The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. MILLER of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, June 7, 1999.

I hereby appoint the Honorable DAN MILLER to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 435. An act to make miscellaneous and technical changes to various trade laws, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1060. An act to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1059. An act to authorize appropriations for fiscal year 2000 for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1061. An act to authorize appropriations for fiscal year 2000 for defense activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1058. An act to authorize appropriations for fiscal year 2000 for military construction, and for other purposes.

S. 704. An act to amend title 18, United States Code, to combat the overutilization of prison health care services and control rising prisoner health care costs.

S. 1059. An act to authorize appropriations for fiscal year 2000 for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1060. An act to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

MORNING HOUR DEBATES

The SPEAKER pro tempore, pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member other than the majority or the minority leaders, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

GUN SAFETY LEGISLATION

Mr. BLUMENAUER. Mr. Speaker, at home this last week, and in Milwaukee, Wisconsin, this weekend, I heard from people from all across the country who want the Federal Government to be a better partner in promoting livable communities so that our families can be safe, economically secure and healthy. Reducing the threat of gun violence is at the core of what will make communities more livable, yet the apologists for gun violence have been hard at work during our recess seeking to derail the modest steps that would make our children safer from guns.

People of conscience should push back. During my 3 years in Congress, there have been nine multiple shooting deaths on our school campuses involving children shooting other children and their teachers. The epidemic of gun violence amongst our youth has tragic consequences in terms of loss of life, physical safety and the health of our communities. Yet for all the media attention given to Jonesboro, Springfield and the Littleton massacres, tragedies like this occur daily, with over 12 children being killed in a typical 24-hour period. The only difference is that unlike Littleton or Springfield, the pain is scattered from town to town in isolated bursts. Even though these tragedies occur without massive media attention, they nonetheless produce pain every bit as real and lasting in communities across the country.

This Sunday, in Milwaukee, the papers were full of a tragic example of a young man shooting his best friend. While I was reading that on the plane, a 3-year-old in Baltimore shot himself in the head and he lies in the hospital now, critically wounded.

These numbers are staggering and uniquely American. Each year more than 5,000 children are killed by firearms. By contrast, only 15 people in the entire Nation of Japan were murdered with handguns last year. At the same time, the apologists for gun violence contend that there are no useful government initiatives to reduce this violence other than simply stricter enforcement of the laws, more prison time for criminals and wider use of firearms. I strongly disagree.

We in the House of Representatives should vote and pass the three gun safety elements in the Senate legislation, which would require safety locks on all new handguns, background checks for sales at gun shows and a ban on the sale of ammunition magazines of more than 10 rounds. These are minor steps, but meaningful if they serve as a starting point for a more deliberative and comprehensive approach to ending gun violence.

An important bill which I was pleased to cosponsor, with the gentlewoman from New York (Mrs. McCARTHY) includes several measures designed to keep guns out of kids’ hands. H.R. 1342 is being supported by a growing number of people of conscience on both sides of the aisle. It should be the vehicle that deals comprehensively with these concerns.
Another important approach is legislation that I just introduced today that takes a page from our successful efforts at reducing death and injury on our highways. Thirty years ago Congress started simple, common-sense legislation that has cut the death rate on our highways in half. We can do the same with handguns.

My legislation would, for instance, assure that the Consumer Product Safety Commission devotes as much time to regulating real guns as it does to tomato processors. It would require new guns to have an indicator to show it is loaded. It would extend the Brady law to deny people with a history of violent and reckless behavior the ability to purchase and own firearms, and it would require the Federal Government to establish a date in the near future when all the guns that we purchase for our Federal employees are personalized so that those guns cannot be used against them or stolen.

The paper or the House has argued against extraneous riders dealing with gun safety laws. I find this ironic when we just passed an absolute abomination of a spending bill supposedly to finance our troops in Kosovo and other emergencies, and where it includes everything from redefining reindeer as livestock to relaxing environmental regulations on mining. It is that when it comes to the special interests we are willing to make exceptions, but not when it comes to our children? They should be at least as important as well-connected lobbyists.

It is time to pass comprehensive legislation to protect our children, our families and our communities from senseless gun violence, and we ought to do it now.

PRICE CONTROLS DO NOT WORK

The SPEAKER pro tempore. Under the SPEAKER's announced policy of 1 January 1999, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I rise today to talk about prescription drugs. There has been a lot of talk lately about how expensive they are and how many people who need them cannot afford them. I understand these concerns, but like my colleagues, while I want to make sure that our constituents have greater access to prescription drugs, I am concerned about the debate that is evolving about prescription drugs here in the House.

Fixing drug prices could very well mean reducing discounts to the veterans and other Federal purchasers. In fact, a GAO study concluded that expanding access to the reduced prices could lead in fact to higher prices. This is what price controls do. The larger the market, the greater the economic incentive to raise prices to limit the impact of giving lower prices to more purchasers. That makes sense.

Ultimately that move, Mr. Speaker, could put veterans' access to health care at risk. While this type of legislation, these legislative initiatives that are coming here, could put the veterans' health care at risk, there is no guarantee that it will significantly reduce the cost of medicine for Medicare beneficiaries.

Therefore, I believe we need to figure out how to expand insurance coverage for drugs, not attempt to give the government the ability to fix prices. Price controls never work. All they do is reduce supply to eliminate discounts that are available to some. We have all seen this idea before. Their great idea, the people advocating price controls for prescription drugs, is it will expand the government discount for everyone, give everybody a chance for lower prices, and everyone will have access for cheap drugs. That is the basic appeal. But, my colleagues, that is socialism. Let us not forget who is getting the benefit of these discounts, and of course, we could put others at risk who are now getting them.

Last year there was a misguided attempt to expand the Federal supply discounts to State and local governments also. The Department of Veterans Affairs estimated that by expanding the discounts to the same broadly that makers of drugs would be forced to respond by reducing or eliminating the discounts they give to the Veterans Administration. The VA estimated this proposal would cost them as much as $250 million a year or it would equal the cost of providing care to 50,000 veterans. And just so that we all understand, Mr. Speaker, if the drug companies are no longer able to give large discounts to the veterans, it means those very discounts will not be available to Medicare beneficiaries.

I believe we should be doing everything we can to help Medicare beneficiaries improve access to the drugs they need, but not through price controls. One of the easiest things that could be done right away is for the administration to move forward on regulation to expand Medicare Plus Choice plans. Because of the way the current Medicare managed care plans are paid, many areas, including portions of my district, do not have managed care plans available to them.

By simply enacting the Medicare Plus Choice program as part of the Balanced Budget Act of 1997 that we passed in 1997 to expand Medicare beneficiaries' access to prescription drugs by allowing them to join HMOs that offer these benefits. Congress' goal in the Balanced Budget Act was to extend to Medicare beneficiaries the same range of choices that exist for all working Americans. Choosing between competing health care plans provides greater promise than price controls, giving them greater access. It is better than telling the pharmaceutical companies that they have to price or not.

Mr. Speaker, the administration should no longer delay in expanding access to these plans. There was a bipartisan commission that developed a proposal that is really worth more discussion. It said that we should figure out how Medicare beneficiaries can take advantage of the change in health care delivery benefiting every privately insured person, including Members of Congress. That is the Federal Employee Health Benefit Program. We have discount pharmaceutical drugs. Why not adopt a program like the Federal Employee Health Benefit Program, something that we all have, Mr. Speaker, and the President and the Senators?

So why are we talking about this? We should stop talking about socialized medicine and the age-old false hope of price controls that have never worked. Medicare beneficiaries need more from their Members of Congress than false promises of cheap drugs through price controls. We need to help them gain access to affordable prescriptions through insurance coverage and the truly effective price competition of an active marketplace. We need to make sure that whatever reform we pass does not hurt those to whom we owe a debt: veterans. Veterans should not be put at risk to give someone in this body a political win.

Mr. Speaker, I am certain we can find an answer that will help our Nation's senior citizens while at the same time protecting our veterans.
congressional record – house

h3715

june 7, 1999

the speaker pro tempore. the chair has examined the journal of the last day’s proceedings and announces to the house his approval thereof.

pursuant to clause 1, rule i, the journal stands approved.

mr. gibbons. mr. speaker, pursuant to clause 1, rule 1, i demand a vote on agreeing to the speaker pro tempore’s approval of the journal.

the speaker pro tempore. the question is on the chair’s approval of the journal.

the question was taken; and the speaker pro tempore announced that the ayes appeared to have it.

mr. gibbons. mr. speaker, i object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

the speaker pro tempore. pursuant to clause 1, rule i, i demand a vote on

the speaker pro tempore. pursuant to clause 8, rule xx, further proceedings on this question will be postponed.

the point of no quorum is considered withdrawn.

pledge of allegiance

the speaker pro tempore. will the gentleman from ohio (mr. kucinich) come forward and lead the house in the pledge of allegiance?

mr. kucinich led the pledge of allegiance as follows:

i pledge allegiance to the flag of the united states of america, and to the republic for which it stands, one nation under god, indivisible, with liberty and justice for all.

communication from the clerk of the house

the speaker pro tempore laid before the house the following communication from the clerk of the house of representatives:


hon. j. dennis hastert, the speaker, house of representatives, washington, dc.

dear mr. speaker: pursuant to the permission granted to clause 2(h) of rule ii of the rules of the u.s. house of representatives, the clerk received the following message from the secretary of the senate on june 1, 1999 at 9:20 a.m.; that the senate passed without amendment h.r. 1379.

with best wishes, i am

sincerely,

jeff trandahl, clerk.

announcement by the speaker pro tempore

the speaker pro tempore. the chair desires to announce that pursuant to clause 4 of rule i, the speaker signed the following enrolled bills on thursday, may 27, 1999.

h.r. 1034, to declare a portion of the james river and the kanawha canal in richmond, virginia, to be nonnavigable waters of the united states for purposes of title 46, united states code, and other maritime laws of the united states;

h.r. 1121, to designate the federal building and united states courthouse located at 18 greenville street in newnan, georgia, as the “lewis r. morgan federal building and united states courthouse”; and,

h.r. 1183, to amend the fastener quality act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes.

appointment of members to canada-united states interparliamentary group

the speaker pro tempore. without objection, and pursuant to the provisions of 22 u.s. code 276d, the chair announces the speaker’s appointment on may 21, 1999, of the following members of the house to the canada-united states interparliamentary group. in addition to mr. houghton of new york, chairman, appointed on february 11, 1999:

mr. gilman, new york, vice chairman;

mr. oberstar, minnesota;

mr. shaw, florida;

mr. lipinski, illinois;

ms. slaughter, new york;

mr. upton, michigan;

ms. stearns, florida;

ms. peterson, minnesota;

ms. danner, missouri;

mr. manzullo, illinois; and

mr. english, of pennsylvania.

there was no objection.

appointment as member of twenty-first century workforce commission

the speaker pro tempore. pursuant to section 334(b)(1) of public law 105-220 and the order of the house of thursday, may 27, 1999, and upon the recommendation of the minority leader, the speaker on that day appointed the following member on the part of the house to the twenty-first century workforce commission:

mr. david l. stewart, st. louis, missouri.

congratulating andre agassi on winning four grand slam victories

(mr. gibbons asked and was given permission to address the house for 1 minute and to revise and extend his remarks.)

mr. gibbons. mr. speaker, yesterday millions around the world watched andre’s impressive two-setdown come-from-behind victory. in his own words, andre, a no. 1 who dropped out of the top 100 not long ago and has steadily climbed back into the top 25 said, “what i have managed to accomplish is astounding. this was the greatest thing i could ever do.’’

so to andre agassi and his proud parents, mike and betty, and on behalf of the very proud state of nevada, i want to congratulate you and wish you continued success. nevada is indeed very proud of your accomplishments, and proud to call you one of our own.

sleepwalking murder needs to catch a few z’s in electric chair

(mr. traficant asked and was given permission to address the house for 1 minute and to revise and extend his remarks.)

mr. traficant. mr. speaker, scott falater does not deny it. he admits that he stabbed his wife 44 times. he then held her underwater while she bled to death, and then he hid the evidence. but, after all that, falater says he is not guilty because he was sleepwalking.

unbelievable, mr. speaker. are we to believe that falater was just dreaming through his wife’s screams? are we to believe he was just walking in the park when he stabbed her 44 times?

beam me up. i say it is time for scott falater to sleepwalk down murderer’s row and catch a few z’s right in the electric chair. sleep on that, falater.

challenge to nato’s continued bombing, despite russian-finland peace plan and victory talk

(mr. kucinich asked and was given permission to address the house for 1 minute and to revise and extend his remarks.)

mr. kucinich. mr. speaker, nato is risking reigniting a wider war by simultaneously insisting on troop withdrawals and continuing bombing attacks on the troops. if acceptance of the russian-finland peace plan by the serb government means anything, then the bombing should have stopped. if it means nothing, then why did nato officials declare victory because such a plan had been accepted?

either nato has a peace plan in its hand or it does not. if it does, then it should stop the bombing instead of this approach of putting one foot on the accelerator of war and the other on the brake of peace. when j apan sued for peace after the atomic bombs were dropped, the u.s. did not keep bombing.

the l.a. times quoted an unnamed nato diplomat as describing the
agreed-upon exit of troops in these terms: “Take these routes, don’t get off them, move quickly, do not stop to collect $200,” in an apparent reference to the Monopoly game. The same diplomat was saying, “Anybody off the yellow brick road is subject to being bombed,” a reference to the Wizard of Oz.

The undisguised attempts to trivialize the importance of troop withdrawals and the further threats to bomb military targets in retreat reveals a dearth of power which is neither conducive to concluding a peaceful agreement, nor keeping a condition of peace. If NATO wants peace, it ought to show it by stopping the bombing.

CONGRATULATING PEOPLE OF GUAM ON CONTRIBUTIONS TO SOUTH PACIFIC GAMES

(Mr. UNDERWOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Speaker, I take this time on the floor to congratulate the people of Guam for their exemplary contributions to the management and the operation of the South Pacific Games.

The South Pacific Games occur every 4 years and invite a number of athletes from all the South Pacific independent nations, as well as territories under French control and under American control, for games which are actually part of a larger set of games qualifying for the Olympics.

I am happy to report that Governor Carl Gutierrez, as well as Clifford Guzman, Rick Goss and a number of other people from the Guam National Olympic Coordinating Committee, have done an exemplary job in welcoming over 3,000 athletes from throughout the Pacific islands.

Right now Guam is number three in the world in raising funds, and we still have a week left to go. I want to congratulate all of the fine athletes from Guam.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or under which the vote is objected to under clause 6 of rule XX.

Such rollcall votes, if postponed, will be taken after debate is concluded on all motions to suspend the rules, but not before 6 p.m. today.

MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 1999

Ms. DUNN. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 435) to make miscellaneous and technical changes to various trade laws, and for other purposes.

The Clerk read as follows:

Senate amendment:

SEC. 2133. 6-Bromo-4-nitrostyrene.
SEC. 2134. Textile machinery.
SEC. 2135. Deltamethrin.
SEC. 2136. Dichlorofop-methyl.
SEC. 2137. Resmethrin.
SEC. 2138. N-phenyl-N’-1,2,3-thiadiazol-5-yliurea.
SEC. 2139. (1R,3S)(1R,5S)(1,2,2,2’-Tetrabromoethyl)2,2’-dimethylcyloprop-panecarboxylic acid, (S)-acryano-3-phenoxbenzyl ester.
SEC. 2140. Pigment Red 171.
SEC. 2141. Textile printing machinery.
SEC. 2142. Substrates of synthetic quartz or synthetic fused silica.
SEC. 2143. 2-Methyl-4,6-bis(octylthio)phenol.
SEC. 2144. 2-Methyl-4,6-bis(octylthio)phenol; apsopxidized triglyceride.
SEC. 2145. 4-(4,6-Bis(octylthio)-1,3,5-triazin-2-yl)amino]-2,6-bis[1,1-
sec. 2146. (2-Benzo[b]thiazolyl]thiobutanedioic acid.
SEC. 2147. Calcium bis[monoethyl(3,5-di-tert-butyl-4-hydroxybenzoyl)]phosphate.
SEC. 2148. 4-Methyl-4-oxo-benzenesulfonic acid compounded with ethyleneimine (2:1).
SEC. 2149. Weaving machines.
SEC. 2150. Certain weaving machines.
SEC. 2151. DMT.
SEC. 2152. Benzenepropanol, 4,4-(1,1-
dimethyl(ethyl)-alpha-methyl-.
SEC. 2153. 2-H,3-1,3-benzoxazin-2-one, 6-Chloro-4-(cyclopropylethyl)-1,4-dihydro-
(2 trifluoromethyl)-.
SEC. 2154. Tbufenozide.
SEC. 2155. Halogenofen.
SEC. 2156. Certain organic pigments and dyes.
SEC. 2157. 4-Hexyloresorcinol.
SEC. 2158. Certain sensitizing dyes.
SEC. 2159. Skating boots for use in the manufacture of in-line roller skates.
SEC. 2160. Dibutylphthalatesulfonic acid, sodium salt.
SEC. 2161. O-(6-Chlor-3-phenyl)-4-pyridazinyl]-5-octylcarbanothioate.
SEC. 2162. 4-Cyclopropyl-6-methyl-2-
phenylaminopyrimidine.
SEC. 2163. 0-(1-Dimethyl-5-[3-methoxy-2-oxo-1,3,4-thiadiazol-3-(2H)-yl]-yl)-dithiophosphate.
SEC. 2165. (25,4R\(\beta\),25,4S\(\alpha\))[25,4R\(\beta\),25,4S\(\alpha\)]-1-
[4-Chloro-4-chlorophenyl]-4-methyl-1,3-
dioxolan-2-ylmethyl)-1H,1,4-triazole.
SEC. 2166. 2,4-Dichloro-3,5-
dinitrobenzoic acid.
SEC. 2167. 2-Chloro-N-[2,6-dinitro-
(trifluoromethyl)phenyl]-N-ethyl-
6-fluorobenzenemethanamine.
SEC. 2168. Chloroacetone.
SEC. 2169. Acetic acid, [(1S-chole-8-quino-
lonyloxy)-1-methylhexyl] ester.
SEC. 2170. Propanoic acid, 2-[4-[4-Chloro-3-
fluoro-2-pyridinyl]oxo]phenyl]-2-
propynyl ester.
SEC. 2171. Mucolipic acid.
SEC. 2172. Certain rocket engines.
SEC. 2173. Pigment Red 144.
SEC. 2174. (S)-N-[5-[2-(2-Amino-4,6,7,8-
tetrahydro-4-oxo-1H-pyrimido[5,4-
\(b\)]-[1,4]hiazin-6-ylthio))-2- thienyl]carboxyl]-glutamic acid, diethyl ester.
SEC. 2175. 4-Chloropyrindine hydrochloride.
SEC. 2176. 4-Phenoxobenzaldehyde.
SEC. 2177. (S)-3,2,2-Dimethyl-3-thiophenemione carboxylic acid.
SEC. 2178. 2-Amino-5-bromomethyl-4-(1H-
guanazinone.
SEC. 2179. 2-Amino-6-methyl-5-(4-pyridylthio)-
4(1H)-quinazinolone.
"Subtitle E—Standards and Measures Under the North American Free Trade Agreement"

"Chapter 1—Sanitary and Phytosanitary Measures"

"Sec. 461. General."

"Sec. 462. Inquiry point."

"Sec. 463. Chapter definitions."

"Chapter 2—Standards-Related Measures"

"Sec. 471. General."

"Sec. 472. Inquiry point."

"Sec. 473. Chapter definitions."

"Chapter 3—Subtitle Definitions"

"Sec. 481. Definitions."

"Subtitle F—International Standard-Setting Activities"

"Sec. 491. Notice of United States participation in international standard-setting activities."

"Sec. 492. Equivalence determinations."

"Sec. 493. Definitions."

"(5)(A) Section 3(a)(9) of the Miscellaneous Trade and Technical Corrections Act of 1996 is amended by striking "631(a)" and inserting "631 and 1631", respectively.

(B) Section 50(c)(2) of such Act is amended by striking "applied to entry" and inserting "applied to such entry."

(E) Section 8 of the Act of August 5, 1935 (19 U.S.C. 1708) is repealed."

"Sec. 492. Reference to the Tarriff Act of 1919 (19 U.S.C. 1594(a)) is amended—"

(A) in the last sentence of paragraph (2), by striking "102(17) and 102(15), respectively, of the Controlled Substances Act (21 U.S.C. 802(18) and 802(16))", and

(B) in paragraph (3)—"

(i) by striking "or which consists of any spirits," and all that follows through "be not shown.", and

(ii) by striking "and, if any manifested merchandise" and all that follows through the end and inserting a period.

(F) Section 621(d)(4)(A) of the North American Free Trade Agreement Implementation Act, as amended by section 21(d)(12) of the Miscellaneous Trade and Technical Amendments Act of 1996, is amended by striking "disclosure within 30 days" and inserting "disclosure, or within 30 days"

(G) Section 558(b) of the Tariff Act of 1930 (19 U.S.C. 1558(b)) is amended by striking "(c)" and inserting "(h)"

(H) Section 441 of the Tariff Act of 1930 (19 U.S.C. 1584(a)) is amended—"

(A) in the last sentence of paragraph (2), by striking "102(18) and 102(16), respectively, of the Controlled Substances Act (21 U.S.C. 802(18) and 802(16))", and

(B) in paragraph (3)—"

(i) by striking "or which consists of any spirits," and all that follows through "be not shown.", and

(ii) by striking "and, if any manifested merchandise" and all that follows through the end and inserting a period.

(J) Section 491(g) of the Tariff Act of 1919 (19 U.S.C. 1594(a)) is amended by striking "GATT 1994 as defined in section 2(1)(B) of the Uruguay Round Agreements Act, or Article 6 of the World Trade Organization (as defined in section 242(b) of the Uruguay Round Agreements Act)" and inserting "GATT Secretariat" and inserting "Secretariat of the World Trade Organization (as defined in the World Trade Organization (as defined in section 242(b) of the Uruguay Round Agreements Act)."

"Sec. 1003. Tariff Classification of 13-Inch Televisions."

(a) In General—"

Each of the following subsections of the Harmonized Tariff Schedule of the United States is amended by striking "33.02 cm" in the article description and inserting "34.29 cm."

(b) Application—"

Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the Customs Service not later than 180 days after the date of enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in a subheading listed in paragraphs (1) through (16) of subsection (a) shall be liquidated or reliquidated as though such amendment applied to such entry; and section 2(8) of the Uruguay Round Agreements Act, or Article 10."

"Title II—Temporary DutySuspensions and Reductions; Other Trade Provisions"

Subtitle A—Temporary Duty Suspensions and Reductions

Chapter 1—Reference

"Sec. 2001. Reference."

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision, the reference shall be considered to be made to a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007).

Chapter 2—Duty Suspensions and Reductions

Sec. 2101. Diiodomethyl--Tolylsulfone.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"subtitle E—Standards and Measures Under the North American Free Trade Agreement"

"Chapter 1—Sanitary and Phytosanitary Measures"

"Sec. 461. General."

"Sec. 462. Inquiry point."

"Sec. 463. Chapter definitions."

"Chapter 2—Standards-Related Measures"

"Sec. 471. General."

"Sec. 472. Inquiry point."

"Sec. 473. Chapter definitions."

"Chapter 3—Subtitle Definitions"

"Sec. 481. Definitions."

"Subtitle F—International Standard-Setting Activities"

"Sec. 491. Notice of United States participation in international standard-setting activities."

"Sec. 492. Equivalence determinations."

"Sec. 493. Definitions."

"(5)(A) Section 3(a)(9) of the Miscellaneous Trade and Technical Corrections Act of 1996 is amended by striking "631(a)" and inserting "631 and 1631", respectively.

(B) Section 50(c)(2) of such Act is amended by striking "applied to entry" and inserting "applied to such entry."

(E) Section 8 of the Act of August 5, 1935 (19 U.S.C. 1708) is repealed."

"Sec. 492. Reference to the Tarriff Act of 1919 (19 U.S.C. 1594(a)) is amended—"

(A) in the last sentence of paragraph (2), by striking "102(17) and 102(15), respectively, of the Controlled Substances Act and inserting "102(18) and 102(16), respectively, of the Controlled Substances Act (21 U.S.C. 802(18) and 802(16))", and

(B) in paragraph (3)—"

(i) by striking "or which consists of any spirits," and all that follows through "be not shown.", and

(ii) by striking "and, if any manifested merchandise" and all that follows through the end and inserting a period.

(F) Section 621(d)(4)(A) of the North American Free Trade Agreement Implementation Act, as amended by section 21(d)(12) of the Miscellaneous Trade and Technical Amendments Act of 1996, is amended by striking "disclosure within 30 days" and inserting "disclosure, or within 30 days"

(G) Section 558(b) of the Tariff Act of 1930 (19 U.S.C. 1558(b)) is amended by striking "(c)" and inserting "(h)"

(H) Section 441 of the Tariff Act of 1930 (19 U.S.C. 1584(a)) is amended by striking paragraph (3)—"

(i) by striking "or which consists of any spirits," and all that follows through "be not shown.", and

(ii) by striking "and, if any manifested merchandise" and all that follows through the end and inserting a period.

(J) Section 491(g) of the Tariff Act of 1919 (19 U.S.C. 1594(a)) is amended by striking "GATT 1994 as defined in section 2(1)(B) of the Uruguay Round Agreements Act, or Article 6 of the World Trade Organization (as defined in section 242(b) of the Uruguay Round Agreements Act)" and inserting "GATT Secretariat" and inserting "Secretariat of the World Trade Organization (as defined in the World Trade Organization (as defined in section 242(b) of the Uruguay Round Agreements Act))."

"Sec. 1003. Tariff Classification of 13-Inch Televisions."

(a) In General—"

Each of the following subheadings of the Harmonized Tariff Schedule of the United States is amended by striking "33.02 cm" in the article description and inserting "34.29 cm."

(b) Application—"

Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the Customs Service not later than 180 days after the date of enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in a subheading listed in paragraphs (1) through (16) of subsection (a) shall be liquidated or reliquidated as though such amendment applied to such entry; and section 2(8) of the Uruguay Round Agreements Act, or Article 10."

"Title II—Temporary Duty Suspensions and Reductions; Other Trade Provisions"

Subtitle A—Temporary Duty Suspensions and Reductions

Chapter 1—Reference

"Sec. 2001. Reference."

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision, the reference shall be considered to be made to a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007).

Chapter 2—Duty Suspensions and Reductions

Sec. 2101. Diiodomethyl--Tolylsulfone.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
SEC. 2102. RACEMIC DL-MENTHOL.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.06 Racemic dl-menthol (intermediate (E) for use in producing menthol) (CAS No. 15356-70-4) (provided for in subheading 2928.00.25) ........................................ Free No change No change On or before 12/31/2001 
```

SEC. 2103. 2,4-DICHLORO-5-HYDRAZINOPHENOL MONOHY- DROCHLORIDE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.28 2,4-Dichloro-5-hydrazinophenol monohydrochloride (CAS No. 189573-21-5) (provided for in subheading 2928.00.25) ......................................................... Free No change No change On or before 12/31/2001 
```

SEC. 2104. ACM.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.95 Phosphinic acid, [3-(acetyloxy)-3-cyanopropyl]methyl-, butyl ester (CAS No. 167004-78-6) (provided for in subheading 2931.00.90) ....................................... Free No change No change On or before 12/31/2001 
```

SEC. 2105. CERTAIN SNOWBOARD BOOTS.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.64.04 Snowboard boots with uppers of textile materials (provided for in subheading 6404.11.90) ................................................................................................... Free No change No change On or before 12/31/2001 
```

SEC. 2106. ETHOFUMESATE SINGULARLY OR IN MIXTURE WITH APPLICATION ADJUVANTS.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.31.12 2-Ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl-
methanesulfonate (ethofumesate) singularly or in mixture with application
adjuvants (CAS No. 26225-79-6) (provided for in subheading 2932.99.08 or
3808.30.15) ................................................................................................... Free No change No change On or before 12/31/2001 
```

SEC. 2107. 3-METHOXYCARBONYLAMINOPHENYL-3′-METHYL-CARBANILATE (PHENMEDIPHAM).
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.31.13 3-Methoxycarbonylamino-
phenyl-3′-methylcarbanilate (phenmedipham) (CAS No. 13684-63-4) (provided
for in subheading 2924.29.47) ........................................................................ Free No change No change On or before 12/31/2001 
```

SEC. 2108. 3-ETHOXYCARBONYLAMINOPHENYL-N-PHENYL-CARBAMATE (DESMEDIPHAM).
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.31.14 3-Ethoxycarbonylamino-
phenyl-N-phenylcarbamate (desmedipham) (CAS No. 13684-56-5) (provided
for in subheading 2924.29.41) ........................................................................ Free No change No change On or before 12/31/2001 
```

SEC. 2109. 2-AMINO-4-(4-AMINOBENZOYLAMINO)BENZENE-SULFONIC ACID, SODIUM SALT.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.30.91 2-Amino-4-(4-aminobenzoyl-amino) benzenesulfonic acid, sodium salt (CAS 
No. 167614-37-1) (provided for in subheading 2930.90.29) ................................ Free No change No change On or before 12/31/2001 
```

SEC. 2110. 5-AMINO-N-(2-HYDROXYETHYL)-2,3-XYLENESUL- FONAMIDE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.30.31 5-Amino-N-(2-hydroxyethyl)-2,3-xylenesulfonamide (CAS No. 25797-78-8) (pro-
vided for in subheading 2935.00.95) ............................................................... Free No change No change On or before 12/31/2001 
```

SEC. 2111. 3-AMINO-2-(SULFATOETHYL-SULFONYL) ETYL BENZAMIDE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.30.90 3-Amino-2-(sulfatoethylsulfonyl) ethyl benzamide (CAS No. 121315-20-6) (pro-
vided for in subheading 2930.90.29) ......................................................... Free No change No change On or before 12/31/2001 
```

SEC. 2112. 4-CHLORO-3-NITROBENZENESULFONIC ACID, MONOPOTASSIUM SALT.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
SEC. 2113.  2-AMINO-5-NITROTIAZOLE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.46 2-Amino-5-nitrotiazole (CAS No. 121-66-4) (provided for in subheading 2934.10.90) ......................................................... Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2114.  4-CHLORO-3-NITROBENZENSULFONIC ACID.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.30.04 4-Chloro-3-nitrobenzenesulfonic acid (CAS No. 121-18-6) (provided for in sub-
heading 2904.90.47) ...................................................................................... Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2115.  6-AMINO-1,3-NAPHTHALENEDISULFONIC ACID.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.21 6-Amino-1,3-naphthalenedisulfonic acid (CAS No. 118-33-2) (provided for in sub-
heading 2921.45.90) ................................................................................. Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2116.  4-CHLORO-3-NITROBENZENSULFONIC ACID, MONOSODIUM SALT.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.43 6-Bromo-2,4-dinitroaniline (CAS No. 1817-73-8) (provided for in subheading 2921.42.90) ......................................................... Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2117.  7-ACETYLAMINO-4-HYDROXY-2-NAPHTHALENE-SULFONIC ACID, MONOSODIUM SALT.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.20 2-Amino-p-cresol (CAS No. 95-84-1) (provided for in subheading 2922.29.10) .... Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2118.  6-BROMO-2,4-DINITROANILINE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.29 7-Acetylamino-4-hydroxy-2-naphthalenesulfonic acid, monosodium salt (CAS No. 42360-29-2) (provided for in subheading 2924.29.70) .................................. Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2119.  2-AMINO-P-CRESOL.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.01  Tannic acid (CAS No. 1401-55-4) (provided for in subheading 3201.90.10) ...... Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2120.  6-BROMO-2,4-DINITROANILINE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.30.53 2-Amino-5-nitrobenzenesulfonic acid, monosodium salt (CAS No. 30693-53-9) (provided for in subheading 2904.90.47) ......................................................... Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2121.  2-AMINO-5-NITROTIAZOLE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.46 2-Amino-5-nitrotiazole (CAS No. 121-66-4) (provided for in subheading 2934.10.90) ......................................................... Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2122.  7-ACETYLMAMINO-4-HYDROXY-2-NAPHTHALENE-SULFONIC ACID, MONOSODIUM SALT.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.43 6-Bromo-2,4-dinitroaniline (CAS No. 1817-73-8) (provided for in subheading 2921.42.90) ......................................................... Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2123.  2-AMINO-5-NITROTIAZOLE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.46 2-Amino-5-nitrotiazole (CAS No. 121-66-4) (provided for in subheading 2934.10.90) ......................................................... Free No change No change On or be-
fore 12/31/2001  
```

SEC. 2124.  2-AMINO-5-NITROTIAZOLE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
SEC. 2125. 2-AMINO-5-NITROBENZESULFONIC ACID.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.44 2-Amino-5-nitrobenzenesulfonic acid, monoammonium salt (CAS No. 4346-51-4) (provided for in subheading 2921.42.90) Free No change No change On or before 12/31/2001
```

SEC. 2126. 3-(4,5-DIHYDRO-3-METHYL-5-OXO-1H-PYRAZOL-1-YL)BENZENESULFONIC ACID.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.19 3-(4,5-Dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)benzenesulfonic acid (CAS No. 119-17-5) (provided for in subheading 2933.19.43) Free No change No change On or before 12/31/2001
```

SEC. 2127. 4-BENZOYLAMINO-5-HYDROXY-2,7-NAPHTHALENEDISULFONIC ACID.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.65 4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid (CAS No. 117-46-4) Free No change No change On or before 12/31/2001
```

SEC. 2128. 4-BENZOYLAMINO-5-HYDROXY-2,7-NAPHTHALENEDISULFONIC ACID, MONOSODIUM SALT.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.72 4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid, monosodium salt (CAS No. 79873-39-5) Free No change No change On or before 12/31/2001
```

SEC. 2129. PIGMENT YELLOW 154.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.18 Pigment Yellow 154 (CAS No. 068134-22-5) (provided for in subheading 3204.17.60) Free No change No change On or before 12/31/2001
```

SEC. 2130. PIGMENT YELLOW 175.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.19 Pigment Yellow 175 (CAS No. 035636-63-6) to be used in the coloring of motor vehicles and tractors Free No change No change On or before 12/31/2002
```

SEC. 2131. PIGMENT RED 187.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following heading:

```
9902.32.22 Pigment Red 187 (CAS No. 59487-23-9) (provided for in subheading 3204.17.60) Free No change No change On or before 12/31/2002
```

SEC. 2132. 2,6-DIMETHYL-M-DIOXAN-4-OL ACETATE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.94 2,6-Dimethyl-m-dioxan-4-ol acetate (CAS No. 000828-00-2) Free No change No change On or before 12/31/2001
```

SEC. 2133. 3-BROMO-3-NITROSTYRENE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.92 3-Bromo-3-nitrostyrene (CAS No. 7166-19-0) Free No change No change On or before 12/31/2001
```

SEC. 2134. TEXTILE MACHINERY.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.84.43 Ink-jet textile printing machinery (provided for in subheading 8443.51.10) Free No change No change On or before 12/31/2001
```

SEC. 2135. DELTAMETHRIN.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.30.18 (S)-α-Cyano-3-phenoxybenzyl (1R,3R)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropane-1-carboxylate (deltamethrin) in bulk or in forms or packings for retail sale (CAS No. 52918-63-5) Free No change No change On or before 12/31/2001
```
SEC. 2136. DICLOFOP-METHYL.
Subchapter II of chapter 99 is amended by striking heading 9902.30.16 and inserting the following:

```
9902.30.16 Methyl 2-[4-(2,4-dichlorophenoxy)phenoxy] propionate (diclofop-methyl) in bulk or in forms or packages for retail sale containing no other pesticide products (CAS No. 51338-27-3) (provided for in subheading 2918.90.20 or 3808.30.15) Free No change No change On or before 12/31/2001 
```

SEC. 2137. RESMETHRIN.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.29 (5-(Phenylmethyl)-3-furanyl) methyl 2,2-dimethyl-3-(2-methyl-1-propenyl) cyclopropanecarboxylic acid (resmethrin) (CAS No. 10453-86-8) (provided for in subheading 2932.19.10) Free No change No change On or before 12/31/2001 
```

SEC. 2138. N-PHENYL-N′,1,2,3-THIADIAZOL-5-YLUREA.
Subchapter II of chapter 99 is amended by striking heading 9902.30.17 and inserting the following:

```
9902.30.17 N-phenyl-N′-1,2,3-thiadiazol-5-ylurea (thidiazuron) in bulk or in forms or packages for retail sale (CAS No. 51707-55-2) (provided for in subheading 2934.90.15 or 3808.30.15) Free No change No change On or before 12/31/2001 
```

SEC. 2139. (1R,3S)3[(1′RS)(1′,2′,3′,2′-TETRABROMOETHYL)]-2,2-DIMETHYLCYCLOPROPANECARBOXYLIC ACID, (S)-α-CYANO-3-PHENOXYBENZYL ESTER.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.30.19 (1R,3S)3[(1′RS)(1′,2′,3′,2′-TETRABROMOETHYL)]-2,2-dimethylcyclopropanecarboxylic acid, (S)-α-cyano-3-phenoxybenzyl ester in bulk or in forms or packages for retail sale (CAS No. 66841-25-6) (provided for in subheading 2926.90.30 or 3808.10.25) Free No change No change On or before 12/31/2001 
```

SEC. 2140. PIGMENT RED 177.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.30.58 Pigment Red 177 (CAS No. 4051-63-2) (provided for in subheading 3204.17.04) Free No change No change On or before 12/31/2001 
```

SEC. 2141. TEXTILE PRINTING MACHINERY.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.84.20 Textile printing machinery (provided for in subheading 8443.59.10) Free No change No change On or before 12/31/2001 
```

SEC. 2142. SUBSTRATES OF SYNTHETIC QUARTZ OR SYNTHETIC FUSED SILICA.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.70.06 Substrates of synthetic quartz or synthetic fused silica imported in bulk or in forms or packages for retail sale (provided for in subheading 7006.00.40) Free No change No change On or before 12/31/2001 
```

SEC. 2143. 2-METHYL-4,6-BIS[OCTYLTHIO]METHYLPHENOL.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.14 2-Methyl-4,6-bis[octylthio]methylphenol (CAS No. 110553-27-0) (provided for in subheading 2930.90.29) Free No change No change On or before 12/31/2001 
```

SEC. 2144. 2-METHYL-4,6-BIS[OCTYLTHIO]METHYLPHENOL; EPOXIDIZED TRIGLYCERIDE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.38.12 2-Methyl-4,6-bis[octylthio]methylphenol; epoxidized triglyceride (provided for in subheading 3812.30.60) Free No change No change On or before 12/31/2001 
```

SEC. 2145. 4-[4,6-BIS(OCTYLTHIO)-1,3,5-TRIAZIN-2-YLAMINO]-2,6-BIS(1,1-DIMETHYLETHYL)PHENOL.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.30 4-[4,6-Bis(octylthio)-1,3,5-triazin-2-ylamino]-2,6-bis(1,1-dimethylethyl)phenol (CAS No. 991-84-4) (provided for in subheading 2933.69.60) Free No change No change On or before 12/31/2001 
```

SEC. 2146. (2-BENZOTHIAZOLYLTHIO)BUTANEDIOIC ACID.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.31 (2-Benzothiazolylthio)butane-dioic acid (CAS No. 95154-01-1) (provided for in subheading 2934.20.40) Free No change No change On or before 12/31/2001 
```
SEC. 2147. CALCIUM BIS[MONOETHYL(3,5-DI-TERT-BUTYL-4-HYDROXYBENZYL) PHOSPHONATE].
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.32.16</td>
<td>Calcium bis[monoethyl(3,5-di-tert-butyl-4-hydroxybenzyl) phosphonate] (CAS No. 65140-91-2) (provided for in subheading 2931.90.30)</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2148. 4-METHYL-γ-OXO-BENZENE BUTANOIC ACID COMPOUNDED WITH 4-ETHYL MORPHOLINE (2:1).
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.38.26</td>
<td>4-Methyl-γ-oxo-benzene butanoic acid compounded with 4-ethylmorpholine (2:1) (CAS No. 171054-89-6) (provided for in subheading 2824.90.28)</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2149. WEAVING MACHINES.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.84.46</td>
<td>Weaving machines (looms), shuttleless type, for weaving fabrics of a width exceeding 30 cm but not exceeding 4.9 m (provided for in subheading 8446.30.50), entered without off-loom or large loom take-ups, drop wires, heddles, reeds, harness frames, or beams</td>
<td>3.3%</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2150. CERTAIN WEAVING MACHINES.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.84.10</td>
<td>Power weaving machines (looms), shuttle type, for weaving fabrics of a width exceeding 30 cm but not exceeding 4.9m (provided for in subheading 8446.21.50), if entered without off-loom or large loom take-ups, drop wires, heddles, reeds, harness frames or beams</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2151. DEMT.
Subchapter II of chapter 99 is amended by striking heading 9902.32.12 and inserting the following:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.32.12</td>
<td>N,N-Diethyl-m-toluidine (DEMT) (CAS No. 91-67-8) (provided for in subheading 2921.43.80)</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2152. BENZENEPROPANAL, 4-(1,1-DIMETHYLETHYL)-ALPHA-METHYL-.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.29.57</td>
<td>Benzene propanal, 4-(1,1-dimethylethyl)-alpha-methyl- (CAS No. 80-54-6) (provided for in subheading 2912.29.60)</td>
<td>6%</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2153. 2H-3,1-BENZOXAZIN-2-ONE, 6-CHLORO-4-(CYCLO-PROPYLETHYNYL)-1,4-DIHYDRO-4-(TRIFLUOROMETHYL)-.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.32.56</td>
<td>2H-3,1-Benzoxazin-2-one, 6-chloro-4-(cyclopropylethynyl)-1,4-dihydro-4-(trifluoromethyl)- (CAS No. 154598-52-4) (provided for in subheading 2934.90.30)</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2154. TEBUFENOZIDE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.29.32</td>
<td>N-tet-Butyl-N’-(4-ethylbenzoyl)-3,5-Dimethylbenzoylhydrazone (Tebufenozide) (CAS No. 112410-23-8) (provided for in subheading 2928.00.25)</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2155. HALOFENOZIDE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.29.36</td>
<td>Benzoic acid, 4-chloro-2-benzoyl-2-(1,1-dimethylethyl) hydrazone (Halofenozide) (CAS No. 112226-61-6) (provided for in subheading 2928.00.25)</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2156. CERTAIN ORGANIC PIGMENTS AND DYES.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

<table>
<thead>
<tr>
<th>NCT</th>
<th>Description</th>
<th>Tariff</th>
<th>Change 1</th>
<th>Change 2</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.32.07</td>
<td>Organic luminescent pigments and dyes for security applications excluding daylight fluorescent pigments and dyes (provided for in subheading 2928.90.00)</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>

SEC. 2157. 4-HEXYLRESORCINOL.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
### SEC. 2158. CERTAIN SENSITIZING DYES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.29.29.07 | 4-Hexylresorcinol (CAS No. 136-77-6) (provided for in subheading 2907.29.90) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2159. SKATING BOOTS FOR USE IN THE MANUFACTURE OF IN-LINE ROLLER SKATES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.64.05 | Boots for use in the manufacture of in-line roller skates (provided for in subheadings 6402.19.90, 6403.19.40, 6403.19.70, and 6404.11.90) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2160. DIBUTYLNAPHTHALENESULFONIC ACID, SODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.34.02 | Surface active preparation containing 30 percent or more by weight of dibutylnaphthalenesulfonic acid, sodium salt (CAS No. 25638-17-9) (provided for in subheading 3402.90.30) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2161. O-(6-CHLORO-3-PHENYL-4-PYRIDAZINYL)-S-OCTYLCARBONOTHIOATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.38.08 | O-(6-Chloro-3-phenyl-4-pyridazinyl)-S-octyl-carbonothioate (CAS No. 55512-33-9) (provided for in subheading 3808.30.15) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2162. 4-CYCLOPROPYL-6-METHYL-2-PHENYLAMINOPYRIMIDINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.29.50 | 4-Cyclopropyl-6-methyl-2-phenylaminopyrimidine (CAS No. 121552-61-2) (provided for in subheading 2933.59.15) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2163. O,O-DIMETHYL-S-[5-METHOXY-2-OXO-1,3,4-THIADIAZOL-3(2H)-YL-METHYL]DITHIOPHOSPHATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.29.51 | O,O-Dimethyl-S-[5-methoxy-2-oxo-1,3,4-thiadiazol-3(2H)-yl-methyl]dithiophosphate (CAS No. 950-37-8) (provided for in subheading 2934.90.90) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2164. ETHYL [2-(4-PHENOXY-PHENOXY) ETHYL] CARBAMATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.29.52 | Ethyl [2-(4-phenoxyphenoxyl)-ethyl]carbamate (CAS No. 79127-80-3) (provided for in subheading 2924.10.80) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2165. [(2S,4R)/(2R,4S)/(2R,4R)/(2S,4S)]-1-[2-[4-(4-CHLORO-PHENOXY)-2-CHLOROPHENYL]-4-METHYL-1,3-DIOXOLAN-2-YLMETHYL]-1H-1,2,4-TRIAZOLE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.29.74 | [(2S,4R)/(2R,4S)/(2R,4R)/(2S,4S)]-1-[2-[4-(4-Chloro-phenoxy)-2-chlorophenyl]-4-methyl-1,3-dioxolan-2-yl-methyl]-1H-1,2,4-triazole (CAS No. 119446-68-3) (provided for in subheading 2934.90.12) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2166. 2,4-DICHLORO-3,5-DINITROBENZOTRIFLUORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.29.12 | 2,4-Dichloro-3,5-dinitrobenzotrifluoride (CAS No. 29091-09-6) (provided for in subheading 2910.90.20) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2167. 2-CHLORO-N-[2,6-DINITRO-4(TRIFLUOROMETHYL) PHENYL]-N-ETHYL-6-FLUOROBENZENEMETHANAMINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.29.15 | 2-Chloro-N-[2,6-dinitro-4(trifluoromethyl)phenyl]-N-ethyl-6-fluorobenzenemethanamine (CAS No. 62924-70-3) (provided for in subheading 2921.49.45) | Free | No change | No change | On or before 12/31/2001 |
```

### SEC. 2168. CHLOROACETONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
```
| 9902.29.11 | Chloroacetone (CAS No. 78-95-5) (provided for in subheading 2914.19.00) | Free | No change | No change | On or before 12/31/2001 |
```
SEC. 2169. ACETIC ACID, [(5-CHLORO-8-QUINOLINYL)OXY]-, 1-METHYLHEXYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.60 Acetic acid, [(5-chloro-8-quinolinyl)oxy]-, 1-methylhexyl ester (CAS No. 99607-70-2) (provided for in subheading 2933.40.30) Free No change No change On or before 12/31/2001
```

SEC. 2170. PROPANOIC ACID, 2-[4-{(5-CHLORO-3-FLUORO-2-PYRIDINYL)OXY}PHENOXY]-, 2-PROPYNYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.19 Propanoic acid, 2-[4-{(5-chloro-3-fluoro-2-pyridinyl)oxy}phenoxy]-, 2-propynyl ester (CAS No. 105512-06-9) (provided for in subheading 2933.39.25) Free No change No change On or before 12/31/2001
```

SEC. 2171. MUCOCHLORIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.18 Mucocloric acid (CAS No. 87-56-9) (provided for in subheading 2918.30.90) Free No change No change On or before 12/31/2001
```

SEC. 2172. CERTAIN ROCKET ENGINES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.84.12 Dual thrust chamber rocket engines each having a maximum static sea level thrust exceeding 3,550 kN and nozzle exit diameter exceeding 127 cm (provided for in subheading 8412.10.00) Free No change No change On or before 12/31/2001
```

SEC. 2173. PIGMENT RED 144.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.11 Pigment Red 144 (CAS No. 5280-78-4) (provided for in subheading 3204.17.04) Free No change No change On or before 12/31/2001
```

