for a construction project that is in support of a national security program of the Department of Energy, the Secretary of Energy shall complete a conceptual design for that project.

(2) If the estimated cost of completing a conceptual design for a construction project exceeds $1,000,000, the Secretary shall submit to Congress a request for funds for the conceptual design before submitting a request for funds for the construction project.

(b) Exception.—Paragraph (1) does not apply to a request for funds—

(A) for a construction project the total estimated cost of which is less than $5,000,000; or

(B) for emergency planning, design, and construction activities under section 3126.

(c) Authorization for Construction Design.—(1) Within the amounts authorized by this title, the Secretary of Energy may carry out construction design (including architectural and engineering services) in connection with the proposed construction project. The total estimated cost for such design does not exceed $600,000.

(2) If the total estimated cost for construction design in connection with any construction project exceeds $600,000, funds for such design must be specifically authorized by law.

SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DESIGN, AND CONSTRUCTION ACTIVITIES.

(a) Authority.—The Secretary of Energy may use any funds available to the Department of Energy pursuant to an authorization in this title, including those funds authorized for emergency planning, design, and construction activities under sections 3101, 3102, and 3103, to perform planning, design, and construction activities for any Department of Energy national security program construction project that, as determined by the Secretary, must proceed expeditiously in order to protect public health and safety, to meet the needs of national defense, or to protect property.

(b) Limitation.—The Secretary may not exercise the authority under subsection (a) until the Secretary has submitted to the congressional defense committees a report on the activities that the Secretary intends to carry out under this section and the circumstances making such activities necessary.

SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

Subject to the provisions of appropriations Acts enacted in fiscal years 2000 and 2001, funds appropriated pursuant to this title for management and support activities and for general plant
projects are available for use, when necessary, in connection with all national security programs of the Department of Energy.

SEC. 3128. AVAILABILITY OF FUNDS.

(a) In general.—Except as provided in subsection (b), when so specified in an appropriation, amounts appropriated for operation and maintenance or for plant projects may remain available until expended.

(b) Exception for Program Direction Funds.—Amounts appropriated for program direction pursuant to an authorization of appropriations in paragraph (1) of section 3128 shall not apply to transfers of funds pursuant to subsection (a) unless the manager of a field office under subsection (a) determines that the transfer is necessary to address a risk to health, safety, or the environment or to assure the efficient use of defense environmental management funds at the field office.

(4) Funds transferred pursuant to subsection (a) not later than 30 days after such transfer occurs.

(c) Exemption from Reprogramming Requirements.—The requirements of section 3128 shall not apply to transfers of funds pursuant to subsection (a) or for a new program or project that has not been authorized by Congress.

(d) Notification.—The Secretary, acting through the Assistant Secretary of Energy for Environmental Management, shall notify Congress of any transfer of funds pursuant to subsection (a) not later than 30 days after such transfer occurs.

(e) Definition.—In this section:

(1) The term “program or project” means, with respect to a field office of the Department of Energy, any of the following:

(A) A program referred to or a project listed in paragraph (2) or (3) of section 3128.

(B) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy national laboratories to carry out or oblige or expend by the Department of Energy for a fiscal year after fiscal year 1999 that was formerly engaged in activities under the Formerly Utilized Site Remedial Action Program.

(f) Duration of Authority.—The managers of the field offices of the Department may exercise the authority provided under subsection (a) during the period beginning on October 1, 1999, and ending on September 30, 2000.

Subtitle C—Program Authorizations, Restrictions, and Limitations

SEC. 3131. PROHIBITION ON USE OF FUNDS FOR CERTAIN ACTIVITIES UNDER PROGRAM DIRECTED AT THE FORMERLY UTILIZED SITE REMEDIAL ACTION PROGRAM.

Notwithstanding any other provision of law, no funds may be obligated or otherwise made available by this Act, or by any Act authorizing appropriations for the military activities of the Department of Defense, unless the Secretary of the Department of Energy for a fiscal year after fiscal year 2000, or for a fiscal year after fiscal year 1999, in which such funds were made available, may be obligated or expended for conduct treatment, storage, or disposal of waste material at a site under the Formerly Utilized Site Remedial Action Program as of the date of the enactment of this Act.

SEC. 3132. CONTINUATION OF PROCESSING, TREATMENT, AND DISPOSITION OF LEGACY NUCLEAR MATERIALS.

The Secretary of Energy shall continue operations and maintain a high state of readiness at the F-canyon and H-canyon facilities at the Savannah River Site, Aiken, South Carolina, and shall provide the technical staff necessary to operate and so maintain such facilities.

SEC. 3133. NUCLEAR WEAPONS STOCKPILE LIFE EXTENSION PROGRAM.

(a) Program Required.—The Secretary of Energy shall, in consultation with the Secretary of Defense, carry out a program to provide for the extension of the effective life of the weapons in the nuclear weapons stockpile.

(b) Administrative Responsibility for Program.—(a) The Secretary shall develop a long-term plan for the extension of the life of the weapons in the nuclear weapons stockpile. The plan shall provide the following:

(1) Mechanisms to provide for the remanufacture of each weapon designated by the Secretary for inclusion in the enduring nuclear weapons stockpile as of the date of the enactment of this Act.

(2) Mechanisms to expedite the collection of data necessary to carry out the program, including data relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials.

(3) Mechanisms to ensure the appropriate assignment of roles and missions for each Department nuclear weapons laboratory and production plant, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel.

(4) Mechanisms for allocating funds for activities under the program, including allocations of funds by weapon type and facility.

(c) Program Plan.—As part of the program under subsection (a), the Secretary shall develop a long-term plan for the expansion of the life of the weapons in the nuclear weapons stockpile. The plan shall provide for the following:

(1) Mechanisms to provide for the remanufacture of each weapon designated by the Secretary for inclusion in the enduring nuclear weapons stockpile as of the date of the enactment of this Act.

(2) Mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel.

(3) Mechanisms for allocating funds for activities under the program, including allocations of funds by weapon type and facility.

(d) Annual Plan.—The Secretary shall submit to the Congress for fiscal year 2000, and ending on September 30, 2000 the plan submitted under paragraph (1).

(e) Sense of Congress Regarding Funding of Program.—It is the sense of Congress that the President should include in each budget for a fiscal year submitted to Congress under section 1105 of title 31, United States Code, sufficient funds to carry out in the fiscal year covered by such budget the activities under the program under subsection (a) that are specified in the most current version of the plan submitted under such section.

SEC. 3134. TRITIUM PRODUCTION.

(a) Production of New Tritium.—The Secretary of Energy shall produce new tritium to meet the requirements of the Nuclear Weapons Stockpile Maintenance Program and to meet the requirements of the Tennessee Valley Authority Watts Bar or Sequoyah nuclear power plants consistent with the Secretary’s December 22, 1998, decision document and the Secretary’s decision to support the Secretary’s preferred tritium production technology.

(b) Support.—To support the method of tritium production set forth in subsection (a), the Secretary shall design and construct a new tritium extraction facility in the H-Area of the Savannah River Site, Aiken, South Carolina.

(c) Design and Engineering Development.—The Secretary shall:

(1) complete preliminary design and engineering development activities for the Production of Tritium technology design as a backup source of tritium to the source set forth in subsection (a) and consistent with the Secretary’s December 22, 1998, decision document; and

(2) make available those funds necessary to complete engineering development and design, preliminary design, and detailed design of key elements of the system consistent with the Secretary’s decision document of December 22, 1998.

SEC. 3135. INDEPENDENT COST ESTIMATE OF ACCELERATOR PRODUCTION OF TRITIUM.

(a) Independent Cost Estimate.—(1) The Secretary of Energy shall prepare an independent cost estimate of the Accelerator Production of Tritium.

(b) Estimation.—The estimate shall be conducted at the highest possible level, but in no event at a level below that currently defined by the Secretary as Type III, “Sampling Techniques.”

(c) Report.—Not later than April 1, 2000, the Secretary shall submit to the congressional defense committees a report on the independent cost estimate conducted under subsection (a).

SEC. 3136. NONPROLIFERATION INITIATIVES AND ACTIVITIES.