SEC. 2174. (S)-N-[5-[2-(2-AMINO-4,6,7,8-TETRAHYDRO-4-OXO-1H-PYRIMIDO[5,4-B][1,4]THIAZIN-6-YL)ETHYL]-2-THIENYL]CARBONYL]-L-GLUTAMIC ACID, DIETHYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.33 (S)-N-[5-[2-(2-Amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-L-glutamic acid, diethyl ester (CAS No. 177575-19-8) Free No change No change On or before 12/31/2001
```

SEC. 2175. 4-CHLOROPYRIDINE HYDROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.34 4-Chloropyridine hydrochloride (CAS No. 7379-35-3) (provided for in subheading 2933.39.61) Free No change No change On or before 12/31/2001
```

SEC. 2176. 4-PHENOXYPYRIDINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.35 4-Phenoxypyridine (CAS No. 4783-86-2) (provided for in subheading 2933.39.61) Free No change No change On or before 12/31/2001
```

SEC. 2177. (3S)-2,2-DIMETHYL-3-THIOMORPHOLINE CARBOXYLIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.36 (3S)-2,2-Dimethyl-3-thiomorpholine carboxylic acid (CAS No. 84915-43-5) Free No change No change On or before 12/31/2001
```

SEC. 2178. 2-AMINO-5-BROMO-6-METHYL-4-(1H)-QUINAZOLINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.37 2-Amino-5-bromo-6-methyl-4-(1H)-quinazolinone (CAS No. 147149-89-1) Free No change No change On or before 12/31/2001
```

SEC. 2179. 2-AMINO-6-METHYL-5-(4-PYRIDINYLTHIO)-4(1H)-QUINAZOLINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.38 2-Amino-6-methyl-5-(4-pyridinylthio)-4(1H)-quinazolinone (CAS No. 147149-76-6) Free No change No change On or before 12/31/2001
```

SEC. 2180. (S)-N-[5-[2-(2-AMINO-4,6,7,8-TETRAHYDRO-4-OXO-1H-PYRIMIDO[5,4-B][1,4]THIAZIN-6-YL)ETHYL]-2-THIENYL]CARBONYL]-L-GLUTAMIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
<table>
<thead>
<tr>
<th>SEC.</th>
<th>Description</th>
<th>Free</th>
<th>No change</th>
<th>No change</th>
<th>On or before 12/31/2001</th>
</tr>
</thead>
<tbody>
<tr>
<td>2181</td>
<td>2-amino-6-methyl-5-(4-pyridinylthio)-4-(1H)-quinazolinone dihydrochloride.</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
<tr>
<td>2182</td>
<td>3-(acetyloxy)-2-methylbenzoic acid.</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
<tr>
<td>2183</td>
<td>[R-(R*,R*)]-1,2,3,4-butanetetrol-1,4-dimethanesulfonate.</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
<tr>
<td>2184</td>
<td>9-[2-[bis(pivaloyloxy)methoxy]phosphinyl]-ethyladenine (also known as adefovir dipivoxil).</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
<tr>
<td>2185</td>
<td>(R)-9-(2-phosphonomethoxypropyl)adenine.</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
<tr>
<td>2186</td>
<td>(R)-1,3-dioxolan-2-one, 4-methyl-.</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
<tr>
<td>2187</td>
<td>9-(2-hydroxyethyl)adenine.</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
<tr>
<td>2188</td>
<td>(R)-9H-purine-9-ethanol, 6-amino-α-methyl-.</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
<tr>
<td>2189</td>
<td>Chloromethyl-2-propyl carbonate.</td>
<td>Free</td>
<td>No change</td>
<td>No change</td>
<td>On or before 12/31/2001</td>
</tr>
</tbody>
</table>
SEC. 2191. (R)-1,2-PROPANEDIOL, 3-CHLORO-.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.08 (R)-1,2-Propanediol, 3-chloro- (CAS No. 57090-45-6) (provided for in subheading 2905.50.68) ................................................ Free No change No change On or before 12/31/2001
```

SEC. 2192. OXIRANE, (S)-((TRIPHENYL METHOXY)METHYL)-.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.09 Oxirane, (S)-((triphenylmethoxy)methyl)- (CAS No. 129940-50-7) (provided for in subheading 2910.90.20) ........................................ Free No change No change On or before 12/31/2001
```

SEC. 2193. CHLOROMETHYL PIVALATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.10 Chloromethyl pivalate (CAS No. 18997-19-8) (provided for in subheading 2915.90.50) .......................................................... Free No change No change On or before 12/31/2001
```

SEC. 2194. DIETHYL (((P-TOLUENESULFONYL)OXY)-METHYL)PHOSPHONATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.11 Diethyl (((p-toluenesulfonyl)oxy)-methyl)phosphonate (CAS No. 31618-90-3) (provided for in subheading 2931.00.30) ................................................ Free No change No change On or before 12/31/2001
```

SEC. 2195. BETA HYDROXYALKYLAMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.38.25 N,N,N',N'-Tetrakis-(2-hydroxyethyl)-hexane diamide (beta hydroxyalkylamide) (CAS No. 6334-25-4) (provided for in subheading 3624.90.90) ................................................ Free No change No change On or before 12/31/2001
```

SEC. 2196. GRILAMID TR90.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.54 Methyl 4-trifluoromethoxyphenyl-N- (chlorocarbonyl) carbamate (CAS No. 173903-15-6) (provided for in subheading 2933.59.70) .......................................................... Free No change No change On or before 12/31/2001
```

SEC. 2197. IN-W4280.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.51 2,4-Dichloro-5-hydroxy-phenylhydrazine (CAS No. 39807-21-1) (provided for in subheading 2928.00.25) ......................... Free No change No change On or before 12/31/2001
```

SEC. 2198. KL540.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.54 Methyl 4-trifluoromethoxyphenyl-N- (chlorocarbonyl) carbamate (CAS No. 173903-15-6) (provided for in subheading 2924.29.70) ................................................ Free No change No change On or before 12/31/2001
```

SEC. 2199. METHYL THIOGLYCOLATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.55 Methyl thioglycolate (CAS No. 2365-48-2) (provided for in subheading 2924.90.90) .......................................................... Free No change No change On or before 12/31/2001
```

SEC. 2200. DPX-E6758.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.59 Phenyl (4,6-dimethoxy-pyrimidin-2-yl) carbamate (CAS No. 89392-03-0) (provided for in subheading 2933.50.70) ......................... Free No change No change On or before 12/31/2001
```

SEC. 2201. ETHYLENE, TETRAFLUOROCOPOLYMER WITH ETHYLENE (ETFE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
SEC. 2202. 3-MERCAPTO-D-VALINE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.66 3-Mercapto-D-valine (CAS No. 52±67±5) (provided for in subheading 2930.90.45) .............................................................................................. Free No change No change On or before 12/31/2001''.
```

SEC. 2203. P-ETHYLPHENOL.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.31.21 p-Ethylphenol (CAS No. 123-07-9) (provided for in subheading 2907.19.20) ................................................................. Free No change No change On or before 12/31/2001''.
```

SEC. 2204. PANTERA.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.09 (+/-)- Tetrahydrofurfuryl (R)-2-[4-(6-chloroquinoxalin-2-yloxy)phenoxy]propanoate (CAS No. 119738-06-6) (provided for in subheading 2909.30.40) and any mixtures containing such compound (provided for in subheading 3808.30) ................................................................. Free No change No change On or before 12/31/2001''.
```

SEC. 2205. P-NITROBENZOIC ACID.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.70 p-Nitrobenzoic acid (CAS No. 62±23±7) (provided for in subheading 2916.39.45) ......................................................................................... Free No change No change On or before 12/31/2001''.
```

SEC. 2206. P-TOLUENESULFONAMIDE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.32.95 p-Toluenesulfonamide (CAS No. 70±55±3) (provided for in subheading 2935.00.95) ................................................................................................... Free No change No change On or before 12/31/2001''.
```

SEC. 2207. POLYMERS OF TETRAFLUOROETHYLENE, HEXAFLUOROPROPYLENE, AND VINYLIDENE FLUORIDE.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.39.04 Polymers of tetrafluoroethylene (provided for in subheading 3904.61.00), hexafluoropropylene and vinylidene fluoride (provided for in subheading 3904.69.50) ................................................................. Free No change No change On or before 12/31/2001''.
```

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.38.11 Methyl 2-[[4-(dimethylamino)-6-(2,2,2-trifluoroethoxy)-1,3,5-triazin-2-yl]amino][carbonyl]-amino[sulfonal]-3-methylbenzoate (triflusulfuron methyl) in mixture with application adjuvants. (CAS No. 126535-15-7) (provided for in subheading 3808.30.15) ................................................................. Free No change No change On or before 12/31/2001''.
```

SEC. 2209. CERTAIN MANUFACTURING EQUIPMENT.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

```
9902.84.79 Calendaring or other rolling machines for rubber to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8420.10.90, 8420.91.90 or 8420.99.90) and material holding devices or similar attachments thereto ................................................................. Free No change No change On or before 12/31/2001''.
```

```
9902.84.81 Shearing machines to be used to cut metallic tissue for use in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8462.31.00 or subheading 8466.94.85) ................................................................. Free No change No change On or before 12/31/2001''.
```
SEC. 2.210. TEXTURED ROLLED GLASS SHEETS.
Subchapter II of chapter 99 is amended by striking heading 9902.70.03 and inserting the following:

``
9902.70.03 Rolled glass in sheets, yellow-green in color, not finished or edged-worked, textured on one surface, suitable for incorporation in cooking stoves, ranges, or ovens described in subheadings 8516.60.40 (provided for in subheading 7003.12.00 or 7003.19.00) ................................................................................. Free No change No change On or before 12/31/2001 
``

SEC. 2.211. CERTAIN HIV DRUG SUBSTANCES.
Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

``
9902.32.43 (S)-N-tert-Butyl-1,2,3,4-tetrahydro-3-isooquinoline carboxamide hydrochloride salt (CAS No. 149057-17-0) (provided for in subheading 2933.40.60) ....................... Free No change No change On or before 6/30/99 
9902.32.44 (S)-N-tert-Butyl-1,2,3,4-tetrahydro-3-isooquinoline carboxamide sulfate salt (CAS No. 186537-30-4) (provided for in subheading 2933.40.60) ....................... Free No change No change On or before 6/30/99 
9902.32.45 (3S)-1,2,3,4-Tetrahydroisoquinoline-3-carboxylic acid (CAS No. 74613-81-8) (provided for in subheading 2933.40.60) ................................................ Free No change No change On or before 6/30/99 
``

SEC. 2.212. RIMSULFURON.
(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

``
9902.33.60 N-[(4,6-Dimethoxy-2-pyrimidinyl)amino] carbonyl-3-(ethylsulfonyl)-2-pyrindinesulfonamide (CAS No. 122931-48-0) (provided for in subheading 2933.00.75) ....................... 7.3% No change No change On or before 12/31/99 
``

(b) RATE ADJUSTMENT FOR 2000.—Heading 9902.33.60, as added by subsection (a), is amended—
(1) by striking "7.3%" and inserting "Free"; and
(2) by striking "12/31/99" and inserting "12/31/2000".

(c) EFFECTIVE DATE FOR ADJUSTMENT.—The amendments made by subsection (b) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1999.

SEC. 2.213. CARBAMIC ACID (V-9069).
(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

``
9902.33.61 (3S)-1,2,3,4-Tetrahydroisoquinoline-3-carboxylic acid, phenyl ester (CAS No. 112006-94-7) (provided for in subheading 2935.00.75) ....................... 8.3% No change No change On or before 12/31/99 
``

(b) RATE ADJUSTMENT FOR 2000.—Heading 9902.33.61, as added by subsection (a), is amended—
(1) by striking "8.3%" and inserting "7.6%"; and
(2) by striking "12/31/99" and inserting "12/31/2000".
(2) by striking "12/31/99'' and inserting "12/31/2000''.

(c) EFFECTIVE DATE FOR ADJUSTMENT.—The amendments made by subsection (b) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1999.

SEC. 2214. DPX-E9260.

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.63 3-(Ethylsulfonyl)-2-pyridinesulfonamide (CAS No. 117671-01-9) (provided for in subheading 2935.00.75) ................................................. 6% No change No change On or before 12/31/99 ".
```

(b) RATE ADJUSTMENT FOR 2000.—Heading 9902.33.63, as added by subsection (a), is amended—

(1) by striking "6%'' and inserting "5.3%''; and

(2) by striking "12/31/99'' and inserting "12/31/2000''.

(c) EFFECTIVE DATE FOR ADJUSTMENT.—The amendments made by subsection (b) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1999.

SEC. 2215. ZIRAM.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.38.28 Ziram (provided for in subheading 3808.20.28) ...................... Free No change No change On or before 12/31/2001 ".
```

SEC. 2216. FERROBORON.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.72.02 Ferroboron to be used for manufacturing amorphous metal strip (provided in subheading 7202.99.50) ................................................. Free No change No change On or before 12/31/2001 ".
```

SEC. 2217. ACETIC ACID, [[2-CHLORO-4-FLUORO-5-(TETRA-HYDRO-3-OXO-1H,3H-[1,3,4]THIADIAZOLO[3,4-A]PYRIDAZIN-1-YLIDENE)AMINO][PHENYL]-THIO], METHYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.66 Acetic acid, [[2-chloro-4-fluoro-5-(tetrahydro-3-oxo-1H,3H-[1,3,4]thiadiazolo-[1,4-a]pyridazin-1-ylidene)amino][phenyl]thio], methyl ester (CAS No. 117337-19-6) (provided for in subheading 2934.90.15) ................................................ Free No change No change On or before 12/31/2001 ".
```

SEC. 2218. PENTYL[[2-CHLORO-5-(CYCLOHEX-1-ENE-1,2-DICARBOXIMIDO)-4-FLUOROPHENOXY]ACETATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.66 Pentyl[[2-chloro-5-(cyclohex-1-ene-1,2-dicarboximido)-4-fluorophenoxy]acetate (CAS No. 87546-18-7) (provided for in subheading 2925.19.40) .......... Free No change No change On or before 12/31/2001 ".
```

SEC. 2219. BENTAZON (3-ISOPROPYL)-1H-2,1,3-BENZOTHIADIAZIN-4(3H)-ONE-2,2-DIOXIDE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.29.67 Bentazon (3-Isopropyl)-1H-2,1,3-benzothiadiazin-4(3H)-one-2,2-dioxide) (CAS No. 50723-80-3) (provided for in subheading 2934.90.11) ......................... Free No change No change On or before 12/31/2001 ".
```

SEC. 2220. CERTAIN HIGH-PERFORMANCE LOUDSPEAKERS NOT MOUNTED IN THEIR ENCLOSURES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.85.20 Loudspeakers not mounted in their enclosures (provided for in subheading 8518.29.80), the foregoing which meet a performance standard of not more than 1.5 dB for the average level of 3 or more octave bands, when such loudspeakers are tested in a reverberant chamber ................................. Free No change No change On or before 12/31/2001 ".
```

SEC. 2221. PARTS FOR USE IN THE MANUFACTURE OF CERTAIN HIGH-PERFORMANCE LOUDSPEAKERS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.85.21 Parts for use in the manufacture of loudspeakers of a type described in subheading 9902.85.20 (provided for in subheading 8518.90.80) ......................... Free No change No change On or before 12/31/2001 ".
```

SEC. 2222. 5-TERT-BUTYL-ISOPHTHALIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

```
9902.33.12 5-tert-Butyl-isophthalic acid (CAS No. 2359-09-3) (provided for in subheading 2917.39.70) .............................................................. Free No change No change On or before 12/31/2001 ".
```

SEC. 2223. CERTAIN POLYMER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:
SEC. 2224. 2-(4-CHLOROPHENYL)-3-ETHYL-2,5-DIHYDRO-5-OXO-4-PYRIDAZINE CARBOXYLIC ACID, POTASSIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

9902.32.27 Pigment Red 208 (CAS No. 31778-10-6) (provided for in subheading 3204.17.04) Free No change No change On or before 12/31/2002 **.

SEC. 2225. PIGMENT RED 185.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

9902.32.26 Pigment Red 185 (CAS No. 51920-12-8) (provided for in subheading 3204.17.04) Free No change No change On or before 12/31/2001 **.

SEC. 2226. PIGMENT RED 208.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

9902.32.27 Pigment Red 208 (CAS No. 31778-10-6) (provided for in subheading 3204.17.04) Free No change No change On or before 12/31/2002 **.

SEC. 2227. PIGMENT YELLOW 95.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

9902.32.08 Pigment Yellow 95 (CAS No. 5280-80-8) (provided for in subheading 3204.17.04) Free No change No change On or before 12/31/2001 **.

SEC. 2228. PIGMENT YELLOW 93.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

9902.32.13 Pigment Yellow 93 (CAS No. 5580-57-4) (provided for in subheading 3204.17.04) Free No change No change On or before 12/31/2001 **.

CHAPTER 3—EFFECTIVE DATE

SEC. 2301. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in subsection (b) and in this subtitle, the amendments made by this subtitle apply to goods entered, or withdrawn from warehouse for consumption, after the date that is 15 days after the date of enactment of this Act. 
(b) RELIQUIDATION.—
(1) IN GENERAL.—Notwithstanding section 516 of the Tariff Act of 1930 or any other provision of law, upon proper written request filed with the Customs Service not later than 120 days after the date of the enactment of this Act, any entry of an article described in heading 9902.32.18, 9902.32.19, 9902.32.22, or 9902.32.26, or 9902.32.27 of the Harmonized Tariff Schedule of the United States (as added by sections 2129, 2130, 2225, and 2226, respectively) that was made—
(A) after December 31, 1996, and
(B) before the date that is 15 days after the date of enactment of this Act, shall be liquidated or reliquidated as though the entry occurred after the date that is 15 days after the date of enactment of this Act. 
(2) REQUIREMENTS FOR REQUEST.—For purposes of paragraph (1), the request shall contain sufficient information to enable the Customs Service to—
(A) locate the entry relevant to the request, or
(B) if the entry cannot be located, reconstruct the entry.

Subtitle B—Other Trade Provisions

SEC. 2401. EXTENSION OF UNITED STATES INSULAR POSSESSION PROGRAM.

(a) IN GENERAL.—The additional U.S. notes to chapter 71 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following new note:

"3(a) Notwithstanding any provision in additional U.S. note 5 to chapter 91, any article of jewelry provided for in heading 7113 which is the product of the Virgin Islands, Guam, or American Samoa (including any such article which contains any foreign component) shall be eligible for the benefits provided in paragraph (h) of additional U.S. note 5 to chapter 91, subject to the provisions and limitations of that note and of paragraphs (b), (c), and (d) of this note. 
"(b) Nothing in this note shall result in an increase of the aggregate amount referred to in paragraph (h)(iii) of, or the quantitative limitation otherwise established pursuant to the requirements of, additional U.S. note 5 to chapter 91. 
"(c) Nothing in this note shall be construed to permit a reduction in the amount available to watch producers under paragraph (h)(iv) of additional U.S. note 5 to chapter 91. 
"(d) The Secretary of Commerce and the Secretary of the Interior shall issue such regulations, not inconsistent with the provisions of this note and additional U.S. note 5 to chapter 91, as the Secretary determines necessary to carry out their respective duties under this note. Such regulations shall not be inconsistent with substantial transformation requirements but may define the circumstances under which articles of jewelry shall be deemed to be `units' for purposes of the benefits, provisions, and limitations of additional U.S. note 5 to chapter 91. 
"(e) Notwithstanding any other provision of law, during the 2-year period beginning 45 days after the date of enactment of this note, any article of jewelry provided for in heading 7113 that is assembled in the Virgin Islands, Guam, or American Samoa shall be treated as a product of the Virgin Islands, Guam, or American Samoa for purposes of this note and General Note 3(a)(iv) of this Schedule."

(b) CONFORMING AMENDMENT.—General Note 3(a)(iv)(A) of the Harmonized Tariff Schedule of the United States is amended by inserting “and additional U.S. note 3(e) of chapter 71,” after “Tax Reform Act of 1986.”
(c) EFFECTIVE DATE.—The amendments made by this section take effect 45 days after the date of enactment of this Act.

SEC. 2402. TARIFF TREATMENT FOR CERTAIN COMPONENTS OF SCIENTIFIC INSTRUMENTS AND APPARATUS.

(a) IN GENERAL.—U.S. note 6 of subchapter X of chapter 98 of the Harmonized Tariff Schedule of the United States is amended in subdivision (a) by adding at the end the following new sentence: “The term instruments and apparatus” under subheading 9810.00.60 includes separable components of an instrument or apparatus listed in this subdivision that are imported for assembly in the United States in such instrument or apparatus where the instrument or apparatus, due to its size, cannot be feasibly imported in its assembled state.”
(b) APPLICATION OF DOMESTIC EQUIVALENCY TEST TO COMPONENTS.—U.S. note 6 of subchapter X of chapter 98 of the Harmonized Tariff Schedule of the United States is amended—
(1) by redesignating subdivisions (d) through (f) as subdivisions (e) through (g), respectively; and
(2) by inserting after subdivision (c) the following:
"(dd)(i) If the Secretary of Commerce determines under this U.S. note that an instrument or apparatus is being manufactured in the United States that is of equivalent scientific value to a foreign-origin instrument or apparatus for which application is made (but which, due to its size, cannot be feasibly imported in its assembled state), the Secretary shall report the findings to the Secretary of the Treasury and to the applicant institution, and all components of such foreign-origin instrument or apparatus shall remain dutiable.
"(iii) If the Secretary of Commerce determines that the instrument or apparatus for which application is made is not being manufactured in the United States, the Secretary is authorized to determine the type of such instrument or apparatus to which such instrument or apparatus of a type that may be purchased, obtained, or imported separately is being manufactured in the United States. The Secretary shall, not later than 90 days after the date of the enactment of this Act, determine the type of such instrument or apparatus to which such instrument or apparatus of a type that may be purchased, obtained, or imported separately is being manufactured in the United States. The Secretary shall determine such type after determining the findings of the Secretary of the Treasury and to the applicant in consultation with the Secretary of Commerce, taking into account both the scientific needs of the importing institution and the potential for development of comparable domestic manufacturing capacity.

(c) MODIFICATIONS OF REGULATIONS.—The Secretary of the Treasury and the Secretary of Commerce shall make such modifications to their joint regulations as are necessary to carry out the amendments made by this section.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 120 days after the date of the enactment of this Act.

SEC. 2403. LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTERIES.

(a) LIQUIDATION OR RELIQUIDATION OF ENTRIES.—Notwithstanding sections 514 and 520 of the Tariff Act of 1930 (19 U.S.C. 1514, 1520), or any other provision of law, the United States Customs Service shall, not later than 90 days after the date of enactment of this Act, liquidate or reliquidate those entries made at Los Angeles, California, and New Orleans, Louisiana, which are listed in subsection (c), in accordance with the final decision of the International Trade Administration Department of Commerce for shipments entered between October 1, 1984, and December 14, 1987 (case number A-274-001).

(b) PAYMENT AMOUNT DUE.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid by the Customs Service within 90 days after such liquidation or reliquidation.

(c) ENTRY LIST.—The entries referred to in subsection (a) are the following:

<table>
<thead>
<tr>
<th>Entry number</th>
<th>Date of entry</th>
<th>Port</th>
</tr>
</thead>
<tbody>
<tr>
<td>322</td>
<td>00928563</td>
<td>Los Angeles, California</td>
</tr>
<tr>
<td>322</td>
<td>00928570</td>
<td>Los Angeles, California</td>
</tr>
<tr>
<td>86</td>
<td>2092942</td>
<td>New Orleans, Louisiana</td>
</tr>
<tr>
<td>87-0545788</td>
<td>1/1977</td>
<td>New Orleans, Louisiana</td>
</tr>
</tbody>
</table>

SEC. 2404. DRAWBACK AND REFUND ON PACKAGING MATERIAL.

(a) IN GENERAL.—Section 313(q) of the Tariff Act of 1930 (19 U.S.C. 1313(q)) is further amended—

(1) by striking "Packaging material" and inserting the following:

"(1) that was made after December 31, 1988, and "

(2) by moving the following text to the next sentence:

"(2) that would have been classifiable under subheading 6203.41.05 or 6204.61.10 of the Harmonized Tariff Schedule of the United States.

(b) EFFECTIVE DATE.—The amendment made by this section applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 2405. INCLUSION OF COMMERCIAL IMPORTATION DATA FROM FOREIGN-TRADE ZONES IN CUSTOMS AUTOMATION PROGRAM.

Section 411 of the Tariff Act of 1930 (19 U.S.C. 1411) is amended by adding at the end the following:

"Section 411a.—(a) ENSURE THAT DATA FROM ALL TRADE ZONES ARE INCLUDED.—The Secretary of Commerce shall ensure that data from all foreign-trade zones in the United States are included in the Customs Automation Program as specified in section 910 of the Harmonized Tariff Schedule of the United States.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any large yacht imported into the United States after the date that is 15 days after the date of the enactment of this Act.

SEC. 2406. LARGE YACHTS IMPORTED FOR SALE AT UNITED STATES BOAT SHOWS.

(a) IN GENERAL.—The Tariff Act of 1930 (19 U.S.C. 1304) is amended by inserting after section 484a the following:

"SEC. 484b. DEFERRAL OF DUTY ON LARGE YACHTS IMPORTED FOR SALE AT UNITED STATES BOAT SHOWS.

"(a) IN GENERAL.—Notwithstanding any other provision of law, any vessel meeting the definition of a large yacht as provided in subsection (c) and that has been imported for sale at a boat show in the United States shall be deferred, in accordance with this section, until such large yacht is sold.

(b) DEFINITION.—As used in this section, the term "large yacht" means a vessel that exceeds 79 feet in length and has been previously sold by a manufacturer or dealer to a retail consumer.

(c) DEFERRAL OF DUTY.—At the time of importation of any large yacht, if such large yacht is imported for sale at a boat show in the United States and is otherwise dutiable, duties shall not be assessed and collected if the importer of record—

(1) certifies to the Customs Service that the large yacht is imported pursuant to this section for sale at a boat show in the United States; and

(2) posts a bond, which shall have a duration of 6 months after the date of importation, in an amount equal to twice the amount of duty on the large yacht that would otherwise be imposed under subheading 8903.91.00 or 8903.92.00 of the Harmonized Tariff Schedule of the United States.

(d) PROCEDURES UPON SALE.—

(1) DEPOSIT OF DUTY.—If any large yacht (which has been imported for sale at a boat show in the United States with the deferral of duties) is neither sold nor exported without the payment of duty if imported for sale at a boat show in the United States, duties shall not be assessed and collected if the importer of record—

(1) certifies to the Customs Service that the large yacht is imported pursuant to this section for sale at a boat show in the United States; and

(2) posts a bond, which shall have a duration of 6 months after the date of importation, in an amount equal to twice the amount of duty on the large yacht that would otherwise be imposed under subheading 8903.91.00 or 8903.92.00 of the Harmonized Tariff Schedule of the United States.

(e) PROCEDURES UPON EXPIRATION OF BOND PERIOD.—

(1) IN GENERAL.—If the large yacht entered for deferral of duties is neither sold nor exported within the 6-month period after importation—

(1) enter into the bond and if the bond is not paid into the Treasury, the Customs Service may liquidate or reliquidate the entry.

(2) the bond posted as required by subsection (c)(2) shall be returned to the importer.

(f) EXCLUSIONS FROM COMPUTATIONS.—

(1) that was made after December 31, 1988, and "

(2) that would have been classifiable under subheading 6203.41.05 or 6204.61.10 of the Harmonized Tariff Schedule of the United States.

(g) EFFECTIVE DATE.—The amendment made by this section applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.
SEC. 2412. REIMPORTATION OF CERTAIN GOODS.  
(a) IN GENERAL.  
Subchapter I of chapter 98 is amended by inserting in numerical sequence the following new heading:

```
9802.00.26 Articles, previously imported, with respect to which the duty was paid upon such previous importation if (1) exported within 3 years after the date of such previous importation, (2) sold for exportation and exported and individuals for personal use, (3) reimported without having been advanced in value or improved in condition by any process of manufacture or other means while abroad, (4) reimported as personal returns from those individuals, whether or not consigned to, or reimported, and (5) imported by or for the account of the person who exported them from the United States within 1 year of such exportation
```

(b) EFFECTIVE DATE.  
The amendment made by subsection (a) applies to goods described in heading 9802.00.26 of the Harmonized Tariff Schedule of the United States as added by subsection (a) that are reimported into the United States on or after the date that is 15 days after the date of enactment of this Act.

SEC. 2413. TREATMENT OF PERSONAL EFFECTS OF PARTICIPANTS IN CERTAIN WORLD ATHLETIC EVENTS.  
(a) IN GENERAL.  
Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