(a) Initiative for Proliferation Prevention Program.—(1) Not later than January 1, 2000, the Secretary shall submit to the Congress for fiscal year 1999 for the Initiative for Proliferation Prevention program (IPP) may be obligated or expended by the Department of Energy national laboratories to carry out or provide oversight of any activities under program.

(b) None of the funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program may be used to increase or otherwise supplement the pay or benefits of a scientist or engineer if the scientist or engineer:

(1) is currently engaged in activities directly related to the design, development, production, or testing of chemical or biological weapons or a missile system to deliver such weapons;

(2) did not formerly engaged in activities directly related to the design, development, production, or testing of waste material at a site under the Formerly Utilized Site Remedial Action Program.

(e) Sense of Congress Regarding Funding of Program.—It is the sense of Congress
may be made available to an institute if the institute—
(i) is currently involved in activities described in subparagraph (A)(i); or
(ii) is not involved in activities described in subparagraph (A)(ii).

(3)(A) No funds available for the Initiative for Proliferation Prevention program may be provided to any scientist, scientist, or institution under the program if the Secretary of Energy determines that the institute or scientist has made a scientific or business contact in any way associated with or related to weapons of mass destruction with a representative of a country of proliferation concern.

(B) In this paragraph, the term ‘country of proliferation concern’ means any country so designated by the Director of Central Intelligence for purposes of the Proliferation Prevention program.

(4)(A) The Secretary of Energy shall prescribe procedures for the review of projects under the Initiative for Proliferation Prevention program. The purpose of the review shall be to ensure the following:
(i) That the military applications of such project, and any information relating to such applications, is not inadvertently transferred or utilized for military purposes.
(ii) That activities under the projects are not redirected toward work relating to weapons of mass destruction.
(iii) That the national security interests of the United States are otherwise fully considered before the commencement of the projects.

(B) Not later than 30 days after the date on which the Secretary prescribes the procedures under paragraph (A), the Secretary shall submit to Congress a report on the procedures. The report shall set forth a schedule for the implementation of the procedures.

(5)(A) The Secretary shall evaluate the projects carried out under the Initiative for Proliferation Prevention program for commercial purposes to determine whether or not such projects are likely to achieve their intended commercial objectives.

(B) If the Secretary determines as a result of the evaluation that a project is not likely to achieve its intended commercial objective, the Secretary shall terminate the project.

(6) It is the sense of Congress that the President should enter into negotiations with the Russian Government for purposes of concluding a protocol between the United States Government and the Russian Government to provide for the permanent exemption from taxation by the Russian Government for the nonproliferation activities of the Department of Energy under the Initiative for Proliferation Prevention program.

(b) NUCLEAR CITIES INITIATIVE.—(1) No amount authorized to be appropriated by this title for the Nuclear Cities Initiative may be obligated or expended for purposes of the initiative until the Secretary of Energy certifies to Congress that Russia has agreed to close some of its facilities engaged in work on weapons of mass destruction.

(2) Notwithstanding a certification under paragraph (1), amounts authorized to be appropriated by this title for the Nuclear Cities Initiative may not be obligated or expended for purposes of providing assistance under the initiative to more than three nuclear cities, and more than two serial production facilities, in Russia in fiscal year 2000.

(3) The Secretary, in carrying out a study of the potential economic effects of each commercial program proposed under the Nuclear Cities Initiative before providing assistance under the program, the study shall include an assessment regarding whether or not the mechanisms for job creation under the program are likely to lead to the creation of the jobs intended to be created by the program.

(B) If the Secretary determines as a result of the study that the intended commercial benefits of a program are not likely to be achieved, the Secretary may not provide assistance for the program.

(4) Not later than January 1, 2000, the Secretary shall submit to Congress a report describing the participation in or contribution to the Nuclear Cities Initiative of each department and agency of the United States Government that participates in or contributes to the initiative. The report shall describe the separate participation in or contribution to the initiative.

(c) REPORT.—(1) Not later than January 1, 2000, the Secretary of Energy shall submit to the Committee on Appropriations of the Senate and House of Representatives a report on the Initiative for Proliferation Prevention program and the Nuclear Cities Initiative.

(2) The report shall include the following:
(A) A strategic plan for the Initiative for Proliferation Prevention program and for the Nuclear Cities Initiative, which shall establish objectives for the program or initiative, as the case may be, and means for measuring the achievement of such objectives.
(B) A list of the most successful projects under the Initiative for Proliferation Prevention program or the Nuclear Cities Initiative, including—
(i) a description of the work performed by such institutes and scientists under such programs or other defense-related programs; and
(ii) a description of any work proposed to be performed by institutes and scientists under the Initiative for Proliferation Prevention program or the Nuclear Cities Initiative, including—
(i) a description of the work performed by such institutes and scientists under such weapons of mass destruction programs or other defense-related programs; and
(ii) a description of any work proposed to be performed by institutes and scientists under the Initiative for Proliferation Prevention program or the Nuclear Cities Initiative.

(d) NUCLEAR CITIES INITIATIVE DEFINED.—For purposes of this section, the term ‘Nuclear Cities Initiative’ means the initiative arising pursuant to the March 1998 discussions between the Vice President of the United States and the Prime Minister of the Russian Federation and between the Secretary of Energy of the United States and the Minister of Atomic Energy of the Russian Federation.

Subtitle D—Safeguards, Security, and Counterintelligence at Department of Energy Facilities

SEC. 3151. SHORT TITLE.
This subtitle may be cited as the ‘Department of Energy Facilities Safeguards, Security, and Counterintelligence Enhancement Act of 1999’.

SEC. 3152. COMMISSION ON SAFEGUARDS, SECURITY, AND COUNTERINTELLIGENCE AT DEPARTMENT OF ENERGY FACILITIES.

(a) ESTABLISHMENT.—There is hereby established the Commission on Safeguards, Security, and Counterintelligence at Department of Energy Facilities (in this section referred to as the ‘Commission’).

(b) ORGANIZATIONAL MATTERS.—(1) The Commission shall be composed of nine members appointed from among individuals in the public and private sectors who have significant experience in matters related to the security of nuclear weapons and materials, nuclear counterintelligence, computer security, and personnel security at Department of Energy facilities to—
(A) determine the adequacy of those activities that currently ensure the security of sensitive information, processes, and activities under the jurisdiction of the Department against threats to the disclosure of such information, processes, and activities.
(B) make recommendations for actions the Commission determines as being necessary
to ensure that such security is achieved and maintained.

(2) The activities of the Commission under paragraph (1) include the following:

(A) An analysis of the sufficiency of the Design Threat Basis documents as a basis for the allocation of resources for safeguards, security, and counterintelligence activities at the Department facilities to address the needs of sensitive scientific research, defense, and national security activities.

(B) An evaluation of the effectiveness of the safeguards, security, and counterintelligence activities at the Department facilities, including the security of sensitive information, to ensure that such security is achieved and maintained.

(C) The schedule for the reduction of personnel classified for safeguarding and security, and counterintelligence activities at the Department facilities.

(D) The schedule for the reduction of personnel classified for safeguarding and security, and counterintelligence activities at Department facilities.

(E) The schedule for the reduction of personnel classified for safeguarding and security, and counterintelligence activities at Department facilities.

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(zzz) The schedule for the reduction of personnel classified for safeguarding and security, and counterintelligence activities at Department facilities.
(B) A cooperative program carried out between the Department of Energy and an independent state of the former Soviet Union.

(C) A cooperative program carried out between the Department of Energy and any nation designated as sensitive by the Secretary of State.

(3) The committees referred to in this paragraph are the following:

(A) The Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate.

(B) The Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(4) Limitation on Use of Funds Pending Certification.—(1) Except as provided in paragraph (2), no amounts authorized to be appropriated by section 3101 or 3105 or otherwise made available to the Department of Energy for fiscal year 2000 may be obligated or expended to conduct a program referred to in subsection (a)(2), or any studies or planning, in anticipation of such program, beginning on the date that is 45 days after the date of the enactment of this Act and continuing thereafter, until the Director of Central Intelligence submits to the committees referred to in subsection (a)(3) the certification referred to in subsection (a)(2). The certification shall be submitted in unclassified form, but may include a classified annex.

(5) Each report shall include for the year covered by the report the following:

(A) A description of the status and effectiveness of the security and counterintelligence programs and activities at Department facilities during the preceding year.