```
9902.98.08 Any of the following articles not intended for sale or distribution to the public, and used in, United States, or accredited members of delegations to, the 1999 International Special Olympics, the 1999 Women’s World Cup Soccer, the 2001 International Special Olympics, the 2002 Salt Lake City Winter Olympics, and the 2002 Paralympic Games, any of personal effects of aliens who are participants in, officials of, or accredited members of or servants to any of the foregoing persons; equipment and materials imported in connection with the foregoing events by or on behalf of the foregoing persons or the organizing committees of such events; articles to be used in exhibitions depicting the cultural heritage of a country participating in any such event; and, if consistent with the foregoing, such other articles as the Secretary of Treasury may allow
```

(b) TAXES AND FEES NOT TO APPLY.  
The articles described in heading 9902.98.08 of the Harmonized Tariff Schedule of the United States (as added by subsection (a)) shall be free of taxes and fees which may be otherwise applicable.

(c) NO EXEMPTION FROM CUSTOMS INSPECTIONS.  
The articles described in heading 9902.98.08 of the Harmonized Tariff Schedule of the United States (as added by subsection (a)) shall not be free or otherwise exempt or excluded from routine or other inspections as may be required by the Customs Service.

(d) EFFECTIVE DATE.  
(1) IN GENERAL.  
The amendment made by this section applies to articles entered, or withdrawn from warehouse for consumption, on or after the date of enactment of this Act.

(2) RELIQUIDATION.  
Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon a request filed with the Customs Service on or before the 90th day after the date of enactment of this Act, any entry, or withdrawal from warehouse for consumption, of any article described in subheading 9902.98.08 of the Harmonized Tariff Schedule of the United States (as added by subsection (a)) that was made—

(A) after May 15, 1999, and

(B) before the date of enactment of this Act, shall be liquidated or reliquidated as though such entry or withdrawal occurred on the date of enactment of this Act.

SEC. 2414. RELIQUIDATION OF CERTAIN ENTRIES OF ELECTRICAL TRANSFER MULTI-FUNCTION MACHINES.  
(a) IN GENERAL.  
Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the Customs Service shall, not later than 180 days after the date of enactment of this Act, liquidate or reliquidate the entries described in subsection (b) and any amounts owed by the Customs Service pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

(b) AFFECTED ENTRIES.  
The entries referred to in subsection (a), filed at the port of Los Angeles, are as follows:

<table>
<thead>
<tr>
<th>Date of entry</th>
<th>Entry number</th>
<th>Liquidation date</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/17/97</td>
<td>112-9638417-3</td>
<td>02/21/97</td>
</tr>
<tr>
<td>01/03/97</td>
<td>112-963762-3</td>
<td>04/18/97</td>
</tr>
<tr>
<td>01/10/97</td>
<td>112-967765-4</td>
<td>03/07/97</td>
</tr>
<tr>
<td>02/21/97</td>
<td>112-9642157-9</td>
<td>09/12/97</td>
</tr>
<tr>
<td>02/14/97</td>
<td>112-9641619-0</td>
<td>06/06/97</td>
</tr>
<tr>
<td>02/14/97</td>
<td>112-964163-9</td>
<td>09/19/97</td>
</tr>
<tr>
<td>02/19/97</td>
<td>112-9642156-1</td>
<td>09/12/97</td>
</tr>
<tr>
<td>02/28/97</td>
<td>112-964326-9</td>
<td>09/19/97</td>
</tr>
<tr>
<td>03/18/97</td>
<td>112-964326-9</td>
<td>09/19/97</td>
</tr>
<tr>
<td>04/11/97</td>
<td>112-964602-3</td>
<td>03/07/97</td>
</tr>
<tr>
<td>05/21/97</td>
<td>112-964608-9</td>
<td>09/19/97</td>
</tr>
<tr>
<td>05/21/97</td>
<td>112-964636-9</td>
<td>09/19/97</td>
</tr>
<tr>
<td>05/21/97</td>
<td>112-964536-9</td>
<td>09/19/97</td>
</tr>
<tr>
<td>05/21/97</td>
<td>112-964431-2</td>
<td>09/19/97</td>
</tr>
<tr>
<td>05/20/97</td>
<td>112-964607-9</td>
<td>09/19/97</td>
</tr>
<tr>
<td>04/04/97</td>
<td>112-964739-1</td>
<td>09/19/97</td>
</tr>
<tr>
<td>04/04/97</td>
<td>112-964731-5</td>
<td>09/19/97</td>
</tr>
<tr>
<td>04/14/97</td>
<td>112-964026-3</td>
<td>09/19/97</td>
</tr>
<tr>
<td>04/11/97</td>
<td>112-930015-1</td>
<td>09/19/97</td>
</tr>
<tr>
<td>08/11/97</td>
<td>112-930028-7</td>
<td>09/19/97</td>
</tr>
<tr>
<td>08/11/97</td>
<td>112-930038-1</td>
<td>09/19/97</td>
</tr>
<tr>
<td>08/16/97</td>
<td>112-930137-7</td>
<td>09/19/97</td>
</tr>
<tr>
<td>08/22/97</td>
<td>112-930162-6</td>
<td>09/19/97</td>
</tr>
<tr>
<td>08/19/97</td>
<td>112-930162-7</td>
<td>09/19/97</td>
</tr>
<tr>
<td>08/25/97</td>
<td>112-930244-9</td>
<td>09/19/97</td>
</tr>
<tr>
<td>08/25/97</td>
<td>112-930228-2</td>
<td>09/19/97</td>
</tr>
<tr>
<td>08/25/97</td>
<td>112-930237-1</td>
<td>09/19/97</td>
</tr>
</tbody>
</table>

SEC. 2415. RELIQUIDATION OF CERTAIN DRAWBACK ENTRIES AND REFUND OF DRAWBACK PAYMENTS.  
(a) IN GENERAL.  
Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, the Customs Service shall, not later than 180 days after the date of enactment of this Act, liquidate or reliquidate the entries described in subsection (b) and any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

(b) ENTRIES DESCRIBED.  
The entries described in this subsection are as follows:

<table>
<thead>
<tr>
<th>Date of entry</th>
<th>Entry number</th>
<th>Liquidation date</th>
</tr>
</thead>
<tbody>
<tr>
<td>05/30/97</td>
<td>112-9306718-5</td>
<td>09/26/97</td>
</tr>
<tr>
<td>05/19/97</td>
<td>112-9304958-9</td>
<td>09/26/97</td>
</tr>
<tr>
<td>05/16/97</td>
<td>112-9305039-6</td>
<td>09/26/97</td>
</tr>
<tr>
<td>05/09/97</td>
<td>112-9303707-1</td>
<td>09/26/97</td>
</tr>
<tr>
<td>05/10/97</td>
<td>112-930470-3</td>
<td>09/19/97</td>
</tr>
<tr>
<td>05/02/97</td>
<td>112-9302717-1</td>
<td>09/19/97</td>
</tr>
<tr>
<td>06/20/97</td>
<td>112-930879-6</td>
<td>09/26/97</td>
</tr>
</tbody>
</table>
SEC. 2416. CLARIFICATION OF ADDITIONAL U.S. NOTE 4 TO CHAPTER 91 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

Additional U.S. note 4 of chapter 91 of the Harmonized Tariff Schedule of the United States is amended in the matter preceding subdivision (b) by striking the phrase “certification of manufacture and delivery” and inserting “(including by means of indelible ink)”.

SEC. 2417. DUTY-FREE SALES ENTERPRISES.

Section 1305(b)(2) of the Tariff Act of 1930 (19 U.S.C. 1305(b)(2)) is amended—
(1) in subparagraph (B), by striking the period at the end and inserting “; or”;
(2) in subparagraph (C), by adding at the end the following new subparagraph:
“(ii) a party who issues a certificate of delivery, or certificate of manufacture and delivery shall be the party who issues a certificate of delivery, or certificate of manufacture and delivery in a quantity not certified in a certificate of delivery or certificate of manufacture and delivery;”;
and
(3) in the first sentence of subparagraph (C), by striking “such article” and inserting “either the qualified article or the exported article.”.

SEC. 2418. EFFECTIVE DATE. Amendments made by this section shall take effect as if included in the amendment made by section 362(a)(6) of the Amendment Act (the Act). For purposes of section 362(b) of that Act, the 3-year period referred to in section 313(r) of the Tariff Act of 1930 shall not apply to any drawback claim filed within 6 months after the date of enactment of this Act for which that 3-year period would have expired.

SEC. 2421. DUTY DRAWDOWN FOR METHYL TERTIARY-BUTYL ETHER (MTBE).


(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 2422. SUBSTITUTION OF FINISHED PETROLEUM DERIVATIVES.

(a) In General.—Section 313(p)(1) of the Tariff Act of 1930 (19 U.S.C. 1313(p)(1)) is amended in the matter following subparagraph (C) by inserting “including by means of indelible ink,”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 30 days after the date of enactment of this Act.

SEC. 2423. DUTY ON CERTAIN IMPORTATIONS OF MUESLI CEREALS.

(a) Before January 1, 1996.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the Customs Service before the 90th day after the date of enactment of this Act, any entry or withdrawal from warehouse for consumption made after December 31, 1995, and before January 1, 1996, of muesli cereal, which was classified in subheading 2008.92.10 of the Harmonized Tariff Schedule of the United States and to which the column 1 special rate of duty applicable for goods of Canada—
(1) shall be liquidated or reliquidated as if the column 1 special rate of duty applicable for goods of Canada in subheading 2004.10.00 of such Schedule applied;
and
(2) any excess duties paid as a result of such liquidation or reliquidation shall be refunded, including interest at the applicable appropriate rate.

(b) After December 31, 1995.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the Customs Service before the 90th day after the date of the enactment of this Act, any entry or withdrawal from warehouse for consumption made after December 31, 1995, and before January 1, 1996, of muesli cereal, which was classified in subheading 2004.10.10 of the Harmonized Tariff Schedule of the United States and to which the column 1 special rate of duty applicable for goods of Canada applied—
(1) shall be liquidated or reliquidated as if the column 1 special rate of duty applicable for goods of Canada in subheading 2004.10.00 of such Schedule applied;
and
(2) any excess duties paid as a result of such liquidation or reliquidation shall be refunded, including interest at the applicable appropriate rate.

SEC. 2424. EXPANSION OF FOREIGN TRADE ZONE NO. 143.

(a) EXPANSION OF FOREIGN TRADE ZONE.—The Foreign Trade Zones Board shall expand Foreign Trade Zone No. 143 to include areas in the Sacramento-Yolo Port District of Sacramento, California, to the Board on March 11, 1997.

(b) OTHER REQUIREMENTS NOT AFFECTED.—The expansion of Foreign Trade Zone No. 143 under subsection (a) shall not relieve the Port of Sacramento of any requirement under the Foreign Trade Zones Act, or under regulations of the Foreign Trade Zones Board, relating to such expansion.

H3734 CONGRESSIONAL RECORD — HOUSE June 7, 1999
SEC. 2422. MARKING OF CERTAIN SILK PRODUCTS AND CONTAINERS.

(a) IN GENERAL.—Section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) is amended—

(1) by striking subsections (h), (i), (j), and (k) as subsections (i), (j), and (k), respectively; and

(2) by striking after subsection (g) the following new subsection:

``(h) MARKING OF CERTAIN SILK PRODUCTS.—The marking requirements of subsections (a) and (b) shall apply in addition to, and other than, the marking requirements of subsection (a) of section 304 of such Act, as redesignated by subsection (a)(1) of this section, is amended by striking "section (h)" and inserting "section (i)";

(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the date of enactment of this Act.

SEC. 2424. ENHANCED CARGO INSPECTION PILOT PROGRAM.

(a) IN GENERAL.—The Commissioner of Customs is authorized to establish a pilot program for fiscal year 1999 to provide 24-hour cargo inspection service on a fee-for-service basis at an international airport described in subsection (b). The Commissioner may extend the pilot program after fiscal year 1999 if the Commissioner determines that the extension is warranted.

(b) AIRPORT. DESCRIBED.—The international airport described in this subsection is a multimodal international airport that—

(1) is located near a seaport; and

(2) serviced more than 185,000 tons of air cargo in 1997.

SEC. 2426. PAYMENT OF EDUCATION COSTS OF DEPENDENTS OF CERTAIN CUSTOMS PAYMENT OF EDUCATION COSTS OF CHILDREN OF CUSTOMS AGENTS.

(a) FINDINGS.—The Congress finds that Mongolia—

(1) has received normal trade relations treatment since 1991; and

(2) has made a commitment to the United States, as in effect on January 1, 1997, of—

(A) providing, among other things, unconditional normal trade relations treatment to the products of that country.

(b) APPLICATION.—Section 304(j) of such Act, as redesignated by subsection (a)(1) of this section, is amended by striking subsection (h) and inserting subsection (i).

(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the date of enactment of this Act.

SEC. 2421. ENFORCEMENT OF NONDISCRIMINATORY TREATMENT (NORMAL TRADE RELATIONS TREATMENT) TO THE PRODUCTS OF MONGOLIA.

(a) IN GENERAL.—Section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) is amended by striking the word "normal" and inserting the word "unconditional" after the word "trade" in the first sentence.

(b) TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO MONGOLIA. Ð Notwithstanding section 2164 of title 10, United States Code, the Department of Defense shall permit the dependent children of deceased United States military personnel to claim the extension of nondiscriminatory treatment to the products of Mongolia, pursuant to section 402(a) of the Trade Act of 1974.

(c) PURPOSE OF SUBTITLE.—In general, the purpose of this subtitle is to—

(1) cease to apply to Mongolia; and

(2) apply to that country.

(2) by inserting after subsection (g) the following new subsection:

``subsection (i)''.

SEC. 2423. ENHANCED CARGO INSPECTION PILOT PROGRAM.

(a) IN GENERAL.—The Commissioner of Customs is authorized to establish a pilot program for fiscal year 1999 to provide 24-hour cargo inspection service on a fee-for-service basis at an international airport described in subsection (b). The Commissioner may extend the pilot program after fiscal year 1999 if the Commissioner determines that the extension is warranted.

(b) AIRPORT. DESCRIBED.—The international airport described in this subsection is a multimodal international airport that—

(1) is located near a seaport; and

(2) serviced more than 185,000 tons of air cargo in 1997.

SEC. 2426. PAYMENT OF EDUCATION COSTS OF DEPENDENTS OF CERTAIN CUSTOMS AGENTS.

(a) FINDINGS.—The Congress finds that Mongolia—

(1) has received normal trade relations treatment since 1991; and

(2) has made a commitment to the United States, as in effect on January 1, 1997, of—

(A) providing, among other things, unconditional normal trade relations treatment to the products of that country.

(b) APPLICATION.—Section 304(j) of such Act, as redesignated by subsection (a)(1) of this section, is amended by striking subsection (h) and inserting subsection (i).

(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the date of enactment of this Act.

SEC. 2421. ENFORCEMENT OF NONDISCRIMINATORY TREATMENT (NORMAL TRADE RELATIONS TREATMENT) TO THE PRODUCTS OF MONGOLIA.

(a) IN GENERAL.—Section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) is amended by striking the word "normal" and inserting the word "unconditional" after the word "trade" in the first sentence.

(b) TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO MONGOLIA. Ð Notwithstanding section 2164 of title 10, United States Code, the Department of Defense shall permit the dependent children of deceased United States military personnel to claim the extension of nondiscriminatory treatment to the products of Mongolia, pursuant to section 402(a) of the Trade Act of 1974.

(c) PURPOSE OF SUBTITLE.—In general, the purpose of this subtitle is to—

(1) cease to apply to Mongolia; and

(2) apply to that country.

(2) by inserting after subsection (g) the following new subsection:

``subsection (i)''.
The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Washington (Ms. Dunn) and the gentleman from Michigan (Mr. Levin) each will control 20 minutes.

The Chair recognizes the gentlewoman from Washington (Ms. Dunn).

Ms. DUNN. Mr. Speaker, I ask unanimous consent that all Members may have five days within which to revise and extend their remarks and include extraneous material on H.R. 435.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Ms. DUNN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 435 would make miscellaneous and other technical and clerical corrections to trade laws. The House passed this bill on February 9, 1999. The Senate passed the bill with an amendment.

The bill contains over 130 provisions temporarily suspending or reducing duties of customs duties. A number of the duties and suspensions relate to different chemicals to make anti-HIV, anti-AIDS and anti-cancer drugs. In each instance, there is either no domestic production of the product involved or the domestic producers have supported the measure.

By suspending or reducing these duties, we can enable U.S. companies that use these products to be more competitive and to function more cost efficiently. This would create jobs for American workers as well as reduce costs for consumers.

The bill also contains a number of technical trade corrections and miscellaneous trade provisions that have received broad bipartisan support and no opposition.

For example, the bill includes a provision that would provide duty-free treatment to participants and to individuals associated with world athletic events, such as the 1999 Women's World Cup soccer and the Special Olympics, which are being held throughout the United States. Other time-sensitive provisions refer to a variety of trade issues, including Customs preclearance activities and Customs user fees.

Three bills have been thoroughly evaluated and commented on by all concerned parties, including the United States Customs Service, the Department of Commerce, the International Trade Commission, the United States Trade Representative, and those firms which may be affected by a tariff suspension on a product they do produce domestically.

The provisions that remain in the bill are completely noncontroversial. The only change that would strike eight duty suspension provisions related to pigments. It would make one technical correction, and it would make adjustments to certain other pigments.

Let me just say a word about the efforts here. A number of Members on both sides of the aisle have worked hard to see this provision become law, including the ranking member of the Committee on Ways and Means, the gentleman from New York (Mr. Ran- gan). The bill includes additional tariff and trade provisions, such as authorization of user fees to maintain existing preclearance services for air and sea passengers arriving from Canada, the Caribbean, and Mexico.

These authorizations are essential to maintaining the preclearance services that expedite the processing of passengers at our airports and seaports. Miscellaneous trade provisions include extension of normal trade relations with Mongolia.

The small revenue loss resulting from a few provisions in the bill require an offset to meet budgetary requirements. This cost is offset by a provision in the bill that clarifies the tax treatment of certain corporate restructuring transactions where assets are transferred subject to a liability. The tax treatment under current law of these transactions is uncertain, and some taxpayers are restructuring transactions to take advantage of this uncertainty.

In some cases, taxpayers are claiming tax bases in excess of the value of assets with resulting excessive depreciation deductions. The provision in the bill would eliminate the uncertainty and tax these transactions by reference to their underlying economic.

The provisions of this bill have been thoroughly reviewed to ensure that they are noncontroversial and do not adversely affect U.S. consumers and U.S. industry.

Mr. Speaker, I urge my colleagues to support its final passage, and I reserve the balance of my time.

Ms. DUNN. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. Weller).

Mr. WELLER. Mr. Speaker, I thank my friend, the gentlewoman from Washington (Ms. Dunn), for yielding time to me and giving me the opportunity to speak this afternoon on important legislation.

I also want to thank this House for bringing this important legislation before us today, and welcome the opportunity to speak about two very, very specific provisions included in this legislation.

This past year, Mr. Speaker, I introduced H.R. 4390 and H.R. 4191, legislation that suspends duties on the importation of pharmaceuticals which inhibit cancer and the spread of HIV and AIDS. This is important legislation. It is compassionate legislation.
June 7, 1999

CONGRESSIONAL RECORD – HOUSE

H3737

which deserves bipartisan support, legislation which will help families reduce the cost of treating AIDS and cancer, benefiting thousands upon thousands of American families.

It is estimated that every year thousands of women and children fall victim to these deadly diseases. In 1997, almost 17,000 new cases of HIV and AIDS were reported, making the total number affected almost 600,000 Americans. Today the average cost of treating someone with HIV or AIDS is approximately $37,500 a year, and the lifetime cost is almost $100,000.

Additionally, it is estimated that this year, in 1999, more than 1.2 million new cases of cancer will be diagnosed in the United States alone. More than 560,000 individuals will be lost to this disease, while millions of family members and friends will suffer great emotional loss.

Mr. Speaker, the average cost of treating a breast cancer patient is estimated at about $37,000. This legislation, H.R. 435, suspends duties on important cancer inhibitors, helping reduce the financial toll of these terrible diseases on families and, of course, the victims.

Mr. Speaker, this is compassionate legislation. It deserves bipartisan support. This legislation, taking advantage of free trade, will help the victims and their families of HIV, AIDS, and cancer. I ask for bipartisan support.

Mr. CRISTENSEN. Mr. Speaker, I rise today in strong support of H.R. 435, the Miscellaneous Trade and Technical Corrections Act of 1999 and I want to congratulate my colleagues Trade Subcommittee Chairman, Mr. CRANE and Ranking Democrat SANDER LEVIN for the Herculean effort that went into making passage of this bill possible today.

My colleagues, this is a day that I have long looked forward to. For over two years now, a number of members from both sides of the aisle labored long and hard to defeat one obstacle after another to make it possible for this bill to become law. We were almost successful at the end of the last Congress but ran out of time before the other body was able to take up the bill.

Today I rise on behalf of my constituents to celebrate the passage of this bill because of what it could mean for our economy. The extension of the Insular Possession Trade benefits which this bill provides, will mean that a significant number of new jobs will be created, in the Virgin Islands, as a direct result. Ten years ago, possession trade benefits made it possible for almost 1,000 Virgin Islanders to be employed in the manufacturing of watches. Today, after several major hurricanes hit the islands there may be just over 200 persons employed in the industry.

That is why this bill is so very important to my constituents and me. It represents the first step in my legislative plan for revitalizing the economy of the Virgin Islands which, unfortunately, has not yet reaped the benefits of the largest ever peace time economic expansion that the country as a whole is experiencing.

In closing, I want to again express my thanks to the Leadership of the Ways and Means Committee for their efforts on H.R. 425. In addition to Mr. CRANE and Mr. MATSU, I also must thank the cosponsors of my original bill, the gentleman from New York, Mr. RANGEL, and the gentleman from Louisiana, Mr. JEFFERSON. I also want to thank the Chairman of the Full Ways and Means Committee, Mr. ACHER, for his support as well. Mr. LEVIN and Mr. EVANS have no further requests for time and I yield back the balance of my time.

Ms. DUNN. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentlewoman from Washington (Ms. DUNN) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 435.

The question was taken.

Ms. DUNN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX the Chair's prior announcement, further proceedings on this motion will be postponed.

JENNIFER'S LAW

Mr. LAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1915) to provide grants to the States to improve the reporting of unidentified and missing persons.

The Clerk read as follows:

H.R. 1915

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 "Jennifer's Law".

SEC. 2. PROGRAM AUTHORIZED.
The Attorney General is authorized to provide grant awards to States to enable States to improve the reporting of unidentified and missing persons.

SEC. 3. ELIGIBILITY.
(a) APPLICATION.—To be eligible to receive a grant under this Act, a State shall submit an application at such time and in such form as the Attorney General may reasonably require.

(b) CONTENTS.—Each such application shall include assurances that the State shall, to the greatest extent possible—
(1) report to the National Crime Information Center and when possible, to law enforcement authorities throughout the State regarding every deceased unidentified person, regardless of age, found in the State's jurisdiction;
(2) enter a complete profile of such unidentified person in compliance with the guidelines established by the Department of Justice for the National Crime Information Center Unidentified Persons File, including dental records, x-rays, and fingerprints, if available;
(3) enter the National Crime Information Center number or other appropriate number assigned to the unidentified person on the death certificate of each such unidentified person; and
(4) retain all such records pertaining to unidentified persons until a person is identified.

SEC. 4. USES OF FUNDS.
A State that receives a grant award under this Act may use such funds received to establish or expand programs developed to improve the reporting of unidentified persons in accordance with the assurances provided in the application submitted pursuant to section 3(b).

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.
There are authorized to be appropriated to carry out this Act $2,000,000 for each of fiscal years 2000, 2001, and 2002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. LAZIO) and the gentleman from Texas (Mr. LAMPSO) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. LAZIO).

Mr. LAZIO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me begin by thank the Committee on the Judiciary for this bipartisan approach, for allowing us to bring this important legislation to the floor, and in particular, let me thank the chairman of the Committee on the Judiciary, the gentleman from Illinois (Mr. HENRY HYDE) for his consideration in allowing this bill to go forward.

Let me begin by saying that I am the proud father of two beautiful daughters, Molly and Kelsey. I cannot imagine not having them in my life. What would I do without their smiling faces to come me home, their gifts of crayon drawings to brighten my day, or their heartwarming goodnight kisses? Every time I look at them I know how blessed I am.

But today, Mr. Speaker, we turn our focus to less fortunate families, families who have suffered the loss of a loved one. For these families we offer Jennifer's Law, legislation inspired by a tragic story of a still missing Long Islander whose mother and dad have been one of the motivating forces behind this legislation.

In 1993, 21-year-old Jennifer Wilmer left her family's suburban New York home for California in pursuit of a dream. It was a dream to make it on Broadway. Nine months later Jennifer's mom sent her a plane ticket to return home for a visit because she missed her.

All Jennifer had to do was to pick up the ticket from the office of the local travel agent. She left the house she shared with friends to pick up the ticket, but she never made it to that agency. She never came home. Mr. Speaker, Jennifer is still missing.

Unfortunately, this story is all too common. People report thousands of missing persons each year. Sadly, many of these people will never be found. In many instances, at least we have the information necessary to bring closure to some of these cases. Unfortunately, most of this information remains hidden, like a needle in a haystack.

In 1975, the FBI created the Missing Persons File within its National Crime Information Center to address the problems associated with collecting and organizing information on missing persons. This new file inspired the creation of the Unidentified Persons File 8 years later.

Jennifer's Law, legislation inspired by a tragic story of a still missing Long Islander, is compassionate legislation which will help families reduce the emotional loss.
In theory, data on a missing person should be entered into the Missing Persons File at the time a missing persons report is filed with local law enforcement officials, and the same is true for John or Jane Does.

Unfortunately, the coordination of these two files that would make it possible to close thousands of missing person cases is not taking place. Why? Certainly it is the fact that the success of one search depends upon its connection to another county although all local law enforcement officials enter the proper information into the Missing Persons File, they often fail to enter this information about John Does into the unidentified persons file. What kind of information I am talking about is fingerprint information, DNA information, various samples. Without up-to-date information in both files, most cases cannot be closed.

For example, last year New York reported more than 4,500 missing persons, but only 279 unidentified persons. Any one of these unidentified persons might also be a missing person, but without cross-referencing, this fact will never surface.

The ability to cross-reference within the NCIC has existed for 16 years, and this technology is available to all law enforcement agencies. The problem is, the system remains underutilized, so even if you have a county local law enforcement agency that is doing its job in terms of entering missing persons information, if another agency in another county in another State is not doing the job, they will never link up between missing persons and unidentified persons.

The issue is not negligence, but instead stems from inadequate funding. Jennifer's Law would authorize $2 million for a competitive grant program to cover the costs associated with entering complete files of unidentified crime victims into the FBI's National Crime Information Center database. It is a true model of Federal, State, and local partnership.

If passed today, Jennifer's Law will help ease the suffering of families coping with the anguish of unanswered questions. It will reassure families that everything possible is being done to reunite them with loved ones. The funding for this project is a small price to pay compared to the cost of not knowing that someone you love has been found. Without this funding, Mr. Speaker, thousands of families will be deprived of a chance for closure, a chance to at least move on.

Mr. Speaker, crime is not just a statistic when it involves a family member. As a dad, I can only imagine the pain experienced by families such as Jennifer's. I hope that Jennifer's Law will serve to somewhat lessen the incredible pain these families have in losing a child or a loved one.

Mr. Speaker, I reserve the balance of my time.

Mr. LAMPSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise this afternoon to talk about H.R. 1915, Jennifer's Law, which would help parents of missing children bring closure to their nightmare and begin the healing process.

As my colleague, the gentleman from New York (Mr. LANTOS) just said, the Committee on the Judiciary is to be commended and he, too, is to be commended for the work that he has done in bringing this bill to the floor of the House of Representatives, and to make sure that we can do everything that we can to correct the shortcomings that exist in present law.

Under current law, States are required to report information on missing children to the FBI so that data can be entered into the National Crime Information Center, NCIC, their missing persons file.

However, States are not required to report the information to the NCIC's Unidentified Person File whenever they recover an unidentified body. Unfortunately, a logical and complete cross-referencing of the missing person file and the unidentified person file does not currently exist.

Every week unidentified bodies of children are found, but the parents of missing children are not contacted to make positive identifications. Not knowing that the body of an unidentified child has been recovered, thousands of parents continue her heart-wrenching search for their missing loved one.

J essica Cane is a young girl who was abducted, we assume abducted, perhaps murdered, we do not know her whereabouts, 3 weeks before her 18th birthday. Today her parents continue to search for her, believe that she is alive, hope that she is alive, and expect that she will return home one day. So with that hope, they travel from city to city, they spend their money, they spend their time, their waking hours, hoping that Jessica will return to them.

As the chairman and founder of the Congressional Missing and Exploited Children's Caucus, I see the pain families of missing or abducted children endure firsthand. I can only imagine the agony of GIGI Arnett Harris' family and the agony that they suffered when this Houston, Texas family discovered that GIGI's body had remained unidentified in a morgue for 2 years while they unknowingly continued their search.

Well, stories like these would not occur if Jennifer's Law were enacted. This bill would correct identification problems by encouraging States to report unidentified people to the NCIC in their jurisdiction in return for Federal grant funds.

It is time to bring comfort to families of missing children. It is the very least Congress can do to alleviate their suffering. I urge all of our colleagues to join me in voting in favor of H.R. 1915, the Jennifer's Law.

Mr. LAMPSON. Mr. Speaker, I yield the balance of my time.

Mr. LAZIO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from New York (Mr. LANTOS) for his support for this particular piece of legislation, but for his work on behalf of missing and exploited children.

What he has done is a valuable public service in heading up the caucus, and obviously his work in the Committee on the Judiciary was very helpful in ensuring that this bill got to the floor. This is a bipartisan approach, Mr. Speaker.

I say as a dad and former prosecutor that this is a modest but very important way in which we could forge a stronger partnership with families, with advocates, with the law enforcement community, to do the right things for those who have an unimaginable tragedy in their life, losing a child or loved one and not knowing their whereabouts.

This effort is supported by the National Center for Missing and Exploited Children, and I had the privilege of receiving support, as well as the Jacob Wetterling Foundation in Minnesota, both important institutions in furthering the cause and building public awareness.

That being said, once again I want to thank the gentleman from Texas (Mr. LAMPSON), thank the Committee on the Judiciary, and ask for support for the bill.

Mr. LANTOS. Mr. Speaker, I rise today to acknowledge the courageous struggle and profound hope of my constituents JoAnn and Carl Rock in the search for their missing son, Robert, and to offer support for Jennifer's Law, H.R. 1915, introduced by my distinguished colleague Congressman Rick Lazio. I thank Congressman Lazio for introducing this bipartisan bill.

In 1995, 26-year-old Robert Rock, son of JoAnn and Carl Rock, disappeared, and he has not yet been found. Because he is a missing person over the age of 18, Missing Persons Agencies have given Robert's case a low priority. Robert's parents believe that their son may be an unidentified body in New York.

JoAnn and Carl Rock's hope of discovering the fate of their son relies upon this Congress passing a bill encouraging all law enforcement agencies to report every unidentified body to a federal computer database.

Jennifer's Law consists of establishing a grant award in order to encourage that a State, to the greatest extent possible, will be in a position to report every deceased unidentified person to the National Crime Information Center throughout the State and other authorities regarding every deceased unidentified person, creating a complete profile of such unidentified person, and inputting a National Crime Information Center number on the death certificate of such an unidentified person. Furthermore, all such records must be retained until a person is identified as part of the application process for the grant.

I urge my colleagues to offer aid to all parents who may be on a search to locate a missing daughter or son by supporting H.R. 1915, Jennifer's Law. In bringing relief to families such as the Rock family, that face the pain inflicted by a life full of unanswered questions about the whereabouts of
Mr. Speaker, Jennifer’s Law is an example of exceptional legislation that is garnering support throughout our nation. The tragic story of Carl and JoAnn Rock demonstrates the need for comprehensive action on the behalf of the thousands of families searching for missing loved ones. H.R. 1915, Jennifer’s Law, costs little, but it gives in return the priceless gift of hope.

Mr. Speaker, today I would like to express my strong support for H.R. 1915, otherwise known as Jennifer’s Law. This legislation will grant states the necessary funds to assist them in entering files of unidentified victims into both the national Missing Persons File and the Unidentified Persons File.

“Jennifer’s Law” is named after Jennifer Wilmer, who has been missing since September 13, 1993. When a person is missing, it touches the entire community. In the case of Jennifer, her mother Susan has become an aggressive advocate for consolidating federal databases on missing and unidentified persons. The fact is, involvement and cooperation at the local level is of the utmost importance in saving the lives of those classified as missing.

NCIC created the Missing Persons File in 1975, and eight years later the Unidentified Persons File was created as a database of NCIC. Currently, local law enforcement agencies are being asked to enter files into the Missing Persons File, but do not report cases to the Unidentified Persons File. This means the data is not being cross-referenced.

In an effort to promote cooperation at all levels, H.R. 1915 will require states to meet certain criteria before they receive these federal funds. States must report missing cases to the National Crime Information Center (NCIC) and law enforcement authorities throughout the state regarding every deceased unidentified person found. States will also be required to enter a profile of the unidentified person, the number assigned to the unidentified person on his or her death certificate and retain all of the records until the person is identified.

Mr. Speaker, the time has come for us to work together to find America’s missing persons. Let’s protect our loved ones and pass H.R. 1915.

Mr. KING. Mr. Speaker, I rise today in recognition of my constituents, Fred and Susan Wilmer of Baldwin, NY, whose daughter Jennifer has been missing since September 13, 1993, to express my strong support for the Jennifer’s Law Act.

I am pleased that Congress has made it a priority to support efforts to locate and identify all missing persons. This critical legislation will require all law enforcement agencies to cross-reference missing person files with unidentified person files, which believe it or not is rarely done. It will also authorize $2 million in competitive grants so that states can cover the costs of providing this well needed service.

Thousands of families, like the Wilmers, go through the daily anguish the Wilmer family experiences, wondering if they will ever see their loved ones again. I believe the Jennifer’s Law Act will provide the opportunity for many of these families to find peace of mind and closure to their unfortunate tragedies.

Mr. Speaker, I would also like to express my gratitude to the Wilmers who have tirelessly transformed their personal grief into political action by committing themselves to helping other families find their missing loved ones. They established “Finding Our Children Under Stress” FOCUS, an organization dedicated to supporting other parents in distress and promoting state and federal legislation to improve methods of locating missing persons.

Mr. Speaker, I rise to strongly support the H.R. 1915 that would improve Reporting of Unidentified & Missing Persons. Apolily nicknamed “Jennifer’s Law,” this bill will provide much needed assistance to the National Crime Information Center (NCIC) and will help ease the pain of families who adoringly continue to search for lost loved ones. I empathize with the families such as the family of the young woman this bill was named after. As a mother, I can understand the anguish of not having child in your country, only to have that child disappear without a trace.

This measure helps to solve such disappearances by urging States to improve their reporting on unidentified persons, people found who have memory loss, or unidentified deceased persons.

By establishing a grant program under this measure, States would have the incentive to provide far more comprehensive information concerning unidentified deceased persons. States will receive these funds only if they report to NCIC and State law enforcement authorities every deceased unidentified person found in their jurisdiction, provide a complete profile of unidentified persons—including dental records, X-rays, and finger prints, enter the NCIC number assigned to deceased unidentified persons on their death certificates, and keep all records of about unidentified persons until they are identified.

This legislation is necessary to bolster the NCIC’s current files for unidentified persons. Prior to H.R. 1915, unidentified records were woefully underreported. The proposed grant program would end this dearth of information and would allow the NCIC to provide better and far more comprehensive, information to the American public.

This legislation provides a great service to the NCIC and the American public, and by passing this bill, perhaps we will stem future suffering amongst our families. It is my hope that legislation such as this will help reunite these families with their lost loved ones.

Mr. FARR of California. Mr. Speaker, on June 12, residents of the Central Coast of California were devastated to learn that Christina Williams hadn’t returned to her family’s home after walking the dog. Seven long months later her body was found less than three miles from her home.

This bill, Mr. Speaker, I wish to mention as an original cosponsor of H.R. 1915, a bill that to provide $2 million in competitive grants to the States to improve the reporting of unidentified and missing children. In order to receive a grant, a state would report to the National Crime Information Center and (when possible to law enforcement authorities within the state) information on every deceased unidentified person, including dental records, X-rays and fingerprints. The states would then enter the National Crime Information Center registration number or other identifying number, on the unidentified person’s death certificate.

This simple cross-referencing of missing persons files against unidentified persons files will bring closure to thousands of families who anxiously await information on their loved ones. In California alone, there are over 25,000 missing person files, and only some 1,800 unidentified persons files. While Christina was found close to home which made identification easier, there are thousands of families in California who teeter on the edge of the chasm of hope and despair who will benefit from passage of H.R. 1915.

I urge my colleagues to pass H.R. 1915 in memory of Christina Williams.

Mr. LAZIO. Mr. Speaker, I yield back the balance of my time.

Mr. LAMPSON. Mr. Speaker, again I congratulate the gentleman from New York (Mr. LAZIO) on the good work that he has done on this bill because it will make a difference for people like Susan Wilmer, the mother of Jennifer. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from New York (Mr. LAZIO) that the House suspend the rules and pass the bill, H.R. 1915.

The question was taken.

Mr. LAZIO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule X and the Chair’s prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. LAZIO. Mr. Speaker, I ask unanimous consent that all Members may extend their legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 1915.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule X, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 2 o’clock and 35 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on approval of the Journal and then on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

Approval of the Journal, de novo;
H.R. 435, concuring in Senate amendment, by the yeas and nays;
H.R. 3915, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the second such vote in this series.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question de novo of the Speaker pro tempore's approval of the Journal and then on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROS LEHTINEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The Speaker pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 375, nays 1, answered "present" 3, not voting 63, as follows:

[Roll No. 168]

YEAS—375

Abercrombie  Hulshof  Young (AK)
Aderhold  Calvert  Zeleny (WI)
Amici  Calvey  Dingell
Armey  Cannon  Doggett
Bachus  Cavalier  Dooley
Baird  Capp  Doyle
Ballenger  Capuano  Doyle (NC)
Barcia  Castle  Duncan
Bart  Castle  Dunn
Barrett (NE)  Chabot  Edwards
Barrett (WI)  Cleavenger  Edwards
Bartlett  Clement  Emerson
Barton  Cobb  Ehlers
Bartoe  Cocchi  Engler
Beschta  Comstock  Ernie
Bereuter  Condit  Eshoo
Berkeley  Cook  Evans)
Berry  Crank  Farr
Biggers  Craig  Falat
Bilirakis  Craig  Falta
Bishop  Crowley  Foley
Blaguszewski  Cubin  Forbes
Blumenauer  Cunningham  Ford
Blunt  Cunningham  Fossella
Boehner  Davis (FL)  Fowler
Boehlert  Davis (IL)  Frank (MA)
Bonilla  Davis (VA)  Frank (ND)
Boehner  Davis (VA)  Frank (OM)
Bouier  DeLauro  Gallegly
Brady (PA)  Delay  Ganske
Brady (TX)  DeMint  Gekas
Bryant  Deutsch  Gilman
Gonzalez  Good  Goode
Goodlatte  Goodling  Gordon
Goss  Graham  Granger
Green (WI)  Greenwood  Gutierrez
Hagel (TX)  Hansen  Hastings (WA)
Hawkins  Herger  Hickel
Hinojosa  Hobson  Idol
Insko  Jackson (IL)  Jenkins
jianjohnson (NC)  Johnson (NY)
Johnson, B.  Jones (NC)  Jones (OH)
Kanjiraski  Kaptur  Kennedy
Kildee  King (WI)  King (NY)
Kleczka  Kleinknecht  Kimble
Kilgore  Kolbe  Koop
Kuhl  LaHood  Lampton
Larsen  Latham  LaTourette
Lazio  Lessach  Lee
Levin  Lewis (CA)  Lewis (KY)
Lewis  Linder  Logerstorfer
Logan  Lucas (KY)  Lucas (OK)
Luther  Maloney (CT)  Manuzio
Markey  Masek  Matsui
McCarthy (MD)  McCarthy (NY)
McCreary  McGovern  McHugh
Mclintock  McMillan  McNeely
McKeon  McGovern  Meek
Menendez  Metcalf  Mica
Mica  Minder-Flanagan  Millard
Miller (FL)  Miller, Gary  Minge
Mink  Mitchell  Napolitano
Neal  Nethercutt  Ney
Norwood  Nunes  Oliver
Ortiz  Ose  Owens
Packard  Pastore  Patterson
Pastor  Paul  Peake
Peake  Peterson (PA)  Peterson (SC)
Phillips  Pickering  Pitts
Pomeroy  Porter  Porter
Portman  Price (NC)  Price (OH)
Pryce (NC)  Quinlan
Radanoich  Rahall  Regula
Reyes  Reydolds  Rieley
Rogers  Rodgers  Rogers
Rogers, J.  Rohrabacher  Ros-Lehtinen
Roybal-Allard  Rogel  Roybal-Allard
Ryan (WI)  Ryan (KS)  Sanchez
Sanford  Sawyer  Schakowsky
Scott  Sessions  Sensenbrenner
Sessions  Shadegg  Shays
Sherman  Sherrwood  Shimkus
Shishmarev  Simpson  Skelton
Skellenger  Slaughter  Smith (Ala)
Smith (Jay)  Smith (OK)  Smith (TX)
Smith (WV)  Snyder  Spence
Spratt  Stabenow  Stark
Stedman  Stenholm  Stenholm
Strickland  Sununu  Talent
Tauscher  Tauscher  Tauscher
Tedder  Thune  Thurmond
Thurman  Tierney  Tierney
Toomey  Traficante  Turner
Turner  Von Aachen  Vento
Walden  Walsh  Watkins (NC)
Watt (NC)  Watts (OK)  Weiler
Welch  Wexler  Westmore
Weygand  Whelan  Woolsey
Wynn  Young (FL)  Young (MN)
NAYS—42

Aderhold  Blakeman  Brown (OH)
Bilirakis  Binkley  Bono
Birch  Binkley  Bono
Bishop  Blackburn  Boro
Blaguszewski  Boren  Bowers
Boehlert  Bose  Bowser
Boehner  Boozman  Boyd
Boyce  Boyden  Boyds
Boyle  Brady (PA)  Brady (TX)
Bowen  Boyd  Boulton
Boucher  Brady (PA)  Brady (TX)
Boucher  Brady (PA)  Brady (TX)
Bouier  DeHaan  DeLauro
Boyd  Brady (PA)  Brady (TX)
Brower  Brown (OH)  Bryant
Brown (CA)  Brown (NJ)  Bryant
Brown (RI)  Brown (WV)  Bryant
Brower  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buchanan
Brown  Buchanan  Buch
The SPEAKER pro tempore (Mr. Ewing). The pending business is the question of suspending the rules and passing the bill, H.R. 1950.

The Clerk read the title of the bill.

The question is on the motion offered by the gentleman from New York (Mr. Lazio) that the House suspend the rules and pass the bill, H.R. 1950, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 370, nays 4, not voting 59, as follows:

[Roll No. 169]

YEAS—370

Bartlow
Barr
Biere
Bono
Borysik
Bosco
Brooks
Brouillette
Buck
Bush
Burr
Bustos
Byrne
Cain
Callahan
Camp
Campbell
Capuano
Carty
Casanova
Cassidy
Cassidy
Cassidy
Cassidy
Cassidy
Catlett
Cato
Daley
Darr
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Davis
Dav...
So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION
Ms. KILPATRICK. Mr. Speaker, due to official business in the 15th Congressional District of Michigan, I was unable to record my vote for several measures considered today in the U.S. House of Representatives. Had I been present, I would have voted “aye” on approving the Journal; “aye” on H.R. 435, the Miscellaneous Trade and Technical Corrections Act of 1999; and “aye” on H.R. 1915. To Provide Grants to States to Improve the Reporting of Unidentified and Missing Persons.

PERSONAL EXPLANATION
Mrs. BONO. Mr. Speaker, unfortunately, due to an unavoidable travel delay, I missed today’s rollocal votes. I wish to announce that if I were here I would have voted for passage for the following: the Speaker’s approval of the Journal (rollocal vote No. 167); H.R. 435—Miscellaneous Trade and Technical Corrections Act (Agreeing to Senate Amendments) (rollocal vote No. 168); and H.R. 1915—“Jennifier’s Law” Act (rollocal vote No. 169).

APPOINTMENT OF MEMBER TO BOARD OF REGENTS OF SMITHSONIAN INSTITUTION
The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 5580 and 5581 of the Revised Statutes (20 U.S.C. 42-43), the Chair announces the Speaker’s appointment of the following Member of the House to the Board of Regents of the Smithsonian Institution:
Mr. MATSUI, California.
There was no objection.

IN SUPPORT OF H.R. 435 REGARDING 1999 WOMEN’S WORLD CUP
(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, just briefly I want to commend the House for an action taken earlier on the passing of a suspension, which was the Miscellaneous Trade and Technical Corrections Act.

This would temporarily suspend customs duties on participants in upcoming athletic events being held in the United States, including the 1999 Women’s World Cup. I commend the gentlewoman from Florida (Mrs. THURMAN) who sits on the Committee on Ways and Means for her leadership on this, and the gentleman from Michigan (Mr. LEVIN) who managed the bill here and the leadership on the Republican side, as well as the officials at the Women’s World Cup organizing committee, especially their Chair Donna de Varona for their work to pass this provision.

All of the players, trainers, coaches and family members participating in the Women’s World Cup have been on a long and challenging road to reach the finals. Representing six continents, these individuals are some of the best athletes in the world. I welcome, and I know this entire Congress joins in welcoming them to this country and wish them all the best of luck.

Our colleagues, in voting in favor of H.R. 435, welcome them indeed and help to ensure that the Women’s World Cup is one of the most successful sporting events ever held. I thank my colleagues for their overwhelming vote.

Mr. Speaker, I rise today in support of an amended H.R. 435, the Miscellaneous Trade and Technical Corrections Act, the original version of which already passed the House by vote of 414 to 1.

I am pleased that H.R. 435 contains a provision to temporarily suspend customs duties on participants in upcoming athletic events being held in the United States, including the 1999 Women’s World Cup.

I commend the dedicated efforts of my colleague from Florida, Representative THURMAN, who sits on the Ways and Means Committee, as well as of officials at the Women’s World Cup Organizing Committee, namely their chair, Donna De Varona, for their work to pass this provision.

When the 1999 Women’s World Cup officially kicks off in 12 days, it will be the largest women’s sporting event in history. With 16 countries participating and over 400,000 tickets already sold, the United States will be host to an international contingent of some of the world’s best athletes, as well as numerous foreign dignitaries. Preparations are currently being finalized to ensure that this event is an international success and that the United States remains the premier staging ground for international sporting events.

As a courtesy to participants in international athletic events, Congress has historically voted to temporarily suspend customs duties on the personal effects of participants in such events being held in this country. I urge my colleagues to vote in favor of H.R. 435 and thus help ensure that the Women’s World Cup is one of the most successful sporting events ever held.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 111
Mr. FARR of California. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 111.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? There was no objection.

SPECIAL ORDERS
The SPEAKER pro tempore (Mr. EWING). Under the Speaker’s announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE SITUATION IN KASHMIR
The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, in the past few weeks tensions have increased in the area that is known as the “roof of the world,” and that is India’s state of Jammu and Kashmir, located in the western Himalayan Mountains. For years they have been victimized by foreign militants, mercenaries affiliated with Islamic extremist groups, and supported by Pakistan, who have imposed a reign of terror on the inhabitants of the state, and this spring the Pakistan-backed infiltrators took over Indian defensive positions located on India’s side of the control of near the town of Kargil. India has responded to this incursion on its territory by exercising its legitimate right of self-defense.

Mr. Speaker, recently Pakistan’s Ambassador to the U.S. has complained of what he called a “bias in favor of the Indian position” by our State Department. Ambassador Kokhar was apparently upset about a statement made by State Department spokesman James Rubin at his regular press briefing in which Mr. Rubin described the Kashmiri Mujahideen as infiltrators from Pakistan on India’s side of the line of control. Mr. Rubin also stated that insertion of any additional fighters from across the line of control will only increase tensions and prolong the fighting.

Mr. Speaker, I find it a little ironic that the Pakistani Ambassador complained about a pro-India tilt at the State Department, since for years the State Department has demonstrated what I consider to be a pronounced pro-Pakistan tilt. In fact, in the first few days of the current conflict, the State Department seemed to be going out of
June 7, 1999

CONGRESSIONAL RECORD – HOUSE

H3743

its way to suggest that both countries were equally guilty. At last week’s briefing, the State Department spokesman was just stating the facts, describing the situation in Kashmir as it truly is. I hope that the State Department and the Administration officials will not bow to Pakistani pressure in characterizing the current conflict in Kashmir. It is clear that Pakistan has had a major role in precipitating this current conflict. Pakistan has for years tried to internationalize its bilateral dispute with India over Kashmir, and it is a strategy we cannot allow to succeed.

Officially, Pakistan claims that it only provides political and moral support for militants in Kashmir, although I think it is highly inappropriate to use the term “moral” for a campaign of terror that has claimed thousands of victims, both Hindu and Muslim, and has made refugees of hundreds of thousands of Kashmiri punjits. Mr. Rubin’s statement, I take it, recognizes this fact that the militants have crossed over from Pakistan. Indeed, Mr. Speaker, there are reports indicating that these well-trained mercenaries are not only supported by the Pakistani Army, but that Pakistan may be participating in the infiltration of India.

The bottom line, Mr. Speaker, is that India has undertaken a defensive operation to repulse hostile infiltrators, and has therefore taken appropriate steps to keep its neighbor Pakistan and the world community informed about its actions. The militants are occupying strategic locations, threatening to alter the current line of control that was established by the U.N. in a negotiated cease-fire and which both countries officially recognize and honor, almost as a de facto international boundary. India could not stand by and allow this to continue.

During this conflict, India’s Prime Minister V. V. Vajpayee has been in contact with his Pakistani counterpart, Prime Minister Sharif, and the Directors-General of Military Operations of India and Pakistan have been in contact with each other over the hotline installed to defuse tensions between the two countries. The U.S. Ambassador to India, Richard Celeste, has been brief by both the Defense Department and the External Affairs Ministry in New Delhi. The week before last, India’s Ambassador to the United States came up to Capitol Hill to brief Members of Congress, and other friendly governments have also been briefed.

Mr. Speaker, I have spoken out repeatedly about the need to repeal the economic sanctions that were imposed on India and Pakistan last year pursuant to the Glenn amendment after both countries conducted nuclear tests. In fact, I introduced legislation to repeal these sanctions which have done nothing but fuel proliferation or to build confidence between India and Pakistan. What the sanctions have accomplished is to cause American businesses to lose trade and investment opportunities with both India and Pakistan, to disrupt bilateral relations in many other areas not related to military or nuclear technology, and to block important development projects funded by international lending institutions.

The current situation does point to the need to lift the sanctions imposed by the Glenn amendment. But the current situation also points to the need to lift the sanctions imposed by the Pressler amendment. The Pressler amendment bans U.S. military assistance to Pakistan unless the U.S. President certifies that Pakistan does not possess nuclear weapons. Late last month, Assistant Secretary of State for South Asian Affairs, Karl Inderfurth, testified before a Senate Foreign Relations subcommittee in support of repealing the Pressler amendment, and I greatly respect Rick Inderfurth, Mr. Speaker, but I believe he was wrong on this issue.

The justification for the Pressler amendment is Pakistan’s long-term involvement in nuclear proliferation. Indeed, the Cox report contains several references to transfers of nuclear technology between China and Pakistan. India’s nuclear program, on the other hand, is an indigenous program, and India has not been involved in sharing this technology, and this is a very important distinction.

Now, Pakistan’s involvement in supporting the militants that continually infiltrate India’s territory is an example of how Pakistan promotes regional instability and commits or supports aggression against its neighbors. India is not involved in these kinds of hostile, destabilizing activities. Mr. Speaker, our priority should be to do what we can to promote stability and economic opportunities in South Asia. The best way we can do that is to lift the sanctions imposed under the Glenn amendment. While I obviously oppose repealing the Pressler Amendment, in any case we should be focusing now on lifting the sanctions imposed by the Glenn Amendment. We must not be pulled into intervening in the Kashmir issue, since India and Pakistan must resolve this conflict on a bilateral basis.

I urge that American statements on this issue continue to recognize which party is the destabilizing force and which one is trying to defend itself from outside aggression.

One of the things that is broken is the organizational structure and management of the nuclear weapons complex in the Department of Energy. Study after study, report after report, commission after commission have all said that DOE’s management of our nuclear weapons program has been a mess. In fact, I am personally aware of 18 studies over the past 10 years, all of which are highly critical of the management and organization of the DOE related to nuclear weapons.

Just in April, Secretary Richardson’s own new team concluded that roles and responsibilities are unclear, lines of authority and accountability are not well understood or followed, and this lack of clear accountability and lines of authority is a basic systemic problem which is partly responsible for the serious security lapses.

As serious as those lapses are, they are only one detrimental effect of the DOE management structure. The challenge of making sure that our nuclear weapons remain safe and reliable well beyond their design life without nuclear testing is enormous.

So, if the problem is so clear and undeniable, even according to DOE’s own internal findings, why does not DOE fix the problem itself? After the most recent DOE internal management review, Secretary Richardson announced some reforms which do move in the right direction, but they do not move nearly far enough and still retain confusing, overlapping bureaucracies without clear chain of command.

GAO has written a report devoted just to this question of why the DOE, fully knowing what the problem is, cannot fix itself, and one is that for 20 years DOE has not been able to solve the problem, and even with the best of intentions it will not be able to solve the problem alone. Congress must act, and we must act before it is too late.

I will also say that in my view the administration is more focused on containing the political damage arising from the spy scandal than it is on solving the underlying problems which allowed the spy scandal to take place. We in Congress cannot allow ourselves to just respond to today’s headlines in a political way, we have to channel all of this energy and concern generated by the scandal into constructive solutions for a long-term problem.

Working with Senators and others, I have drafted a proposal which cuts to the heart of the problem and sets the nuclear weapons complex on the right path to do its job and protect our security. My proposal would create a new agency within the Department of
Energy called the Nuclear Security Administration. That agency would be responsible for all aspects of development, testing and maintenance of our nuclear weapons and for the facilities which comprise our nuclear weapons complex. It should have only one person at the top who would be an Under Secretary of Energy, and that person would have the authority to do the job with a clear direct chain of command. If something goes wrong, the Secretary, the President, the Congress know who is accountable.

The essential elements of this proposal have been recommended time after time in study after study, and after all this study I think we would be negligent in our duties if we do not take advantage of those studies and reports and implement their recommendations.

I think there is one other point that is important. If the last year has taught us anything, it should have reminded us of the central role that nuclear weapons play in strategic relationships around the world. From India and Pakistan to China, we are reminded that nothing alters the balance of power faster than a change in nuclear power so that we do not permit our own nuclear deterrent against espionage and against aging, the security of our Nation and ideals will be threatened. We should act today when the path is clear and the time is right.

WHITE HOUSE CONFERENCE ON MENTAL HEALTH

The SPEAKER pro tempore, Mr. Speaker, I have the great honor of taking part in the landmark White House Conference on Mental Health. This conference brought together mental health providers, consumers and people from the private sector, and our goal was to develop strategies to eliminate the existing stigmas and encourage an environment of health where people with mental illness can thrive. The conference was downlinked to over 6,000 sites around this country, including one in Santa Barbara, California, so that communities can come together in these important issues.

Earlier this year I introduced House Resolution 133, a bipartisan resolution which currently has 100 cosponsors to focus public attention on this historic event. I was proud to have a constituent here to take part in the conference, Annmarie Cameron, who is the Executive of the Santa Barbara Mental Health Association, and brought her expertise from the central coast of California here to Washington, D.C. Working with the Santa Barbara Mental Health Association Board, Annmarie has been instrumental in affecting public policy on numerous issues. She has focused her considerable skills on increasing funding for mental health services, diverting persons with mental health disabilities from the criminal justice system, developing special needs housing for the homeless mentally ill. Her hands-on experience and professional expertise was a great asset to today's discussions.