(B) A description of any violation of law or other requirement relating to intelligence, counterintelligence, or security at such facilities, including:

(i) the number of violations that were investigated; and

(ii) the number of violations that remain unresolved.

(C) A description of the number of foreign visitors to Department facilities, including the locations of the visits of such visitors.

(6) An individual assigned under this subsection to a facility at which Restricted Data is located for access to the information.

(7) An individual assigned to a facility at which Restricted Data is located for access to the information.

(8) An individual assigned to a facility at which Restricted Data is located for access to the information.
(A) the employee who submitted the complaint on which the investigation is based;
(B) the contractor concerned, if any; and
(C) the Secretary of Energy.

(c) COMPLAINT.—If the Secretary determines that an employee has been subjected to an adverse personnel action referred to in subsection (a) in contravention of the provisions of section 3160(a), the Secretary shall—

(A) in the case of a Department employee, take appropriate actions to abate the action; or

(B) in the case of a contractor employee, order the contractor concerned to take appropriate actions to abate the action.

(h) QUARTERLY REPORT.—(1) Not later than 30 days after the commencement of each fiscal quarter, the Inspector General shall submit to the congressional defense committees a report on the investigations undertaken under subsection (b)(1)(B) during the preceding quarter, including a summary of the results of such investigations.

(a) REMEDIAL ACTIONS.—(1) If the Secretary considers likely to cause significant harm or damage to the national security interests of the United States, the Secretary may file an action for enforcement of an order issued under paragraph (1)(B), the court may grant appropriate actions to abate the action.

(b) COUNTERING OF ESPIONAGE AND INTELLIGENCE GATHERING ABROAD.—(1) The Secretary of Energy, after consultation with the Director of Central Intelligence and the Director of the Federal Bureau of Investigation, as appropriate, shall submit to the congressional defense committees a notification of each serious security or counterintelligence failure at a Department of Energy facility that the Secretary considers likely to cause significant harm or damage to the national security interests of the United States.

(c) PROCEDURES.—The Secretary and the congressional defense committees shall establish such procedures as may be necessary to carry out the provisions of this section.

(d) PROTECTION OF CLASSIFIED AND OTHER SENSITIVE INFORMATION.—(1) The House of Representatives and the Senate shall each establish, by rule or resolution of such House, procedures to protect from unauthorized disclosure classified information, all information relating to intelligence sources and sensitive law enforcement information that is furnished to the congressional defense committees pursuant to this section.

(e) SAVINGS PROVISIONS.—(1) Nothing in this section shall be construed as authority to withhold information from the congressional defense committees on the grounds that providing the information to such committees would constitute the unauthorized disclosure of classified information, information relating to intelligence sources or methods, or sensitive law enforcement information.
STOCKPILE CERTIFICATION.—Any report submissions of the Senate and the Committees on Armed Services and Appropriations'' and all that follows through ''House of title 10, United States Code, is amended by

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(2) from among commercial entities that—
(A) do not currently manage or operate facili-
ties at a location where the pilot program is being conducted; and
(B) have an expertise in the management of largescale construction projects.
(c) REPORT.—Not later than February 1, 2000, the Secretary shall submit to the Com-
mmittee on Armed Services of the Senate and the House of Representatives a report on pilot program. The report shall include the Secretary of the feasibility and desirability of utilizing project management oversight services for Department of Energy construction projects.

SEC. 3177. EMENDATION TO REVIEW OF WASTE ISOLA-
TION PILOT PLANT, NEW MEXICO.
Section 1433(a) of the National Defense Au-
thorization Act, Fiscal Year 1989 (Public Law 101–506; 102 Stat. 2773) is amended by amending the sec-
ond sentence by striking “nine additional one-year periods” and inserting “fourteen additional one-year periods”.

SEC. 3178. PROPOSED SCHEDULE FOR SHIP-
MENTS FROM THE ROCKY FLATS PLANT, COLORADO, TO THE WASTE ISOLATION PILOT PLANT, NEW MEXICO.
(a) SUBMITTAL OF PROPOSED SCHEDULE.—Not later than three months after the enactment of this Act, the Secretary of En-
ergy shall submit to the Committees on Armed Services of the Senate and House of Representatos a proposed schedule for the commencement of shipments of waste from the Rocky Flats Plant, Colorado, to the Waste Isolation Pilot Plant, New Mexico.
(b) ELEMENTS.—The schedule under sub-
section (a) shall set forth—
(1) the proposed commencement date of shipments of mixed transuranic waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant; and
(2) the proposed commencement date of shipment of transuranic waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant.
(c) REQUIREMENTS REGARDING SCHEDULE.—In preparing the schedule, the Secretary shall assume the following:
(2) That all waste that is transferable from the Rocky Flats Plant to the Waste Isolation Pilot Plant will be removed from the Rocky Flats Plant by that closure date as specified in the current 2005 Rocky Flats Plant Clo-
sure Plan.
(3) That, to the maximum extent practi-
table, shipments of waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant will be carried out on an expedited schedule, but not interfere with other ship-
ments of waste to the Waste Isolation Pilot Plant that are planned as of the date of the enactment of this Act.

SEC. 3179. COMPTROLLER GENERAL REPORT ON CLOSURE OF ROCKY FLATS ENVIR-
ONMENTAL TECHNOLOGY SITE, COLORADO.
(a) REPORT.—Not later than December 31, 2000, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a re-
port assessing the progress in the closure of the Rocky Flats Environmental Technology Site, Colorado.
(b) REPORT ELEMENTS.—The report shall address the following:
(1) How decisions with respect to the fu-
ture use of the Rocky Flats Environmental Technology Site affect ongoing cleanup at the site.
(2) Whether the Secretary of Energy could provide flexibility to the contractor at the site in order to quicken the cleanup of the site.
(3) Whether the Secretary could take addi-
tional actions throughout the nuclear weap-
one complex of the Department of Energy in order to quicken the closure of the site.
(4) The developments, if any, since the April 1999 report of the Comptroller General that could alter the pace of the closure of the site.
(5) The possibility of closure of the site by 2006.
(6) The actions that could be taken by the Secretary or Congress to ensure that the site would be closed by 2006.

TITLE XXXIII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD
SEC. 3301. AUTHORIZED USES OF STOCKPILE FUNDS.
(a) OBLIGATION OF STOCKPILE FUNDS.—Dur-
ing fiscal year 2000, the National Defense Stockpile Manager may obligate up to $78,700,000 of the funds in the National Defense Stockpile Transaction Fund for the au-
thorized uses of such funds under section 3303(b) of the Strom Thurmond National Stockpile Piling Act (50 U.S.C. 88h(b)(2)), includ-
ing the disposal of hazardous materials that are environmentally sensitive.
(b) ADDITIONAL OBLIGATIONS.—The Na-
tional Defense Stockpile Manager may obligate additional amounts in excess of the amount speci-
fied in subsection (a) if the National Defense Stockpile Manager notifies Congress that ex-
traordinary or emergency conditions necessi-
tate the additional obligations. The Na-
tional Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day pe-
riod beginning on the date on which Con-
gress receives the notification.
(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limita-
tions as may be provided in appropriations Acts.

SEC. 3302. LIMITATIONS ON PREVIOUS AUTHORITY FOR DISPOSAL OF STOCKPILE MATERIALS.
(a) PUBLIC LAW 101–261 AUTHORITY.—Sec-
(1) by striking “(b) LIMITATION ON DISPOSAL QUANTITY.—” and inserting “(b) LIMITATIONS ON DISPOSAL AUTHORITY.—”;
(2) by adding at the end the following:
“(2) The President may not dispose of ma-
terials under this section in excess of the dis-
posals necessary to result in receipts in the amounts specified in subsection (a).”;
(b) LIMITATIONS.—(1) Not more than $7,000 may be used for of-
ficial reception and representation expenses of the National Defense Stockpile Fund to make such expenditures within the limits of funds and borrowing authority available to it in accordance with law, and to make such contracts and commitments, as may be necessary under the Panama Canal Act of 1979 (22 U.S.C. 3611 et seq.) for the operation, maintenance, improvement, and ad-
ministration of the Panama Canal for the pe-
riod October 1, 1999, through noon on Decem-
ber 31, 1999.
(2) Not more than $3,500 may be used for of.
(c) PROCUREMENT OF VEHICLES.
Notwithstanding any other provision of law, the funds available to the Commission shall be available for the purchase and trans-
portation to the Republic of Panama of re-
placement passenger motor vehicles, the purchase price of which shall not exceed $26,000 per vehi-

SEC. 3404. EXPENDITURES ONLY IN ACCORDANCE WITH TREATIES.
Expenditures authorized under this title may be made only in accordance with the Panama Canal Treaties of 1917 and any law of the United States implementing those treaties.