I want to commend the President and especially Mrs. Tipper Gore for convening this conference. As Mental Health Policy Adviser to the President, Mrs. Gore brings knowledge and understanding of mental illness and has devoted much of her life to raising awareness of mental health related issues. Just recently she took the brave step of publicizing her own battle with depression and her family history of mental illness. We would hope that people all around the country who have so long suffered in silence.

At today's conference I cochaired a panel on the Education and Training of Our Health Professionals which were many good panels. In ours, we focused on how we can train our front-line medical providers as well as teachers to spot the signs of mental illness in children and then refer them for necessary care.

As a school nurse for 20 years, I know that the signs of mental illness are sometimes difficult to detect. The people who work with our kids and young adults need to be proactive in screening for mental illness. If we detect problems earlier, we have a much better chance of giving our children a better opportunity to live a healthier life.

As we think about the school environment we provide for our children and our local communities, we are mindful of the kind of resources our young people need as they grow and develop.

School violence is the tip of the iceberg, but of course it catches our attention. I should have proposed increasing the funding within the Safe and Drug-Free Schools Act to provide more counselors for our middle schools. In California, we have the fewest number per student in the Nation. At this time there are 10 million adults in our Nation who suffer serious and chronic effects from mental illness, but for years the problem of mental illness has been under the rug. Sadly, people in need of help fall through the cracks of our mental health system every day.

Some cases, like the shooting in the Capitol or the New York subway incident, grab headlines, but this systemic failure is repeated all too often throughout our country in so many daily tragic situations for people who suffer from mental illness as well as their families, friends, disabilities, and their communities. Our goal must be to attain greater insight into the troubling nature of mental illness and formulate policies to address these needs.

Today's landmark conference was an excellent step in the right direction by engaging in meaningful dialogue on these issues which affect so many Americans. We are educating ourselves. With education comes understanding, and hopefully with understanding will come the commitment and resources for millions of people and their families who suffer mental illness every day.

H3744

CONGRESSIONAL RECORD – HOUSE J une 7, 1999

A POSITIVE SPIN ON AN UGLY WAR

The SPEAKER pro tempore (Mr. Green of Wisconsin). Under a previous order of the House, the gentleman from Texas (Mr. Paul) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, the Yugoslavian civil war, now going on for years, was near ending until NATO chose to enter on the side of the KLA seeking independence. Aggressively entering the fray by invading a foreign nation, in direct opposition to its charter, NATO has expanded the conflict and multiplied the casualties. The impasse now reached, although predictable, prompts only more NATO bombing and killing of innocent civilians on both sides. It is difficult to see how any good can come from this continuous march on folly, but I am going to try.

Number one, the U.N. has suffered a justified setback in its effort to be the world's governing body of the new world order, and that is good. By NATO refusing to seek a U.N. resolution of support for its war effort, it makes the U.N. look irrelevant. Now NATO is using the U.N. to seek a peace settlement by including the Russians, who agree to play the game as long as additional American tax dollars flow to them through the IMF. The U.N. looks weak, irrelevant, ignored, and used. The truth is winning out.

Number two, NATO is on the verge of self-destruction. Since the purpose of NATO to defend against a ruthless Soviet system no longer exists, that is good, NATO, in choosing to break its own rules looks totally ineffective and has lost credibility. The U.S. can get out of NATO, come home, save some money and let Europe tend to its own affairs, and we can then contribute to peace without war.

Number three, Tony Blair's true character has now become known to the world. He has not only annoyed many Americans, but many Germans, French, Italians and Greeks as well. By Blair demanding more American bombs, money and the introduction of ground troops, many have become skeptical of his judgment. It is much easier now to challenge his influence over Bill Clinton and NATO, and that is not only good, but necessary.

Number four, more Americans every day are discovering that military spending is not equivalent to defense spending. This is a good start. It is
clearly evident that when useless immoral wars are pursued, money is wasted, weapons are consumed, and national security is endangered, opposite to what is supposed to be achieved through defense spending. A foolish policy, no matter how much money is spent on the military, can never substitute for a sensible, pro-American policy of friendship and trade with all those countries willing to engage.

Number five, NATO’s ill-gotten war has shown once again that air power alone, and especially when pursued without a declaration of war and a determination to win, serves no useful purpose. Although most military experts have stated this for years, it is now readily apparent to anyone willing to study the issue. Many more Americans now agree that war not fought for the defense of one’s country and for the preservation of liberty is immoral and rarely brings about victory. If we remember that in the future, that would be good.

Number six, NATO’s war against Yugoslavia has made it clearly apparent that world leaders place relative value on human life. This is valuable information, and it should be helped to restore U.S. national sovereignty. According to NATO’s policy, the lives of the Kosovar are of greater value than the Serbs, Rwandans, Kurds, Tibetans, or East Timorans. Likewise, oil and European markets command more bloodshed in support of powerful financial interests than the suffering of millions in Asia and Africa. This knowledge of NATO’s hypocrisy should some day lead to a fair and more peaceful world.

Number seven, the issue of whether or not a President can initiate and wage an unconstitutional war without declaration and in violation of the War Powers Resolution has prompted a positive national debate in the Congress and throughout the Nation. This is a necessary first step to get Congress to regain its prerogatives over the issue of war.

Number eight, interventionism in the affairs of other nations when our national security is not threatened serves no benefit and causes great harm. Our involvement with NATO and Yugoslavia has once again forcefully shown this. Although our Founders knew this and advised against it, and America has for over 100 years acted accordingly, this rediscovery of a vital truth can serve us well in future years.

Number nine, NATO’s arrogance has once again restated another truth worth remembering: Might does not make right.

Number ten, the 19 nations’ military actions against a tiny state shows that alliances to promote aggression do not work. The moral high ground is not achieved because despite the pronouncements of concerns for the suffering of the innocent, when survival is not at stake and when the defense against an aggressor is not an issue, war by committee is doomed to fail. This is a lesson that needs restating.

Number 11: NATO’s blundering policy irrationally will leave a legacy that will allow rebuilding after the new world order disintegrates.

To the bewilderment of their own leaders NATO has forcefully supported the notion of autonomy and independence for ethnic states. Instead of huge governments demanding ethnic diversity, the goal of establishing Kosovo’s independence provides the moral foundation for an independent Kosovo, Palestine, Tibet, East Timor, Quebec, and North Ireland and anyone else that believes their rights as citizens would be better protected by small local government. This is in contrast to huge nation states and international governments that care only about controlling wealth, while forgetting about the needs and desires of average citizens.

12. Another lesson that will be learned from this misadventure, but unfortunately not soon enough, is that empires self-destruct out of this misadventure, but unfortunately not soon enough, is that empires self-destruct out of enough, is that empires self-destruct out of

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House.
His remarks will appear hereafter in the Extensions of Remarks.)

Number eleven, the 19 nations’ military actions against a tiny state shows that alliances to promote aggression do not work. The moral high ground is not achieved because despite the pronouncements of concerns for the suffering of the innocent, when survival is not at stake and when the defense against an aggressor is not an issue, war by committee is doomed to fail. This is a lesson that needs restating.

To the bewilderment of their own leaders NATO has forcefully supported the notion of autonomy and independence for ethnic states. Instead of huge governments demanding ethnic diversity, the goal of establishing Kosovo’s independence provides the moral foundation for an independent Kosovo, Palestine, Tibet, East Timor, Quebec, and North Ireland and anyone else that believes their rights as citizens would be better protected by small local government. This is in contrast to huge nation states and international governments that care only about controlling wealth, while forgetting about the needs and desires of average citizens.

12. Another lesson that will be learned from this misadventure, but unfortunately not soon enough, is that empires self-destruct out of enough, is that empires self-destruct out of enough, is that empires self-destruct out of enough, is that empires self-destruct out of

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House.
His remarks will appear hereafter in the Extensions of Remarks.)

THE TRUE MEANING OF MEMORIAL DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FOSSELLA) is recognized for 5 minutes.

(Mr. FOSSELLA addressed the House.
Her remarks will appear hereafter in the Extensions of Remarks.)

CONGRESSIONAL RECORD - HOUSE H3745
June 7, 1999

REPORT ON CONFERENCE ON MENTAL HEALTH ISSUES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.
Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to join my colleague, the gentlewoman from California (Mrs. CAPPs) and acknowledge that today we had a very momentous day. It was the first conference held by the White House on mental health and mental health issues.

I had the pleasure of cochairing the children's mental health segment, and I will tell you, Mr. Speaker, that we have opened a new day. I was very pleased to meet Dr. Schnee from Harris County, Judge Eric Andell and Gerald Womack. Dr. Schnee and Gerald Womack were representing the MHHRA, Mental Health and Mental Retardation Agency for the County of Harris.

It is very interesting to note that crises bring about ideas and collaboration. I would hope that that was not the case, but I think the fact that we have been given the opportunity now to seize this moment, that we should begin to fight mental health issues in a way that we provide more resources, more insight and action.

In our session we found many interesting solutions were made, and I would like to share some of those with you. One, we need to collaborate more, from the Department of Education, to Health and Human Resources, to the Department of Justice, but as well we need to collaborate with local and State government. All of us need to be concerned about providing more mental health services and more services to the American public.

We must fight against stigma. We must ensure in particular that our children who have been receiving special education do find that special education, albeit it is a very good program, it is not the only way out, that our children have access to the needed mental health services that they may need to have.

We heard from Sue, an adoptive parent, who had 22 children. She asked us, do not leave out the parent. Provide the holistic approach where the parents can be included, so that children who are troubled with behavioral problems will be able to have a supportive home system.

We have found that 60 percent of the teenagers in juvenile detention have behavioral, mental or emotional problems. We are finding a large number of our teenagers have attempted suicide or committed suicide. This is particularly prevalent in all of our various racial and ethnic groups, and particularly in groups that we were told, are immigrant groups, like the Pacific Asian population who are facing deportation. If, as a juvenile, they have committed a offense and were being taken to a juvenile center, they have the potential now under the 1996 immigration law to be deported.

We are finding in youth who are gay and they are often being attacked as being different, and therefore have a high degree of suicide. No group should be left out, no group should be stigmatized.

We also determined that there are not enough child psychiatrists in our Nation. One community, one large county, had one half-time child psychiatrist. When they were referring children to get services, they went to all the doctors. We can only take care of children ages 5 to 9. We do not have any services for children under 5 years old." It is well-known in the study of the brain that there is a great impact on babies, 0 to 3, and in fact that the fact that the ability to diagnose mental illness now and to do so by determining the brain's illnesses, if you will, so that we should not leave anyone out.

We also found out unfortunately that with HMOs we have had less care as it relates to mental illness. There has not been a continuum of care. If a pediatrician sees a child that is troubled and refers that child to a psychologist or psychiatrist for help, with the parents' consent, the HMO willy-nilly may decide to change and not allow the continuum of care, and therefore that child breaks the cycle of care with that psychologist, tells me that it is now time to pass the Patients' Bill of Rights. It is now time to ensure that there is a continuum of care and to realize that HMOs must serve us and we not serve them.

A parent from Indiana said we must stop forcing parents to hit their heads against a brick wall, to provide services for them that they can reach out to, that they can get to. It is all right to say you are here across town and you cannot get a bus or train or cannot get the resources to get them to that.

Then we must realize that the resources that parents have, that people of all economic levels have, must be consistent, so that Medicaid goes only to the cardholder and you are a cardholder and have Medicaid, you may not be able to provide the kind of care you need for your child, or vice versa.

TIME TO PASS COMMONSENSE GUN SAFETY LEGISLATION

Mr. Speaker, let me say that this was an eye-opening day. I will be offering a piece of legislation, Give a Kid a Chance omnibus mental health legislation for our children of America. It is time to get to work. It is time to pass good health care and good mental health care.

I want to congratulate my colleague, the gentlewoman from Texas (Ms. JACKSON-LEE) and my colleague from California who spoke earlier about the White House Conference on Mental Health.

I had the honor to participate in that event as well today, and just very, very quickly, I think it is clear that we need to focus on the issue of mental health. It is so critical in our society.

One, we cannot divorce the head from the rest of the body. We need to have the recognition that mental illness is an illness like other physical illnesses that people have. We need to destigmatize it.

We need to provide, most essentially, health care. It is not the only way out, that insurance coverage for physical illnesses. There needs to be parity for mental illnesses. We should consider that good mental health is good public health, and we need to promote that effort. So I compliment my colleague on her comments.

Mr. Speaker, this evening I am pleased to join with other colleagues, because we recognize that this is an important week for this Congress. Two weeks ago the United States Senate did the right thing. It is now time for the House of Representatives to do the right thing. That is to pass gun safety legislation for children in our country. Thirty children every single day are injured by guns in this country. In comparison, there was an interesting statistic, that we lose one police officer every other day. That means it is more dangerous to be a child in America than it is to be a law enforcement officer. That is wrong. We need to pass commonsense gun safety laws in order to protect the children in this country.

Democrats in this body are a minority. We need votes from Republicans, from the other side of the aisle, to pass any piece of legislation. I believe that the vast majority of the people of this body will vote for commonsense gun safety legislation to protect our youngers. We need 20 percent of our Republican colleagues in the House to say no to their leadership and to join us to try to do the right thing.

We can in fact pass strong bipartisan gun safety legislation for children in this body. That has been the historical past. In 1995 with the Brady Bill, with an assault weapons ban, these pieces of legislation happened because thoughtful, reflective people came together on both sides of the aisle to say that this makes sense for our country. We have the opportunity to do that again this week. I happen to believe that American families and American children are counting on us to do our jobs.

What we have seen in the last couple of weeks, there were a number of us who wanted to try to pass this legislation before we left for the Memorial Day break, but we knew that we needed to come back to have hearings, that there needed to be a more thoughtful approach to how we dealt with this.
What has happened in the interim, and I think it is important to note this, unfortunately, the National Rifle Association, they asked for this delay and they received a two-week delay from the Republican leadership in this House.

That was designed to give the NRA time to generate a campaign of fear in an attempt to influence this vote, to water down the provisions that were passed by the United States Senate around which there was agreement that these were good pieces that everyone could agree to.

The NRA has generated that campaign of fear. That is what they have been doing. I just want to read briefly from a letter that was sent out over the weekend from the NRA. It is an astounding example of big money propaganda, but it has little relationship to the truth.

If I can just read one or two excerpts, and I quote, “What the Clinton-Gore-Lautenberg legislation would do is to impose a cradle-to-grave massive Federal regulatory scheme on gun owners throughout America, and that is no exaggeration.”

The second item, this legislation, “It gives the Federal Government open-ended authority to issue phone-book sized volumes of new Federal red tape on Americans who buy and sell firearms. It gives the Federal Government authority to keep names and addresses of citizens in FBI files, even after they are cleared as honest people entitled to buy firearms. It imposes virtually unlimited Federal fees across the board, whether you are selling guns, buying guns, or organizing or attending a gun show.”

The final item, again I quote, “None of this has a thing to do with the Littleton or Georgia school attacks or any violent crime anywhere in America. It has everything to do with an attempt to and the erosion of your Second Amendment freedoms to dismantle the Second Amendment, one step at a time.”

That they could comment to say that the Nation has not focused its mind, hearts, and energy on what happened in Littleton, Colorado, or in Conyers, Georgia, this is mind-boggling. They say it has nothing to do with this event. It has nothing to do with Georgia?

I say, I do not understand where these people come from. This has everything to do with Littleton, Colorado, and with Conyers, Georgia. This has everything to do with parents who today are afraid to send their children to schools. They are afraid of utilizing what has been the route to opportunity and success in this country, the classroom, the schoolroom.

I heard a fifth-grader last night in Orange, Connecticut, say that schools used to be the safest place to be. She, this little mite of a person, was reading her little statement at a town meeting, and she said, “I have had to ask myself and ask my classmates whether or not this could happen in my school. And I have to answer that yes. And it makes me sad and it makes me afraid.”

All we are asking for in this body, again, on this side of the aisle, is let us pay attention to the hue and cry of the American people to try to do something to bring some sense out of fear and some sense out of chaos. Parents and teachers are pleading with us to respond. We are in the midst of a national crisis.

Frankly, in my view there is no need for this kind of propaganda where the safety of our kids is concerned. We do not need to be engaged in hyperbole. We need to be very careful about this issue. We need to be thoughtful and reflective about this issue.

Our message to the NRA is that this is the people’s House. This is not their House. The American people desperately want to see gun safety legislation for their children and they, and those of us who are charged with the responsibility of bringing their voices to this people’s House have an obligation to try to do the will of the public. We should heed their voices this week.

And am optimistic that we will pass good gun safety legislation, because while the NRA was generating this campaign over the last few weeks, there was another campaign that was going on in this country, a campaign by moms and dads, and teachers and grandparents, a grass roots campaign in America, people writing, calling, and having town meetings like the one that I went to last night on a beautiful Sunday evening, to be vestigial, in Orange, Connecticut; 200 people willing to sit for almost 3 hours to express their views on how we try to deal with youth violence in this country.

Everywhere that I go these days people come up and ask me, what is Congress doing to try to address this issue of gun violence? I went to a meeting where I was talking about social security and Medicare, and a woman stopped me as I was leaving. She grabbed my arm and said to me, “Rosa, she says, you are going back to Congress next week. Is there anything that is going to be done about the violence? She says, can you do something about gun legislation?”

She says, I have two grandchildren. Both of them were forced to leave school 2 weeks ago because they had to be evacuated out of school in Indiana. She lives in Connecticut, her grandchildren were evacuated to death because these kids had to be evacuated from their classroom because of the fear that is out there.

I remember reading a story in the wake of the Littleton shooting where a Colorado grandmother had that her 5-year-old asked him, and I quote, “Dad, are they just shooting the big kids, or are they shooting the little kids, too?” Do we want to live in a country where 5-year-olds in ask questions like to try 5-year-olds should be learning the ABCs. They should be playing outside at recess. They should not be worrying about gun violence.

I view this week as a test for this institution as to whether or not we have the courage to act. We have a chance to make such a difference in peoples’ lives, to do the right thing, to allay some of those fears of parents, to begin to make a difference in keeping guns out of the hands of the wrong people. But it must be a real deal, commonsense gun safety legislation, not watered-down legislation that is filled with loopholes.

We could make some very small changes in our laws that could make a big difference in people’s lives: Close the gun show loophole and apply the Brady background checks at gun shows, require child safety locks to be sold with every gun, raise the eligibility age for owning a firearm from 18 to 21, and ban the sale of high capacity ammunition clips.

The issue of youth violence is not an easy one. It is a complex one. We need to have parents take greater responsibility for their children. We need the entertainment industry to take responsibility for its products. We need to ensure that our children have access to the mental health care that they need, that we talked about today at this conference.

But we must also curb our children’s access to guns. We should pass this commonsense gun safety legislation this week. The American people believe we are depending on us.

Mr. Speaker, the gentlewoman from New York (Mrs. McCarthy) is someone who is truly a leader in this House of Representatives on this issue, someone for whom we have in this body, all of us, a tremendous amount of admiration; a woman who has demonstrated such unbelievable courage in the face of tragedy in her own life, who has taken on this issue of gun safety, and taken her own personal experience and turned it in a way to drive energy and vision and inspiration to trying to bring some sense to this issue of gun safety.

Mr. Speaker, I yield to my colleague, the gentlewoman from New York (Mrs. Carolyn McCarthy).

Mrs. McCarthy of New York. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, my good colleague, the gentlewoman from Connecticut, mentioned that I came here to Congress to try and make a difference in people’s lives. Six years ago I used to work in my garden a lot. I worked as a nurse. My husband and I used to go skiing in the winter, and my son was starting a new job. Then, on December 7th, Pearl Harbor Day, an incident happened on Long Island which certainly affected my life and many lives on Long Island.

That day I lost my husband. That day my son almost died, and my world became upside down. It is almost 6 years now, and I take this issue of gun safety very, very personally because, as my son started to
recovered, he said, “Mom, what is going on out there? Why are people shooting each other?” It was at that point that I vowed that I would try and make a difference. It was at that point that I vowed that, if I could save one family going through what we on Long Island went through, then that would be my job.

As a nurse, I have always looked at things as holistic. I have always looked at things as common sense. I said, well, obviously we have just got to teach our story. We have just got to reach out to the American people and say, listen, we can make a difference out here. We can save people’s lives. Never once did I ever think of taking away the right of someone to own a gun that never came into my mind.

But there was more that we could do to make sure that criminals did not get their guns. There was more that we could do so that children did not accidentally find a gun and use it. There was more that we could do to save families from going through the pain that we all did.

Then in 1996, my Representative decided to vote to repeal the assault weapons bill. But what people did not realize is that we fought hard to make sure that large capacity clips could not be used in this country. People said, well, that would not have made any difference in the Long Island railroad shooting. It would not have helped my husband, and it would not have helped my son, and it would not have helped the people in the beginning of the car.

But I would have to say it would have helped three young people on the other end of the car because Colin Ferguson used a clip that had 15 bullets in it. He was able to get two clips off before courageous people were able to tackle him. With the assault weapons bill, we brought that down to 10 bullets a clip. I will be very honest with my colleagues, I did not know enough about guns, I did not know enough about what was going on out there. But one of the things I did find out from asking my hunters, “Do you use these large capacity clips? Do you use these to go hunting?” They said “Oh, absolutely not. You are not allowed to. You have to be a sportsman.” I said, “Well let me get this right. Large capacity clips, people can buy them up to 15, 30, sometimes 60, sometimes 90 clips in one round. If we see the animal in the forest, we will give the birds a better chance than a human being.”

I could not understand that. Why did we have to fight so hard to get it down to 10 clips? Colin Ferguson did not miss one person with the bullets that he used. If we had had that law passed then, maybe three young people on the other end of the train would have survived. We do not know. Because the good news is, once the law was passed, we do not have a count on how many people we saved because we do not have a statistic anymore.

But I remember that debate back then, because I was part of it. I remem-

ber the NRA leadership at that time saying this is the slippery road. We are going to take away the right of everyone to own a gun. That has not happened. That was back in 1994. Now here we are in 1999. We have had eight shootings in our schools. We have lost too many children and too many were wounded.

We should be focusing on so many different issues. The gentlewoman from Texas (Ms. JACKSON-LEE) talked about the rental property, the rented gun. I can tell you, my colleagues that is something that we have to work with especially in our schools. Our children seem to be under so much pressure today. We have a lot of things that we can work on together, working with the parents, working with the schools, working with our community police to try and stop these tragedies. But people are forgetting because they do not make the newspapers. When we lose 13 young people a day, that is a Littleton every single day. What I would have to say is, but one of the things that upsets me, again, the NRA leadership. I keep saying the word “leadership” for a reason, because I have a lot of NRA members in my district. I talked to them, and I said: “This is what we are trying to do. Do you see anything wrong with this? Is there anything wrong with a child safety lock?” They said, “CAROLYN, we already store our guns correctly. We take those precautions.” Do my colleagues know what, almost every gun hunter does.

We are not concerned about those that actually know how to store their guns, but we have so many people today that just go out and buy a gun, do not learn how to use it, bring it home, and leave it in the home. That is inviting disaster. That is inviting disaster.

What are we trying to do is modest, and they will say, the NRA leadership, no, that is not the case, this is turning our children’s life. I have heard this debate for so long, and, yet, when I look at other countries, other countries that do not have the killings like we do, they have the same social problems as we do, they have drug problems, they have alcohol problems, they have mental health problems, and yet they are not losing over 30,000 people a year or they are not losing over 5,000 children under the age of 18 every single year.

The NRA leadership is going to come into this committee and water down those modest bills that were passed. Child safety locks. Closing the loopholes in our shows, our gun shows. Yet, if my colleagues listen to the NRA leadership, and unfortunately so many of their members will read this and get scared, they will get scared because they will say they are trying to take away my right to own a gun, this is not the case. We are trying to be passed, hopefully this week, that will take away the right of a legal citizen, a legal person to buy a gun.

Will there be some inconveniences? Yes, there will be. But do my colleagues know what? Again, talking to gun owners, women gun owners, men gun owners, they are willing to take that inconvenience if it can save a child’s life, if it can save someone’s life.

We see statistics that gun violence has come down in this country as far as homicides. What no one talks about is what it is costing this health care system, because medical technology, the doctors, are saving people. That is not a statistic.

My son is a statistic. He survived. He was not supposed to live. But there is no count on him and what it has cost this country to get him where he is today, and the struggles that he has to go through on a daily basis to keep what he has worked so hard to get.

People do not realize, when someone is injured as severely as Kevin was, he has to have physical therapy three times a week. He has to work every single day. He is one person. Multiply that by all the accidents and certainly intentional shootings that happen in this country on a daily basis.

We have estimates from $2 billion to $3 billion a year that it is costing our health care system, $2 billion to $3 billion a year. Gosh what we could do with that money. Gosh, we could push that into education. We could put that into our health care system. We could help our senior citizens. We could help our veterans. Yet, they do not want us to do anything.

There are many Members here, good Members that are petrified of the NRA leadership, and they should be. They should be.

What I am asking the American people, what I am asking every mother, every father, we need to hear from your voice starting now and going through until we get good legislation passed that could hopefully save a child’s life, hopefully save a family from going through the grief that so many families go through, because I have to tell everyone I think, there are so many of us as victims that have been fighting so long, this, many victims behind me, and the reason we got involved is because we did not want another family to go through this.
That is my job. That is why I am here. It is a job that I would love to be able to finish and go home to my garden, go home and maybe have some time to go skiing. But until that job is done, I am going to stay here, and I am going to fight tooth and nail, because that is what the people of my area voted me in for.

We have a long way to go. I am asking those Members that I know will have a tough time to stand up. But if the American people do not stand with them, we are going to have too many Members here that are going to be afraid to vote on legislation that could save lives.

Let us have a chance for a change, let us try and do the right thing for a change, let us see if we can do common sense legislation and maybe, and this is the good news, maybe we will see a drop, even more so in homicide. Maybe we will see a drop in suicides in our young people. Maybe we will see accidents dropped even more.

But it will be amazing if we see a drop in the amount of money that is spent on health care on a daily basis for those that are surviving. We have an opportunity here. We have a moral obligation on the other end of this Congress to have to stand up and stand together. But, again, the American people on a grassroots front have to have their voices heard, because I will tell them, the NRA leadership will win again; and what Americans will actually be the losers.

I thank my colleagues for taking this stand. I thank them for standing with us to try and make a difference.

Ms. DELAURO. Mr. Speaker, I want to express my thanks to the gentlewoman from Texas. We thank her for her courage, we thank her for her optimism. She is truly an inspiration for all of us. And what she has said, too, and I know my other colleagues here tonight believe, as she does, that the American people will stand tall with us. They have to know we are willing to take that first step, and I believe that they will be with us.

I want the gentlewoman to know that she gives us all really great courage to try to do the right thing and we thank her so very much.

The gentlewoman also said one thing about inconvenience, and it will be an inconvenience in the same way that seat belts are an inconvenience in this country, the same way that metal detectors at airports are an inconvenience. But they happen to save lives, and so we swallow hard or we get annoyed, but we buckle up and we take whatever jewelry or change out of our pockets and we go through those metal detectors because it does make a difference.

I thank the gentlewoman for making a difference.

I would now like to recognize the gentlewoman from Texas (Ms. JACKSON-LEE). And as part of this debate and as part of this discussion, because some of us who are here tonight have been the subject of commentary that would say that the only thing that we believe as part of the issue of youth violence is gun legislation, and that is so totally not the case. There are a number of other things that I mentioned as a part of the mental health conference today and precisely there because there is an unbelievable need in our schools to integrate mental health services for our youngsters.

That is part of the puzzle. That is so much a part of this puzzle of youth violence, of engaging teachers and administrators and law enforcement people to understand and to recognize signs of difficulty that students may be having and to help them to get the services that they need. And I know my colleague from Texas is a big proponent of that effort in the same way that she is a proponent of trying to do something about gun safety legislation in this country. We are not one-dimensional people on the floor of this House tonight.

And so I yield to my colleague from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from Connecticut for her leadership and for the really smart and determined approach to the challenge that we have before us, allowing us to hear from the gentlewoman from New York (Mrs. McCARTHY), a person who does not wait and although she has been a victim. She is a surviving victim who lost her husband and saw her son fight for his life. But I think what we have seen this evening is persistence.

I spoke yesterday to a group of graduates, and I challenged them at the Morning Star Full Gospel Baptist Church as to whether or not they were a part of the membership or the movement. Many times Members of Congress have been involved in a movement. In fact, some would argue that that is not a good forum to legislate, being in a movement, because it suggests that we only hear one side, that we are so single-visioned or tunnel-visioned that we cannot see all shapes and sizes.

But I think we have cause now to be in a movement around an issue that needs the energy of a collective group of individuals, Republicans and Democrats to pass this legislation. Not because we have tunnel vision, because we do not want to look back over our shoulders and see any more violence that we might have prevented, such as that at Columbine High School, Littleton, Colorado; Georgia, Jone Elementary, Pennsylvania, and other places unnamed.

My colleagues are right. I think it is important for the American people to realize that we are not one-dimensional. And I mentioned the legislation, Give a Kid a Chance, the omnibus mental health services bill. And I am looking at it now, and it is 18 pages. We are not one-dimensional. There is a need for comprehensive mental health services for children. There is a need for the entertainment industry to be responsible.

I believe, as I see my colleague here from New York, that there is a need for us to be in a movement. And why is there a need for us to be in a movement? Because I believe that what I hear from the gentlewoman who saw John F. Kennedy shot dead with a gun, the same generation that saw Robert Kennedy shot dead with a gun, and then saw Martin Luther King shot dead with a gun. Yet I would say to my colleagues on the second amendment, as my friends in the National Rifle Association suggest that we have done.

I did, as a council member, pass gun safety and responsibility legislation, holding adults responsible for not putting away their guns. And we saw a 50 percent drop in accidental shootings by children. Not one hunter in the State of Texas was prohibited from using his or her gun.

And yesterday, again in another speech before the State Department of Corrections in Texas, I challenged my fellow Texans. I said, I know we are known to love our guns here. I might have been on foreign ground, I said, but it is important for me to say to my fellow Texans that we in Congress are not taking away anyone's guns. We are not dismantling the Second Amendment. The Senate bill, the provisions that were passed and that will hopefully be passed in this House if we are part of a movement, has nothing to do with anyone's love and admiration for guns, anyone's gun collection, antique gun collection. What it has to do with is saving lives.

I am really tired of hearing "guns don't kill, people do." But people take guns and kill, and they do it dangerously, and they do it criminally. It, they do it criminally, but they also do it accidentally. They do it by way of the fact that there are 260 million guns in this country, even more than people in the United States, and children get guns. And I believe it is now imperative that we become part of movement.

I would almost say to the gentlewoman from Connecticut that we appear on this floor every single day and that we reach out to those who would come by train or bus, or however we do this, to be part of a movement, because I believe if we lose this time, all the work that I may do, that we may do collectively on mental health, with the entertainment industry, working with parents and teachers and providing more school counselors, which many of my colleagues have been involved in, along with the gentlewoman from Connecticut; people like the gentleman from California (Mr. MILLER), so instrumental; the gentleman from Wisconsin (Mr. OBEY); the gentleman from New York (Mr. BONITAS); the gentleman from Texas (Mr. FROST), my colleague, we could call the role.

So many of our colleagues on the other side of the aisle have worked on...
so many issues that I take great offense at hearing the term “tunnel vision” when there are so many things we are working on. But if we do not get to the gun issue, we are going to lose it and the multiple ammunition clip that was proposed. Yes, it is something we did something back in 1993, but we left out all the used and secondhand ammunition clips that are still in the cycle of commerce.

I just want to share with my colleagues, as I respond to a few points, and I move toward completing, something about this thing called blindness to the fact that we have so many guns. Speaking to an undercover agent of the Alcohol, Tobacco and Firearms Agency, and I spent a good few hours with the gentleman, he said he can buy guns on almost every street corner. Of course, they only have about 2,000 agents. Not enough to do the job we need them to do.

But I ran into one lady, and I said, “I’m going east to shoot a police officer.” And this is not something I would like to say, but she sold him a gun and she said, “By the way, if you’re going to do that, why don’t you take a silencer. Make your job better. And if you get caught, don’t remember my name.”

This is someone purchasing a gun out of the back of a station wagon, someone’s so-called personal collection. And that is the reason why we need regulation of our gun shows and the need to ensure there are instant gun checks, because probably if that person was not an undercover agent, as he was, an instant gun check might be able to find out that that is a criminal trying to do criminal acts. But we have refused to do that.

And, yes, my colleague indicated that a week or so ago the Subcommittee on Crime of the Committee on the Judiciary, of which I am a member, in order to pass this legislation. I hope they were serious. I hope the chairman was serious about that hearing, because what that means is we should be prepared to mark up this legislation.

And we had representation, in trying to fair, from the National Rifle Association. And, frankly, I am glad we did. I do not want anyone to suggest that in this movement that we have here on the floor of the House that we are not listening to everyone’s claims in opposition. And, boy, did they have an opposition.

The National Rifle Association thought almost everything we proposed was wrong. Unfortunately, they did not see the value in ensuring that guns should be kept out of the hands of children, that we should require people to have their guns locked up, that we should close the loophole on the gun show sales.

I would like to share with my colleagues briefly some of the things they believe, and they are sending out to their members, although I know a Captain Spivey of Harris County, a National Rifle Association member, and he stands with me, a constable, a police officer, and says, “You are right. Pass those laws. I am with you, and I am an NRA member.”

I wonder how many members of the NRA would step away from their leadership and stand with us. Listen to some of these points that they are saying that our bill will do.

The President, or Executive Director Wayne LaPierre, says that our legislation will prevent your law-abiding son from inheriting his grandpa’s shotgun collection.” Our bill deals with selling them at events, not inheriting the legacy of someone’s grandfather or father, their beautiful gun collection. That is not true.

“Considers legal guns in private hands subject to intrusive Federal regulation, even in the privacy of your own home.” I will stand here tonight and every night to say that we do nothing to go into an individual’s home and take their guns. There is no one knocking on doors and asking people to dispose of all their guns. This is not true.

So I would simply say to my friends in the National Rifle Association, wasn’t it Rousseau like Michael, and I am reading a letter a letter from the National Rifle Association to Dear Michael. “In the next 2 weeks your Congressman, Congresswoman is going to cast the most critical gun vote in over 5 years.”

They name a few Senators. They throw the names of Bill Clinton and Al Gore. In this letter to suggest that this is wrong. They lump in every gun ban group in America, saying they are all lumped together. Then they say, “Don’t let anyone tell you the vote that is going to take place in the House is about instant gun checks at gun shows. That is the party line, but don’t buy it.”

“What this legislation is about is, it will impose a cradle-to-grave massive Federal regulatory scheme on gun owners throughout America. And that is no exaggeration.”

They tell their readers to read a fax sheet, and they say, “We cannot beat this without you. But if you help now, it will be enough to win. The great thing is, that when you get your letter call, when you write, and when you get your views heard, you have an enormous power, Michael. If you help us today, you can beat the national media, The New York Times, The Washington Post, and all the editors of the Second Amendment who would dismantle the foundation of freedom in this country, brick by brick.”

I love the Bill of Rights. We did a lot with it in this last session in the Committee on the Judiciary. We held the Constitution in our hands a lot in dealing with impeachment. But I would simply say to my colleagues that I would hope that we in America are better than this letter. I really hope we understand what the second amendment is all about. I hope we understand the First Amendment, the Bill of Rights, and I hope we understand the Declaration of Independence, that we are Americans.

I hope the National Rifle Association and its leadership will become part of a movement that says we count our children first. And that movement is to promote and care and love our children, that we are not putting our guns away to block our use of them and to strip us of the Second Amendment; we are putting our guns away to protect our children and give them a future and help them to have children and grandchildren.

I think we need to be in this movement. My commitment is to join my colleagues as many times as we have to, to come to this floor and say that we will pass this legislation. And it will also be my commitment to address any member of the National Rifle Association with a cool head, warm heart, reasoned mind and ask them to join me to ensure that letters like this, scaring decent Americans, this country that love peace and freedom, should say what is really right: that they will join us and do the right thing.

I thank the gentlewoman for allowing me to share with her. I also hope that we will pass all the mental health legislation and all the regulations, if you will, fair regulations, on violence to our children in the media, fair, keeping in mind the First Amendment.

I hope we will also work with law enforcement, everyone. But at the same time, we cannot ignore this crucial time now to pass gun legislation that will protect us now and in the future.

I thank the gentlewoman for her leadership and her time.

As the Speaker, I thank the gentlewoman from Texas (Ms. Jackson-Lee) for her eloquent words and for her leadership and for pointing out so clearly that the document from which she quoted in fact is a fund-raising letter. It is a letter prone to hyperbole in order, in fact, to scare people. It is a campaign of fear. It is a campaign of rhetoric.

I, too, hope and believe that there are people out there even who receive that letter who understand that there is far more to this than about the necessity for safety and gun safety legislation. That they will understand the hyperbole, understand the rhetoric, but also understand that they are caring people, and think about the safety of their families, what they do, and what they do.

It gives me great pleasure to yield to the gentlewoman from New York (Mrs. Lowey). And I want to continue to emphasize the point that those of us who share heated views, are not one-dimensional. We do not react to this issue of youth violence in a cavalier or knee-jerk way that says that the only resolve is gun legislation.
The gentlewoman from New York (Mrs. LOWEY) has spent her career fighting for lowering the blood alcohol level to lower the incidence of drunk driving. She works tirelessly on promoting after-school programs in our schools, knowing that young people have a place to go and a place to be during those hours where the greatest amount of crime occurs. She has spent time talking about lessening the size of our classrooms for safety and accountability in education and educating after-school tutors so that they can, in fact, achieve their desires and their dreams.

So as part of what she does on a daily basis to understand the complexity of the problem and knowing that we have to move on all of these areas, including the gun safety issue, I yield to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I thank my friend the gentlewoman from Connecticut (Ms. DELAURO) for this special order this evening. It is truly an honor for me to spend some time with her and my good friend the gentlewoman from New York (Ms. CAROLYN MCCARTHY) and the gentlewoman from Texas (Ms. SHEILA JACKSON-LEE) to talk about this very important legislation.

And I am very glad that she mentioned that we work together on just a whole range of issues, education, health care, and we know that we have to address the violence in our society in just so many different ways, and my colleagues talked about it this evening, that this is not the only answer.

But as I talk to people in my district, as I talk to the mothers, the fathers, the children who are afraid to go to school, I realize there is a madness in this country and we have to work on doing something about the guns.

My colleagues and I have talked about this issue and it was when we were in elementary school. I do remember, a long time ago, when Ms. Margot in first grade would get upset when someone was chewing bubble gum and she would leave the classroom. These kids are going to school and worried about whether someone has a gun. This is madness. And so, as a grandmother and a mother, I feel it a personal obligation to represent all these families across America.

Every once in a while in our congressional career we feel that there is an urgency to do something and to do it now. I think of the pain of the gentlewoman from New York (Ms. CAROLYN McCARTHY) when she lost her husband, the pain of the gentlewoman from New York as she watches her son Kevin leave the classroom. These kids are in first grade would get upset when the desk. And then they tell me that the kids are afraid to go to school. This battle is over the safety of our children at home, in our schools, on the playground, and it is a cause worth fighting for.

Mr. Speaker, we cannot back down in this war when we were in elementary school. I do remember, a long time ago, when Ms. Margot in first grade would get upset when someone was chewing bubble gum and leave the classroom. These kids are going to school and worried about whether someone has a gun. This is madness. And so, as a grandmother and a mother, I feel it a personal obligation to represent all these families across America.

I cannot tell my colleagues how many people came up to me during this recent work period in our district and said, ‘Could you refer them to something? You were elected to do something? Nita, I know you are a leader on modernizing our schools. I know you want to put computers on everyone’s desk.’ And then they tell me that the kids are afraid to go to school. We are going to continue to make sure that we have after-school programs to tutor our youngsters to provide them with the academic support they need so they can be what they want to be, to fly for the sky and fulfill their dreams. But they are afraid to go to school. These kids have to go to school with gun detectors. This is madness.

And we know we have to look at the whole picture, as my colleague mentioned. We really have to talk about why it has become such a violent culture, why the kids have to watch these violent episodes on TV and the movies and the Internet. We understand, as my colleague said, that this is not a one-dimensional issue.

But there is a madness in this country. They should not be able to buy guns when they are a kid. I mean, how is it that they cannot go to a licensed gun dealer and buy they are 21 yet they can buy a gun from a secondhand dealer at a gun show? It does not make any sense.

But we are not even talking now about the comprehensive bill of the gentlewoman from New York (Mrs. CAROLYN MCCARTHY). We want to work on that. What we are saying is the Senate passed common sense legislation. No one should be celebrating that. Because unless it passes our House and goes to the President, it is not law.

So let us make sure that we pass the common sense legislation that passed the Senate. And as we are doing that, let us talk about the larger issue and pass a more comprehensive legislation.

But let us not wait.

And I know that my colleague and I and the gentlewoman from New York (Ms. CAROLYN McCARTHY) and the gentlewoman from Texas (Ms. JACKSON-LEE) and other members of this body are going to be speaking to mothers and fathers and families all around the country. And I hope they are listening tonight. Call your member of Congress. Tell them to pass the legislation now. We have the power to do it. We can do it. We must do it. We must save lives. Let us do this now.

I want to thank my friend and colleague the gentlewoman from Connecticut (Ms. DELAURO) for her leadership on just so many issues. I know how she cares about Head Start and pre-K and how she is fighting to make sure our young people are nurtured all the way through, and this is part of that great effort. Let us deal with this now.

I thank my colleague again for leading us in this great effort.

Ms. DELAURO. Mr. Speaker, I thank the gentlewoman from New York (Mrs. LOWEY) for her comments. And I just highlight something that she said, which is the wonder of the body that we serve in and what can be done. She said that every now and again in our congressional career comes a moment where we have an opportunity to make a difference. To do something.

Thirteen children dying every single day from gun violence is a national crisis. The kinds of unspeakable violence we have seen in school settings across
the country, the pleas from parents and grandparents, from children, to make our schools safe places to be in says to those of us who hold a public office we need to act and to move to try to help us with this problem.

We cannot be so fixed on our own agenda, in our own schedule, in everything that only we concern ourselves with to say we cannot change what it is that we do here so that we can meet this challenge, meet this need, take this opportunity to say, yes, we can act and that is in the interest of the American public. And that is all we are talking about. We have this opportunity this week. We would be derelict in the responsibility that we have been entrusted with if we walk away from that responsibility.

And again, my colleague said it, the Senate passed modest legislation, legislation that has consensus from the gun industry, from the sports councils, from others. Our duty and obligation is to pass that kind of legislation in this body.

I thank the gentlewoman and I thank my colleagues for joining us tonight.

Mr. Speaker, it is my contention that when the administration got a preliminary view of the Cox Committee report in early January, in fact we gave it to the administration sometime around January 2nd or 3rd, they got a chance to see a document that nine of us, Democrats and Republicans, had worked on together for 7 months in a very nonpartisan way. We did not care where problems had occurred, in which administrations they were in. If we saw evidence of those problems potentially or potentially harmed, we laid the facts basically where they were. We did not attempt to spin them or distort them or attempt to have them be other than what they in fact were. We did that because we wanted to have the integrity of our report kept intact once it was completed. No member of the Cox Committee released any information to the media. We swore to our colleagues those recollections in fact jeopardize our findings. We gave it to the White House the first week of January and we asked for a very quick response to assist us in making that report available in a declassified version so the American people and our colleagues could read it and talk about it. As we all know, that took 5 months. But what gave me the first indication that this report was going to be spun completely differently was when later, in February. In fact it was February the 1st. Sandy Berger, the National Security Adviser to the White House, issued a statement that I have a copy of to selective members of the Washington media, essentially the 34 recommendations that we made in our Cox Committee report that were still classified. Without asking any member of the Cox Committee, Sandy Berger released the White House's spin in response to those recommendations.

Two days after he released that spin, I had the occasion of asking the Director of Central Intelligence, George Tenet, in a closed National Security Committee meeting of both parties if he agreed as the head of the CIA with our findings that our security had been harmed. Now, Mr. Speaker, this was 2 days after Sandy Berger released public information about our still classified report. George Tenet said, “Congressman, we at the CIA haven't finished reading the document yet.” Which meant, Mr. Speaker, that the White House, before the CIA had even completed reading the report, had publicly to try to deflect attention away from the White House and any responsibility of this administration. That is not what the nine members of the Cox Committee did and that is not the approach the White House took. Yet that was my first inclination that this White House was not going to deal in an honorable way with the findings and the conclusions that we drew from our extensive research into the results of the transfer of technology both legally and illegally to China.

Mr. Speaker, that spin continues today. Since the report was released some 2 weeks ago, the administration has sent Bill Richardson, a friend of mine whom I served with in this body, out on a road show traveling around the country convincing the American people that the only issue in the Cox report was the design of the W-88 nuclear warhead, the stealing of our nuclear design technology. And the reason why the White House has wanted to spin the Cox Commission report in this way is because they can point to the stuff that had occurred before the Clinton administration took office. So what Richardson has been saying publicly, on national TV shows, on the talk shows on Sunday mornings, “Look, when this administration in 1995 found out that China had stolen some of our designs, prior to us coming into office, we took aggressive steps to stop it.” These problems didn’t happen under the Clinton administration. They happened under previous administrations.

I am here tonight, Mr. Speaker, to challenge that notion and to offer to debate Secretary Richardson anytime anywhere in a public format on the issues that I am about to unveil.

First of all, Mr. Speaker, though the Cox Committee report did not just focus on the nuclear laboratories and their security, let us talk about the labs for a few moments, because if you listen to Secretary Richardson traveling around the country, he would have us believe that the only problems with the labs were problems that started under previous administrations which he has now cleaned up. That is hogwash, Mr. Speaker. Let us look at the facts.

Mr. Speaker, it was in 1993 and 1994 when Hazel O’Leary was appointed to be the Secretary of Energy by President Bill Clinton that she decided that the color-coded ID system used in our Department of Energy labs which said based upon the color of the chain you wore around your neck, you would only be allowed access to certain parts of our laboratories. It was the way that we kept people out of illegally accessing information that they did not have the proper clearance for. When Hazel O’Leary came into office, this long established practice that had been under previous administrations, Republican and Democratic, was overturned because she thought that it was too cumbersome. So what happened, Mr. Speaker, was in 1993 and 1994, the Clinton administration did away with that identification process which made it almost impossible for the lab directors and others to know whether or not a person was in a correct area of a lab gathering information and access to data that they should not have had.

Now, Mr. Speaker, if that was a good decision back in 1993 and 1994 which the President would say was the case, then did this administration 2 weeks ago move to reinstate the policy that Hazel O’Leary did away with in 1993 and 1994? If it was good back in

2030

NATIONAL SECURITY

The SPEAKER pro tempore (Mr. GREEN of Wisconsin). Under the Speaker’s announcement of business on January 6, 1999, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 60 minutes as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise tonight to talk to our colleagues about what I think is one of the gravest issues to face this Nation, certainly in the 13 years that I have had the honor of serving in this body.

I come before our colleagues, Mr. Speaker, as a member of the Republican Party but as someone who believes that national security issues rise above party politics. I am very proud of the fact, Mr. Speaker, that both times I ran for mayor of my hometown I was the nominee of both the Republican and the Democrat Parties. In fact I today enjoy significant support from Democrats back in my home district in Pennsylvania.

In Congress, Mr. Speaker, I have taken great pride in working with Members of the other side on national security issues, and I have been the first to acknowledge that many of the struggles that we have won in this body against the White House involving national security were won only because we had the support and strong leadership on the Democrat side as well as the Republican side. I give those comments today, Mr. Speaker, because I want to focus on what is happening with the debate surrounding the Cox Commission report, with whom I was a member and the resultant information that has been put forward to the American people about a matter that needs to be thoroughly investigated.
1993 and 1994 and if the color-coded ID system was not necessary, why did they all of a sudden 2 weeks ago tell the labs, “You’re now going to put back into place a color-coded ID system” at a tremendous cost to taxpayers. That was under this administration, Mr. Speaker.