SEC. 3405. OFFICE OF TRANSITION ADMINIS-
TRATION.
(a) EXPENDITURES FROM PANAMA CANAL COMMISSION DISOLUTION FUND.—The Office of Transition Administration established under subsection (b) of section 1305 of the Panama Canal Act of 1979 (22 U.S.C. 3714s) is authorized to obligate and expend funds from the Panama Canal Commission Dissolution Fund established under subsection (c) of such section for the purposes enumerated in such subsection until the fund terminates.
(b) ADMINISTRATIVE OFFICES.—The Office of Transition Administration shall have offices in the Republic of Panama and in Wash-
ington, District of Columbia. The office in Panama shall be subject to the authority of the United States chief of mission in the Rep-

(1) by striking “(b) LIMITATION ON DISPOSAL QUANTITY.—” and inserting “(b) LIMITATIONS ON DISPOSAL AUTHORITY.—”;
(2) by adding at the end the following:
“(2) The President may not dispose of ma-
terials under this section in excess of the dis-
posals necessary to result in receipts in the amounts specified in subsection (a).”;
(c) PUBLIC LAW 101–261 AUTHORITY.—Sec-

(2) by adding at the end the following:
“(2) The President may not dispose of ma-
terials under this section in excess of the dis-
posals necessary to result in receipts in the amounts specified in subsection (a).”;

(2) by adding at the end the following:
“(2) The President may not dispose of ma-
terials under this section in excess of the dis-
posals necessary to result in receipts in the amounts specified in subsection (a).”;
DEPARTMENT OF DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

On May 27, 1999, the bill, S. 1060, was passed by the Senate. The text of the bill is as follows:

S. 1060

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 “Department of Defense Authorization Act for Fiscal Year 2000”.

SEC. 2. TABLE OF CONTENTS.
The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Congressional defense committees defined.

TITLE I—PROCUREMENT
Subtitle A—Authorization of Appropriations
Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 106. Chemical demilitarization program.
Sec. 107. Defense health programs.

Subtitle B—Army Programs
Sec. 111. Multiyear procurement authority for certain Army programs.
Sec. 112. Close combat tactical trainer program.
Sec. 113. Army aviation modernization.
Sec. 114. Multiple Launch Rocket System.

Subtitle C—Navy Programs
Sec. 121. LHD-8 amphibious dock ship program.
Sec. 122. Arleigh Burke class destroyer program.
Sec. 123. Repeal of requirement for annual report from shipbuilders under certain nuclear attack submarine programs.
Sec. 124. Cooperative engagement capability program.
Sec. 125. F/A-18E/F aircraft program.

Subtitle D—Air Force Programs
Sec. 131. F-22 aircraft program.
Sec. 132. Repeal of requirement for biennial report by Air Force under the National Marine Program.
Sec. 133. Cooperative engagement capability program.
Sec. 134. Cooperative engagement capability program.
Sec. 135. F/A-18E/F aircraft program.

Subtitle E—Other Matters
Sec. 141. Extension of authority to carry out Armament Reutilization and Manufacturing Support Initiative.
Sec. 142. Extension of pilot program on sales of manufactured articles and services of certain Army industrial facilities without regard to availability from domestic sources.
Sec. 143. D-5 Missile program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
Subtitle A—Authorization of Appropriations
Sec. 201. Authorization of appropriations.
Sec. 202. Amount for basic and applied research.

Subtitle B—Program Requirements, Restrictions, and Limitations
Sec. 211. NATO common-funded civil budget.
Sec. 212. Non-satellite technology development program.
Sec. 213. Space control technology.
Sec. 214. Space maneuver vehicle.
Sec. 215. Manufacturing technology program.
Sec. 216. Testing of airlift and improvised explosives.

Subtitle C—Ballistic Missile Defense
Sec. 221. Theater missile defense upper tier acquisition strategy.
Sec. 222. Repeal of requirement to implement technical and price competition for theater high altitude area defense system.
Sec. 223. Space-based laser program.
Sec. 224. Airborne laser program.
Sec. 225. Sense of Congress regarding ballistic missile defense technology funding.
Sec. 227. Options for Air Force cruise missiles.

Subtitle D—Research and Development for Long-Term Military Capabilities
Sec. 231. Annual report on emerging operational concepts.
Sec. 232. Technology area review and assessment.
Sec. 233. Report by Under Secretary of Defense for Acquisition and Technology.
Sec. 234. Incentives to produce innovative new technologies.
Sec. 235. DARPA competitive prizes award program for encouraging development of advanced technologies.
Sec. 236. Additional pilot program for revitalizing Department of Defense laboratories.
Sec. 237. Expansion of defense laboratory employees from certain workforce management restrictions.
Sec. 238. Use of working-capital funds for financing research and development of the military departments.
Sec. 239. Efficient utilization of defense laboratories.

Subtitle E—Other Matters

TITLE III—OPERATION AND MAINTENANCE
Subtitle A—Authorization of Appropriations
Sec. 301. Operation and maintenance funding.
Sec. 302. Working-capital funds.
Sec. 303. Armed Forces Retirement Home.
Sec. 304. Transfer from National Defense Stockpile Transaction Fund.
Sec. 305. Operational Meteorology and Oceanography and UNOLS.
Sec. 306. Armed Forces Emergency Services.

Subtitle B—Program Requirements, Restrictions, and Limitations
Sec. 311. NATO common-funded military personnel.
Sec. 312. Use of humanitarian and civic assistance funding for pay and allowances of special operations command reserves furnishing demining training and related assistance.
Sec. 313. National Defense Features Program.
Sec. 314. Additional amounts for drug interdiction and counter-drug activities.

Sec. 315. Sense of Senate regarding settlement of claims of American servicemen’s families regarding deaths resulting from the accident off the coast of Namibia on September 13, 1997.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS
Subtitle A—Active Forces
Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent end strength levels.
Sec. 403. Reduction of end strengths below levels for two major regional contingencies.

Subtitle B—Reserve Forces
Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the Reserves.
Sec. 413. End strengths for military technicians.
Sec. 414. Increase in numbers of members in certain guard units authorized to be on active duty in support of the Reserves.

Sec. 415. Modification of membership of Strategic Environmental Research and Development Program Council.
Sec. 416. Extension of pilot program for sale of air pollution emission reduction incentives.
Sec. 417. Reimbursement of Environmental Protection Agency for certain costs in connection with CerCLA in connection with F.E. Warren Air Force Base, Wyoming.
Sec. 418. Provision of information and guidance to the public regarding environmental contamination at United States military installations formerly operated by the United States that have been closed.

Sec. 419. Ordnance mitigation study.

Subtitle D—Other Matters
Sec. 431. Extension of warranty claims recovery pilot program.
Sec. 432. Additional matters to be reported before prime vendor contract for depot-level maintenance and repair is entered into.
Sec. 433. Implementation of jointly approved changes in defense retail systems.
Sec. 434. Waiver of required condition for sales of articles and services of industrial facilities to purchasers outside the Department of Defense.
Sec. 435. Eligibility to receive financial assistance available for local educational agencies that benefit dependent of Department of Defense personnel.
Sec. 436. Use of Smart Card technology in the Department of Defense.
Sec. 437. Study on use of Smart Card as PKI authentication device carrier for the Department of Defense.
Sec. 438. Revision of authority to donate certain Army materiel for funeral ceremonies.
Sec. 439. Modification of limitation on funding assistance for procurement of equipment for the National Guard for drug interdiction and counter-drug activities.
Sec. 440. Authority for payment of settlement claim.

Sec. 441. Sense of Senate regarding settlement of claims of American servicemen’s families regarding deaths resulting from the accident off the coast of Namibia on September 13, 1997.