Number two, it was this administration and Hazel O’Leary who decided that FBI background checks, which had been the case under previous administration, on all people, we could gain access to our labs, that FBI background checks had to be done so that we could determine whether or not those people were spies or whether or not they were appropriately entitled to have access to classified information.

Again it was Secretory O’Leary, Bill Clinton’s appointee, who in 1993 and 1994 put a hold in at least two of our labs on FBI background checks, allowing scores of people to get access to our labs, not just Chinese or Asian nationals but a whole bunch of people who prior to this were not being required to have FBI background checks.

Number three, Mr. Speaker. It was in the 1993-1994 time frame when an employee of the Lawrence Livermore Laboratory who had retired was accused of releasing sensitive and classified information in a public setting. The Oakland office of the Department of Energy did an investigation of that employee and they found out, and in fact accused him of violating the requirements of security at our labs. What did they do? They penalized that retiree by removing the access he had to classified information even as a retiree. They took the appropriate steps.

What did Hazel O’Leary do, Mr. Speaker? When that removal of that retiree’s classified status was undertaken and when he appealed it, all the way up to the Secretary’s office, Secretary O’Leary overruled the Oakland office of the Department of Energy and reinstated the employee’s classification status. Every employee in every laboratory in America saw the signal being sent by this administration, “We don’t need color-coded IDs, we don’t need to have FBI background checks, and when employees give out classified information, we’re not going to consider that a major issue.”

One more point, Mr. Speaker. And you do not hear Bill Richardson talking about this at all, and I would like to debate him here tonight, anytime, anywhere. Mr. Richardson says that when this administration found out, in 1995, that the Chinese had stolen the designs to one of our most sophisticated warheads, the W-88 and the W-87, that they immediately took action. Then they began a process of closing in on the security, and he said that began in 1995.

Mr. Speaker, I want to call particular attention to the American people this two-page spread that was in the July 31st, 1995 issue of U.S. News and World Report entitled “Shockwave” documenting the annihilation and destruction that would be caused by a nuclear attack or a nuclear bomb going off. In this document, Mr. Speaker, is an illustration of the W-87 warhead. Mr. Speaker, in 1995, this was classified. Mr. Speaker, this administration put a secret document to U.S. News and World Report, giving the entire populace of the world, through U.S. News and World Report, access to the design of the W-87 nuclear warhead, the same year that Bill Richardson is saying they were putting the clamps on the control of our technology.

But it does not stop there, Mr. Speaker. Because when this occurred, the Department of Energy began an internal investigation as to who would have leaked this design of this W-87 nuclear warhead, who would have given this information out to a national magazine. Mr. Speaker, I have the name of the person that was conducting that investigation, and I have been told that he was told to stop the investigation because they knew where it was going to lead to, that it was Hazel O’Leary herself who gave U.S. News and World Report the actual diagram in 1995. Yet Secretary Richardson, on the Sunday morning news shows, is saying, “We have taken the steps to close these gaps.”

Mr. Speaker, I am today asking for a full investigation as to whether or not the Department of Energy did such an internal investigation and I want to know whether or not the individual who was overseeing this was told by his superiors not to pursue finding out who leaked this information in 1995. And, Mr. Speaker, if this administration was so intent on controlling access to these kinds of secrets, then they would surely be able to give us the answers to the questions I am posing tonight. Who did the investigation, and who did they find guilty? This goes back to U.S. News and World Report in 1995? It was not the Reagan administration, Mr. Speaker, and it was not the Bush administration. It was this administration.

Mr. Speaker, the comments of Bill Richardson around the country are hollow, they are shallow, and they are nothing more than political rhetoric being spun to deflect attention away from one of the most gravest issues confronting our country. This century, and, that is, the overall loss of American technology, in many cases where we relaxed standards to allow people to take information or where we lowered the thresholds to give people information. Today we have the Secretary telling us that our labs are secure. I can tell you right now, Mr. Speaker, there are no controls on e-mails that are being sent out of our labs at this very moment. They will tell you they have the technology, they have this technology, that if e-mail is sent to Beijing or some other city and a keyword is in that e-mail, it raises a flag and that person then will be investigated.
Mr. Speaker, in this chart our colleagues and the American people can read for themselves who all of these players are and who all of these characters and all these organizations are, but there is something new here, Mr. Speaker.

For the first time that I am aware of each of these boxes are interconnected with solid and dotted lines. The solid lines indicate direct working relationships between financing entities, PLA organizations and Chinese front companies. The dotted lines indicate working relationships.

I am asking now to enter in the RECORD, Mr. Speaker, a document entitled sources and references:

SOURCES AND REFERENCES

(1a) Chan, Christine. "More J&A Securities Staff Quizzed." Hong Kong South China Morning Post, July 16, 1998: p.11. Article from an event attended by Vice President Gore.


(3b) Michale, Michelle. "Lippo Fund to Focus on Chain Stores." South China Morning Post. July 13, 1995: p.3. Article that cites the directors of the Lippo Fund and lists the China Aerospace International Holdings Corp as partner in the fund.


(13a) Summary of documentation on China Aerospace International Holdings Limited (CASIL). An analysis of CASIL background and its involvement with the satellite business and a citing of key figures.


Mr. Speaker, this 4-page document gives a specific and detailed analysis of 26 unclassified documents that are studied on this chart that provide all the linkages so the American people in unclassified form can read how all of these link together for the first time ever, and I encourage everyone of our colleagues and every person across this country to turn on the web site, get access to this, and then get access to these unclassified documents, and I would say to our colleagues, "If you can't locate them, I have a master copy of each of these documents in my office. In fact I have several master copies. I will give you copies of whatever one of these documents you can't find."

Now, as extensive as this is, Mr. Speaker, I can tell you this is only scratching the surface. In one of our House hearings one of our colleagues asked the FBI when they were doing the investigation of these linkages how much of what they know is now available in public form with all the reports, and the investigation, how much of what the FBI and the CIA knows is available to the public, and this was the answer:

Less than 1 percent.

So, as broad as this is, as documented as this is, we only know publicly less than 1 percent of what the FBI and the CIA know about the linkages between PLA front organizations, front companies and financing mechanisms, and the bottom line question has to be: how much of what they know is now available in public form with all the reports, all the investigations, how much of what the FBI and the CIA knows is available to the public, and this was the answer:

Less than 1 percent.

What made this happen? What was the grease that caused these transactions to take place? What caused these proliferation controls to be lowered? What caused these accesses to take place?

And that gets to my second chart, Mr. Speaker, which is the time line.
This chart, Mr. Speaker, for the first time that I know of gives a detailed analysis of what has happened in this country since 1993.

Now my colleagues on the other side are going to say, "Well, a minute, Kurt. We picked 1993. You are being partisan because that is when Clinton took office."

That is not the case, Mr. Speaker. I picked 1993 because two things happened.

Up until 1993, Mr. Speaker, under Democrats and Republican Presidents alike, there was a process in place to control technology from Nations like America to be sent abroad to what we consider to be Tier 3 nations or nations that are not allowed or were not supposed to have very capable technology that could come back to hurt us. This process was called COCON. COCON was an international organization of allied nations, the U.S. and Japan, that met on a regular basis, and the whole point of the other countries, this administration ended COCON, ended it, and the doors opened.

Now they put into place something called the Wassanar agreement which everyone has acknowledged is a total failure. When COCON worked, in 1993 COCON ended, and the floodgates opened.

Something else happened in that year, Mr. Speaker. I would like to enter in the RECORD at this point in time. Mr. Speaker, a letter from the White House dated September 15, 1993, to Edward McCracken, Chief Executive Officer of Silicon Graphics from Bill Clinton, Mr. Speaker, every American needs to read this letter because this letter did not come from the President of the United States September 15, 1993, and who did he send it to? To one of his biggest contributors and one of those blocks of people who supported his candidacy, Edward McCracken, Chief Executive Officer of Silicon Graphics, Mountain View, California.

DEAR EDWARD: Thanks for taking the time to come by for lunch on Wednesday. It was good to see you—and it was a pleasure to get your insights.

I wanted to bring you up to date on a topic we wanted to discuss at lunch: the issue of export controls. As you know, for some time the United States has imposed stringent export controls on many of our most competitive exports. By some estimates, unnecessary export controls cost U.S. companies $9 billion a year in lost sales. One reason I ran for President was to tailor export controls to the realities of a post-Cold War world.

Let me be clear. We will continue to need strong controls to combat the growing threat to American prosperity from the theft of weapons of mass destruction and dangerous conventional weapons, as well as to send a strong signal to countries that support international terrorism. But we also need to make long-overdue reforms to ensure that we do not unfairly and unnecessarily burden our important commercial needs.

In that regard, I wanted you to know that we hope to announce some important reforms by September 30. As you may know, the Commerce Department has been leading a process within the Trade Promotion Coordinating Committee (TPCC) to examine how we might better promote U.S. exports. In the past, the National Security Council has led an effort to develop specific export control reforms. I hope to announce those when the TPCC issues its report on September 30.

We have not yet finalized all of these reforms, because I want to be sure that they get a full interagency review. But I am optimistic that the steps we take will help liberalize controls on many of our most competitive exports, while protecting our important national security concerns. Let me give you a sense of the reform we are considering:

Liberalize Computer and Telecommunications Controls. When this Administration first took office, most computers would have needed a license with a capacity above 12.9 MTOps. My administration is in the process of raising that level to 67 MTOps for most free world countries, reducing the number of computer exports each year from the need for a license. By September 30, I hope to raise that level further—and also announce important liberalization of our controls on computer exports to most free world destinations.

Reduce Processing Time. Delays in processing export control licenses is a burden on business and a problem against the Federal government. I hope to announce significant reductions in the time it takes the government to process export license applications.

Expand Distribution Licenses. We hope to expand significantly the availability of distribution licenses for controlled computers so that exporters need not come back repeatedly to the Federal government for a license.

Eliminate Unnecessary Unilateral Controls. Controls imposed only by the U.S. (and not by competitor countries) at times can put our exporters at an unfair disadvantage as competitor companies export like products. By December 31, my administration will identify and eliminate wherever possible unnecessary U.S. unilateral export control policies.

I expect that we will help liberalize controls on tens of billions of dollars worth of U.S. exports. It can help unleash our companies to compete successfully in the global market.

These reforms fit into a broader framework. Soon we will complete our review of nonproliferation and export control policy, which will set guidelines for further steps we should take. I am also currently engaged in seeking major reforms to COCOM, which sanctions of those countries that imposed sanctions on Western companies. At the same time, Hazel O'Leary was the wholesale opening of the flood gates. At the same time Hazel O'Leary was the wholesale opening of the flood gates.

INDIGNATION RINGS SHALLOW ON NUKE TESTS

(BY CURT WELDON)

Escalating tensions between India and Pakistan should come as no surprise to the Clinton administration. Since the president took office, there have been dozens of reports that the United States has imposed sanctions on violators. And in those cases, the blame for the political powder keg has emerged in Asia should be laid squarely at the feet of President Clinton.

The administration's plans to liberalize, reduce processing times, expand distribution licenses, eliminate unnecessary unilateral controls, and it goes into detail in describing.

Now, Mr. Speaker, I am a free trader, and I believe in allowing our companies to compete. But what you had in 1993 was the wholesale opening of the flood gates. At the same time Hazel O'Leary was the wholesale opening of the flood gates.

Sincerely,

BILL CLINTON.
Mr. Speaker, this CRS document, which I had prepared a year ago, outlines approximately 17 cases where we caught the Chinese selling technology illegally. This administration knew about it, and it is all documented here. They imposed the required sanctions twice and waived them each time. All of those or most of those transfers are documented here.

Something else is on this chart, Mr. Speaker: White House presidential visits. I could only complete it up through 1995, the number of times that key people involved in this massive scheme were able to get into the White House.

Now, I can tell my colleagues my constituents cannot ever get in the White House. We cannot even get White House tour tickets which are available for schools because we only allow four a year. These are American schoolchildren.

Let me read you, Mr. Speaker. J ohn Huang; he visited the White House four times in March of 1993, four times in April of 1993, two times in May, one time in June, one time in November, all in 1993. Mr. Speaker, this CRS document, which I had prepared a year ago, outlines approximately 17 cases where we caught the Chinese selling technology illegally. This administration knew about it, and it is all documented here. They imposed the required sanctions twice and waived them each time. All of those or most of those transfers are documented here.

Something else is on this chart, Mr. Speaker: White House presidential visits. I could only complete it up through 1995, the number of times that key people involved in this massive scheme were able to get into the White House.

Now, I can tell my colleagues my constituents cannot ever get in the White House. We cannot even get White House tour tickets which are available for schools because we only allow four a year. These are American schoolchildren.

Let me read you, Mr. Speaker. J ohn Huang; he visited the White House four times in March of 1993, four times in April of 1993, two times in May, one time in June, one time in November, all in 1993.

Now my constituents cannot do that. Yet this White House opened the floodgates to welcome selected people in who were a part of this network, Mr. Speaker.

In fact, Mr. Speaker, I am asking the House Clerks Office tonight to give me the bill for this. I have put this document in the CONGRESSIONAL RECORD. I am not going to put it in tonight until I get the price. What is this document in the letter from a constituent? These
The American people are owed, owed an explanation as to why Janet Reno choose not to follow the advice of her chief law enforcement agent for this country. Every person in this country needs to send a card to the White House, every Member of Congress needs to ask the question why the White House will not release the FBI internal memos that Louie Freeh and his assistant sent to ask for a fully completed investigation of this network, of this operation, because that will tell us, Mr. Speaker, what are the motives behind the transfer of technology that caused America's security harm, and that question needs to be asked by everyone in this country.

Mr. Speaker, my hope is that all of our colleagues in this body and the other body will have literally tens of thousands of letter writing campaigns, post cards to the White House asking, and Janet Reno asking one simple question.

This can be very confusing, and I do not expect the American public or even our colleagues to understand every nuance of what is explained here. It is very confusing, but they can ask one question:

*Why will you not release the Louis Freeh memos to Janet Reno in regard to the investigation of the connections between the PLA and the Central Military Commission, the financing mechanisms including the donations of campaign funds to certain individuals to see whether or not there really was a tie and a connection in each of these cases?*

---

**2000**

That question needs to be answered more than any other single question that I can think of. Mr. Speaker, I would urge all of our colleagues to make that their rallying cry over the next year and a half.

Mr. Speaker, I would like to yield to my good friend and colleague, the gentleman from Arizona (Mr. Hayworth), Mr. HAYWORTH. Mr. Speaker, I would be remiss at the outset of my remarks if I did not publicly acknowledge a debt of gratitude to the gentleman from Pennsylvania (Mr. Weldon), who has been at the forefront of efforts to holdlicktic Americans and many of his colleagues in Congress the necessity, the imperative of a strategic missile defense, who has been among the leaders in understanding a prospective missile defense system, and has been a leader each to the former Soviet Union, now the Russian Republic, to establish dialogue with the members of the Duma there, so, in the words of Dwight Eisenhower, once Americans and Russians get together they can understand what is at stake here.

But more compellingly tonight, Mr. Speaker, our colleague at the outset of his remarks framed the question most appropriately and eloquently when he said, Mr. Speaker, this is a problem that does not confront us as Republicans or Democrats; this is a security concern for all Americans.

Indeed, as the gentleman points out, the inadequate, shallow and incomplete responses of our former colleague from New Mexico, Mr. Richardson, now the Secretary of Energy; as he points out the misguided, to say the least, efforts of our former colleague from Pennsylvania has remarkably put the Secretary of Energy to the American people have seen the videotapes of the Communist Chinese leaders who contributed to the Clinton-Gore campaign in 1996 in the Oval Office? People who are part of these front groups.

Mr. Speaker, we do not have too many ducks on the lakes in Arizona, but if it walks like a duck and quacks like a duck, Mr. Speaker, a preponderance of the evidence seems to indicate that it is in fact a duck. What we have here is a serious problem.

I would also note the outrageous and curious behavior of our labs in our so-called National Security Adviser, Mr. Sandy Berger, a former lobbyist for the Communist Chinese on trade issues. In April of 1996 we know for certain that he was informed of the Chinese penetration of our labs in Los Alamos, and apparently he did nothing.

Interestingly enough, Mr. Speaker, April of 1996, that was when Vice President Gore went to Southern California for his campaign fund-raiser, what he
first described as a community outreach event at the Buddhist temple in Southern California.

The American people have simple questions that need to be answered. Are we safe? Are those who took the oath of office to uphold and defend the Constitution of the United States and thereby provide for the common defense in fact being good stewards and good custodians of that trust? As my colleague from Pennsylvania eloquently and substantively explains tonight, a serious question over which there may be troubling answers.

Mr. WELDON of Pennsylvania. I thank my colleague for joining me. I would like to stay here and engage the gentleman, but I am supposed to do a TV shot, so, unfortunately, I have to yield back my time. But I would like to thank the gentleman for coming over and joining me.

HMO REFORM NEEDED NOW

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan
uary 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes.

Mr. GANSKE. Mr. Speaker, before I came to Congress I was a reconstructive surgeon. I took care of a lot of children who were born with cleft lips and pallets, similar to this little baby here. Now, Mr. Speaker, I have about half of the reconstructive surgeons in the country in the last couple of years have had proposed surgeries to correct conditions related to this birth defect turned down by HMOs because they are "cosmetic."

Mr. Speaker, when you have a normal process like aging and you do an operation to make it better, that is cosmetic. But, Mr. Speaker, when a baby is born with a birth defect in the middle of their face, like this, that is not a cosmetic procedure. I can give you many functional reasons why this should be fixed. But there are children in this country in the last several years who have been denied medically necessary treatment by HMOs.

Mr. Speaker, I closed my medical practice when I came to Congress, but I still go overseas to do surgeries to correct birth defects like this. I remember a few years ago I was down in Guatemala and a 30-year-old man came in with an unrepairable cleft lip just like this. He lived all his life with an unrepaird cleft lip. So we fixed him the next day.

He had come in with his mother, who was probably about 50, but she looked like she was about 80. They were of Indian extraction. When we took him back to the recovery area in this small hospital up in northeast Guatemala, his mother broke down and started crying. She said in Spanish, "Ahora el va a Dios con felicidad," now he will go to heaven.

Now, Mr. Speaker, one of the Members of this Congress, the gentleman from Texas (Mr. DELAY), should be commended, because he has helped raise funds for those surgical trips abroad, many of them done by Dr. Bill Riley, to help correct this type of birth defect. But we have a situation in this country where even if you are paying a lot of money, you are getting turned down because your HMO arbitrarily declares this not medically necessary.

When HMO reform comes to the floor, I hope my colleagues who have participated in helping children get charitable care to correct this type of birth defect will vote for legislation that makes it necessary for insurers in this country to cover correction of this type of birth defect.

Mr. Speaker, the clock continues to tick. Another week has gone by without legislative action in the House on HMO reform. The gentleman from Virginia (Mr. BILLEY), the chairman of the Committee on Commerce, has promised the gentleman from Pennsylvania (Mr. NON- WOOD) that we would have a sub-committee markup "sometime in June." But where is a firm commitment to a date certain, and where is the commitment from the Republican leadership in this House to move HMO reform to the floor? Or do we just continue to delay?

Managed care reform should be on the floor by July 4th. There are four weeks until the July 4th recess. So, colleagues, let us get moving. Now, why is it so important to move this legislation in a timely fashion? Because, Mr. Speaker, we are being hurt every day by decisions by managed care health plans that they make when they know they cannot be held responsible for those decisions.

I recently read an account of a gruesome crime, and I saw an analogy in that crime to what we have with Federal law as it relates to HMOs.

Mr. Speaker, in late 1978 a woman by the name of Mary Vincent made a fateful decision. She had purchased a blue van on a freeway while hitchhiking in Berkeley, California. Later the driver pulled off the highway and, in a flash, Mary saw a hammer swinging at her head. Her attacker then tied her hands behind her back and he raped her viciously, repeatedly. She screamed for her release. Finally, he untied her hands, only to sink an ax, an ax, into her left forearm. Then he did it again, and again, and her left arm was off in three blows. Later, and he had cut off her other arm. This sadist then dumped her moistened and violated mutilated body into a culvert off of a lonely road, where she was found the next morning, miraculously, still alive.

Mary was flown to the nearest hospital for a month and was eventually fitted with prosthetic arms that have crab-like pinchers for her hands. She later testified against her attacker, and when she left the witness stand, he swore at her, "If it is the last thing I do, I am going to finish the job."

Eight years later Mary was living in Puget Sound when she heard on her wedding day that her attacker had been freed from San Quentin after serving only eight years. She lived in fear for years that this rapist would return to finish the job.

Finally, in February 1997, her mother called her with more bad news. Her attacker had killed a Florida woman. Last year she flew to Florida to testify against her attacker again.

This time he got the treatment she deserved. He is now on death row.

Parenthetically, Mr. Speaker, it is crimes like those done to Mary Vincent that caused me and many other of our colleagues to support the death penalty. Any person who is not criminally insane should be responsible for his or her actions.

So what does the horrendous tragedy that befell Mary Vincent have to do with managed care reform? Mr. Speaker, unfortunately, it is intimately connected to an equally tragic event that happened to a little 6-month-old baby named Jimmy Adams.

At 3:30 one morning Lamona Adams found her 6-month-old baby Jimmy panting, sweating, moaning with a temperature of 104, so she phoned her HMO to ask for permission to go to the emergency room. The voice at the other end of the 1-800 number, probably 1,000 miles away, told her to go to Scottish Rite Hospital. Where is it, asked Lamona? I don't know, find a map, came the reply. It turns out that the Adams family lived south of Atlanta, Georgia, and Scottish Rite was an hour away on the other side of the Atlanta metro area.

Lamona held little baby Jimmy while his dad drove as fast as he could. Twenty miles into the trip, while driving through Atlanta, they passed Emory Hospital's emergency room, Georgia Baptist's emergency room, then Grady Memorial's emergency room. But they still pushed on to Scottish Rite Medical Center, still 22 miles away, because they knew if they stopped at an unauthorized hospital, their HMO would deny coverage for any unauthorized treatment, and they would be left with possibly thousands of dollars of bills.

They knew Jimmy was sick, they just didn't know how sick. After all, they were not trained medical profes- sorers. While still stuck in traffic outside of Scottish Rite hospital, Jimmy's eyes fell shut. Lamona frantically called out to him, but she couldn't get him to respond. His heart had stopped. Can you imagine Jimmy's dad driving as fast as he can while his mother is trying to keep him alive?

They finally pulled into the emergency room entrance. Lamona leaped out of the car. She raced to the emergency room with Jimmy in her arms. She was screaming, help my baby, help my baby. The nurse pushed the mouth-to-mouth resuscitation while the pediatric crash cart was rushed into the room. Doctors and nurses raced to see
June 7, 1999

CONGRESSIONAL RECORD – HOUSE

H3759

if modern medicine could revive this little infant. He was intubated, intravenous medicines were given, and he was cardiopulmonary resuscitated. This is little Jimmy Adams, tugging at his big sister’s sleeve before he got sick. We, little Jimmy turned out to be a tough little guy. He survived, despite the delay in treatment caused by his HMO. But he didn’t survive whole. He ended up with gangrene in both hands and both feet, and doctors had to amputate both of Jimmy’s hands and both of his feet.

Now Jimmy is learning how to put on his leg prostheses with his arm stumps, but it is tough for him to get on both of his arm hook prostheses by himself. For the rest of his life this anecdote, quote unquote, as HMO defenders are so likely to call a victim like Jimmy; they just say, they are just anecdotes. Well, little Jimmy will never play basketball again. Little Jimmy will never care the face of the woman that he loves with his hands.

A judge looked into this case of James Adams and he said that the HMO’s margin of safety was “razor thin.” It is about as bright as the scalpel that had to amputate little Jimmy’s hands and his feet. What do little Jimmy’s amputations have to do with Mary Vincent’s amputation responsibility for cutting off her arms is now on death row. But if your child had an experience like little Jimmy’s and you received your health insurance through your employer’s self-insured plan, the health plan would have nothing to do with anything.

The health plan, let me repeat that as we look at little Jimmy, if Jimmy’s parents received their insurance through their employer who has a self-insured plan, and that plan has made the medical necessity decision, you are faced in a little Jimmy Adams losing both hands and both feet, under Federal law that plan is responsible for nothing other than the cost of care given; in this case, the amputations.

We say, how can that be? How can a health plan that makes medical decisions that result in the loss of hands and feet be free of responsibility? We would say, that is an outrage. We do not allow that to happen with victims of crime like Mary Vincent. How do we let a medical negligence occur like this when Mary Vincent and Jimmy Adams? Our plan is responsible for nothing other than the cost of care given; in this case, the amputations.

Do not get me wrong, I am not advocating for the prosecution of medical malpractice. But just as I, as a doctor, am responsible for my actions, HMOs should be responsible for their actions. There are many Members of Congress like myself who support the death penalty because I believe in personal responsibility. How can I ask the Members, how can we not at least support financial responsibility for an HMO when they make a medically negligent decision that results in the loss of a limb or a life? Could they not at least be responsible for damages?

Under a current Federal law called ERISA, the Employee Retirement and Income Security Act, if you receive your insurance from your employer and you have a tragedy like Jimmy Adams, your plan which makes decisions is liable for nothing other than the care that was not given. Not only did Congress give HMOs legal immunity for their actions, ERISA allowed those health plans to define as “medically necessary” any damned thing they want to say it is. Do Members not quite see the parallels between Mary Vincent and Jimmy Adams yet? Listen to the words of a former HMO reviewer as she testified before Congress. It was May 30, 1996, when a small, nervous woman testified before the Committee on Commerce. Her testimony came after a long day of testimony on the abuses of managed care.

This woman was Linda Peeno, a claims reviewer for several health care plans. She told of the choices that plans are making every day when they determine the medical necessity of treatment options.

I am going to recount her story for the Members as she testified: “I wish to begin by making a public confession. In the spring of 1987, I caused the death of a man. Although this was known to many people, I have not been taken before any court of law or called to account for this in any professional or public forum. In fact, just the opposite occurred. I was rewarded for this. It brought me an improved reputation in my job, and contributed to my advancement afterwards. Not only did I demonstrate I could do what was expected of me, I exemplified the good company doctor. I had saved a half million dollars.”

Her anguish over harming patients as a managed care reviewer had caused this woman to come forth and bare her soul in tearful and husky-voiced account. The audience in that room shift uncomfortably and they became embarrassed as her story continued. In this woman to come forth and bare her soul in tearful and husky-voiced account. The audience in that room shift uncomfortably and they became embarrassed as her story continued. In this woman to come forth and bare her soul in tearful and husky-voiced account.

For the rest of his life this anecdote, quote unquote, as HMO defenders are so likely to call a victim like Jimmy; they just say, they are just anecdotes. Well, little Jimmy will never play basketball again. Little Jimmy will never care the face of the woman that he loves with his hands.

Mr. Speaker, the man who cut off Mary Vincent’s arms sits on death row, but HMOs which deny care with similar consequences, what happens to them? They increase their profits. Under Federal laws, HMOs can cause a Jimmy Adams to lose his hands or his feet, and then they can justify their decision by defining “medically necessary” any way they choose.

When I think of Mary Vincent and Jimmy Adams, I rail at the injustice of their pain, but at least in Mary Vincent’s case we know that her attacker is getting his just due, his just desert.

But does it not send a chill up our spine to hear an HMO medical reviewer describe how she caused the death of a man, and then get rewarded for it? Does it not cause a sense of outrage to find out that for decades, HMOs have been shielding health plans from the consequences of their decisions like those that affected Jimmy Adams? It is time for Congress to defuse the smart bomb of HMOs. It is time for Congress to repeal the liability protection for ERISA health plans. They should function under the same liability that insurers in the individual market operate under, under regulations that would prevent tragedy like this.

Those protections should apply, Mr. Speaker, to everyone.

Now, Mr. Speaker, personal responsibility has been a watchword in this Republican Congress and should be applied to this issue. Health plans that recklessly deny needed medical service should be made to answer for their conduct. Laws that shield entities from their responsibilities only encourage them to cut corners. Congress created the ERISA loophole, and Congress should fix it.
So I have now come full circle to what brings me to the floor tonight. I find us at a crossroads. HMO reform will either suffer slow legislative death as the House continues to do nothing, or we will take our responsibility for past congressional mistakes and pass a bill like my Managed Care Reform Act of 1999, H.R. 719.

I urge my colleagues to cosponsor H.R. 719, the Managed Care Reform Act of 1999. It would fix the type of conditions that have caused this type of loss to a little boy. This bill is endorsed by the American Cancer Society and other consumer groups. It is endorsed by many professional groups, including the American Academy of Family Physicians. This weekend, it was endorsed by the American College of Surgeons.

Mr. Speaker, I beg my colleagues, no I implore my colleagues, we cannot let even one more little boy or girl become a victim for the sake of making profits for an HMO. Let us have a fair debate under an open rule on the floor of this House by the July 4th recess. We should all be for the little guy. We should not be in the pockets of the HMO corporate CEOs.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of official business.

Mrs. WATERS (at the request of Mr. GEPHARDT) for today on account of official business.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for Monday, June 7, and Tuesday, June 8, on account of official business.

Mr. ROGERS (at the request of Mr. ARMEY) for today on account of personal reasons.

Mr. BILLIE (at the request of Mr. ARMEY) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PAULONE) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. FOSSELLA) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes each day, on June 8 and June 9.

Mr. GUTKNECHT, for 5 minutes, on June 9.

Mr. ISAKSON, for 5 minutes, on June 9.

Mr. JONES of North Carolina, for 5 minutes, on June 8.

Mr. THORNBERY, for 5 minutes, today.

Mr. PAUL, for 5 minutes, today.

Mr. FOSSELLA, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker’s table and, under the rule, referred as follows:

S. 704. An act to amend title 18, United States Code, to combat the overutilization of prison health care services and control rising prisoner health care costs; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that the committee has examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1034. An act to declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be navigable waters of the United States for purposes of title 46, United States Code, and the other maritime laws of the United States. H.R. 1121. An act to designate the Federal building and United States courthouse located at 18 Greenville Street in Newnan, Georgia, as the “Lewis R. Morgan Federal Building and United States Courthouse.” H.R. 1183. An act to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that the committee did on the following date present to the President, for his approval, bills of the House of the following titles:

On May 27, 1999:

H.R. 1034. To declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be navigable waters of the United States for purpose of title 46, United States Code, and the other maritime laws of the United States.

H.R. 1121. To designate the Federal building and United States courthouse located at 18 Greenville Street in Newnan, Georgia, as the “Lewis R. Morgan Federal Building and United States Courthouse.”

H.R. 1183. To amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes.

ADJOURNMENT

Mr. GANSEK. Mr. Speaker, I move that the House do now adjourn. The motion was agreed to; accordingly (at 9 o’clock and 32 minutes p.m.), under its previous order, the House adjourned until tomorrow, June 8, 1999, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:

2413. A letter from the Manager, Federal Crop Insurance Corporation, Department of Agriculture, transmitting the department’s final rule—Common Crop Insurance Regulations; Grape Crop Insurance Provisions—received May 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2414. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department’s final rule—Asian Longhorned Beetle; Addition to Quarantined Areas (Docket No. 99-033) received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2415. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department’s final rule—Milk in the Iowa Marketing Area; Reopening of the Iowa Marketing Area (DA-99-02) received May 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2416. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Difenacouzens; Pesticide Tolerance [OPP-300863; FRL-6081-5] (RIN: 2070-AB78) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2417. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Tercbaicil; Extension of Tolerance for Emergency Exemptions; [OPP-300866; FRL-6080-5] (RIN: 2070-AB78) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2418. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Fenhexamid; Pesticide Tolerance [OPP-300866; FRL-6080-5] (RIN: 2070-AB78) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2419. A communication from the President of the United States, transmitting a request to make available previously appropriated emergency funds for the Departments of Agriculture, Defense, the Interior, and State; the Federal Emergency Management Agency; International Assistance Programs; and, the United States Holocaust Memorial Council; pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Appropriations and ordered to be printed.

2420. A letter from the Secretary of Defense, transmitting the Fiscal Year 1998 Annual Report of the Special Forces Policy Board, pursuant to 10 U.S.C. 113 (c) and (e); to the Committee on Armed Services.

2421. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department’s final rule—Defense Federal Acquisition Regulation Supplement; Contracts Crossh能让 Fiscal Years [DFARS Case 18-D-008] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2422. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department’s final rule—Defense Federal Acquisition Regulation Supplement;
June 7, 1999

CONGRESSIONAL RECORD – HOUSE

H3761


2472. A letter from the Secretary of the Army, transmitting a determination that four Army programs have breached Nunn-McCurdy unit cost thresholds; to the Committee on Armed Services.

2474. A letter from the Secretary of Defense, transmitting a report on the number of general and flag officers holding both a position other than that officer’s armed force and another position not external to that officer’s armed force; to the Committee on Armed Services.

2475. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize congressional appropriation of the United States subscription to additional shares of the capital of the Multilateral Investment Guarantee Agency; to the Committee on Banking and Financial Services.

2480. A letter from the President and Chairman, Export-Import Bank, transmitting a report involving U.S. exports to Tunsia, pasta and related products valued at $212,630,000; to the Committee on Banking and Financial Services.

2487. A letter from the Law Office Manager, Office of the General Counsel, Corporation For National Service, transmitting the Corporation’s final rule—Retired and Senior Volunteer Program (RIN: 3004-AA19) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2492. A letter from the Law Office Manager, Office of the General Counsel, Corporation For National Service, transmitting the Corporation’s final rule—Senior Companion Program (RIN: 3005-AA77) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2493. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department’s final rule—Notice of Funding Priority for Fiscal Year 1999-2000 for a Disability and Rehabilitation Research Project—received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2494. A letter from the Administrator, Office of Juvenile Justice and Delinquency Prevention (OJJDP), Office of Justice Programs, transmitting the Department’s final rule—Juvanile Justice and Delinquency Prevention [OJJDP (-1959)] (RIN: 1221-AA46) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2495. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation’s final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits—received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2496. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation’s final rule—Safeguards and Security Independent Oversight Program—received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.


2498. A letter from the Acting Assistant General Counsel for Regulatory Law, Office of Energy, transmitting the Department’s final rule—Startup and Restart of Nuclear Facilities—received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2499. A letter from the Acting Assistant General Counsel for Regulatory Law, Office of Energy, transmitting the Department’s final rule—Extension of DOE N 441.1, Administrative Procedures For DOE Activities—received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2500. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of Implementation Plans; Alabama [AL-40-2-990a; FRL-6352-7] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.


2502. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of State Implementation Plans; Minnesota [MN-38-01-691a; FRL-6339-5] received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2503. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of State Implementation Plans; California [CA-09-031a; FRL-6331-8] received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2504. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revisions; Kern County Air Pollution Control District, Los Angeles [CA-9918a; FRL-6352-7] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2505. A letter from the Special Assistant Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission’s final rule—Amendment of Section 73.202(b), Table of Allocations, FM Broadcast Stations (La Fayette, Georgia) [FCC Docket No. 97-1015] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.


2507. A letter from the Associate Chief, Office of Regulatory Management and Information, Federal Communications Commission, transmitting the Commission’s final rule—Implementation Plans and Administrative Programs; to the Committee on Commerce.

2508. A letter from the Director, Office of Program Planning Division, Federal Communications Commission, transmitting the Commission’s final rule—Federal-State Joint Board on Universal Service [CC Docket No. 96-45] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.


2510. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration’s final rule—Conforming Regulations Regarding Removal of Section 507 of the Federal Food, Drug, and Cosmetic Act; Confirmation of Effective Date [Docket No. 98-FM-275] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2511. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration’s final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 98-FS-204] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.
in Vivo Radiopharmaceuticals Used for Diagnosis and Monitoring [Docket No. 98N-0040] (RIN: 0930-A052) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

245. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuncts, Production Aids, and Sanitizers [Docket No. 92F-0285] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

245A. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Paper and Paperboard Components [Docket No. 9F-0384] received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

245B. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Polymers [Docket No. 9F-0730] received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

245C. A letter from the Assistant Secretary for Legislative Affairs, Department of State, certifying the signature of a proposed Manual of Practice for the American Embassy in Luxembourg (Transmittal No. DTC 28-99), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

246. A letter from the Assistant Secretary for Export Administration, Bureau of Export Administration, transmitting the Bureau's final rule—Export of Firearms [Docket No. 99-222] received April 19, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

246A. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Cuban Assets Control Regulations: Sales of Food and Agricultural Inputs; Remittances; Educational, Religious, and Other Activities; Travel-Related Transactions; U.S. Intellectual Property—received May 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.


246C. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List—Procurement List: Revision of Class D [RIN: 8010-0011] received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

246D. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Interagency Career Transition Assistance for Displaced Former Panama Canal Zone Employees [RIN: 2150-0616] received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

246E. A letter from the Director, Office of Personnel Management, transmitting a report about the desirability of offering Federal employees new life insurance products; to the Congress.

246F. A letter from the Director, Office of Workforce Relations, Office of Personnel Management, transmitting the Office's final rule—Authorization of Solicitations During the Combined Federal Campaign [RIN: 3206-AI53] received May 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.


246H. A letter from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Final 1999 ABC, Quota, and TAC for Pacific Whiting [Docket No. 9821333-9277-03; I.D. 122898E] (RIN: 0646-AM12) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

246I. A letter from the Assistant Administrator for Fisheries, National Marine Fishery Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 9 [Docket No. 030590A; I.D. 030590] (RIN: 0648-AL72) received May 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

246J. A letter from the Assistant Administrator for Fisheries, National Marine Fishery Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Halibut and Sablefish Fisheries Quota-Share Loan Program; Final Program Notice and Announcement of Assistance [Docket No. 99040930-9000-01; I.D. 022990C] (RIN: 0648-ZA63) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

246K. A letter from the Assistant Secretary, Legislative Affairs, Department of the State, transmitting the Department's final rule—Visas; Documentation of Nonimmigrants Under the Immigration and Nationality Act—Amendment of Transit Without Visa (TWOV) List [Public Notice 3036] (RIN: 1400-AA48) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

246L. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, transmitting the Service's final rule—Adjustment of Status to Lawful Permanent Resident Status [RIN: 1115-0021] received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

246M. A letter from the Director, Federal Judicial Center's Annual Report for 1998, pursuant to 28 U.S.C. 623(b); to the Committee on the Judiciary.

246N. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, transmitting the Service's final rule—Visas; Documentation of Nonimmigrants Under the Immigration and Naturality Act—Amendment of Transit Without Visa (TWOV) List [Public Notice 3036] (RIN: 1400-AA48) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

247. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 98-N-389; Amendment 39-11178; AD 99-11-07] (RIN: 2120-AA64) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

247A. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 98-N-389; Amendment 39-11178; AD 99-11-07] (RIN: 2120-AA64) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

247B. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 98-N-389; Amendment 39-11178; AD 99-11-07] (RIN: 2120-AA64) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

247C. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 98-N-389; Amendment 39-11178; AD 99-11-07] (RIN: 2120-AA64) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

247D. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 98-N-389; Amendment 39-11178; AD 99-11-07] (RIN: 2120-AA64) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
Commission's final rule—License, Financial Responsibility Requirements, and General Duties for Ocean Transportation Intermediaries (Docket No. 98-28) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2511. A letter from the Director, Office of Personnel Management, transmitting a draft of proposed legislation to designate the facility known as the "Federal Executive Institute A" located on the 1301 Emmet Street in Charlottesville, Virginia, the "Pamela B. Gwin Hall"; to the Committee on Transportation and Infrastructure.

2512. A letter from the Director of the Experimental Program to Stimulate Competitive Technology, Technology Administration, Department of Commerce, transmitting the Department's final rule—Announcement of Availability of Funding for Competitions-Experimental Program To Stimulate Competitive Technology (EPS-SCOT) [Docket. No. 99012027-9027-01] (RIN: 0660-ZA02) received April 19, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2513. A letter from the Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Fiscal Year 1999 Reform Business Incentive Evaluation and Incentives—received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2514. A letter from the Veterans Benefits Administration, Veterans Affairs, transmitting the Department's final rule—Reservists Educational Assistance Act, Fiscal Year 1999 Repeal, and Other Rate Changes (RIN: 2000-AJ38) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2515. A letter from the President of the United States, transmitting notification of his determination that continuation of the waiver currently in effect for the People's Republic of China will substantially promote the objectives of section 402 of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 106-77); to the Committee on Ways and Means and ordered to be printed.

2516. A communication from the President of the United States, transmitting notification of his determination that continuation of the waiver currently in effect for Vietnam will substantially promote the objectives of section 402 of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 106-78); to the Committee on Ways and Means and ordered to be printed.


2518. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Taxpayers' Right to Appeal, Notice 99-25 —received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.


2520. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Revisions to Schedule P (Form 1120-PSC) [Notice 99-19] received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.


2522. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Effective Date of Regulations Under Section 1441 and Qualified Intermediary [Notice 99-25]—received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.


2524. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Proposed Regulations Under Section 1441 and Qualified Intermediary [Notice 99-25]—received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2525. A letter from the Secretary of Defense, submitting a report on the results of research conducted and the plan addressing the health consequences of military service in the Gulf War, jointly to the Committees on Armed Services and Veterans' Affairs.

2526. A communication from the President of the United States, transmitting a report to Congress regarding the humanitarian crisis in Kosovo and the surrounding area; (H. Doc. No. 106-80); jointly to the Committees on Armed Services, International Relations, and Appropriations and ordered to be printed.

2527. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation to provide for public disclosure of accidental release scenario information in risk management plans, jointly to the Committees on Commerce, Government Reform, and the Judiciary.

2528. A letter from the General Counsel, Department of Housing and Urban Development to carefully consider Department action screening practices that threaten personal privacy; to the Committee on Banking and Financial Services.

2529. A letter from the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 130 memorializing the Congress of the United States and the Department of Defense to increase the salary of military personnel; to the Committee on Armed Services.

2530. A memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 132 memorializing the Congress of the United States to promptly enact legislation authorizing the President of the United States to award a Congressional Gold Medal to recognize her contributions to the nation; to the Committee on Banking and Financial Services.

2531. A memorial of the House of Representatives of the State of Arizona, relative to House Concurrent Memorial No. 2 memorizing the Congress of the United States, the President of the United States and the Department of Housing and Urban Development to carefully consider the needs of all residents of a complex or building with respect to placing new tenants in areas previously considered to be senior citizen housing; to the Committee on Banking and Financial Services.

2532. A memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 30 memorializing the Congress of the United States to enact legislation to prohibit banking transaction screening practices that threaten personal privacy; to the Committee on Banking and Financial Services.

2533. A memorial of the Senate of the State of Maine, relative to Senate Paper No. 72 memorializing the United States Congress to increase funding to support special education at a level originally envisioned in the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

2534. A memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 106.
memorializing the United States Congress to oppose U.S. Food and Drug Administration rules requiring post-harvest treatment of oysters and other shellfish; to the Committee on Commerce, International Relations, the Judiciary.

78. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Concurrent Resolution No. 5021 memorializing the President and the United States Congress to take action to provide funds for independent research into illnesses suffered by veterans and initiate more effective programs to assist Gulf War veterans and their families, and urging the Governor of Kansas and appropriate heads of Kansas state agencies to continue all efforts in support of the Kansas Persian Gulf War Veterans Health Initiative; jointly to the Committee on Commerce and Veterans’ Affairs.

79. Also, a memorial of the General Assembly of the State of Iowa, relative to House Concurrent Resolution 24 memorializing the Congress of the United States to require Health Care Financing Administration OASIS reporting and data reporting requirements to apply only to patients who are recipients of Medicare and not to all patients of Medicare-certified home health agencies; jointly to the Committee on Ways and Means and Commerce.

80. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Joint Memorial No. 4008 memorializing the President and Congress to recognize the potential for biotic nuisance species and act to minimize the destruction by supporting appropriation of the four million dollars authorized to fund state and federal management programs for the fiscal year 2000 and future years; to the Committee on Resources.

81. Also, a memorial of the General Assembly of the State of Nevada, relative to House Joint Memorial No. 4012 memorializing Congress to pass legislation to restore federal funding for the Land and Water Conservation Fund; to the Committee on Resources.

82. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Joint Memorial No. 4015 memorializing the President, the Congress, and the appropriate executive agencies to continue efforts to reduce species that are harmful and humanely and effectively control them; to the Committee on Resources.

83. Also, a memorial of the General Assembly of the State of Nevada, relative to House Concurrent Resolution 23 memorializing the Congress of the United States to provide adequate funding for major rehabilitation efforts on the Upper Missouri River; to the Committee on Transportation and Infrastructure.

84. Also, a memorial of the House of Representatives of the State of Maine, relative to House Joint Resolution 1547 memorializing the Congress of the United States to enact legislation to limit the use of social security account numbers for only the purpose of receiving public assistance benefits, paying social security taxes and receiving social security payments and refunds; to the Committee on Ways and Means.

85. Also, a memorial of the Senate of the Commonwealth of Massachusetts, relative to Resolutions memorializing the Congress of the United States to reject any proposal to reform social security that includes mandatory coverage for public employees; to the Committee on Ways and Means.

86. Also, a memorial of the General Assembly of the State of Nevada, relative to Assembly Joint Resolution No. 10 memorializing Congress to oppose all efforts to extend mandatory Social Security coverage to newly hired state and local government employees; to the Committee on Ways and Means.

87. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Concurrent Resolution No. 5021 memorializing the President and the United States Congress to take action to provide funds for independent research into illnesses suffered by veterans and initiate more effective programs to assist Gulf War veterans and their families, and urging the Governor of Kansas and appropriate heads of Kansas state agencies to continue all efforts in support of the Kansas Persian Gulf War Veterans Health Initiative; jointly to the Committee on Commerce and Veterans’ Affairs.

88. Also, a memorial of the General Assembly of the State of Iowa, relative to House Concurrent Resolution 24 memorializing the Congress of the United States to require Health Care Financing Administration OASIS reporting and data reporting requirements to apply only to patients who are recipients of Medicare and not to all patients of Medicare-certified home health agencies; jointly to the Committee on Ways and Means and Commerce.

89. Also, a memorial of the Legislature of the State of Kansas, relative to House Concurrent Resolution No. 5041 memorializing the Congress of the United States to require Health Care Financing Administration OASIS reporting and data reporting requirements to apply only to patients who are recipients of Medicare and not to all patients of Medicare-certified home health agencies; jointly to the Committee on Ways and Means and Commerce.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1401

OFFERED BY: MR. DELAY

AMENDMENT No. 8. Strike section 1203 (page 310, line 22 through page 314, line 7) and insert the following:

SEC. 1203. LIMITATION ON MILITARY-TO-MILITARY EXCHANGES WITH CHINA’S PEOPLE’S LIBERATION ARMY.

(a) LIMITATION.—The Secretary of Defense may not authorize any military-to-military exchange or contact described in subsection (b) to be conducted by the Armed Forces with representatives of the People’s Liberation Army of the People’s Republic of China.

(b) COVERED EXCHANGES AND CONTACTS.—Subsection (a) applies to any military-to-military exchange or contact that includes any of the following:

(1) Force projection operations.

(2) Nuclear operations.

(3) Field operations.

(4) Logistics.

(5) Chemical and biological defense and other capabilities related to weapons of mass destruction.

(6) Surveillance, and reconnaissance operations.

(7) Joint warfighting experiments and other activities related to warfare.

(8) Military space operations.

(9) Other warfighting capabilities of the Armed Forces.

(10) Arms sales or military-related technology transfers.

(11) Release of classified or restricted information.

(12) Access to a Department of Defense laboratory.

(c) EXCEPTIONS.—Subsection (a) does not apply to any search and rescue exercise or any humanitarian exercise.

(d) CERTIFICATION BY SECRETARY.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Service of the House of Representatives, not later than December 31 of each year, a report in writing as to whether or not any military-to-military exchange or contact during that calendar year was conducted in violation of subsection (a).

(e) ANNUAL REPORT.—Not later than January 1 of each year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Service of the House of Representatives a report providing the Secretary’s assessment of the current state of military-to-military contacts with the People’s Liberation Army. The report shall include the following:

(1) A summary of all such military-to-military contacts during the period since the last such report;

(2) A description of the military-to-military contacts scheduled for the next 12-month period and a five-year plan for those contacts.

(3) The Secretary’s assessment of the benefits the Chinese expect to gain from those military-to-military contacts.

(4) The Secretary’s assessment of the benefits the Department of Defense expects to gain from those military-to-military contacts.

(5) The Secretary’s assessment of how military-to-military contacts with the People’s Liberation Army fit into the larger security relationship between United States and the People’s Republic of China.

H.R. 1401

OFFERED BY: MRS. FOWLER

AMENDMENT No. 9. At the end of title XII (page 317, after line 17), insert the following new section:

SEC. 1206. PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR DEPLOYMENT OF UNITED STATES GROUND FORCES TO THE FEDERAL REPUBLIC OF YUGOSLAVIA WITHOUT SPECIFIC AUTHORIZATION BY LAW.

(a) In General.—None of the funds appropriated or otherwise available to the Department of Defense may be obligated or expended for the deployment of United States ground forces in the Federal Republic of Yugoslavia except with specific authorization by law enacted after the date of the enactment of this Act.

(b) RULE OF CONSTRUCTION.—The prohibition in subsection (a) shall not apply with respect to the initiation of missions specifically limited to rescuing United States military personnel or United States citizens in the Federal Republic of Yugoslavia or rescuing military personnel of another member nation of the North Atlantic Treaty Organization; or the Federal Republic of Yugoslavia as a result of operations as a member of an air crew.

H.R. 1401

OFFERED BY: MR. SHAYS

AMENDMENT No. 10. At the end of title XII (page 317, after line 17), add the following new section:

SEC. 1206. REDUCTION AND CODIFICATION OF NUMBER OF MEMBERS OF THE ARMED FORCES TO BE ON PERMANENT DUTY ABOARD SHIP IN EUROPEAN MEMBER NATIONS OF NATO.

(a) In General.—(1) Section 123b of title 10, United States Code, is amended—
(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;
(2) by inserting after subsection (a) the following new subsection (b):

"(b) EUROPEAN END-STRENGTH LIMITATION.—(1) Within the limitation prescribed by subsection (a), the strength level of members of the armed forces assigned to permanent duty ashore in European member nations of the North Atlantic Treaty Organization may not exceed approximately—
   "(A) 100,000 at the end of fiscal year 1999;
   "(B) 85,000 at the end of fiscal year 2000;
   "(C) 55,000 at the end of fiscal year 2001; and
   "(D) 25,000 at the end of fiscal year 2002 and each fiscal year thereafter.
   "(2) For purposes of paragraph (1), the following members are not counted:
   "(A) Members assigned to permanent duty ashore in Iceland, Greenland, and the Azores.
   "(B) Members performing duties in Europe for more than 179 days under a military-to-military contact program under section 168 of this title.
   "(3) In carrying out the reductions required by paragraph (1), the Secretary of Defense may not reduce personnel assigned to the Sixth Fleet.
   "(4) in subsection (c), as redesignated by paragraph (2), by striking "The President may waive" and all that follows and inserting "The President shall immediately notify Congress of any such waiver.
   (5) in subsection (d), as redesignated by paragraph (2), by striking "The President may waive" and all that follows and inserting "The President shall immediately notify Congress of any such waiver.

(b) CONFORMING REPEAL.—Section 1002 of the Department of Defense Authorization Act, 1985 (22 U.S.C. 1928 note), is repealed.

H. R. 1401

OFFERED BY: MR. TAYLOR OF MISSISSIPPI

AMENDMENT NO. 12: At the end of title XII (page 317, after line 17), insert the following new section:

SEC. 312. METHOD OF FUNDING.
The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Dear God, thank You for the grand assurances that inspire confidence and build courage. It is what we believe about You that brings us back to the work of the Senate with enthusiasm and expectation. You are Lord of all, the Source of wisdom and guidance, the Author of creative and innovative thinking, the Answer to life’s most challenging problems. You choose and call leaders and equip them with insight and vision. This Nation has been given a special place in the family of nations to display democracy and maintain Your justice. In response, may the Senators choose to be chosen and believe they are blessed to be a blessing and rejoice in the realization that You will provide exactly what is needed as they work together for Your glory. You are our Lord and Savior. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

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

Mr. BUNNING. I thank the Chair.

SCHEDULE

Mr. BUNNING. Today the Senate will be in a period of morning business from 12 noon to 2 p.m. Following morning business, the Senate will begin consideration of S. 1122, the Department of Defense appropriations bill. Completion of that bill is expected early in the week. Therefore, Senators should be prepared to offer amendments to the bill as early as possible.

Further, it is the intention of the majority leader to move to proceed to the Y2K legislation today. It is expected that a cloture motion will be filed on that motion today with a cloture vote to occur on Wednesday at a time to be determined by the majority leader. Tomorrow, it is the intention of the majority leader to move to proceed to the Social Security lockbox legislation with a cloture vote to occur on that legislation on Thursday.

I thank my colleagues for their attention.

I suggest the absence of a quorum.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m., with the time being equally divided between the two leaders or their designees.

PRIVILEGE OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent an intern in my office, Jessica Shultz, be permitted the privilege of the floor for the remainder of the day.

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

Mr. BINGAMAN. Mr. President, I will speak in just a moment about a bill I have introduced. I, at this point, suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

GALISTEO BASIN ARCHAEOLOGICAL PROTECTION ACT OF 1999

Mr. BINGAMAN. Mr. President, I rise today to speak about a bill, S. 1993, which I introduced on May 20 of this year for the protection of various historic sites in the Galisteo Basin in my home State of New Mexico. The basin is located in Santa Fe County, NM. As shown on this map—it is very hard for anyone to see this map I understand—this is Santa Fe and the Galisteo Basin is this area south of Santa Fe where the various dots are shown. These dots identify the location of the various historic sites that are talked about in the bill. To understand the importance of these sites, it is important to understand a little history about this basin.

When the Spanish Conquistadors arrived in New Mexico in 1598, they found a thriving native pueblo culture with its own unique traditions, its own religion, and its own architecture and art, which was enriched and influenced by an extensive system of trade. The subsequent history of conflict and coexistence between these two cultures—the pueblo Indian culture on the one hand and the Spanish culture—shaped much of the language and the art and cultural world view of the people in my State today.

The initial history of cultural interaction in New Mexico encompassed a period of a little over 100 years from 1598 through the pueblo revolt in 1680 and also the period of colonization by the Spanish in the early 1700s. Among these sites, which are shown on this map and which are discussed in the bill, are examples of both the stone and the adobe architectural styles which typified Native American pueblo communities prior to and during early Spanish colonization, including two of

*This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.*
the largest of these ancient towns, San Marcos and San Lazaro Pueblos. Each of these large towns had thousands of rooms at their peak.

Also included in these sites are spectacular examples of Native American petroglyph art, as well as historical sites and ruins that were constructed as part of the Spaniards' drive to convert the native populace to Catholicism. The 26 archaeological sites addressed in this bill provide a cohesive picture of this crucial nexus in New Mexican history, depicting the culture of the pueblo people and illustrating how it was affected by the Spanish settlers.

Through these sites, we have an opportunity to truly understand the simultaneous growth and the coexistence of these two cultures. Unfortunately, this is an opportunity we may soon lose. Most of these sites are currently not part of any preservation program, and through weathering, erosion, vandalism, and amateur excavations, they are forever altered to be interpreted at a later date.

This legislation creates a program under the Department of the Interior to preserve these sites and to provide interpretive research in an integrated manner. Many of these sites are currently on Federal public land, many are privately owned, and there are a few on State trust lands. The vision behind the legislation is that an integrated preservation program at sites on Federal public land could serve as a foundation for archaeological research that could be augmented with voluntary cooperative agreements with State agencies and with private landowners. These agreements will provide landowners with the opportunity for technical and financial assistance to preserve the sites on their property. Where the parties deem it appropriate, the legislation would also allow for the purchase or exchange of property to acquire these very valuable sites. With such a program, we should be able to preserve the history embodied in these sites for future generations.

I add that this legislation is supported by the Cochiti Pueblo, which is culturally and historically tied to these sites. I have received a letter from Isaac Herrera, the Governor of Cochiti Pueblo, expressing his support of our State land commissioner, Ray Powell.

I conclude by showing some examples from lands that could serve as a foundation of these sites. The first two charts are from the Comanche Gap site. They are outstanding examples of petroglyph art, of which we have a lot in our State of New Mexico. These are examples of very intricate work that has been done by the pueblo Indians on the rock formations.

The next three charts are of the various pueblo sites. The first is Pueblo Blanco. As you can see, the dry wash at the top of this picture and the road at the bottom are the types of erosion threats which I mentioned earlier.

The next picture is Arroyo Hondo. Again, you have a dry wash at the top. This is probably the most extensively surveyed of the two sites. The School of American Research in Santa Fe has done a tremendous amount of work to try to interpret and understand this site.

Finally is the Pueblo of Colorado which, once again, shows the threat of erosion from the dry washes above the site.

So these are examples of what we are trying to preserve through this legislation.

I feel strongly that it will be a major contribution if we can pass this legislation and make it law.

I ask unanimous consent that the text of the bill that I referred to be printed in the RECORD.

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

(The bill (S. 1093) is printed in the CONGRESSIONAL RECORD of Thursday, May 20, 1999.)

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 15 minutes.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 15 minutes.

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

KOSOVO

Mr. DORGAN. Mr. President, there has been a great deal of information given the American people in recent days about a potential settlement or at least progress with respect to ending the airstrikes in Yugoslavia. It appears from the reports I have received, both from the administration sources and also press reports, that the airstrikes have had a significant impact on Mr. Slobodan Milosevic, on his Serb troops, and on their ability to continue the reign of terror that has been committed against the Albanians in Kosovo.

But as I read all of the reports, I am concerned about one element, and that is, if the airstrikes are terminated and if some kind of negotiated circumstance exists between the Serbs and the Albanians, that Mr. Milosevic remains in power, in my judgment, it remains unfinished business.

We have in this decade been through a circumstances where Saddam Hussein where a war was concluded with the country of Iraq and Saddam Hussein retained his power. We have year after year after year had to deal with the consequences of Saddam Hussein remaining in power in the country of Iraq. It doesn't make any sense to me that we should do the same thing with Mr. Milosevic.

With Mr. Saddam Hussein, we knew who he was, we knew what he had done, so this country have known that the conclusion of the war with Iraq should have resulted in his departure, or his leaving the leadership of that country. He is, I think, one of the only men in the world who has used weapons of mass destruction to murder civilians, and that he has done man-made work providing research for the bill and helping to get the bill drafted. I feel strongly that it will be a major contribution if we can pass this legislation and make it law.

I ask unanimous consent that the text of the bill that I referred to be printed in the RECORD.

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

The bill (S. 1093) is printed in the CONGRESSIONAL RECORD of Thursday, May 20, 1999.)

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 15 minutes.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 15 minutes.

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

KOSOVO

Mr. DORGAN. Mr. President, there has been a great deal of information given the American people in recent days about a potential settlement or at least progress with respect to ending the airstrikes in Yugoslavia. It appears from the reports I have received, both from the administration sources and also press reports, that the airstrikes have had a significant impact on Mr. Slobodan Milosevic, on his Serb troops, and on their ability to continue the reign of terror that has been committed against the Albanians in Kosovo.

But as I read all of the reports, I am concerned about one element, and that is, if the airstrikes are terminated and if some kind of negotiated circumstance exists between the Serbs and the Albanians, that Mr. Milosevic remains in power, in my judgment, it remains unfinished business.

We have in this decade been through a circumstances where Saddam Hussein where a war was concluded with the country of Iraq and Saddam Hussein retained his power. We have year after year after year had to deal with the consequences of Saddam Hussein remaining in power in the country of Iraq. It doesn't make any sense to me that we should do the same thing with Mr. Milosevic.

With Mr. Saddam Hussein, we knew who he was, we knew what he had done, so this country have known that the conclusion of the war with Iraq should have resulted in his departure, or his leaving the leadership of that country. He is, I think, one of the only men in the world who has used weapons of mass destruction to murder civilians, and that he has done man-made work providing research for the bill and helping to get the bill drafted. I feel strongly that it will be a major contribution if we can pass this legislation and make it law.

I ask unanimous consent that the text of the bill that I referred to be printed in the RECORD.

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

The bill (S. 1093) is printed in the CONGRESSIONAL RECORD of Thursday, May 20, 1999.)

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 15 minutes.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.
said no, it was our business; it does matter. We have the resources and the capability, through NATO, together to try to do something to put a stop to it. That has been the effort. Is the effort perfect? No. Have there been mistakes? Of course. But will we, by the judgment of history, have come out on the side of those in a country, a region, a group of countries attempting to do something in the face of ethnic cleansing, in the face of a ruthless leader who packs people into train cars and hauls them off to an uncertain fate, who, in the wake of the refugee explosion, have shown up at the border of Albania and Montenegro and other areas, has permitted mass rape and torture and murder against the citizens of Kosovo? Do we understand the consequences of that and the requirement to respond to it? The answer is yes.

But I hope at the end of this chapter, Mr. Milosevic will not be a part of an agreement that leaves him in power. That will not, in my judgment, be finished business.

THE COMPREHENSIVE NUCLEAR TEST BAN TREATY

Mr. DORGAN. Mr. President, I want to talk for a moment about the Comprehensive Nuclear Test Ban Treaty. That is a subject I suppose will glaze over the eyes of many, the Comprehensive Nuclear Test Ban Treaty. I was in my home State of North Dakota last week when we had the refugee explosion. We did not have votes. I guess I was in 20 or 25 different communities all across the State, probably at three dozen different events, town meetings and speeches and various things. It will not surprise anyone to learn that the Comprehensive Nuclear Test Ban Treaty did not come up. We talked about farm policy. We talked about virtually every other thing. We talked about water policy, we talked about welfare, but at all the meetings in which we discussed public issues did anyone raise the issue of the Comprehensive Nuclear Test Ban Treaty.

I want to raise the question about this treaty because the President of the United States signed this treaty 2½ years ago and sent it to the Senate for ratification. This Senate did not hold a hearing on it during the 105th Congress, no hearing at all. It is now 6 months into the new Congress, with no hearing. I am organizing a letter to the appropriate committee and key people on the committee to say we would like to see movement here. If one Senator opposes this country joining the Comprehensive Nuclear Test Ban Treaty, then why the Senate was not in session when we had that debate. I cannot conceive of significant opposition to a determination by so many countries in the world that we ought to prevent nuclear testing; we ought to have an agreement that we do not promote the spread of nuclear weapons to additional countries.

In the past year or so we have seen activities that concern me and many of my colleagues a great deal. We know how many countries possess nuclear weapons. Among those countries that are understood to possess nuclear weapons we can now add India and Pakistan, because each of them exploded nuclear weapons under each other's noses. These are two countries that do not like each other a great deal. There are great tensions. In fact, yesterday on the news you would have seen shelling on the border between Pakistan and India. Each of these countries exploded nuclear weapons, apparently just to show the other country they possess nuclear bombs.

North Korea is testing medium-range missiles, firing missiles down range. The country of Iran is testing medium-range missiles. Are these things ominous? Of course they are. Terrorist states acquiring delivery mechanisms for long-range missiles and potentially, I assume, to send weapons of mass destruction to other parts of the world; is that an ominous development? You bet it is.

We spent a lot of time here in the Senate talking about a national missile defense; if we could just get a national missile defense put in place in this country. This country shoots a missile at our country we can go up and hit that bullet with a bullet. I guess we have spent $100 billion over the years trying to do that. There is not much talk about the other things that have been far more successful, and that is arms reduction and test ban treaties banning nuclear tests, reducing nuclear weapons.

With consent, I hold up here the chart that was taken from the wing of a backfire bomber. This is the piece of a wing strut from a backfire bomber which had its wings sawed off at a former Soviet airbase in Priluki, Ukraine. During the cold war, when the Soviet Union was considered our adversary, we indeed held up a piece of the wing of one of their bombers was if we had shot the bomber down. So how does it happen I hold up a portion of a wing of a Soviet backfire bomber? That wing was cut off. Why was it cut off? This country helped provide the funds to cut the wings off bombers in the Soviet Union and now Russia and now the Ukraine.

Why did they agree to that? Because we have an arms control reduction agreement with nuclear warheads aimed at the United States of America that used to be buried in the ground in the Ukraine are now taken out of the ground and dismantled with the warhead still on. I displayed a picture on the floor of the Senate showing where a missile used to rest in a silo in the Ukraine with the warhead aimed at the United States of America. A sunflower field now exists there. No missile, no nuclear bomb—sunflowers. How did that missile get taken out of the backfire Soviet bomber wing get chopped off? We have arms reduction agreements with the Soviet Union, the old Soviet Union, and now Russia and the Ukraine, and they are working.

We have people here who say: We do not care about those agreements. We want to build a national missile defense system. It does not matter what it costs. It does not matter whether it will work. We just want to spend the money so we will feel good.

One part of what works in arms control, in my judgment, is the Nunn-Lugar funds which we have spent that accomplished this. The second part, in my judgment, to pass pieces of legislation that we know make sense for this country's future and for the safety of the world. One of those is the Comprehensive Nuclear Test Ban Treaty. This country needs to pass it. This Senate needs to ratify it. That is the way, as a country, we make judgments about it.

I want to hold up a chart that shows the support for it. This was polling done in a range of States around the country: Oregon, Nebraska, Utah, Ohio, Kansas, Colorado, Tennessee—support for the Comprehensive Nuclear Test Ban Treaty. Look at it. Mr. President, 86 percent in favor to 10 percent in Oregon who believe we should not ratify this treaty. This country signed it; so have many other countries around the world, 152 countries.

This country has a responsibility, in my judgment, to provide leadership, and leadership will mean this Senate ought to ratify this treaty. In order to do that, we must get this treaty out of the committee and get it to the floor and have a debate on it. I urge my colleagues who feel strongly about this to join me and say to the committee it is time, long past the time, when this Senate should ratify the Nuclear Test Ban Treaty.

I will, in coming days, speak again on the floor on this issue and the importance of it. I hope I will be joined by plenty of colleagues who will encourage and urge and persuade the committee to bring this treaty to the floor. Give us a chance to debate this treaty and give us a chance to produce the votes to ratify this treaty, for this country's sake and for the sake of added security and safety in the world. We must prevent the spread of nuclear weapons. We must prevent the spread of technology that allows the delivery of nuclear weapons. One way to do that, in my judgment, is to prevent additional nuclear testing, and the way to do it is to ratify this treaty.

It is long past the time to do it, and we ought to do it now and we ought to expect that be reported to the floor for debate in the next 2 to 3 months.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the morning hour be extended for 7 minutes.
The PRESIDING OFFICER. Without objection, it is so ordered.

THE COMPREHENSIVE NUCLEAR TEST BAN TREATY

Mr. REID. Mr. President, my colleague who just spoke on the Senate floor is the chairman of the Democratic Policy Committee. This is the educational arm of the Democratic Senators. He has done an outstanding job during his 6 months as chairman of the Policy Committee, hoping to educate not only Democrats but Republicans as to some of our responsibilities. The statement that was just made by the chairman of the committee, the Senator from North Dakota, is certainly appropriate.

I agree in every way. The fact is, it is very important that we do everything we can to ratify this treaty, and also the Nunn-Lugar money has been some of the best money we have spent. I do not know of any money we have spent in recent years that has done more good than that money spent to make sure the former Soviet Union is helped to retire some of their weapons of mass destruction. It has been a cooperative effort that has worked well for the United States and worked well for Russia. So I compliment and applaud my friend, the Senator from North Dakota.

HONORING ANDRE AGASSI

Mr. REID. Mr. President, yesterday, I got up very early. I had a 6:30 a.m. flight leaving from Reno, NV. I was very concerned because that same day, that same time, my friend and someone who is very important to the State of Nevada, Andre Agassi, was playing for the championship of the French Open. This is a tournament that is world renowned. My friend and one of Nevada’s favorite sons was playing in that championship.

Just a few months ago, he had a series of injuries, and people said he was not going to compete anymore on the high scale he had in the past. He surprised everyone, except himself and the people from the State of Nevada. We have seen this young man time and time again do things that were said could not be done. There were people who said over the years he did not have the basic skills great tennis players have, but he, of course, has shown them that simply is not true.

When I arrived in Denver, one of the first things I did was run to a television set to see how Andre was doing. How disappointed I was. He had lost the first two sets, and lost them overwhelmingly; he had been beaten, and he was behind in the third set. If you lose the third set, it is all over. On the entire trip from Denver to Washington, I was very despondent. This opportunity for Andre Agassi to make world history was slowly dissipating as I traveled the skies. I knew the news would be bad when I arrived at Dulles.

I asked the first person whom I had a chance: What happened to Andre? He said he won. He won the French Open. I rise today to honor the accomplishments of Andre Agassi. As I have already mentioned, he is a prominent Nevadan who has become the first man in 30 years to win tennis’ four grand slam events. Andre, who lost the first two sets to Ukrainian Andrei Medvedev, rallied in dramatic form, to say the least, to win the French Open on June 6, 1999. Yesterday, he won at Wimbledon in 1992, the U.S. Open in 1994, and the Australian Open in 1995. Andre Agassi now joins the ranks of tennis immortals Fred Perry, Don Budge, Roy Emerson, and Rod Laver. Not only does this assure him of a place in the record books, but also marks a successful resurgence into the very elite of the tennis world.

Andre in previous years has been ranked No. 1. He started a few months ago, ranked 140th in the Nation. He now, once again in the top 30 and is rising to where he will be ranked No. 1 again. He was ranked as high as No. 3 about a year ago.

Andre Agassi has proven himself to be not only a world-class athlete but a great citizen of the State of Nevada who has continually given back to his community. He should be recognized not only for his athletic prowess, but he should be recognized for what he has done in charitable endeavors in the State of Nevada.

In April of 1998, the Andre Agassi Boys and Girls Club in west Las Vegas, a minority community, was chartered as the 2,000th Boys and Girls Club in the Nation. This club provides a positive alternative to time on the streets for the youth of Las Vegas and is dedicated to the aid and education of children who are at risk of becoming involved with gangs, drugs, or both. Not only has Andre Agassi done this, but he has also founded the Andre Agassi Charitable Foundation dedicated to the continued support of children’s organizations, as well as domestic violence support programs.

Andre Agassi has done more than make appearances. He personally has given and raised millions of dollars to these charities. He is an outstanding example of an athlete and demonstrates how they should return to their communities.

I admire Andre Agassi for a number of reasons, some of which I have laid out today. He is a great athlete and, of course, we all admire great athletes. He is a great athlete who has returned much to his community. But one of the reasons I admire Andre Agassi is he has not forgotten from where he came. He recognizes the millions he has made in endorsements, and playing tennis did not come, in effect, because he was born with a silver spoon in his mouth. He recognizes he came from a family that was very little. He came from a family that worked in the restaurants and hotels of Las Vegas. He has not forgotten his roots. It is this trait I admire more than any other of this world renowned athlete. I am pleased to acknowledge the achievements of this great athlete, great Nevadan, great American, Andre Agassi.

PRIVILEGE OF THE FLOOR

Mr. STEVENS. Mr. President, I ask unanimous consent that the individuals on the list which I send to the desk be granted the privilege of the floor during the consideration of the defense appropriations bill.

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

The list is as follows: Sid Ashworth, Dan Elwell, Tom Hawkins, Bob Henke, Susan Hogan, Mazie Mattson, Gary Reese, Candice Rogers, Kraig Siracuse, John Young, Charlie Houy, and Emelie East.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 1122, which the clerk will read.

The legislative clerk read as follows:

A bill (S. 1122) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes.

The Senate proceeded to consider the bill.

Mr. STEVENS. I thank the Chair for bringing the Department of Defense appropriations bill for fiscal year 2000 before the Senate.

It is my privilege to once again bring this defense bill to the Members of the Senate in partnership with my distinguished colleague, the Senator from Hawaii.

I hope all Senators were able to see or at least learn of the very distinguished memorial that was created to honor the 442nd, which was the most decorated unit of World War II; our colleague, Senator INOUYE, was part of that unit. I am very pleased we are once again able to come before the Senate to pursue a matter of great concern to each of us, and that is the defense of our country.

We have served together on this subcommittee now for more than 20 years, and we have been chairman or ranking member, depending upon the political tides of this country. I want the Senate to know that I could not have brought this bill to the Senate so early this year without the wisdom, experience, and judgment of my good friend from Hawaii.

I also commend Senator LEVIN and Senator WARNER of the authorization committee for their handling of the defense authorization bill. We have
worked closely together with that committee to stay close to the budget and the policy determinations which were made in the armed services bill. Amendments which we will offer later today reflect adjustments made to that bill to make this appropriations bill fully compatible with the authorization process.

As Senator INOUYE and I reported to the committee when we considered this bill in the committee, and as reflected by the Armed Services Committee in their report, the military has faced a difficult challenge in meeting critical readiness and quality-of-life needs while modernizing our total force for the 21st century.

The armed services have sought to maintain that balance while undertaking contingency operations in the Balkans, southwest Asia, and the heightened alert on the Korean peninsula. Last month, the Congress, at our request, provided a second emergency supplemental for the fiscal year 1999 to meet some of those contingency requirements.

For fiscal year 2000, our committee was presented a budget that reflected real progress compared to the original forescoring fiscal year. More realistic estimates for the Bosnia operations and procurement and development of a national missile defense system established a better baseline for our national defense program.

Initiatives by OMB did leave real holes in the budget for fiscal year 2000, with incremental funding for MILCON, the military construction bill, and a $1.65 billion unspecified rescission recommended by the Office of Management and Budget.

The budget resolution adopted by Congress has provided adjustments for the defense function that offset some of those defense gaps.

The $8.3 billion increase in the new defense budget authority enabled the committee to restore the military construction reduction and to offset the suggested rescission. In addition, needed increases were provided for defense functions of the Energy and Water and Transportation Subcommittees.

Our bill reported by the Appropriations Committee is within the 302(B) allocation for the Defense Subcommittee. That is an allocation made pursuant to the budget resolution.

As I noted at the outset, the committee before the Senate follows closely the Defense Department authorization bill that passed this Senate by a vote of 94-4. Our bill fully funds the authorized 4.5-percent pay raise for military personnel. This bill allocates $590 million to the O&M accounts for the operation and maintenance accounts, and provides flexibility to accommodate a larger civilian pay raise, if that is authorized. The increase in O&M spending will also protect the readiness of our forces and the quality of life for military personnel and their families.

This bill before the Senate does not include any funding for the war in Kosovo; no assumptions are made concerning either extension of the air war or a ground campaign or peacekeeping force. At this tense moment in the peace negotiations in Europe, I hope all Members of the Senate will be cognizant of these efforts in their comments and the amendments offered to this bill.

We will probably have another supplemental yet for peacekeeping operations in Kosovo for fiscal year 2000. That additional funding will be essential to support the negotiations and modernization for the armed services next year, if there is a peacekeeping operation, which we all expect. To achieve the modernization goals by Secretary Cohen and the Joint Chiefs of Staff, the recommendation increases procurement spending by $2.7 billion.

Looking further out in the future to the next generation of weapons systems, the bill before the Senate recommends $1.1 billion in research and development.

Funding for the defense health program continues to be the fastest growing component of our defense budget. The request for fiscal year 2000 grew by 7 percent compared to the appropriation of 1999. And the recommendation provides an increase of more than $1 billion for fiscal year 2000.

Included in that defense health program is $300 million for medical research, with $75 million allocated for prostate cancer research. One new initiative is the transfer of the responsibility for the soldiers, sailors, airmen and civilian personnel from the Labor, Health, and Human Services Subcommittee to our Defense Subcommittee. These facilities are more appropriately funded in conjunction with the Department of Defense, in our judgment. I hope the Senate will approve that move.

To reflect fact-of-life economic assumption changes since the budget was prepared last autumn, our bill makes a series of adjustments. These changes are based upon the Department of Defense authorization bill and revised Office of Management Budget estimates. These estimates and items include adjusted prior year inflation rates, fuel costs, foreign currency rates, and underexecution of civilian personnel allowances. All of those adjustments are to the ends of the bill.

The bill also includes a general provision, section 8108, that reduces funding to reflect the amounts anticipated to carry over from the recently enacted Kosovo supplemental.

Mr. President, $3.1 billion is reduced from this bill and was shifted to the Deficiencies Subcommittee of our Committee. Those funds will be reallocated to other subcommittees as we proceed with the remaining fiscal year 2000 bills.

This adjustment holds the total defense funding for the fiscal year at roughly the level set in the budget resolution that was adopted by Congress earlier this year.

The Appropriations Committee also reported S. 1186, the Department of Energy appropriations bill for fiscal year 2000. That bill contains nearly $12 billion in defense funding. Our committee expects to report the military construction bill later this week.

Again, let me thank Senator INOUYE for his support and input in this bill and thank him again for his cooperation.

I yield to the distinguished Senator from Hawaii for any statement he wishes to make.

The PRESIDING OFFICER (Mr. VOIGT): The Senator from Hawaii.

Mr. INOUYE. Mr. President, before I proceed, I thank my colleague from Alaska for his very generous remarks. I will take a few moments to discuss the DOD appropriations bill for fiscal year 2000. Let me begin by congratulating our chairman, Senator Ted Stevens of Alaska.

To meet our Senate leaders' desire, the chairman and his staff expedited the review and preparation time and put this bill together. Then, after they had drafted a very good package, as your chairman and I, we were asked to trim this package by $3 billion. We had to go back to the drawing board again.

When one takes into consideration how this package was reshaped to meet those very difficult goals, I believe the Appropriations Committee has prepared the best bill that could have been recommended.

First of all, if adopted, it will fulfill the committee's No. 1 priority. It will provide adequate funding to ensure that our men and women in the armed services are fairly compensated. It also will provide sufficient funding so that they can be well prepared, trained, and ready to meet the Nation's requirements.

This bill funds a 4.8-percent pay raise, the largest percentage increase since the early 1980s. This increase is between 2 and 3 percent more than current forecasts of inflation. The bill also funds changes in the military retirement system and reforms the pay table sought by the administration.

The total funding in the bill represents an increase of $1.4 billion above the President's budget request. In addition to fully funding the needs of our military personnel, the bill provides $3.2 billion for additional medical research: As the chairman indicated, $175 million for breast cancer research; $75 million for prostate cancer research, and $50 million to cover many of the high-priority medical research programs of interest to the Members.

More than $2.8 billion is added for procurement for two more F-16 aircraft, 15 more Black Hawk helicopters, and a half-billion-dollar down payment in the next Marine amphibious assault ship, the LHD-8.

Research for new technology, the bill is $2 billion over the President's request. This includes $400 million for missile defense and related programs.
The bill before us does not match dollar for dollar, the authorization bill we approved last month, but it is in general quite consistent with the recommendations of the authorizing committee.

To my colleagues on my side of the aisle, I realize that the bill provides funds in some areas which you may not all endorse fully. But, in total, the bill offers a good balance between current operations and future modernization. It fulfills both the needs of the military and the priorities of the Congress. I believe it is a very good bill that we should all support.

In closing, may I just add a footnote to my remarks? Senator STEVENS and I are two of the few remaining Members who served in World War II, the “ancient” war. In that war, over 10 percent of our Nation’s population stepped forward to put on uniforms, and there are more physicians. Today, fewer than 1 percent have done so.

Today’s military force is an All Volunteer Force. But beyond that, there are other differences.

In my youth, only 4 percent of my regiment had dependents. The remaining 96 percent were single men. Today, the average is about 70 percent with dependents. Therefore, it is essential that we provide in areas that were not considered during World War II, such as day care centers and hospitals.

In the hospital in which Senator STEVENS and I spent some time, there were just men—men in uniform. It may be of interest to Members to note that today at Walter Reed, 14 percent of the beds are occupied by active-duty personnel, and 86 percent are occupied by dependents and retirees. There are more gynecologists in hospitals today than orthopedic surgeons, and there are more pediatricians than orthopedic surgeons.

That is a difference of which most Members of the Senate, and I believe most Americans, are not aware.

They ask what is the difference? It is not missiles; it is not bullets; it is not ships; it is personnel; it is people. If we want the best military, men and women who are willing to step forward in harm’s way and, if necessary, give their lives for our Nation, then we should be able to provide the very best—not just in pay, but make certain that their health care and educational system are the finest.

We have a definition, or a “quality of life” quite often. If quality of life is not what the people receive, then I don’t think we can anticipate the very best of our Nation volunteering to serve. After all, I want my son to go to college. I am certain that a man in uniform, for himself or his daughter to go to college. We should give them the same opportunity.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that a staff member, Patricia Boyle, be given the privilege of the floor during this debate.

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

AMENDMENT NO. 540

(Purpose: To reduce to $500,000 the threshold amount for the applicability of the requirement for advance matching of Department of Defense disbursements to particular obligations)

Mr. STEVENS. Mr. President, on behalf of Senator GRASSLEY, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk reads as follows:

The Senator from Alaska (Mr. STEVENS), for Mr. GRASSLEY, proposes an amendment numbered 540.

Mr. STEVENS. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the general provisions, add the following:

Sec. 8106(a) of the Department of Defense Appropriations Act of 1997 (titles I through VIII of the matter under section 101(b) of Public Law 104-208; 110 Stat. 3009-11; 10 U.S.C. 133 note), is amended—

(1) by striking “not later than June 30, 1997;” and

(2) by striking “$1,000,000” and inserting “$500,000”.

Mr. STEVENS. I ask unanimous consent that the amendment be temporarily set aside.

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent to speak for a few minutes on Monday morning business.

Mr. STEVENS. Mr. President, we have no objection. How long does the Senator desire?

Mr. WELLSTONE. I think I can do this in 5 minutes.

Mr. STEVENS. I remind Members of the Senate desiring to offer amendments that we could discuss today, we are prepared to take some. There will be no votes on this bill today, but we do hope to have a vote on an amendment starting in the morning so we can get the bill expedited.

We have no objection to the Senator’s request.

The PRESIDING OFFICER. The Senator from Minnesota.

TRIBUTE TO ROBERT F. KENNEDY

Mr. WELLSTONE. Mr. President, I call the Senate’s attention to the fact that yesterday marked the 20th anniversary of the death of a former Member of this body, Senator Robert F. Kennedy. I can think of no more fitting way to remember Robert Kennedy’s legacy than to recall some of the words he delivered to students at the annual Day of Reaffirmation of Academic and Human Freedom at the University of Cape Town in South Africa.

Ironically, this speech was delivered June 6, 1966, just 2 years before Robert Kennedy’s death. I will read portions of the speech:

Our answer is ... to rely on youth. The cruelties and obstacles of this swiftly changing planet will not yield to obsolete dogmas and worn-out slogans. It cannot be moved by those ... who prefer the illusion of security to the excitement and danger which comes with the very best of this generation.

This world demands the qualities of youth; not a time of life but a state of mind, a temperament, a predominance of courage over timidity, of idealism over materialism, of courage over crass calculation of gain—no, not a time of life but a state of mind, a temperament, a spirit, a quality of the imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease ....

These [people] moved the world, and so can we all.

I am reading portions of the speech. Few will have the greatness to bend history itself; but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation.

This is perhaps my favorite quote from what anyone has ever said.

It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or risks his comfort, or his property, or even his life to be of service to others, then he has accomplished a deed that will endure as a receipt for this generation.

Robert Kennedy’s brother, our colleague, Senator Ted Kennedy, has said that his brother “need not be idealized or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.”

Do not presume to improve upon either Robert Kennedy’s own words or upon his brother’s tribute. I recall the words today only to mark June 6, 1968, as a tragic and sad day in the history of our country. As Ted has said, to pray that what Robert Kennedy “was to try to do and what he wished for others will some day come to pass for all the world.”

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent for an additional 5 minutes to speak as in morning business.

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

VETERANS

Mr. WELLSTONE. Mr. President, I listened to my colleague, Senator INOUYE, in his opening remarks. He reminded me of an issue that I think is extremely important. Over this Memorial Day recess, the DAV, Disabled American Veterans, organized a big forum in Minnesota. I think they had 130 forums over the recess period. The veterans wanted to...
focus attention on our commitment—hopefully, our commitment—to veterans.

They were saying there is a whole set of issues that are really important to their lives. Some of them have to do with other veterans, a third of the homeless population and how we will deal with these needs. Some of them have to do with veterans, a third of the homeless population being veterans, which I think is just unacceptable. Many of those veterans are struggling with substance abuse problems and they were saying: Where is the treatment for these veterans? But some of what they were saying was, even if you put aside some of these issues, is the flatline budget proposed by the President—and then they were looking at our budget resolution and what we have come up with—it doesn’t even keep up with medical inflation.

The point was: We are worried about access to services. We are worried about much longer waits. We are worried about a lot of the staffs at medical centers having to work double shifts. We are worried about some of the facilities having to close. We are worried about not being able to get the care that we so desperately need and, I argue, so clearly deserve.

I just wanted to say, since I heard my colleague from Hawaii, speak—as he knows, I am critical of the Pentagon budget. I admire the Senator from Hawaii, and I absolutely mean that, but I don’t usually agree with these budgets. I usually disagree with some portions. As long as we are talking about our Armed Forces, I hope when we get to the veterans appropriations bill, we will get this right, and I hope we will make the investment we should make.

There is a considerable amount of indignation on the part of veterans. And they are right; I wish they were wrong, but I have had a chance to see some of this firsthand. They just feel a sense of betrayal. I hope we are going to rectify what I think is a real injustice to veterans.

WELFARE REFORM

Mr. WELLSTONE. Mr. President, the other matter I wanted to bring up is the amendment to the DoD authorization bill which lost on a 50–49 vote. I don’t think either I will do an amendment on this bill or whether I will wait for the bankruptcy bill, but my amendment had to do with the compelling need for all of us as responsible policymakers to do some systematic and systemic evaluation of what is going on with welfare reform.

I want to know about those mothers and those children. I have come to the floor and I have said it is fine that we have faced the caseload by a third, or thereabouts, but the question is; has the reduction in welfare led to a reduction in poverty? Where are the women and children? What kind of jobs do they have? What kind of wages do they earn? Is there decent child care?

I bring to the attention of my colleagues the General Accounting Office report of May 27, 1999, and I point out a quote on page 2 at the beginning of this report:

Because there are no Federal requirements for States to report on the status of former welfare recipients, data currently available on families who have left welfare come from research efforts initiated by States to meet their own information needs.

Then they go on to point out that only States currently provide adequate data. So I will be coming to the floor again and taking up a considerable amount of time. I will be drawing from a lot of reports on pretty brutal conditions, because I am determined to win this vote. I really do believe that it is not too much to ask that the Senate—for that matter, the House with a special emphasis on the population of women and children. That is what we are talking about—women and children.

So I thought that maybe I had a moment, I would announce that maybe on this bill, or maybe on the next bill, I am going to come back with this amendment, and I will bring out some of the important reports by the Conference of Mayors, the Catholic Church’s Network Organization, which has done some wonderful work, and what the Conference of State Legislatures is saying, and the reports on the rise of homelessness with a special emphasis on the population of women and children. Then, after going through all of that, and also talking about some of my own observations as a Senator who has done a lot of work with low- and moderate-income people, at some time, I will call on the Senate to vote for this very reasonable amendment.

We ought to know what is going on in the country. It is irresponsible for us not to have information to see whether or not this legislation is really working. I say that because pretty soon, over the next couple of years, we are going to reach a drop-dead date—there, in all of the States—5 years being the maximum period of time from when we pass this bill—everybody is going to be driven off the rolls. There is going to be no assistance any longer. Of course, we are talking about a lot of women who have been battered, who have struggled with substance abuse, and who have struggled with mental illness. It is not clear whether they are going to be able to work or what will happen to them and their children. It is not at all clear what is happening right now to some women and children in this country. Have we made it possible for them to move to economic self-sufficiency, to live more independent lives?

I say to the Chair, who cares an awful lot about children, are these children better off? We need to know. I want to bring to the attention of my colleagues that I want to come back with this amendment, and I am hoping that a couple of Senators, this time around, will be willing to vote for it on a different piece of legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

UNANIMOUS CONSENT AGREEMENT—S. 1122

Mr. COCHRAN. Mr. President, with clearance on both sides of the aisle, I ask unanimous consent that at 9:30 a.m., on Tuesday, the Senate resume consideration of the defense appropriations bill and there be 15 minutes remaining for debate relative to amendment No. 540, and at the hour of 9:45 a.m. the Senate proceed to vote on the amendment, with no amendments in order to the Grassley amendment.

I further ask that all first-degree amendments to the defense appropriations bill must be offered by 2:30 p.m. on Tuesday, and that at the hour of 2:15 p.m. Senator INOUYE be recognized to offer and lay aside amendments on behalf of Members on his side of the aisle, and at 2:20 p.m. Senator STEVENS be recognized to offer and lay aside amendments for Members on the Republican side of the aisle, and that all amendments must be relevant to the defense appropriations bill and subject to relevant second-degree amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, under this agreement, a rollover vote will occur at 9:45 a.m. on Tuesday, and all first-degree amendments must be offered by 2:30 p.m. on Tuesday.

I thank all Senators for their cooperation.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Y2K ACT—MOTION TO PROCEED

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate now proceed to S. 96 regarding the Y2K legislation.

Mr. INOUYE. Mr. President, in behalf of my leader, I object.

The PRESIDING OFFICER. Objection is heard.
Mr. COCHRAN. Mr. President, I now move to proceed to S. 96, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture vote will be taken on June 7, 1999.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to the Y2K legislation:

The Lott, John McCain, Rod Grams, Mike Crapo, Bill Frist, Mike Enzi, Ben Nighthorse Campbell, Judd Gregg, Strom Thurmond, Chuck Hagel, Rick Santorum, Paul Coverdell, Bob Smith, Kay Bailey Hutchison, Wayne Allard, and Charles E. Grassley.

Mr. COCHRAN. Mr. President, for the information of all Senators, this cloture vote will occur on Wednesday 1 hour after the Senate convenes unless an additional consent is granted. I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion to proceed is withdrawn.

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Objection, it is so ordered.

PRINTING OF AMENDMENT 394, AS MODIFIED

Mr. LOTT. Mr. President, the Lott amendment (No. 394), as modified, passed the Senate on Thursday, May 27, 1999. The text of the Lott amendment, as modified, was printed in that day's Record, as follows:

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

SEC. 1061. INVESTIGATIONS OF VIOLATIONS OF EXPORT CONTROLS BY UNITED STATES SATELLITE MANUFACTURERS

(a) NOTICE TO CONGRESS OF INVESTIGATIONS.—The President shall promptly notify Congress whenever an investigation is undertaken of an alleged violation of export control laws concerning a commercial satellite of United States origin.

(b) NOTICE TO CONGRESS OF CERTAIN EXPORT WAIVERS.—The President shall promptly notify Congress whenever an export waiver is granted on behalf of any United States person or firm to the subject of an investigation described in subsection (a). The notice shall include a justification for the waiver.

(c) NOTICE IN APPLICATIONS.—It is the sense of Congress that any United States person or firm subject to an investigation described in subsection (a) that submits to the United States an application for the export of a commercial satellite should include in the application a notice of the investigation.

(d) PROTECTION OF CLASSIFIED AND OTHER SENSITIVE INFORMATION.—The Senate and the House of Representatives shall each establish, by rule or resolution of such House, procedures to protect from unauthorized disclosure classified information, information relating to intelligence sources and methods, and sensitive law enforcement information that is furnished to Congress pursuant to this section.

"(e) EXCEPTION.—The requirements of subsections (a) and (b) shall not apply if the President determines that notification of Congress would jeopardize an ongoing criminal investigation. If the President makes such a determination, he shall provide written notification to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives and the Majority Leader of the House of Representatives. Such notification shall include a justification for any such determination."

SEC. 1062. ENHANCEMENT OF ACTIVITIES OF DEFENSE THREAT REDUCTION AGENCY

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations:

(1) to authorize the personnel of the Defense Threat Reduction Agency (DTRA) who monitor satellite launch campaigns overseas 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 professional and technical qualifications for such personnel;

(3) to allocate funds and other resources to the Agency at levels sufficient to prevent any shortages in the number of such personnel;

(4) to establish mechanisms in accordance with the provisions of section 134(a)(2)(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) that provide:

(A) the allocation to the Agency, in advance of a launch campaign, of an amount equal to the amount estimated to be required by the Agency to monitor the launch campaign; and

(B) the reimbursement of the Department, at the end of a launch campaign, for amounts expended by the Agency in monitoring the launch campaign;

(5) to establish a formal technology training program for the Agency who monitor satellite launch campaigns overseas, 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 included in such discussions;

(7) to provide, 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 technical procedures to protect from unauthorized disclosure, by rule or resolution of Congress, the sensitive United States technology and technical information.

SEC. 1063. IMPROVEMENT OF LICENSING ACTIVITIES BY THE DEPARTMENT OF STATE

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prescribe regulations consistent with the need to protect classified, law enforcement, or other sensitive information, timely notice to the manufacturer of a commercial satellite of United States origin of the reasons for a denial or approval with conditions, as the case may be, of the application for license involving the overseas launch of such satellite.

SEC. 1064. ENHANCEMENT OF INTELLIGENCE COMMUNITY ACTIVITIES

(a) CONSULTATION WITH DCL.—The Secretary of State and Secretary of Defense shall consult with the Director of Central Intelligence to determine:

(1) the annual amount required to be spent by the Department of Defense, the Department of State, and the Central Intelligence Agency to support intelligence analysis described in subsection (b); and

(2) the annual amount required to be spent by the Department of Defense, the Department of State, and the Central Intelligence Agency to support intelligence analysis described in subsection (c).

(b) ADVISORY GROUP.—The Director of Central Intelligence shall establish within the intelligence community a group to provide information and analysis to Congress upon request, and to appropriate departments and agencies of the Federal Government on licenses involving the overseas launch of commercial satellites of United States origin.

(c) ANNUAL REPORTS ON EFFORTS TO ACQUIRE SENSITIVE UNITED STATES TECHNOLOGY: AND TECHNICAL INFORMATION.—The Director of Central Intelligence shall submit each year to Congress an annual report containing an analysis of the applications for licenses for export that were submitted to the United States during that year.

(d) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term "intelligence community" has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 1065. ADHERENCE OF PEOPLE'S REPUBLIC OF CHINA TO THE SATELLITE TECHNOLOGY CONTROL REGIME

(a) SENSE OF CONGRESS.—It is the sense of Congress that—
SEC. 1067. ANNUAL REPORTS ON SECURITY IN STATES SPACE LAUNCH INDUSTRY.

(1) States space launch industry, the United States in the United Kingdom, the Federal Republic of Germany, 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) The term ‘MTCR Annex’ means the Guidelines and Equipment and Technology Classification List of the Missile Technology Control Regime, and any amendments thereto.

SEC. 1060. UNITED STATES COMMERCIAL SPACE LAUNCH CAPACITY.

It is the sense of Congress that—

(a) Congress and the President should work together to stimulate and encourage the expansion of a commercial space launch capability 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

(b) Congress and the President should—

(A) demonstrate a sustained and verified commitment to the nonproliferation of missiles and missile technology; and

(B) adopt an effective export control system for implementing guidelines under the Missile Technology Control Regime and the MTCR Annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINITIONS.—The term ‘appropriate congressional committees’ means the Committee on Foreign Relations and the Committee on Armed Services and the Committee on Oversight and Government Reform.

SEC. 1068. RENEWAL OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.

Section 3161(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 2260; 50 U.S.C. 435 note) is amended by adding at the end of the following:

"(9) The actions to be taken to ensure that records subject to Executive Order No. 12958 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.

On page 541, line 22, insert ‘‘(A)’’ after ‘‘(4)’’.

On page 542, between lines 2 and 3, insert the following:

(2) The chairmen of the Committee may designate not five members of the Commission have been appointed under paragraph (1).

On page 542, between lines 11 and 12, Insert the following:

(8) The actions to be taken to ensure that records subject to Executive Order No. 12958 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.

On page 546, strike lines 20 through 23.

On page 547, line 1, strike ‘‘(3)’’ and insert ‘‘(2)’’.

On page 546, between lines 17 and 18, insert the following:

SEC. 3164. CONDUCT OF SECURITY CLEARANCES.

(a) RESPONSIBILITY OF FEDERAL BUREAU OF INVESTIGATION.—Section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165) is amended by striking ‘‘the Civil Service Commission’’ each place it appears in subsections a., b., c, and inserting ‘‘the Federal Bureau of Investigation’’.

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

(1) by striking subsection d. and f.; and

(2) by redesignating subsections e., g., and h. as subsections d., e., and f., respectively; and

in (3) in subsection d., as so redesignated, by striking ‘‘determine that investigations’’ and all that follows and inserting ‘‘require that investigations be conducted by the Federal Bureau of Investigation of any group or class covered by subsections a., b., and c. of this section.’’.}

SEC. 3165. PROTECTION OF CLASSIFIED INFORMATION DURING LABORATORY-TO-LABORATORY EXCHANGES.

(a) PROVISION OF TRAINING.—The Secretary of Energy shall ensure that all Department of Energy employees and Department of Energy contractor employees participating in laboratory-to-laboratory cooperative exchange activities are fully trained in matters relating to the protection of classified information and to potential espionage and counterintelligence threats.

(b) COUNTERING OF ESPIONAGE AND INTELLIGENCE-GATHERING ABROAD.—(1) The Secretary shall establish a pool of Department employees and Department contractor employees who are specially trained to counter threats of espionage and intelligence-gathering by foreign military or Department employees and Department contractor employees who travel abroad for laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

(2) The Director of Counterintelligence of the Department of Energy may assign at least one employee from the pool established under paragraph (1) to accompany a group of Department employees or Department contractor employees designated to be a sensitive country for laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

TENTH ANNIVERSARY OF THE UNITED STATES ARMY RESERVE CIVIL AFFAIRS CORPS

Mr. THURMOND. Mr. President, on June 1, 1989, the Department of the Army by General Order No. 22 established and placed the United States Army Reserve Civil Affairs Corps under the U.S. Army Reserve Civil Affairs Corps, effective June 16, 1989, with its regimental home base at Fort Bragg, North Carolina. The Home Base Commander is currently Major General Kenneth R. Bowra, Commander and Commandant, U.S. Army John F. Kennedy Special Warfare Center and School.

The U.S. Army Regimental System was created by Army Regulation 600–82 to enhance combat effectiveness through a framework that provides the opportunity for affiliation, develops loyalty and commitment, fosters an extended sense of belonging, improves unit esprit, and institutionalizes the war fighting ethos to provide each soldier with a continuous identification with a single regiment.

On June 16, 1989, an activation ceremony for the Corps was conducted during the Civil Affairs Association Annual Conference in Pensacola, Florida. Since then, the membership in the Corps has spread through all Army Reserve Civil Affairs units and to other Army Reserve soldiers, active and retired, who are or have been in the Civil
Advances Branch. Currently, there are more than 2,200 soldiers who are members of the Corps.

The Corps Committee operates under a charter to provide advice and assistance to the Honorary Chief of Civil Affairs, the Home Base Commander with respect to Corps matters. The Corps Committee presently includes the Chairman, Adjutant, Honorary Colonel, Honorary Warrant Officer, Honorary Sergeant Major, Commanding Generals and Command Sergeant Major of the five major Civil Affairs commands and other members designated by the Honorary Chief of Civil Affairs. The Home Base Commander and the Honorary Chief of Civil Affairs are ex-officio members. The Committee meets biannually at the times and sites of the meeting of the Civil Affairs Association Board of Directors.

Support to the Corps is provided by the Civil Affairs Association. The Association has been active since its formation in 1947 with a principal purpose to maintain and enhance the Civil Affairs capabilities required by the Armed Forces of our Nation. Support of the Corps is included in the broad objectives of the Association. The Corps and the Association have worked together to implement their common objectives.

The efforts of the Corps and Association to enhance Civil Affairs soldiers’ esprit de corps have included:
3. Shrivahenham Plaque. The presentation and dedication in 1994 at the British Army Base at Shrivahenham, England, of a commemorative plaque to memorialize the organization and marshaling of Civil Affairs and Military Government units in 1944 for World War II operations in Europe.
4. Civil Affairs Exhibits. The preparation and presentation at Civil Affairs conferences of exhibits of historic applications of Civil Affairs doctrine and operations in military operations conducted by the Armed Forces of our Nation.
5. Recognition of Civil Affairs in Military Museums. Currently, planning is underway to support and ensure that military museums have appropriate displays and information about the roles and contributions of Civil Affairs in military operations in our history.
6. Awards Programs—Individuals. Recognition of deserving soldiers and individuals as Distinguished and Honorary Members of the Corps. Award of the Corps Esprit de Corps Medallion has been presented to Corps members and notables. The first medallion was presented to Senator Strom Thurmond who served in combat in World War II as an officer in the Army Reserve, commanded major Civil Affairs units and retired as a Major General.
7. Awards Programs—Units. Distinguished Unit Citations have been awarded to Civil Affairs units in recognition of their contributions and contributions in military operations in Grenada, Panama, Somalia, the Persian Gulf War and Haiti. Units currently participating in military operations in Bosnia and those relating to Kosovo will be recognized.

Mr. President, the U.S. Army Reserve Civil Affairs Corps, with support of the Civil Affairs Association, is fulfilling the objectives and purposes of the Army Regimen System. I congratulate both the officers and soldiers of the Civil Affairs Corps for their service to our Nation and the Association for its support of the men and women who proudly wear the insignia of the Civil Affairs Corps.

RETIEMENT OF DONALD E. MEINERS

Mr. COCHRAN. Mr. President, on July 1, 1999, Mr. Meiners, will retire from Entergy-Mississippi after 39 years of service. Mr. Meiners began his career in 1960 as a residential salesman in Jackson for what was then Mississippi Power & Light Company. He was quickly promoted in the marketing and operations divisions which involved numerous moves across the state of Mississippi. He became an officer in 1978. After several promotions with Middle South Utilities, the parent company of MP&L, which now is Entergy, Mr. Meiners returned to his home state of Mississippi as president and chief operating officer of Entergy-MS. Then, he became president and chief executive officer.

While Mr. Meiners is well respected in the corporate world, many Mississippians know him for his dedication and service to charities and civic organizations within his community and state. He has served as Chairman of the Metro-Jackson Chamber of Commerce, Jackson United Way and the Multiple Sclerosis Chapter of Mississippi.

While Chairman of the Metro-Jackson Chamber of Commerce, Don was instrumental in forming the Metro Economic Development Alliance which unites economic development professionals in the Jackson area and encourages a team effort in recruiting new industry to the area. He served as the first chairman of the Metro Jackson Housing Partnership. Don has also been a leader of national organizations and has served as National Trustee of Boys and Girls Clubs of America and just last year served as Chairman of the Board of Directors of the Business and Industry Political Action Committee in Washington, DC.

Duané O’Neill, who is President of the Metro-Jackson Chamber of Commerce, said, “Don Meiners personifies a visionary leader, and he possesses the technical skills to translate that vision into action. His unquestioned integrity has always brought people together in an atmosphere of cooperation”.

I am personally grateful for Don’s work and involvement to improve the state’s economy. As an example of his outstanding community service, in 1996, Don Meiners was recognized as the outstanding volunteer of the year in economic development for the state of Mississippi.

Don has been married for 42 years to his school sweetheart, Pat, who has been a tremendous asset to him and to the communities where they have lived. They have two sons, Chris and Chuck, and a daughter-in-law Pam. When I asked Don what he would do in retirement he quickly mentioned spending time with the “light of his life”, his granddaughters Hannah and Mallory.

Mr. President, it is a pleasure for me to bring to the attention of the Senate the career and influence of my friend Don Meiners, and to thank him for his many years of service to Entergy and the people of Mississippi. Mississippi is a better place because of him. While Don is retiring from the utility business, I know he will go on working to help make life better in his community and in our state. I wish Don and Pat much continued success and happiness in the years ahead.

55TH ANNIVERSARY OF THE D-DAY LANDINGS

Mr. CAMPBELL. Mr. President, June 6, 1999, was the 55th Anniversary of the historic Allied invasion of Europe on the beaches of Normandy, France, that spelled the beginning of the end for Nazi Germany. In America today, with unprecedented prosperity and material comfort, it is hard to appreciate the American experience leading up to World War II and the war itself.

When the Japanese bombed Pearl Harbor in 1941, the United States was not only caught off guard, we were also caught unprepared for the war that loomed in Europe and in the Pacific that would involve the United States for 5 long years.

Still plagued by the Great Depression, unemployment sky high and poverty all around, Americans accepted the challenge and responded like no people ever had. With scrap metal drives, rubber drives, gasoline and food rationing, and other efforts American men and women pulled together and contributed to the massive war effort.

Americans of all races, creeds, colors, and backgrounds joined the military, worked in industrial plants, and assisted in too many ways to mention as
the nation joined together to battle tyranny and oppression.

America’s economic and military might was called on to produce hundreds of thousands of planes, tanks, trucks, ships, boats, and weapons. We not only produced the materials for our own military needs, we also supplied our Allies with civilian and military goods to ensure an Allied victory.

The “Arsenal of Democracy” was running at high gear from 1941 on, and all of these efforts came to a head in June 1944.

Even after the successful Africa campaign showed that the German war machine was not invincible, America and her Allies looked for a “second front” to draw Nazi Germany’s attention and resources into other battles.

Under the leadership of General Dwight D. Eisenhower, the Allies began planning for just such a front with an amphibious invasion in Europe and America’s fighting forces made the necessary preparations. Millions of men, and millions of tons of equipment, supplies, vehicles and weapons were delivered from the United States to England in preparation for the assault.

Postponed several times because of poor weather in the English Channel, on June 5, 1944, General Eisenhower gave the final order that would unleash the historic battle.

In the morning hours of June 6th, over 175,000 men from the streets of Philadelphia to Indian reservations of Arizona, from Alaska to Florida, landed on the beaches of Normandy, France.

In the years since that day, we have seen movies about this, the most ambitious amphibious invasion ever attempted in history. Just last year we saw it vividly replayed with the movie “Saving Private Ryan” in what the soldiers themselves said was an accurate portrayal of what occurred so many years ago.

As a veteran, and having read many eyewitness accounts of that day, I think that the real horrors of that day, and especially the first minutes of that historic landing, are simply unimaginable to us.

Though the Allies enjoyed complete air superiority in the Normandy area, clouds shrouded the beaches diminishing the effect of Allied air power. At the beach that quickly became known as “Bloody Omaha”, the Americans took the brunt of the German defenses.

Entire companies of men were chopped down seconds after the doors dropped on the landing craft. The Germans fired down on the Americans, but they kept coming ashore wavers after wave.

Only alter an exhaustive day of fighting and dying, was the beachhead established.

In 1999, it is easy to think of the D-Day invasion and of the Allied success in World War II as pre-determined. In 1944, it just was not so and Eisenhower and the Allied leaders knew that at that point victory was not assured and that the war could still be lost.

It is humbling to read the never-delivered address General Eisenhower penned in case the Allies were driven back into the sea.

In it, Eisenhower assumed all fault for a failed invasion attempt. Thankfully, he never had to deliver that address.

From the beaches at Normandy, the Allies broke out, fought through the hedgerow country to liberate Paris in July, 1944.

From Paris to the Battle of the Bulge in the Ardennes, through the low countries and ultimately sweeping on to Berlin the Allies—with the Americans taking the lead—secured victory over Nazi Germany in April, 1945.

It took four more months of island-to-island combat to defeat the Japanese Empire in August, 1945, and to achieve complete and total victory in World War II.

This nation owes a great debt of gratitude to the men and women who made Normandy and the entire war effort the success it was.

With each day, scores of D-Day veterans, many in their late 70’s and 80’s, pass away. As a generation, this group was unique in living and making real their unspoken code: faithfulness and duty to God, family, and country.

The brave men of Normandy—both the survivors and those buried in the American Cemetery just up the hill from the landing beaches—from both humble and privileged beginnings, deserve to be honored by the Senate and the nation as whole.

In this spirit I urge my colleagues to support me in honoring the veterans of D-Day and all veterans who have sacrificed for this great nation.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate the messages of the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated on Thursday, April 22, 1999:

EC–2681. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled “Federal Employees’ Group Insurance Program: Court Orders” (RIN3206-A149) received on April 5, 1999; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 27, 1999, the following reports of committees were submitted on June 2, 1999:

By Mr. DOMENICI, from the Committee on Appropriations, without amendment:

S. 716. An original bill providing for appropriations for energy and water development for the fiscal year ending September 30, 2000 (Rept. No. 106–58).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 415. A bill to protect the permanent trust funds of the State of Arizona from erosion due to inflation and modify the basis on which distributions are made from those funds (Rept. No. 106–59).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without recommendation with amendments:

S. 456. A bill to direct the Secretary of Agriculture to convey the city of Sisters, Oregon, a certain parcel of land for use in connection with a sewage treatment facility (Rept. No. 106–60).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 744. A bill to provide for the continuation of higher education through the conveyance of certain public lands in the State of Alaska to the University of Alaska, and for other purposes (Rept. No. 106–61).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:


S. 441. A bill to amend the National Trails System Act to designate the route of the War of 1812 British invasion from Maryland and West Virginia, District of Columbia, and thereby the route of the American defense, for study for potential addition to the national trails system (Rept. No. 106–63).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:


By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 706. A bill to amend the National Trails System Act to designate the Alaka Kaha Kai Trail as a National Historic Trail (Rept. No. 106–65).

S. 776. A bill to authorize the National Park Service to conduct a feasibility study for the preservation of the Loess Hills in western Iowa (Rept. No. 106–66).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 1186: An original bill making appropriations for energy and water development for the fiscal year ending September 30, 2000.
National Park System and National Wildlife Refuge System units, and for other purposes (Rept. No. 106-6).

By Mr. MUKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 449. A bill to authorize the Gateway Visitor Center at Independence National Historical Park, and for other purposes (Rept. No. 106-68).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time, and referred to the appropriate committees, and referred as indicated:

By Mr. DORGAN:

S. 1167. A bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SMITH of New Hampshire:

S.J. Res. 27. A joint resolution disapproving the extension of nondiscriminatory normal trade relations treatment to the products of China; to the Committee on Finance.

By Mr. SMITH of New Hampshire:

S.J. Res. 27. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SESSIONS:

S. Con. Res. 37. A concurrent resolution expressing the sense of Congress that State and local governments and local educational agencies are encouraged to dedicate a day of learning to the study and understanding of the Declaration of Independence, the United States Constitution, and the Federalist Papers; to the Committee on Health, Education, Labor, and Pensions.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DORGAN:

S. 1167. A bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes, to the committee on Banking, Housing, and Urban Affairs.

By Mr. SMITH of New Hampshire:

S.J. Res. 27. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

By Mr. DORGAN:

S. 1167. A bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes, to the committee on Banking, Housing, and Urban Affairs.

THE LEWIS AND CLARK EXPEDITION BICENTENNIAL COMMEMORATIVE COIN ACT

Mr. DORGAN. Mr. President, today I am introducing the "Lewis and Clark Expedition Bicentennial Commemorative Coin Act." This act authorizes the U.S. Mint to produce a commemorative coin honoring the Lewis and Clark Expedition. This is a bill I introduced in the last Congress and which had the support of 43 other Senators. The bill is a companion to one that has been introduced in the House of Representatives by Congressman BEREUTER.

I am introducing this legislation to ensure that one of America's finest moments will be forever memorialized. The Lewis and Clark Expedition, called the Corps of Discovery, represents the finest in American history. The Expedition began in 1803 when President Thomas Jefferson commissioned the exploration of the newly purchased Louisiana Territory and ended in 1806 with the Expedition's triumphant return.

When considering why we should commemorate the Expedition, it's important to recall Thomas Jefferson's vision for America's future and his dedication to expanding not only our geographic frontiers, but the frontiers of knowledge as well. Jefferson's vision is epitomized by his commissioning of the Expedition. Further, the Expedition represents a hallmark for peaceful diplomacy, as demonstrated by the friendly relations the Expedition established with the Native Americans it encountered on its journey. These are a few of the many valuable lessons from the Expedition that we should carry forward into the future.

The minting of the Lewis and Clark Commemorative Coin was endorsed in the 1998 recommendations of the Citizens Commemorative Coin Advisory Committee (CCAC), which was established by the 102nd Congress. If, as expected, the coin sells out, approximately $5 million would be available to help fund bicentennial celebrations. After the Treasury Department has recovered all costs of minting this coin, two-thirds of the surcharge received would be available for the National Lewis and Clark Bicentennial Council's commemorative activities.

The Committee recognizes that segments of the private sector wish the U.S. Government to subsidize business operations in these countries. In the case of China, the waiver also allows for continuation of most-favored-nation trade privileges, now known as normal trade relations. Mr. President, I feel confident that, with the support of my Senate colleagues and the passage of this bill, we can appropriately celebrate a vibrant and historically significant event.

By Mr. SMITH of New Hampshire:

S.J. Res. 27. A joint resolution disapproving the extension of nondiscriminatory normal trade relations treatment to the products of the People's Republic of China; to the Committee on Finance.

DISAPPROVAL ON TRADE BENEFITS FOR CHINA

Mr. SMITH of New Hampshire. Mr. President, I rise to introduce two resolutions concerning our trade relationships with the People's Republic of China and the Socialist Republic of Vietnam. Last Thursday, June 3, 1999, the President of the United States formally recommended waivers of the application of the Trade Act of 1974 provisions with respect to China and Vietnam, thereby allowing U.S. tax dollars to subsidize business operations in these countries.

In its report on the Trade Act, the Senate Committee on Finance stated: "The Committee recognizes that segments of the private sector wish the U.S. Government to subsidize business operations in these countries. In the case of China, the waiver also allows for continuation of most-favored-nation trade privileges, now known as normal trade relations. Mr. President, I feel confident that, with the support of my Senate colleagues and the passage of this bill, we can appropriately celebrate a vibrant and historically significant event."

Mr. President, on November 26, 1974, in its report on the Trade Act, the Senate Committee on Finance stated: "The Committee recognizes that segments of the private sector wish the U.S. Government to subsidize business operations in these countries. In the case of China, the waiver also allows for continuation of most-favored-nation trade privileges, now known as normal trade relations. Mr. President, I feel confident that, with the support of my Senate colleagues and the passage of this bill, we can appropriately celebrate a vibrant and historically significant event."

By Mr. SMITH of New Hampshire:

S.J. Res. 27. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

DISAPPROVAL ON TRADE BENEFITS FOR VIETNAM

Mr. SMITH of New Hampshire. Mr. President, I rise to introduce two resolutions concerning our trade relationships with the People's Republic of

ADDITIONAL COSPONSORS

S. 115

At the request of Ms. Snowe, the name of the Senator from Delaware (Mr. Biden) was added as a co-sponsor of S. 115, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 148

At the request of Mr. Abraham, the name of the Senator from New Jersey (Mr. Torricelli) was added as a co-sponsor of S. 148, a bill to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds.

S. 161

At the request of Mr. Moynihan, the name of the Senator from Rhode Island
(Mr. REED) was added as a cosponsor of S. 161, a bill to provide for a transition to market-based rates for power sold by the Federal Power Marketing Administrations and the Tennessee Valley Authority, and for other purposes.

S. 222

At the request of Mr. LAUTENBERG, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 222, a bill to amend title 23, United States Code, to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

S. 285

At the request of Mr. McCAIN, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earning test.

S. 305

At the request of Mr. McCAIN, the names of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 305, a bill to reform unfair and anticompetitive practices in the professional boxing industry.

S. 335

At the request of Ms. COLLINS, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 335, a bill to amend chapter 30 of title 39, United States Code, to provide for the nonmaliability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, and for other purposes.

S. 336

At the request of Mr. LEVIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 336, a bill to curb deceptive and misleading games of chance mailings, to provide Federal agencies with additional investigative tools to police such mailings, to establish additional penalties for such mailings, and for other purposes.

S. 439

At the request of Mr. BREAUx, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 439, a bill to amend the Internal Revenue Code of 1986 to increase financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 514

At the request of Mr. COCHRAN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 514, a bill to improve the National Writing Project.

S. 607

At the request of Mr. CRAIG, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 607, a bill to reauthorize and amend the National Geologic Mapping Act of 1992.

S. 664

At the request of Mr. CHAFFEE, the names of the Senator from New York (Mr. MOYNIHAN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 745

At the request of Mr. ABRAHAM, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 745, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the requirements for implementation of an entry-exit control system.

S. 746

At the request of Mr. THOMPSON, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 746, a bill to provide for analysis of major rules, to promote the public’s right to know the costs and benefits of major rules, and to increase the accountability of quality of Government.

S. 784

At the request of Mr. ROCKEFELLER, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 791

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 791, a bill to amend the Small Business Act with respect to the women’s business center program.

S. 805

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 805, a bill to amend title V of the Social Security Act to provide for the establishment and operation of asthma treatment services for children, and for other purposes.

S. 818

At the request of Mr. DEWINE, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 818, a bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of medicare patients related to the provision of anesthesia services.

S. 820

At the request of Mr. BREAUX, the name of the Senator from Nebraska (Mr. KERRY) was added as a cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 836

At the request of Mr. GRAHAM, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 836, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group health plans and health insurance issuers provide women with adequate access to providers of obstetric and gynecological services.

S. 918

At the request of Mr. KERRY, the names of the Senator from Utah (Mr. BENNETT), the Senator from Wyoming (Mr. ENZI), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 918, a bill to authorize the Small Business Administration to provide financial and business development assistance to military reservists’ small business, and for other purposes.

S. 924

At the request of Mr. NICKLES, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 924, a bill entitled the ‘‘Federal Royalty Certainty Act’’.

S. 941

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 941, a bill to amend the Public Health Service Act to provide for a public response to the public health crisis of pain, and for other purposes.

S. 980

At the request of Mr. BAUCUS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 980, a bill to promote access to health care services in rural areas.

S. 1007

At the request of Mr. JEFFORDS, the name of the Senator from New York
(Mr. SCHUMER) was added as a cosponsor of S. 1105, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of semiconductor manufacturing equipment.

S. 1185

At the request of Mr. OYNIHAN, the names of the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of Senate Resolution 59, a bill designating both July 2, 1999, and July 2, 2000, as "National Literacy Day.''

SENATE RESOLUTION 59

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of Senate Resolution 59, a bill designating both July 2, 1999, and July 2, 2000, as "National Literacy Day.''

S. 1150

At the request of Mr. MOYNIHAN, a bill to amend the Internal Revenue Code of 1986, as so defined, to provide certain protections from litigation of S. 1150, a bill to amend the Internal Revenue Code of 1986, as so defined, to provide certain protections from litigation of S. 1185, a bill to provide small business certain protections from litigation excesses and to limit the product liability of non-manufacturer product sellers.

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the names of the Senator from Missouri (Mr. ASHCROFT), the Senator from Hawaii (Mr. INOUYE), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of Senate Resolution 59, a bill designating both July 2, 1999, and July 2, 2000, as "National Literacy Day.''

SENATE RESOLUTION 95

At the request of Mr. LEAHY, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of Senate Resolution 95, a resolution expressing the sense of the Senate regarding a peaceful process of self-determination in East Timor, and for other purposes.

SENATE CONCURRENT RESOLUTION 37—EXPRESSING THE SENSE OF CONGRESS THAT STATE AND LOCAL GOVERNMENTS AND LOCAL EDUCATIONAL AGENCIES ARE ENCOURAGED TO DEDICATE A DAY OF LEARNING TO THE STUDY AND UNDERSTANDING OF THE DECLARATION OF INDEPENDENCE, THE UNITED STATES CONSTITUTION, AND THE FEDERALIST PAPERS

Mr. SESSIONS submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

Whereas the adoption of the Declaration of Independence in 1776, the signing of the United States Constitution in 1787, and the ratification of the Bill of Rights in 1791 were principal events in the history of the United States;

Whereas these documents stand as the foundation of our form of democracy, providing at the same time the touchstone of our national identity and the vehicle for orderly growth and change of our system—indeed—the future of its heritage and participants in its governance—have a firm knowledge of its principles and history; and

Whereas the system of government is the fundamental American concept of governance, because our system is based on the belief that power is granted by our Creator to the citizen who then voluntarily loans power to the state and because, as the Declaration of Independence states, "all men are endowed by their Creator with certain unalienable Rights"; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) State and local governments and local educational agencies are encouraged to dedicate at least one day of learning to the study and understanding of the significance of the Declaration of Independence, the United States Constitution, and the Federalist Papers; and

(2) State and local governments and local educational agencies are encouraged to include the requirement that, before receiving certificate or diploma of graduation from high school, students be tested on their competency in understanding the Declaration of Independence, the United States Constitution, and the Federalist Papers.

AMENDMENTS SUBMITTED

NEW MILLENNIUM CLASSROOMS ACT

ABRAHAM AND WYDEN AMENDMENT NO. 539

On page 3, lines 11 and 12, strike "(as defined in section 170(c)(6)(B))". On page 3, between lines 13 and 14, insert: "(b) QUALIFIED ELEMENTARY OR SECONDARY EDUCATIONAL CONTRIBUTION.—For purposes of this section, the term "qualified elementary or secondary educational contribution" has the meaning given such term by section 170(e)(6)(B), except that such term shall include the cost of a computer (as defined in section 168(k)(2)(B)(i)) only if computer software (as defined in section 199(e)(8)) that subsequently operates the computer system has been lawfully installed in such computer.

On page 3, line 14, strike "(b)" and insert "(c)". On page 3, line 18, strike "(as so defined)". On page 3, line 24, strike "(c)" and insert "(d)". On page 4, line 1, strike "(d)" and insert "(e)". On page 4, line 4, add end quotation marks after the period.

Mr. ABRAHAM. Mr. President, today my good friend Senator WYDEN and myself are filing an amendment in the RECORD to S. 542, the New Millennium Classrooms Act. The Abraham-Wyden amendment would mandate that in order for a company to receive the enhanced computer donation tax credit, the computer must be equipped with an operating system, ensuring donated computers will be fully operational as soon as they are received by schools.

All of us can agree that our schools are in desperate need of high tech computer equipment and Internet access. The New Millennium Classrooms Act address this need through enhanced tax incentives for companies donating computers to schools.

Mr. President, we can also agree that this amendment is rendered useless if it is given to schools incomplete. To work properly, computers must be furnished with an operating system. Without this software, the equipment simply sits on a shelf until the school itself can find the means to purchase and install the necessary operating system. Mr. President, this equipment offers nothing toward a child's knowledge and education if it is capable of little more than filling storage space and gathering dust. The Abraham-Wyden amendment, recognizing this reality, requires an operating system to be installed on donated computers, guaranteeing complete, quality, ready-to-go equipment.

In addition, the Abraham-Wyden amendment would ensure that schools are not subjected to faulty or broken hardware. Without an operating system, school is aware of any problems concerning the donation, burdening an already financially strapped school with added, and unnecessary, costs.

Mr. President, allow me to reiterate how important this technology is to our children's future. By the year 2000, less than one year from now, more than 60 percent of all jobs in this country will demand high tech skills. Computers and the Internet continue to drastically change the face of business and communications on a global level, developing at a pace far surpassing what anyone predicted even just a few years ago. With the passage of the New Millennium Classrooms Act, all our children will have a chance at succeeding in the new technological millennium.

I ask that the text of the letter of support from Microsoft for the New Millennium Classrooms Act be printed in the RECORD.
The letter is printed as follows:

**Microsoft Corporation, Law and Corporate Affairs, Washington, DC, May 28, 1999.**

**Dear Senator Abraham:** Microsoft supports your effort, through the New Millennium Classrooms Act, to increase charitable contributions of personal computers to schools and other nonprofit organizations. Microsoft appreciates the enormous needs in our country for access to technology. We work closely with businesses, charitable organizations, and educators in an effort to increase the technology available in schools so that students have the opportunity to learn. We believe the New Millennium Classrooms Act is an important, innovative way to help accomplish this goal.

Thank you for once again demonstrating your leadership on high technology issues for our nation's schools and we are proud to support it.

Mr. Durbin, Mr. President, I would like to take a moment to make my colleagues aware of the accomplishments of an outstanding Illinois citizen. This Thursday, June 10, Ira P. Weinstein will turn 80. As we celebrated Memorial Day just a week ago, I think it is appropriate to mention Mr. Weinstein's service to our country as it is a constant reminder that without the dedication and bravery of so many like him, the freedom we are privileged to enjoy could not be possible.

**ADDITIONAL STATEMENTS**

**IN HONOR OF IRA WEINSTEIN**

- **Mr. Durbin,** Mr. President, I would like to take a moment to make my colleagues aware of the accomplishments of an outstanding Illinois citizen. This Thursday, June 10, Ira P. Weinstein will turn 80. As we celebrated Memorial Day just a week ago, I think it is appropriate to mention Mr. Weinstein’s service to our country as it is a constant reminder that without the dedication and bravery of so many like him, the freedom we are privileged to enjoy could not be possible.

- **Born in Chicago, Illinois on June 10, 1919,** Mr. Weinstein entered the U.S. Army Air Corps in 1942, just as America was being drawn into World War II. Trained as a Navigator-Bombardier, Mr. Weinstein rose to the rank of First Lieutenant and proceeded to fly 25 missions during World War II as a member of the 8th Air Force 445 Bomb Group. Although he had 24 previous missions he flew had been safe ones, Mr. Weinstein’s 25th would be his most harrowing.

- On September 27, 1944, Mr. Weinstein’s plane was shot down over Germany during the Kassel Mission. As he parachuted to the ground, Mr. Weinstein found safety and eluded capture for six days. Unfortunately, he was found by the enemy and held as a Prisoner of War in Stalag Luft I, in Barth, Germany. On May 11, 1945, the camp where Mr. Weinstein was held was liberated, ending an eight-month ordeal as a POW. For his heroism, Mr. Weinstein was awarded several distinguished service medals. These include the Purple Heart, the Air Medal, the POW Medal, a Presidential Citation, the American Campaign and European Campaign Medals, the WW II Victory Medal, and the distinguished French Croix de Guerre.

- After returning from the war, Mr. Weinstein, like so many others of his generation, went on to become accomplished in the world of business, building a successful advertising agency respected throughout the Chicago area. Despite the loss of his wife several years ago, Mr. Weinstein, now retired, enjoys being a grandfather and takes special pride in his expertise as a horticulturist.

- I am pleased to take this opportunity today to honor an American hero and one of my constituents. As we did one week ago today, we should not hesitate to honor our defenders of freedom every day as we enjoy the liberty they fought so hard to protect.

**THE VERY BAD DEBT BOXSCORE**

- **Mr. Helms,** Mr. President, at the close of business Friday, June 4, 1999, the federal debt stood at $5,605,818,000,792.65 (Five trillion, six hundred five billion, eight hundred eight million, seven hundred ninety-two dollars and sixty-five cents).

- One year ago, June 4, 1998, the federal debt stood at $5,496,608,000,000 (Five trillion, four hundred ninety-six billion, five hundred sixty-eight million).

- Fifteen years ago, June 4, 1984, the federal debt stood at $1,519,266,000,000 (One trillion, five hundred nineteen billion, two hundred sixty-six million).

**CONGRATULATIONS TO DAVID LIEBERMAN**

- **Mr. Rockefeller,** Mr. President, today, I would like to pay tribute to Mr. David S. Lieberman, the outgoing Executive Director of the Child Welfare League of America (CWLA). David has fought hard to make a difference in the lives of families and children, especially some of the most vulnerable children who are at risk of abuse and neglect.

- Over many years, I have been privileged to work directly with David Lieberman and the extraordinary team of dedicated professionals whom he has assembled at the Child Welfare League of America (CWLA). David has the unique ability to be a leader on a variety of levels—within his own organization, throughout the country with many CWLA affiliates, and in Washington as a policy maker and advocate.

- Early in his career, he had the vision and determination to craft policy answers by helping to create the original Independent Living Program. We worked closely together in 1993 to secure over a billion dollars in new investments in prevention services for abused and neglected children. In 1997, David was an effective ally and advocate in the effort to enact the Adoption and Safe Families Act which ensures that a child’s health and safety are paramount, and continues the investments in prevention to deliver on this promise.

- Those who know David Lieberman’s personal history are not surprised by his commitment, or his successful record of accomplishments. David began his career working directly with families and serving disadvantaged youths living in public housing in the Boston area. These years in the trenches instilled in him a sense of compassion and the challenges brought by the harsh realities many of our Nation’s children face. After direct services, he went on to serve the people of Massachusetts first in the State Legislature and then as Chief of Staff.
to Governor Michael Dukakis. After years of service in Massachusetts, David decided to focus on National issues when he accepted the helm of the Child Welfare League of America (CWLA) and began to lead national discussion of the agenda on policy issues facing children and families. For fifteen years, he led CWLA and was a well-known advocate and spokesman for needy children and families.

In honor of his many achievements, David Liederman won the 1996 Award for Excellence in national Executive Leadership and the 1997 National Lifetime Achievement Award from the National Association of Social Workers. I am proud to have worked with David Liederman over so many years, and am proud to call him a friend. His voice will be truly missed on child welfare issues in Washington, But he has our best wishes as he seeks new challenges and opportunities in public service.

MC DONALD COUNTY SESQUICENTENNIAL

• Mr. ASHCROFT. Mr. President, I rise to commend the sesquicentennial celebration of the founding of McDonald County, Missouri. On March 3, 1849, the Missouri State Legislature established McDonald County, which was named in honor of a hero of the Revolutionary War, Alexander McDonald.

McDonald County is rich in hospitality, heritage, and history. During the Civil War, McDonald County was the scene of many battles, including battles at Pineville on November 19, 1862, and August 13, 1863. Through the hardships of the war, and through the challenges of peace, the good people of McDonald County stood fast for the values of faith, family, freedom, and hard work. Today, the county celebrates 150 years of history.

An exceptional name in 1938, during the Great Depression, when Hollywood came to McDonald County to make the movie "Jesse James," which starred Tyrone Power, Henry Fonda, and Randolph Scott.

Each Christmas, the city of Noel in McDonald County receives thousands of cards from all over the county, and affixes the "Christmas City" message on cards that wish the joy of the season to families and friends all over the U.S.

In addition to agriculture and industry, McDonald County is a paradise for outdoor recreation. Its rugged hills and valleys, watered by springs, rivers, and streams, attract thousands of anglers, boaters, hikers, and others.

It is an honor to join with the people of McDonald County in celebrating 150 years of history. Mr. President, I ask that members of the Senate join me in recognizing this historic milestone for McDonald County, Missouri.

RECOGNITION OF WV JUVENILE JUSTICE COMPLIANCE MONITORING BY DCJS

• Mr. ROCKEFELLER. Mr. President, it is my honor to commend the West Virginia Division of Criminal Justice Services (DCJS) for its outstanding compliance monitoring program. The exceptional quality of this program has been recognized by Attorney General Janet Reno and the Department of Justice as an example of how a monitoring program should work. All new Juvenile Justice Compliance Monitors will travel to West Virginia to be trained by DCJS staff.

The West Virginia Division of Criminal Justice Services has an admirable track record of meeting or surpassing the goals set for juvenile justice systems by federal and state regulations. In August 1998, a five-year compliance audit of the DCJS reported a faultless, efficient, streamlined monitoring system for its juvenile justice and delinquency programs (JJPDP). West Virginians are right to be proud of the efficient, organized system in use by DCJS, and we can take even more pride in the fact that the DCJS compliance monitoring program will serve as a guide for compliance monitors throughout the country. West Virginia expertise and innovation will be instrumental in streamlining juvenile justice and delinquency prevention programs.

The recent acclaim for West Virginia's compliance monitoring program is a reflection of the many other virtues within the Division's purview. The success of the Juvenile Crime Enforcement Coalition plan has prompted other states' juvenile justice agencies to model their programs after West Virginia's. In her speech, Attorney General Janet Reno stated that Under-age Drinking Plan as a possible approach for other jurisdictions. To their credit, the staff and management of DCJS do not invest these laurels with more importance than they have. The hard work, the staff and management of DCJS do not invest these laurels with more importance than they have. The hard work of contract agents, workers in the Front Line, and everyone who has contributed to this historic program.

An exceptional name in 1938, during the Great Depression, when Hollywood came to McDonald County to make the movie "Jesse James," which starred Tyrone Power, Henry Fonda, and Randolph Scott.

Each Christmas, the city of Noel in McDonald County receives thousands of cards from all over the county, and affixes the "Christmas City" message on cards that wish the joy of the season to families and friends all over the U.S.

In addition to agriculture and industry, McDonald County is a paradise for outdoor recreation. Its rugged hills and valleys, watered by springs, rivers, and streams, attract thousands of anglers, boaters, hikers, and others.

It is an honor to join with the people of McDonald County in celebrating 150 years of history. Mr. President, I ask that members of the Senate join me in recognizing this historic milestone for McDonald County, Missouri.

A great milestone was reached in West Virginia as 2,500 of our GIs gave their lives in the war to liberate the world from assault against humanity. During that misty and chilly day, 156,000 Allied soldiers crossed the English channel in one of history's greatest military operations. Every soldier, every sailor, and every airman united to challenge the injustices that terrorized and enslaved Europe. With soldiers from other Allied nations, American soldiers stormed the beaches, bombed enemy encampments, fought in the front lines, and ensured Europe's liberation.

When the paratroopers descended from the dark skies and the soldiers charged forward from the churning seas, the tide of the war changed. The brave men who returned from this battle and World War II to enjoy the world they liberated, we also remember those who never came home. On D-Day alone, 2,500 of our GIs gave their lives for the hope of a better tomorrow. The Allied forces defeated Nazi Germany 11 months later, it was reaffirmed that they did not die in vain.

These dedicated Americans secured the future and freedoms that we now enjoy. All Americans are forever in debt to the members of our Armed Services, past and present, who put their lives on the line to guarantee our freedom.

CHARACTER COUNTS!

• Mr. ROCKEFELLER. Mr. President, I am proud to be an original cosponsor of the Character Counts! initiative introduced by Senator DOMENICI and others on May 6, 1999. I avidly support education in West Virginia and the United States, and I believe this should include an emphasis on basic character and good citizenship. In the words of Theodore Roosevelt: "To educate a person in mind and not in morals is to educate a menace to society."

Character Counts! recognizes and addresses that there is a connection between one's personal life and one's business or political abilities. Character Counts! understands that morals and character development go hand in hand, and that it is never too late to teach the tools to help develop personal character. The promotion of healthy character development is a necessary precursor to reaching the ultimate goal of teaching people to take personal responsibility.

The Character First! training series is based in Oklahoma City, Oklahoma. The Character Bulletin Series provides...
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 a 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 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 Chairman 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! is a cooperative effort to educate 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—Subsection 3663 of title 18, United States Code, is amended by adding at the end the following:

**§ 4048. Fees for health care services for prisoners**

(a) Definitions.—In this section—

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

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

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

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

(B) operating within the scope of such authorization;

(4) the term ‘health care visit’—

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

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

(1) pursuant to a referral or request by a provider; or

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

(5) 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.

(2) EXCLUSION.—The Director may not assess or collect a fee under this section for preventative health care services, emergency services, prenatal care, diagnosis or treatment of contagious diseases, mental health care, or substance abuse treatment, as determined by the Director.

(c) PERSONS SUBJECT TO FEE.—Each fee assessed under this section shall be collected by the Director from the account of—

(1) the prisoner receiving health care services in connection with a health care visit described in subsection (b)(1); or

(2) in the case of health care services provided in connection with a health care visit described in subsection (b)(1), results from an injury inflicted on another prisoner, the prisoner who inflicted the injury, as determined by the Director.

(d) AMOUNT OF FEE.—Any fee assessed and collected under this section shall be in an amount of not less than $2.

(e) NO CONSENT REQUIRED.—Notwithstanding any other provision of law, the consent of a prisoner shall not be required for the collection of a fee from the account of the prisoner under this section.

(f) NO REFUSAL OF TREATMENT FOR FINANCIAL REASONS.—Nothing in this section may be construed to permit any refusal of treatment to a prisoner on the basis that—

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

(2) the prisoner is otherwise unable to pay a fee assessed under this section.

(g) USE OF AMOUNTS.—

(1) RESTRICTIONS ON SPECIFIC VICTIMS.—Amounts collected by the Director under this section from a prisoner subject to an order of restitution issued pursuant to section 3663 or 3663A shall be paid to victims in accordance with the order of restitution.

(2) ALLOCATION OF OTHER AMOUNTS.—Of amounts collected by the Director under this section from a prisoner subject to an order of restitution issued pursuant to section 3663 or 3663A—

(A) 75 percent shall be deposited in the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601); and

(B) 25 percent shall be available to the Attorney General for administrative expenses incurred in carrying out this section.

(h) REPORTS TO CONGRESS.—Not later than the date prescribed for the submission of the Federal Prisoner Copayment Act of 1999, and annually thereafter, the Director shall submit to Congress a report, which shall include—

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

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

“(2) 4048. Fees for health care services for prisoners.”

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

Section 4013 of title 18, United States Code, is amended by adding at the end the following:

“(c) HEALTH CARE FEES 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;

(B) 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

(C) the services—

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

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

(iii) are not preventative health care services, emergency services, prenatal 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.”

**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.”
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. 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 contract for 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 Reloading and Manufacturing Support Initiative.  
Sec. 142. Extension of pilot program on sales of manufactured articles and services of Army industrial facilities to purveyors outside the Department of Defense.  
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. Ammunition 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 airblast 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. 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 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 lab capacity.  
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 funding.  
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 as 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 procedures.  
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 dependents 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 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 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 grades authorized to be on active duty in support of the reserves.  
Subtitle C—Authorization of Appropriations  
Sec. 421. Authorization of appropriations for military personnel.
Sec. 533. Expansion of foreign exchange programs for study in foreign countries to include foreign students at the service academies.

Sec. 534. Repeal of limitation on amount of reimbursement authorized to be paid for foreign students at the service academies.

Sec. 535. Expansion of foreign exchange programs of the service academies.

Sec. 536. Permanent authority for ROTC scholarships for graduate students.

Sec. 537. Continuing enrollment of graduate-level degrees by Air University.

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 Leadership Academic Program.

Title D—Decorations, Awards, and Commendations

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 conflict.

Sec. 553. Expansion of backlog in requests for replacement of military medals and other decorations.

Sec. 554. Retroactive award of Navy Combat Action Ribbon.

Title E—Amendments to Uniform Code of Military Justice

Sec. 601. Fiscal year 2000 increase and restructing of basic pay.

Sec. 602. Pay increases for fiscal years 2001 through 2006.

Sec. 603. Special assistance allowance for food stamp eligible members.

Sec. 604. Payment for nonactive duty time in conjunction with a reenlistment.

Sec. 605. Continuance of pay and allowances while in duty status (whereabouts unknown).

Sec. 606. Equitable treatment of class of 1987 of the Uniformed Services University of the Health Sciences.

Title B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of authorities relating to payment of certain bonuses and special pays.

Sec. 612. One-year extension of certain bonuses and special pay authorizations for reserve forces.

Sec. 613. One-year extension of certain bonuses and special pay authorizations for nurse officer candidates, registered nurses, and nurse anesthetists.

Sec. 614. Amount of aviation bonus and career incentive 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 active duty.

Sec. 618. Retention bonus for surface warfare 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 special pay.

Sec. 621. Increase in maximum amount authorized 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 Selected Reserve.

Sec. 625. Reduced minimum period of enlistment in Army in critical skill eligibility for enlistment bonus.

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.

Title C—Travel and Transportation Allowances

Sec. 641. Payment of temporary lodging expenses to certain military technicians 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 (dual status) during periods of active duty without pay outside the United States.
Sec. 641. 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.

Subtitle D—Retired Pay, Survivor Benefits, and Related Matters

Sec. 651. Retired pay options for personnel entering uniformed services on or after August 1, 1996.

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.

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.

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.

Subtitle 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

Subtitle A—TRICARE Program

Sec. 701. Improvement of TRICARE benefits and medical 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 health care demonstration program.

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

Sec. 714. Best value contracting.

Sec. 715. Authority to order reserve component members to 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 delivery orders.

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 prior reporting rule for certain procurements less than $100,000.

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

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—General

Sec. 901. Number of management headquarters and headquarters support activities personnel.

Sec. 902. Additional matters for annual reports on joint warfighting experimentation.

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.

Subtitle B—Commission To Assess United States National Security Space Management and Organization

Sec. 911. Establishment of commission.

Sec. 912. Duties of commission.

Sec. 913. Report.

Sec. 914. Powers.

Sec. 915. Commission procedures.

Sec. 916. Personnel matters.

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 and Department of Defense 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 stricken 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 budgets.

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

Sec. 1024. Report on delivery of weapons 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 antiterrorist effects proposed changes in operation of storage sites for lethal chemical agents and munitions.

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

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


Sec. 1032. Review of 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 threats and assistance for 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 nuclear military conflict.

Sec. 1049. Prevention of interference with Department of Defense use of 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 domestic dependent elementary and secondary schools after loss of eligibility.

Sec. 1056. Unified school boards for all Department of Defense Domestic Dependent 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 embargo against governments in armed conflict with the United States.

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

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. Declasification 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 member nations 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 service members.

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 for 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.

Sec. 1204. Powers.

Sec. 1205. Commission procedures.

Sec. 1206. Personnel matters.

Sec. 1207. Miscellaneous administrative provisions.

Sec. 1208. Funding.

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


TITLE XXI—ARMY

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.

TITLE XXII—NAVY

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

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Technical modification of 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.

Sec. 2303. Improvements to military family housing units.


TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Improvements to military family housing units.
Sec. 2403. Military family housing improvement program.
Sec. 2404. Energy conservation projects.
Sec. 2406. Modification of authority to carry out certain fiscal year 1997 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM
Sec. 2501. Authorized NATO construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.

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 under taken 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. Modification 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 Base, Great Lakes Naval Training 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 Fort Douglas, Utah.

TITLE XXIX—RENEWAL OF MILITARY LAND WITHDRAWALS
Sec. 2901. Findings.
Sec. 2902. Sense of the Senate regarding proposed renewal of public land withdrawals.
Sec. 2903. Sense of Senate regarding withdrawals of certain lands in Arizona.

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.
Sec. 3104. Defense nuclear waste disposal.
Sec. 3105. Defense environmental management privatization.

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 activities.

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 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 defensive 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.
TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD
Sec. 3201. Defense Nuclear Facilities Safety Board.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE
Sec. 3301. Authorized uses of stockpile funds.
Sec. 3302. Limitations on previous authority for disposal of stockpile materials.

TITLE XXXIV—PANAMA CANAL COMMISSION
Sec. 3401. Short title.
Sec. 3402. Authorization of expenditures.
Sec. 3403. Purchase of vehicles.
Sec. 3404. Expenditures only in accordance with treaties.
Sec. 3405. Office of Transition Administration.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.
For purposes of this Act, the term “congressional defense committees” means—
(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and
(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

DIVISION A—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 artillery, $1,411,104,000.
(3) For weapons and tracked combat vehicles, $1,678,865,000.
(4) For ammunition, $1,209,016,000.
(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 weapons, including missiles and torpedoes, $1,392,100,000.
(3) For shipbuilding and conversion, $7,016,600,000.
(4) For other procurement, $1,197,791,000.
(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Marine Corps in the amount of $1,295,570,000.
(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2000 for 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 artillery, $9,208,000.
(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 $2,295,417,000.

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—
(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.

SEC. 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 $356,970,000.

Subtitle B—Army Programs
SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR CERTAIN ARMY PROGRAMS.
Beginning with the fiscal year 2000 program year, the Secretary of the Army may, in accordance with section 2306b 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-64D Longbow Apache aircraft.
(6) The Wolverine heavy assault bridge.
(7) The system enhancement program for the M1A2 Abrams tank.
(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.
(11) The improved Bradley acquisition system for the Bradley A3 fighting vehicle, except that the period of a multiyear contract may not exceed four years.
(12) The Bradley Fighting Vehicle, except that the period of a multiyear contract may not exceed four years.

SEC. 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, or 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 in such trainers 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.

SEC. 113. ARMY AVIATION MODERNIZATION.
(a) MODERNIZATION PLAN.—The Secretary of the Army shall submit to the congressional defense committees a comprehensive modernization plan for modernizing the Army's helicopter forces. The plan shall include provisions for the following:

(1) For the AH-64D Apache Longbow program:
(A) Restoration of the original procurement objective of the program to the procurement of 747 aircraft and 227 fire control radars.
(B) Qualification and training of reserve component pilots as augmentation crews to 24-hour warfighting capability in deployed attack helicopter units.
(C) Fielding of a sufficient number of aircraft in reserve component aviation units to implement the programs to the plan required under subparagraph (B).
(2) For AH-1 Cobra helicopters, retirement of all AH-1 Cobra helicopters remaining in the fleet.
(3) For the RAH-66 Comanche program:
(A) Review of the total requirements and acquisition objectives for the aircraft.
(B) Fielding of Comanche helicopters to the existing aviation force structure.
(3) Support for the plan for the AH-64D Apache program required under paragraph (1).
(4) For the UH-1 Huey helicopter program:
(A) A UH-1 modernization program.
(B) Revision of total force requirements for the aircraft to reflect the warfighting support requirements and State mission requirements for aircraft utilized by the Army National Guard.
(5) For the UH-60 helicopter program:
(A) Identification of the requirements for the aircraft.
(B) An acquisition strategy for meeting requirements that cannot be met by UH-1 Huey helicopters among the warfighting support requirements and State mission requirements for aircraft utilized by the Army National Guard.
(6) For the CH-47 Chinook helicopter service life extension program, maintenance of the schedule and funding.
(7) For the OH-58D Kiowa Warrior helicopter program.
(8) A revised assessment of the Army's present and future requirements for helicopters and its present and future helicopter inventory, including the number of aircraft, average age of aircraft, availability of spare parts, flight hour costs, roles and functions assigned to the fleet as a whole and to each type of aircraft, and the mix of active component and reserve component aircraft in the fleet.

(b) LIMITATION.—Not more than 90 percent of the amount authorized to be appropriated under section 101(2) may be obligated before the date that is 30 days after the date on which the Secretary of the Army submits the plan required under subsection (a) to the congressional defense committees.

SEC. 114. MULTIPLE LAUNCH ROCKET SYSTEM.
Of the funds authorized to be appropriated under section 101(2), $500,000 may be made available to complete the development of a new configuration to increase the accuracy of the multiple launch rocket system weapon system.

Subtitle C—Navy Programs
SEC. 121. LHD-8 AMPHIBIOUS DOCK SHIP PROGRAM.
(a) AUTHORIZATION OF SHIP.—The Secretary of the Navy is authorized to procure the amphibious dock ship to be designated LHD-8, subject to the availability of appropriations for that purpose.
(b) AMOUNT AUTHORIZED.—Of the amount authorized to be appropriated under section 102(a)(3) for fiscal year 2000, $375,000,000 is available for the advance procurement and advance construction of components for the LHD-8 Amphibious dock ship.

Subtitle D—Conferences
other entities for the advance procurement and advance construction of those components.

SEC. 122. ARLEIGH BURKE CLASS DESTROYER CONSTRUCTION.

(a) AUTHORITY FOR MULTYAIR PROCUREMENT.—Of 6 ADDITIONAL VESSELS.—(1) Subsection (b) of section 122 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 244) is amended in the first sentence—

(A) by striking “12 Arleigh Burke class destroyers” and inserting “18 Arleigh Burke class destroyers”; and

(B) by striking “and 2001” and inserting “2001, 2002, and 2003”.

(2) The heading for such subsection is amended by striking “Twelve” and inserting “18”.

(b) FISCAL YEAR 2001 ADVANCE PROCUREMENT.—(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 (a)(1).

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

(3) The aggregate amount of the contracts entered into under paragraph (1) may not exceed $371,000,000.

(c) OTHER FUNDS FOR ADVANCE PROCUREMENT.—Notwithstanding any other provision of this Act, the funds authorized to be appropriated under section 102(a) for procurement programs, projects, and activities of the Navy, not to exceed $251,000,000 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 ON ADVANCE PROCUREMENT OF ARLEIGH BURKE CLASS DESTROYERS.

(a) REPEAL.—Paragraph (3) of section 121(g) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 244) is repealed.

(b) CONSTRUCTION.—Paragraph (5) of such section is amended by striking “reports referred to in paragraphs (3) and (4)” and inserting “report referred to in paragraph (4)”. 

SEC. 124. COOPERATIVE ENGAGEMENT CAPABILITY PROGRAM.

(a) LIMITATION.—Cooperative engagement equipment 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.—Subsection (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 procurement year, the Secretary of the Navy may, in accordance with section 2906b 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 procurement contract for the procurement of F/A–18E/F aircraft or authorize entry of the F/A–18E/F aircraft program into full-rate production until—

(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, including—

(A) the location of D–5 missiles during the fueling of submarines; (B) rotation of inventory; and

(C) report on the test, flight testing, loss, damage, or termination of service life.

(2) the Secretary of Defense determines that the results of operational test and evaluation demonstrate that the version of the F/A–18E/F aircraft procured under the multiyear contract in the higher quantity than the other version satisfies all key performance parameters appropriate to that version of aircraft in the network requirements document 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 more than 17 percent is permitted.

Subtitle D—Air Force Programs

SEC. 131. F–22 AIRCRAFT PROGRAM.

Before awarding the contract for low-rate initial production under the F–22 aircraft program, the Secretary of Defense shall certify to the congressional defense committees that—

(1) 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

(2) 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 that the quantity of aircraft to be procured under this section is in addition to the transfer authority provided in section 1001.

Subtitle E—Other Matters

SEC. 141. EXTENSION OF AUTHORITY TO CARRY OUT ARMAMENT RETOOLING AND MANUFACTURING SUPPORT INITIATIVES WITHOUT REGARD TO AVAILABILITY FROM DOMESTIC SOURCES.


(b) EXTENSION OF DEADLINE FOR INSPECTOR GENERAL REPORT.—Subsection (b) of section 193 of the Armament Retooling and Manufacturing Support Act of 1992 (title H of Public Law 102–484; 10 U.S.C. 2501 note) is amended—

(1) in subsection (a), by striking “During fiscal years 1998 through 1999” and inserting “During fiscal years 1998 through 2001”;

(2) in subsection (b), by striking “During fiscal years 1998 or 1999” and inserting “During a fiscal year covered by the pilot program”.

SEC. 142. EXTENSION OF PILOT PROGRAM ON SALES OF MANUFACTURED ARTICLES AND SERVICES OF CERTAIN ARMS COMPANIES TO FACILITIES WITHOUT REGARD TO AVAILABILITY FROM DOMESTIC SOURCES.

(a) EXTENSION OF PROGRAM.—Section 141 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1652; 10 U.S.C. 4543 note) is amended—

(1) in subsection (a), by striking “During fiscal years 1998 through 1999” and inserting “During fiscal years 1998 through 2001”;

(2) in subsection (b), by striking “During fiscal year 1998 or 1999” and inserting “During a fiscal year covered by the pilot program”.

(b) EXTENSION OF DEADLINE FOR INSPECTOR GENERAL REPORT.—Subsection (c) of such section is amended by striking “July 1, 1999” and inserting “July 1, 2000”.

SEC. 143. D–5 MISSILE PROGRAM.

(a) REPORT.—Not later than October 1, 1999, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the D–5 missile program.

(1) In the report on the D–5 missile program the Secretary shall include the following—

(A) an inventory management plan for the D–5 missile program covering the life of the program, including—

(A) the location of D–5 missiles during the fueling of submarines; 

(B) rotation of inventory; and

(C) report on the test, flight testing, loss, damage, or termination of service life.

(2) The cost of terminating procurement of D–5 missiles for each fiscal year prior to the current plan.

(3) An assessment of the capability of the Navy meeting strategic requirements with a total procurement of less than 425 D–5 missiles, including an assessment of the consequences of—

A terminating Trident submarines with fewer than 24 D–5 missiles; and

(B) reducing the flight test rate for D–5 missiles.

(4) An assessment of the optimal commencement date for the development and deployment of replacement systems for the current land-based and sea-based missile force.

(5) The Secretary’s plan for maintaining D–5 missiles and Trident submarines under START II and proposed START III, and whether requirements for such missiles and submarines would be reduced under such treaties.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the use of the Department of Defense for research, development, test, and evaluation purposes, as follows:

(1) For the Army, $4,695,894,000.

(2) For the Navy, $3,807,616,000.

(3) For the Air Force, $13,573,308,000.

(4) For Defense-wide activities, $9,389,081,000, of which—

(A) $233,457,000 is authorized for the activities of the Director, Test and Evaluation; and

(B) $23,434,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR BASIC AND APPLIED RESEARCH.

(a) FISCAL YEAR 2000.—Of the amounts authorized to be appropriated by section 201, $1,156,812,000 shall be available for basic research and applied research projects.

(b) BASIC RESEARCH AND APPLIED RESEARCH.

SEC. 211. NATO COMMON-FUNDED CIVIL BUDGET.

Of the amount authorized to be appropriated by section 201, $575,000 shall be available for contributions to the common-funded Civil Budget of NATO.

SEC. 212. MICRO-SATELLITE TECHNOLOGY DEVELOPMENT PROGRAM.

(a) FUNDING.—Of the funds authorized to be appropriated by section 201, $25,000,000 is available for continued implementation of the micro-satellite technology program established pursuant to section 211 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1659).

(b) MICRO-SATELLITE TECHNOLOGY DEVELOPMENT PLAN.—The Secretary of Defense shall develop a micro-satellite technology development plan to guide technology innovation decisions and prioritize technology development activities.

(c) REPORT.—Not later than April 15, 1999, the Secretary shall submit to the congressional defense committees a report on the micro-satellite technology development plan.

SEC. 213. SPACE CONTROL TECHNOLOGY.

(a) FUNDING.—Of the funds authorized to be appropriated by section 201, $9,389,081,000 shall be available for space control technology development pursuant to the Department of
ARTICLE.—The amount available for the
amended—

POSALS.—Subsection (d) of such section is
mands, depots, air logistics centers, and
essential to the national defense, as well as
development and application of technologies for
high-risk projects for the devel-

(3) as paragraphs (2), (3), and (4) respectively;

SEC. 214. SPACE MANEUVER VEHICLE.

(a) FUNDING.—Of the funds authorized to be
appropriated under section 201(3), $35,000,000 is available for the
space maneuver vehicle program.

(b) ACQUISITION OF SECOND FLIGHT TEST
AIRCRAFT.—The funds 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 Theater Ballistic and Space
Administration X-37 program in support of the Air Force Space Maneuver Vehicle program.

SEC. 215. MANUFACTURING TECHNOLOGY
PROGRAM.

(a) SUPPORT OF HIGH-RISK PROJECTS TO
MEET ESSENTIAL REQUIREMENTS.—Subsection
(b) of section 2526 of title 10, United States Code,

designated—

(1) by striking paragraph (4);

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

(3) by inserting after “program”—” the fol-

owing new paragraph (1):

“(1) to focus Department of Defense support
for advanced manufacturing technol-
ologies on high-risk projects for the devel-
opment and application of technologies for use
to satisfy manufacturing requirements
essential to the national defense, as well as
for use for repair and remanufacturing in sup-
port of the operations of systems com-
doers, depots, air logistics centers, and
shipyards.”;

(b) EXECUTION.—Subsection (c) of such sec-
tion is amended—

(1) by redesigning paragraph (2) as para-
graph (4); and

(2) by inserting after paragraph (1) the fol-

owing new paragraph (1):

“(1) High-Risk Projects To Meet
Essential Requirements and Objectives.”;

SEC. 221. THEATER HIGH ALTITUDE AREA
DEFENSE UPPER TIER ACQUISITION STRATEGY.

(a) REDESIGNATED TIER.—The Secretary 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 per-
formance of each system independent of

the performance of the other system; and

(3) provides for accelerating the deploy-
ment of both 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 systems include—

(1) The Navy Theater Wide system.

(2) The Theater High-Altitude Area De-

fense system.

SEC. 222. REPEAL OF REQUIREMENT TO
IMPLEMENT TECHNICAL AND PRICE COMP-
PETITION FOR THEATER HIGH ALTITUDE
AREA DEFENSE UPPER TIER SYSTEM.

Subsection (a) of section 223 of the Strom
Thurmond National Defense Authorization
Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 2237, section 229); and

SEC. 223. SPACE-BASED LASER PROGRAM.

(a) STRUCTURE OF PROGRAM.—The Sec-

retary of Defense shall structure the space-

based laser program to include—

(1) a near-term integrated flight experi-

ment;

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

(b) INTEGRATED FLIGHT EXPERIMENT.—The Secretary shall struct-
ure the integrated flight experiment to provide for the fol-

owing:

(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 poss-
ible, of technology that has been demon-
strated 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
DESIGN.—In order to develop an objective sys-

tem design suited to the operational and

environmental that will exist when such a system can be deployed, the Secretary shall structure the space-based laser program schedule to include the fol-

owing:

(1) Robust research and development on ad-

anced 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 devel-

opment 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-
tracting approach and overall objective that the Department of Defense has estab-
lished for the space-based laser program.

(e) 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 activity for the Airborne
Laser program until the Secretary of De-

fense certifies to Congress that he has deter-

mined that the current Airborne Laser pro-

gram configuration according to the exist-

ing schedule is justified on the basis of the
results of test and analysis involving the fol-

owing activities:

(1) The North Oscura Peak dynamic test program.

(2) Scintillometry data collection and analysis.

(3) The lethality/vulnerability program.

(4) The countermeasures test and analysis effort.

(5) The reduction and analysis of other exist-

ing data.

(b) AUTHORITY-TO-PROCEED.—Before the Authority-to-Proceed-2 may be approved for the Airborne Laser program, the Secretary of Defense shall—

(1) ensure that the Secretary of the Air

Force has developed an appropriate plan for

resolving the technical challenges identified
in the Airborne Laser Program Assessment;

(2) approve the plan; and

(3) submit a report on the plan to the con-

gressional defense committees.

(c) MILESTONE II EXIT CRITERIA.—The Sec-

retary of Defense shall restructure the Air-

borne Laser program schedule and Milestone

II criteria to the criteria set forth in the ICDs,

post to the making of a Milestone II decision approving

entry of the program into engineering and

manufacturing development.

(1) No modification of the engineering and

manufacturing development aircraft is

begun;
(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 confidence in the operational performance of the system across the full range of its validated operational requirements; and

(3) pertinent 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 annual and biannual 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 shall 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 ballistic missile defense 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, of how to consider the interests of the worldwide ballistic missile threat, defensive coverage, redundancy and survivability, and economies of scale.

SEC. 227. OPTIONS FOR AIR FORCE CRUISE MILES.

(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 depleted. In conducting 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) Not later than 150 days after the date of enactment of this Act, the Secretary of Defense 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) budgeted for fiscal year 2001 submitted to Congress under section 1102 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. 231. ANNUAL EMERGING OPERATIONAL CONCEPTS.

(a) EXTENSION OF REPORTING REQUIREMENT.—Subsection (a) of section 1624 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:

(3) ADDITIONAL MATTERS TO BE INCLUDED IN REPORTS AFTER 1999.—Each report under this section after 1999 shall set forth the military capabilities that are necessary for meeting national security requirements over the next two to three decades, including:

‘‘(1) the most significant strategic and operational capabilities (including both force-specific and joint systems) that are necessary for the Armed Forces to prevail against the most dangerous threats, including asymmetrical threats, that could be posed to the interests of the United States by potential adversaries from 2020 to 2035;

‘‘(2) the key characteristics and capabilities of future military systems (including both armed force-specific and joint systems) that will be needed to meet each such threat; and

‘‘(3) the most significant research and development challenges that must be met, and the technological breakthroughs that must be made, to develop and field such systems.’’

SEC. 232. TECHNOLOGY AREA REVIEW AND ASSESSMENT.

Section 270(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2649; 10 U.S.C. 2374a note) is amended to read as follows:

‘‘(b) TECHNOLOGY AREA REVIEW AND ASSESSMENT.—With the submission of the plan under subsection (a) the Secretary shall also submit to the committees referred to in that subsection a summary of each technology area review and assessment conducted by the Department of Defense in support of that plan.’’

SEC. 233. REPORT BY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY.

(a) REQUIREMENT.—The Under Secretary of Defense for Acquisition and Technology shall submit to the congressional defense committees a report on the actions that are necessary to promote the research base and technological development that will be needed for the Armed Forces to have the military capabilities that are necessary for meeting national security requirements over the next two to three decades.

(b) CONTENT.—The report shall include the actions that have been taken or are planned to be taken within the Department of Defense to ensure that—

(1) the Department of Defense laboratories place an appropriate emphasis on revolutionary changes in military operations and the new technologies that will be necessary to support such changes;

(2) the Department helps sustain a high-quality national research base that includes organizations attuned to the needs of the Department of Defense; and

(3) the Department can effectively and efficiently manage the transition of new technologies from the applied research and advanced technological development stage to the advanced technological development stage in a manner that ensures that maximum advantage is obtained from advances in technology; and

(4) the Department’s educational institutions for the officers of the uniformed services incorporate into their officer education and training programs, as appropriate, materials necessary to ensure that the officers have the familiarity with the processes, advances, and opportunities in technology development that is necessary for making decisions that ensure the United States defense technology in the future.

SEC. 234. INCENTIVES TO PRODUCE INNOVATIVE NEW TECHNOLOGIES.

(a) TECHNICAL RISK AND PROFIT INCENTIVE.—The Department of Defense profit guidelines established in subpart 215.9 of the Department of Defense Financial Management Regulation shall be modified to place increased emphasis on technical risk as a factor for determining appropriate profit margins and otherwise to provide an increased profit incentive for contractors to develop and produce complex and innovative new technologies, rather than to produce mature technologies with low technical risk.

(b) EXPIRATION OF AUTHORITY.—This section shall cease to be effective one year after the date on which the Secretary of Defense publishes in the Federal Register final regulations modifying the guidelines in accordance with subsection (a).

SEC. 235. DARPA COMPETITIVE PRIZES AWARD PROGRAM FOR ENCOURAGING DEVELOPMENT OF ADVANCED TECHNIQUES.

(a) AUTHORITY.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2374 the following:

‘‘§ 2374a. Prizes for advanced technology

‘‘(a) AUTHORITY.—The Director of the Defense Advanced Research Projects Agency may carry out a program to award prizes in recognition of outstanding achievements in basic, advanced, and applied research, technology development, and prototype development that have the potential for application to the performance of the military missions of the Department of Defense.

‘‘(b) COMPETITION REQUIREMENTS.—The Director shall use a competitive process for the selection of recipients of joint technology prizes under this section. The process shall include the widely-advertised solicitation of submissions of research results, technology developments, and prototypes.

‘‘(c) FORM OF PRIZE.—A prize awarded under this section shall be a monetary award together with a trophy, plaque, or medal or other emblem.

‘‘(d) LIMITATIONS.—(1) The total amount made available for award of cash prizes in a fiscal year may not exceed $10,000,000.

‘‘(2) No prize competed for shall result in the award of more than $1,000,000 in cash prizes without the approval of the Under Secretary of Defense for Acquisition and Technology.

‘‘(e) RELATIONSHIP TO OTHER AUTHORITY.—The Director may exercise the authority
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,
science, and technology development, or prototype projects.

"(f) ANNUAL REPORT.—Promptly after the end of each fiscal year, the Director shall submit
a report to the Committees on Armed Services of the Senate and the House of Represen-
tatives a report on the administration of the program for the fiscal year. The report shall include:

"(1) The military applications of the re-
search, technology, or prototypes for which
prizes were awarded.

"(2) The total amount of the prizes award-
ed.

"(3) The methods used for solicitation and evaluation of submissions, together with an
assessment of the effectiveness of those methods."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2374 the following:

"2374a. Prizes for advanced technology.".

SEC. 236. ADDITIONAL PILOT PROGRAM FOR RE-
VIEWING THE DEPARTMENT OF DEF-
ENSE LABORATORIES.

(a) AUTHORITY.—(1) The Secretary of De-
fense may carry out a pilot program to de-
 monstrate improved cooperative relationships with suppliers and other parties, and with
entertain" for the performance of research and
development functions. The pilot program under this section is in addition to the pilot
program carried out under section 246 of the
Strom Thurmond National Defense Author-
ization Act for Fiscal Year 1999 (Public Law
105–268; United States Code, 208 chapter 258 not-

(2) Under the pilot program, the Secretary of Defense shall provide the director of one
science and technology laboratory, and the
director of one test and evaluation labora-
tory, of each military department with au-
thority for the following:

(A) To ensure that the defense laboratories can attract a balanced workforce of perma-
nent and temporary personnel with an appro-
riate level of skills and experience, and can
effectively compete in hiring processes to ob-
tain the necessary talent.

(B) To develop or expand innovative meth-
ods of operation that provide more defense research for each dollar of cost, including to
carry out demonstration and evaluation pro-
grams as focusing on the performance of core functions and adopting more business-like practices.

(C) To waive any restrictions not required by law that limit the demonstration and im-
plementation of methods for achieving the objectives in subparagraphs (A) and (B).

(3) In selecting the laboratories for partici-
pation in the pilot program, the Secretary shall consider laboratories where innovative
management techniques have been demon-
strated, particularly as documented under section 2303(b)(11) of title 31, United States
Code, relating to Government agency
performance and results.

(4) The Secretary may carry out the pilot program at each selected laboratory for a pe-
riod of three years beginning not later than March 1, 2000.

(b) REPORT.—(1) Not later than March 1, 2000, the Secretary of Defense shall submit a
report on the implementation of the pilot program to Congress. The report shall in-
clude the following:

(A) Which laboratory selected for the pilot
program.

(B) To the extent possible, a description of the innovative concepts that are to be tested
at each selected laboratory center.

(C) The criteria to be used for measuring the
success of each concept to be tested.

(2) Promptly after the expiration of the pe-
riod for participation of a laboratory in the
pilot program, the Secretary of Defense shall
submit to Congress a final report on the par-
ticipation in the pilot program.

The report shall contain the following:

(A) A description of the concepts tested.

(B) The results of the testing.

(C) The lessons learned.

(D) Any proposal for legislation that the
Secretary recommends on the basis of the
experience at the laboratory under the pilot
program.

SEC. 237. EXEMPTION OF DEFENSE LABORA-
TOARY EMPLOYEES FROM CERTAIN WORK-
eight MANAGEMENT RESTRICTIONS.

(a) STRENGTH MANAGEMENT.—Section 342 of
the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 2208) is amended by adding at the end the following new paragraph:

"(4) The employees of a laboratory covered
by a personnel demonstration project carried
out under this section shall be exempt from,
and may not be counted for the purposes of,
any constraint or limitation in a statute or
regulation requiring reductions in strength,
end strength, full time equivalent positions,
supervisory ratios, or maximum number of
employees in any category or categories of
employment that shall be applicable to the
employees. The employees shall be
managed by the director of the laboratory
subject to the supervision of the Under Sec-
retary of Defense for Acquisition and Tech-
ology.".

(b) REDUCTIONS IN FORCE.—Notwith-
standing any provision of law that requires a
reduction in the size of the defense acquisi-
tion workforce—

(1) the employees of a Department of
Defense laboratory shall not be considered as
being included in the workforce for the pur-
pose of that provision of law; and

(2) the Secretary of Defense, in carrying
out the reduction under that provision of
law, shall consider the size of the required
reduction as being lowered by—

(A) the percent determined by dividing (on
the basis of the equivalent of full-time em-
ployees) the total number of employees in the
defense acquisition workforce as of the
beginning of the reduction in force into the
number of employees as of the begin-
ing of the reduction in force, except for
paragraph (1), would otherwise have been
considered as being in the workforce to be
reduced under that provision of law; or

(B) any other factor that the Secretary de-
termines as being a more appropriate me-
asure for the adjustment.

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

(a) AUTHORITY.—Section 2208 of title 10,
United States Code, is amended by adding at the end the following:

"(r) RESEARCH, DEVELOPMENT, TEST, AND
EVALUATION.—The Secretary of
Defense shall not be used for financing all research, develop-
ment, test, and evaluation activities and
programs of the military departments.

(2) The following transactions are author-
ized for the use of working-capital funds for activities and programs described in para-
graph (1):

"(A) Acceptance of reimbursable orders
from authorized customers.

"(B) Crediting of working-capital funds,
out of funds available for a military depart-
ment for research, development, test, and
evaluation or any other appropriate source
of funds, for goods and services provided
to that military department.

"(C) Transfer, to the extent permitted, of
regulations of the Department of Defense that are applicable to the use and management of De-
partment of Defense revolving funds shall be
applied uniformly to all uses of working-cap-
tal funds for financing the activities and
programs described in paragraph (1).

"(D) The Secretary of Defense shall amend the Department of De-
fense Financial Management Regulation
Draft amendment to subsection (r) of section 2208 of
United States Code (as added by subsection (a)), is fully implemented.

(2) Not later than April 1, 2000, and August
1, 2001, the Under Secretary of Defense (Comptroller) shall submit to the Commit-
tees on Armed Services of the Senate and the House of Representa-
tives a report on the progress made in implementing
subsection (r) of section 2208 of title 10,
United States Code, as added by subsection (a).

A status report shall, at a minimum, include the following:

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

SEC. 229. EFFICIENT UTILIZATION OF DEFENSE
LABORATORIES.

(a) ANALYSIS BY INDEPENDENT PANEL.—(1) Not later than 45 days after the en-
actment of this Act, the Secretary of
Defense shall convene a panel of independent
experts under the auspices of the Defense
Board to consider the objectives of the
resources and capabilities of all of the lab-
oratories and test and evaluation facilities of the Department of Defense, including
those of the military departments. In con-
ducting the analysis, the panel shall identity
opportunities to achieve efficiency and re-
duce duplication of efforts by consolidating
relevant capabilities by assigning them to
one laboratory or by designating lead agencies or executive agents in cases considered appropriate. The
panel shall report its findings to the Sec-
retary of Defense and to Congress not later than August 1, 2000.

(2) The analysis required by paragraph (1) shall include a discussion of the
feasibility of linking geographically separated, high-fi-
density simulators to provide for rating all laboratories of the
Army, Navy, and Air Force on a consistent basis.

b) PERFORMANCE REVIEW PROCESS.—Not later than 180 days after the date of the en-
actment of this Act, the Secretary of
Defense shall develop an appropriate perfor-
ance review process for rating the quality
and relevance of work performed by the De-
partment of Defense laboratories. The pro-
cess shall include customer evaluation and
peer review by Department of Defense per-
soneel and appropriate experts from outside the Department of Defense. The process 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 a report not later than
January 31, 2000, a report on the Air
Force Distributed Mission Training program.

(b) CONTENT OF REPORT.—The report shall in-
clude a discussion of:

(1) The progress that the Air Force has
made to demonstrate and prove the Air
Force Distributed Mission Training concept
and the geographic distribution of high-fi-
density simulators to provide a mission re-
hearsal capability for Air Force units, and

June 7, 1999 CONGRESSIONAL RECORD — SENATE S6481
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 to be taken 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 facilities necessary to the research, development, testing, and evaluation of the Distributed Mission Training program have been assessed regarding the availability of the necessary manned or unmanned systems 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 development, construction, operation, and maintenance, in amounts as follows:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the Army, $18,340,094,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Navy, $22,162,000,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Marine Corps, $2,612,529,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Air Force, $30,342,403,000.00</td>
<td></td>
</tr>
<tr>
<td>For Defense-wide activities, $19,962,400,000</td>
<td></td>
</tr>
<tr>
<td>For the Army Reserve, $1,376,813,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Navy Reserve, $28,237,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Marine Corps Reserve, $2,612,529,000</td>
<td></td>
</tr>
<tr>
<td>For the Air Force Reserve, $2,762,837,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Army National Guard, $2,912,249,000</td>
<td></td>
</tr>
<tr>
<td>For the Navy National Guard, $3,119,518,000</td>
<td></td>
</tr>
<tr>
<td>For the Defense Inspector General, $133,244,000</td>
<td></td>
</tr>
<tr>
<td>For the United States Court of Appeals for the Armed Forces, $7,621,000.00</td>
<td></td>
</tr>
<tr>
<td>For Environmental Restoration, Army, $378,170,000.00</td>
<td></td>
</tr>
<tr>
<td>For Environmental Restoration, Navy, $294,000,000.00</td>
<td></td>
</tr>
<tr>
<td>For Environmental Restoration, Air Force, $376,800,000.00</td>
<td></td>
</tr>
<tr>
<td>For any Environmental Restoration, Defense-wide, $25,370,000.00</td>
<td></td>
</tr>
<tr>
<td>For Environmental Restoration, Formerly Used Defense Sites, $239,214,000.00</td>
<td></td>
</tr>
<tr>
<td>For Operations Humanitarian, Demining, and CINC Initiatives, $55,800,000.00</td>
<td></td>
</tr>
<tr>
<td>For Drug Interdiction and Counter-drug Activities, Defense-wide, $745,265,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Kako‘olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund, $15,000,000.00</td>
<td></td>
</tr>
<tr>
<td>For Medical Programs, Defense, $10,550,000.00</td>
<td></td>
</tr>
<tr>
<td>For Cooperative Threat Reduction programs, $475,500,000.00</td>
<td></td>
</tr>
<tr>
<td>For Overseas Contingency Operations Transfer Fund, $2,387,600,000.00</td>
<td></td>
</tr>
<tr>
<td>For Combating Terrorism Activities Transfer Fund, $1,954,400,000.00</td>
<td></td>
</tr>
<tr>
<td>For quality of life enhancements, $1,845,000.00</td>
<td></td>
</tr>
<tr>
<td>For defense transfer programs, $31,000,000.00</td>
<td></td>
</tr>
</tbody>
</table>

(b) General Limitation.—Notwithstanding paragraph (a), the total amount authorized to be appropriated for fiscal year 2000 under those paragraphs (1) through (27) of subsection (a) shall be $10,963,033,000.

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:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the Army Working-Capital Fund, $62,344,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Defense Working-Capital Fund, Air Force, $28,000,000.00</td>
<td></td>
</tr>
<tr>
<td>For the National Defense Sealift Fund, $394,700,000.00</td>
<td></td>
</tr>
</tbody>
</table>

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2000 from the Armed Forces Retirement Home Fund the sum of $68,295,000 for the operation of the Armed Forces Retirement Home, including the United States Soldiers’ and Airmen’s Home and the Marine Corps Homes.

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:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the Army, $50,000,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Navy, $50,000,000.00</td>
<td></td>
</tr>
<tr>
<td>For the Air Force, $50,000,000.00</td>
<td></td>
</tr>
</tbody>
</table>
| (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 defrayed by other appropriation acts.

(c) Relationship to Other Transfer Authority.—The transfer authority provided in this section is in addition to the transfer authority provided in section 601.

SEC. 305. OPERATIONAL METEOROLOGY AND OCEANOGRAPHY AND UNOLS.

Of the funds authorized to be appropriated in section 301(a), an additional $10,900,000 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 for 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 DEMINING TRAINING AND RELATED SERVICES AS HUMANITARIAN ASSISTANCE.

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

"(6) Up to 5 percent of the funds available in any fiscal year for humanitarian and civic assistance described in subsection (e)(5) may be expended for pay and allowances of reserve component personnel of the Special Operations Command for periods of duty for which the personnel, for a humanitarian purpose, were activated, ordered or trained on the detection and clearance of landmines or furnishes related technical assistance.".

SEC. 313. NATIONAL DEFENSE FEATURES PROGRAM.

(a) Authorization of Additional Amounts.—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 Amounts.—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:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) $6,000,000 shall be available for Operation Capex</td>
<td></td>
</tr>
</tbody>
</table>
(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) $270,000,000 shall be available for forward looking infrared radars for F-3 aircraft.
(4) $6,000,000 shall be available for enhanced intelligence capabilities.
(5) $30,000,000 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) PURPOSE.—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 set forth the identification of end-user requirements for environmental technology within the military departments;
(3) to assure results, quality of effort, and appropriate accountability and support for end-users of environmental technology within the military departments; and
(4) to promote improvement in the performance 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:

"§ 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 video in accordance with this section for the fulfillment of subsection (c).
"(b) USE OF FUNDS IN BASE CLOSURE AND REALIGNMENT.—That subsection is further amended by adding at the end the following new paragraph:

"(c) USE OF FUNDS IN BASE CLOSURE AND REALIGNMENT.—That subsection is further amended by adding at the end the following new paragraph:
SEC. 324. MODIFICATION OF REQUIREMENTS AND TECHNICAL ASSISTANCE.—Section 2705(g) of title 10, United States Code, as amended by subsection (c)(1), is further amended—

"(1) by striking subsection (b); and

"(2) by redesignating subsection (e) as subsection (b)."

SEC. 325. EXTENSION OF PILOT PROGRAM FOR SALE OF AIR POLLUTION EMISSION REDUCTION INCENTIVES.

Section 351(a)(2) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 104-250; 111 Stat. 1345; 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 SUPERFUND SITE, FRESNO, CALIFORNIA.

(a) AUTHORITY.—The Secretary of Defense may pay, using funds described in subsection (b), to the Fresno Drum Special Account within the Hazardous Substance Superfund pursuant to section 9507 of the Internal Revenue Code of 1986, the Environmental Protection Agency for 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 $716,425 for past response costs incurred by the Department of Defense.

(2) The amounts of the costs identified as “interest” costs pursuant to the agreement known as the “CERCLA Section 122(h)(1) Agreement for Payment of 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, 1998.

(b) SOURCE OF FUNDS FOR PAYMENT.—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 2703a(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 2703a(2) of that title.

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

(D) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Air Force, established by section 2703a(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 CONNECION WITH F.E. WARREN 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. Warren 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 2703a(4) of title 10, United States Code.

SEC. 329. ORDNANCE MITIGATION STUDY.

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

(b) The Secretary shall report to the congressional defense committees and the Senate Committee on Commerce, Science, and Transportation and the House Committee on Science and Technology on long-term solutions and costs related to the removal of ordnance in the Toussaint River, Ohio. The Secretary shall also evaluate any ongoing use of Lake Erie as an ordnance firing range and justify 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 authorities provided in subsection (a).

Subtitle D—Other Matters

SEC. 341. EXTENSION OF WARRANTY CLAIMS RECOVERY PILOT PROGRAM.


SEC. 342. ARMY AND NAVY MATTERS TO BE REPORTED BEFORE PRIME VENDOR CONTRACT FOR DEPOT-LEVEL MAINTENANCE AND REPAIR IS ENTERED INTO.

Section 364(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2304 note) is amended—

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

(2) by inserting after paragraph (1) the following:

‘‘(2) The Secretary of the Army shall direct the Army Headquarters, the Secretary of the Navy shall direct the Naval Facilities Engineering Command, and the Secretary of the Air Force shall direct the Air Force Logistics Command 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 Deputy Secretary of Defense and co-chaired by the Secretaries of the Army, the Navy, and the Air Force, respectively, to establish Smart Card policy and implementation plans for exploiting the capabilities of Smart Card technology as a means for enhancing readiness and improving business processes.’’.

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 report to the appropriate congressional defense committees and the Senate Committee on Agriculture, Nutrition, and Forestry regarding the reasons for the waiver.

(2) The Secretary of Defense shall direct the Secretary of the Army to establish Smart Card offices for 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 capability of Smart Card technology as a means for enhancing readiness and improving business processes.
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 Atlantic Command and one major Naval region of the continental United States that is in the area of operations of the United States Pacific Command. The Secretaries of the Navy shall conduct a study to determine the need identified in subsection (a). (c) Definitions.—(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. 348. REVISION OF AUTHORITY TO DONATE CERTAIN ARMY MATERIEL FOR NURSING PROGRAMS.—(a) Authority.—Section 3883 of title 10, United States Code, is amended—

SEC. 349. MODIFICATION OF LIMITATION ON FUNDING ASSISTANCE FOR PRODUCTION OF NATIONAL GUARD FOR DRUG INTERDIRECTION AND COUNTER-DUricing ACTIVITIES.—

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 to the settlors of the claims arising from the deaths caused by the accident described in subsection (a) to pay any person who may be entitled to receive payment under such claims.

SEC. 351. SENSE OF SENATE REGARDING SETTLEMENT CLAIMS OF AMERICAN SERVICEMEN’S FAMILIES REGARDING DEATHS RESULTING FROM THE ACCIDENT OFF THE COAST OF NAMIBIA ON SEPTEMBER 13, 1997.—(a) Findings.—(1) On September 13, 1997, a German Luftwaffe Tupolev TU-154M aircraft collided with a United States Air Force C-141 Starlifter aircraft off the coast of Namibia. (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. Buckman, 25, flight engineer, Oakland, Maine; Captain Gregory M. Cindrich, 28, pilot, Byrnes Road, Maryland; Airman 1st Class Justin R. Drager, 19, loadmaster, Colorado Springs, Colorado; Staff Sergeant Robert K. Evans, 29, loadmaster, Colorado Springs, Colorado; Staff Sergeant Stacey D. Bryant, 32, loadmaster, Providence, Rhode Island; Staff Sergeant Gary A. Buckman, 25, flight engineer, Oakland, Maine; Captain Gregory M. Cindrich, 28, pilot, Byrnes Road, Maryland; Airman 1st Class Justin R. Drager, 19, loadmaster, Colorado Springs, Colorado; Staff Sergeant Robert K. Evans, 29, loadmaster, Colorado Springs, Colorado; and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (d). (b) Amount of Payment.—The amount of the payment under this section in settlement of the claims arising from the death of any person associated with the accident described in subsection (a) may not exceed $2,000,000.

SEC. 352. 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 from any legal proceeding or investigation arising from the accident described in subsection (a).

SEC. 353. SENSE OF SENATE REGARDING SETTLEMENT CLAIMS OF ARMED FORCES PERSONNEL REGARDING DEATHS RESULTING FROM THE ACCIDENT OFF THE COAST OF NAMIBIA ON SEPTEMBER 13, 1997.—(a) Findings.—The Senate makes the following findings:

(b) Deadline for Exercise of Authority.—The Secretary shall make the decision to exercise authority in subsection (a) not later than 90 days after the date of enactment of this Act.

(c) Source of Payments.—Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available for the Department of Navy for operation and maintenance for fiscal year 2000 or other unobligated balances from prior years, the Secretary shall make available $40,000,000 only for emergency and extraordinary expenses associated with the settlement of the claims described in subsection (a) and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (d).
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.

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.

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 of the members of the United States Marine Corps killed in a collision between a United States Air Force C–141 Starlifter aircraft and a German Luftwaffe Tupolev TU–154M aircraft off the coast of Namibia on September 13, 1997, and

the United States should not make any payment to citizens of Germany as settlement for the claims for deaths arising from the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy.

The Senate has adopted an amendment authorizing the payment to citizens of Germany of a supplemental settlement of claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy.

The Senate has adopted an amendment to the Families of the Members of the Armed Forces Act to include claims by the families of military personnel for deaths arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy.

Military Personnel Authorizations

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.
1. The Marine Corps, 172,240.
1. The Air Force, 392,000.

SEC. 402. REVISION IN PERMANENT END STRENGTH LEVELS.

(a) REVISED END STRENGTH LEVELS.—Subsection (c) of section 392(b) of title 10, United States Code, is amended—

(1) by striking "372,696" and inserting in lieu thereof "370,802"; and
(2) by striking out "372,696" and inserting in lieu thereof "370,802".

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

SEC. 403. REDUCTION OF 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 determines that, pursuant to, and in accordance with, a notification from the Secretary of Defense that the requirement for the lower end strength is not in the national interest 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:

1. The Army Reserve, 205,000.
1. The Air Force, 392,000.
1. The Marine Corps Reserve, 39,624.
1. The Air National Guard of the United States, 106,744.
1. The Air Force Reserve, 37,764.
1. The Coast Guard Reserve, 6,000.

(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 151(c) of title 10, United States Code, is amended—

(1) by striking the "and" at the end of paragraph (1);
(2) by striking the period at the end of the paragraph (2) and inserting "; and";
and
(3) by adding at the end the following:

"3. Increase the end strength authorized pursuant to paragraph (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.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2000, the following number of Reserve Component personnel to serve components of the Selected Reserve of such component who are on active duty (other than for training) at the end of the fiscal year:

1. The Army National Guard of the United States, 22,430.
1. The Army Reserve, 12,804.
1. The Air National Guard, 15,810.
1. The Marine Corps Reserve, 2,272.
1. The Air National Guard of the United States, 11,137.
1. The Air Force Reserve, 1,134.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS.

(a) DUAL STATUS TECHNICIANS.—The minimum number of military technicians (dual status) as of September 30, 2000, for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army Reserve, 5,179.
(2) For the Army National Guard of the United States, 5,179.
(3) For the Air Force Reserve, 9,785.
(4) For the Air National Guard of the United States, 9,785.

(b) NON-DUAL STATUS TECHNICIANS.—The reserve components of the Army and Air Force are (notwithstanding section 129 of 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, 1,295.
1. For the Army National Guard of the United States, 1,295.
1. For the Air Force Reserve, 3,277.
1. For the Air National Guard of the United States, 3,277.

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(c) of title 10, United States Code, is amended to read as follows:

Subtitle C—Authorization of Appropriations

SEC. 421. AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.

There is hereby authorized to be appropriated for military personnel for fiscal year 2000 a total of $71,689,093,000, 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 202 of the 1999 Emergency Supplemental Appropriations Act.
"§3921. Mandatory retirement: Superintendent of the United States Military Academy

"Upon the termination of a detail of an officer to the position of Superintendent of the United States Military Academy, the Secretary of the Army shall retire the officer under any provision of this chapter under which the officer is eligible to retire."

(B) Chapter 693 of such title is amended by inserting after section 6933 the following:

"§ 4333a. Superintendent; condition for detail to position

"To be eligible for detail to the position of Superintendent of the Academy, an officer shall enter into an agreement with the Secretary of the Army to accept retirement upon termination of the detail."

(2)(A) Chapter 693 of such title is amended by inserting after the table of sections at the beginning of the chapter the following:

"§ 6371. Mandatory retirement: Superintendent of the United States Naval Academy

"Upon the termination of a detail of an officer to the position of Superintendent of the United States Naval Academy, the Secretary of the Navy shall retire the officer under any provision of chapter 571 of this title under which the officer is eligible to retire."

(B) Chapter 693 of such title is amended by inserting after section 6933 the following:

"§ 4051a. Superintendent

"(a) There is a Superintendent of the United States Naval Academy. The immediate governance of the Naval Academy is under the Superintendent."

"(b) The Superintendent shall be detailed to the position by the President. To be eligible for detail to the position, an officer shall enter into an agreement with the Secretary of the Navy to accept retirement upon termination of the detail."

(3)(A) Chapter 677 of such title is amended by inserting after section 6773 the following:

"§ 8921. Mandatory retirement: Superintendent of the United States Air Force Academy

"Upon the termination of a detail of an officer to the position of Superintendent of the United States Air Force Academy, the Secretary of the Air Force shall retire the officer under any provision of this chapter under which the officer is eligible to retire."

(B) The table of sections at the beginning of chapter 693 of such title is amended by inserting after the item relating to section 6951 the following:

"§ 4331a. Superintendent; condition for detail to position

"To be eligible for detail to the position of Superintendent of the United States Air Force Academy, an officer shall enter into an agreement with the Secretary of the Air Force to accept retirement upon termination of the detail."

(c) CLERICAL AMENDMENTS—(1)(A) The table of sections at the beginning of chapter 367 of title 10, United States Code, is amended by inserting after the item relating to section 3671 the following:

"§ 3921. Mandatory retirement: Superintendent of the United States Air Force Academy

"(B) The table of sections at the beginning of chapter 493 of such title is amended by inserting after the item relating to section 4931 the following:

"§ 4331a. Superintendent; condition for detail to position

"(2)(A) The table of sections at the beginning of chapter 573 of such title is amended by inserting after the item relating to section 5731 the following:

"§ 6371. Mandatory retirement: Superintendent of the United States Naval Academy."
DUTIES OF RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.—(1) The
as so redesignated, to the end of the section;
GRADE.—'' after ''(a)'';
States Code, is amended—
for active component military personnel.
support of the reserve should be considered
Secretary shall submit a report on the results of
section (a)(2).
title 10, United States Code, as added by sub-
tion.—(1) Notwithstanding subsection (b) of section 12310 of
or more who are excluded from the limita-
excluded under the preceding sentence are in
June 7, 1999
MASS DESTRUCTION.
OF RESERVES ON FULL-TIME ACTIVE
DUTY IN SUPPORT OF THE RES-
CONGRESSIONAL RECORD — SENATE
S6489
excluded under the preceding sentence are in
to any other reserve component
general or flag officers on active duty under
calls or orders specifying periods of 180 days or
military service as provided from the limita-
tions of this section under authority other than
than this paragraph.
SEC. 512. DUTIES OF RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.
(a) DUTIES.—Section 12310 of title 10, 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 component units;
"(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) After the Secretary of Defense, the Secretary of a military department, the Joint Chiefs of Staff, or the commander of a unified combatant command regarding reserve component affairs,
(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 12310 of title 10, United States Code, is amended—
(1) in subsection (a), by inserting “GRADE.—” after “(a)”; and
(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 subsection (d), as redesignated and transferred by subsection (a)(1), by inserting “TRAINING.—” after “(d)”; and
(c) REVIEW OF USE OF RESERVES ON ACTIVE DUTY DURING A MAJOR RESERVE ACTIVATION.—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 section 12310(b) of title 10, United States Code, as added by subsection (a)(2).
(2) Not later than March 1, 2000, the Sec-
retary shall submit a report on the results of the review to the Committees on Armed Services of the Senate and the House of Rep-
resentatives. 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 IN SUPPORT OF PREPAREDNESS FOR RESPONSES TO EMERGENCIES INVOLVING WEAPONS OF MASS DESTRUCTION.
(a) REPEAL.— Paragraph (4) of section 12310(b)(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 “for the making of a course of study under this
and all that follows through “Federal levels”.
SEC. 514. EXTENSION OF PERIOD FOR RETENTION OF RESERVE COMPONENT MA-
NON-MEDICAL PERSONNEL WHO TWICE FAIL OF SE-
LECTION FOR PROMOTION.
(a) PARTIAL EXEMPTION FROM GRADES O-2 AND O-3.—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:
"(2) 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 re-
serve officers from reserve active-status lists under section 14506 of title 10, United States Code, on or after that date.
SEC. 515. CONTINUATION OF THE OFFICER ON RE-
ERVE ACTIVE-DUTY LIST FOR DISCIPLINARY ACTION.
(a) AUTHORITY.—Chapter 1407 of title 10, United States Code, is amended by adding at the end the following new section:
"§ 14518. Continuation on reserve active-status list to complete disciplinary action
Any officer or person duly court-martial
shall be credited to the member for participation in a course of study.
(3) The number of points credited to a
Reserve in the professional specialty for
Professional Education Program.
"14518. Continuation on reserve active-sta-
tus list to complete disciplinary action
Section 14706(b) of title 10, United States Code, is amended by striking "(or, in the case of a reserve officer of the Army in the
the Chaplains 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 SCHOLAR-
SHIP AND FINANCIAL ASSISTANCE PROGRAM.
Section 12316(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 officers of service under section 12732 of this title and for com-
putation 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 years of service 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 participa-
tion shall be recorded in the member’s records as having been earned in the year in which the course of study was taken.
(b) Effective Date.—The amendment made by subsection (a) shall take effect on the
day of the enactment of this Act and shall apply with respect to service as a commissioned officer on or after that date.
S6490

CONGRESSIONAL RECORD — SENATE
June 7, 1999

SEC. 520. CORRECTION OF REFERENCE RELATING TO CREDITING OF SATISFACTORY SERVICE BY RESERVE OFFICERS OF THE NATIONAL GUARD GRADE HELD.

Section 1370(d)(1) of title 10, United States Code, is amended by striking “chapter 1225” and inserting “chapter 1228.”

SEC. 521. ESTABLISHMENT AND 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 head of 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 of the 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 12211 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) BUDGET.—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.

“(d) DUTIES.—The Director of the Coast Guard Reserve, while serving, holds a grade above Captain, but vacating the officer’s permanent grade.

“(e) FUNDING.—The Director of the Coast Guard Reserve shall submit to the head of the Office 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) CLEIRICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

“§ 53. Office of the Coast Guard Reserve; Director.”

SEC. 522. CHARTS 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” and “major general”.

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

(c) GRADE OF COMMANDER, MARINE FORCES RESERVE.—Section 5149(c)(2) of such title is amended by striking “brigadier general” and inserting “lieutenant general”.

(d) GRADE OF CHIEF OF AIR FORCE RESERVE.—Section 8038(c) of such title is amended by striking “major general” and inserting “lieutenant general”.

(e) THE ADDITIONAL GENERAL OFFICERS FOR THE NATIONAL GUARD BUREAU.—Subparagraph (A) and (B) of section 15060A(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 526(d)(1) of such title is amended to read as follows:

“(d) EXCLUSION FROM LIMITATION.—

“(1) the limitations of this section do not apply to the following reserve component general or flag officers:

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

“(2) 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 15060A(a)(1) 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 COMMUNITY COLLEGE GRADUATES FOR THE SERVICE ACADEMIES.


(1) by inserting “(1)” after “(a) REDUCTION IN AUTHORIZED STRENGTH,”; and

(2) by adding the following:

“(d) The Secretary of the military department concerned may authorize the strength of an academy for any class year to exceed the strength limitation set forth in paragraph (1) by not more than 5 percent. Before granting that authority, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a written notification of the determination to authorize the excessive strength for that year. The notification shall include a discussion of the reasons for exceeding 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 4344(b)(3), 6957(b)(3), and 9344(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 fiscal 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 5409 of title 10, United States Code, is amended—

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

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

(b) UNITED STATES NAVAL ACADEMY.—Section 6957a of such title is amended—

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

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

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

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

“(2) The Secretary of the military department concerned may authorize the scholarships, as described in paragraph (1), to a student enrolled in an advanced education program beyond the baccalaureate degree level, for 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 Commanding General 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.”

(g) CLEIRICAL 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:

“(b) EDUCATIONAL QUALIFICATIONS OF FACULTY.—Notwithstanding section 3008 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:

“(b) CLEIRICAL AMENDMENT.—The heading of that section is amended to read as follows:

“(1) The degree of master of strategic studies, for the Air War College.”

SEC. 538. DEGREE OF MASTER OF STRATEGIC STUDIES DEGREE FOR FOREIGN STUDENTS.

“(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) CLEIRICAL AMENDMENTS.—(1) The heading of that section is amended to read as follows:
SEC. 538. PAYMENT OF TUITION FOR EDUCATION TRAINING OF MEMBERS IN THE DEFENSE ACQUISITION WORKFORCE.

Section 538 of title 10, United States Code, is amended to read as follows:

"(a) Tuition Reimbursement and Training.—(1) The Secretary of Defense shall provide for tuition reimbursement and training (including a full-time course of study leading to a degree) for acquisition personnel in the Department of Defense.

"(2) For civilian personnel, the reimbursement and training shall be provided under section 4107(b) of title 5 for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, until September 30, 2001, a shortage of qualified personnel to serve in acquisition positions in the Department of Defense.

"(3) In the case of members of the armed forces, the limitation in section 2007(a) of this title shall not apply to tuition reimbursement and training provided for under this subsection.

SEC. 539. FINANCIAL ASSISTANCE PROGRAM FOR PURSUIT OF DEGREES BY OFFICERS AND ENLISTED PERSONNEL IN THE DEFENSE ACQUISITION WORKFORCE.

(a) Authority.—The Secretary of Defense may, on such date, as the Secretary establishes, prescribe financial assistance programs for members of the armed forces to pursue an advanced degree in an institution of higher education, to include tuition and fees, required under the program.

(b) Eligibility.—(1) To be eligible for financial assistance covered by this section, an eligible officer or enlisted member must—

"(A) be an officer candidate in the Marine Corps Platoon Leaders Class Program and satisfies the applicable age requirement for the program;

"(B) be enrolled on a full-time basis in a program approved by the Secretary under this section; and

"(C) be a commissioned officer in the Marine Corps Reserve or a commissioned officer in the Marine Corps Platoon Leaders Class Program, except that any such member who has served on active duty in the armed forces may, upon the recommendation of the Secretary of Defense, be eligible for financial assistance for not more than three academic years.

"(2) Financial assistance may be provided to a member under this section only for three consecutive academic years.

(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 approved by the Secretary, and in the case of a program of education leading to a baccalaureate degree, laboratory expenses.

(d) Limitation.—The amount of financial assistance covered by this section shall be prescribed by the Secretary, but may not exceed $5,200 for any academic year.

SEC. 540. AUTHORITY FOR AWARD OF MEDAL OF HONOR TO ALFRED RASCON, OF THE UNITED STATES COAST GUARD.

(a) Waiver.—Any limitation established by law or policy for the award of a medal for which a recommendation for the award of a military decoration or award must be submitted shall not apply to the award of the decoration as described in subsection (b), except for any time limitation with respect to the award of such decoration having been determined by the Secretary of Transportation to be warranted in accordance with section 1130 of title 10, United States Code.

(b) Coast Guard Commendation Medal.—Subsection (b) of section 3744 of title 10, United States Code, as added by subsection (c), applies to a member referred to in paragraph (1).

(b) Action Described.—The acts of valor referred to in subsection (a) are the actions of Alfred Rascon on March 16, 1966, as an Army medic, serving in the grade of Specialist Four in the Republic of Vietnam with the 1st Battalion, 503rd Infantry, 173rd Airborne Brigade (Separate), during a combat operation known as Silver City.
SEC. 553. ELIMINATION OF BACKLOG IN QUESTS FOR REPLACEMENT OF MILITARY MEDALS AND OTHER DECORATIONS.

(a) SUFFICIENT RESOURCING 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 status of the efforts described in subsection (a). The report shall include a plan for eliminating the backlog.

(d) REPLACEMENT DECORATION DEFINED.—For the 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 service and personnel support activities performed at a location 100 miles or more from the member’s residence.

SEC. 554. RETROACTIVE AWARD OF NAVY COMMENDATION MEDAL FOR SERVICE IN THE FUNERAL HONORS DETAIL.

The Secretary of the Navy may award the Navy Commendation Medal (established by 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.

Subtitle E—Amendments to Uniform Code of Military Justice

SEC. 561. INCREASE IN SENTENCING JURISDICTION OF SPECIAL COURTS-MARTIAL AUTHORIZED TO CONVICT A PERSON FOR DRUNKEN OPERATION OR CONDUCT DISCHARGE.

(a) INCREASE IN JURISDICTION.—Section 114 of title 10, United States Code (article 114 of the Uniform Code of Military Justice), is amended by inserting “10. However, a member of the Army National Guard of the United States or the Air National Guard of the United States, acting under section 115 of this title.”.

(b) CEREMONY, SUPPORT, AND WAIVER.—

Secretary of the Navy may order 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 title 10; and
(2) if authorized by the Secretary concerned, the allowance under subsection (d) of section 3354 of title 38. "(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 chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member’s residence.

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

(2) Chapter 1213 of title 10, United States Code, 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 funeral
(A) M aximum Per iod of Ext ension.—Sec- 

1. The benefit for the performance of funeral honors duty is 240 hours.

2. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

3. The benefit for the performance of funeral honors duty is 240 hours.

4. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

5. The benefit for the performance of funeral honors duty is 240 hours.

6. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

7. The benefit for the performance of funeral honors duty is 240 hours.

8. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

9. The benefit for the performance of funeral honors duty is 240 hours.

10. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

11. The benefit for the performance of funeral honors duty is 240 hours.

12. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

13. The benefit for the performance of funeral honors duty is 240 hours.

14. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

15. The benefit for the performance of funeral honors duty is 240 hours.

16. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

17. The benefit for the performance of funeral honors duty is 240 hours.

18. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

19. The benefit for the performance of funeral honors duty is 240 hours.

20. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

21. The benefit for the performance of funeral honors duty is 240 hours.

22. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

23. The benefit for the performance of funeral honors duty is 240 hours.

24. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

25. The benefit for the performance of funeral honors duty is 240 hours.

26. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

27. The benefit for the performance of funeral honors duty is 240 hours.

28. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

29. The benefit for the performance of funeral honors duty is 240 hours.

30. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

31. The benefit for the performance of funeral honors duty is 240 hours.

32. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

33. The benefit for the performance of funeral honors duty is 240 hours.

34. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

35. The benefit for the performance of funeral honors duty is 240 hours.

36. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

37. The benefit for the performance of funeral honors duty is 240 hours.

38. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.

39. The benefit for the performance of funeral honors duty is 240 hours.

40. The benefit is applicable to members of the Army National Guard of the United States if the duty is performed at a location more than 25 miles away from the member's residence.
in a regular component under that sub-
section for the period during which the per-
son is enrolled in and pursuing a program of
education at an institution of higher edu-
cation approved under the Gongal or tech-
tical training, on a full-time basis that is to
be completed within two years after the date
of the enlistment as a Reserve; and
(b) (2) A person enlisted in a re-
service component for service in the Individual
Ready Reserve, pay an allowance to the per-
sone for each month of that period.
(c) (1) PERIODS OF DELAY.—The pe-
riod of delay authorized a person under para-
graph (2) of subsection (b) may not exceed
the two-year period beginning on the date of
the person's enlistment as specified under sub-
paragraph (1) of such subsection.
(d) AMOUNT OF ALLOWANCE.—(1) The
monthly allowance paid under subsection (b)(2)(B) is $510. The allowance may not be paid for
more than 24 months.
(2) An allowance under this section is in-
cluded in any other allowance to which a per-
son is entitled.
(e) ACCOMPANYING PERSONNEL.—To perform the
assessment under subsection (a), the Secretary
may defer and study any group not includ-
ing persons receiving a benefit under sub-
section (b) or any group or groups of persons who receive such benefits under the pilot program.
(f) DURATION OF PILOT PROGRAM.—The pilot program under subsection (e) shall be in effect during
the period beginning on October 1, 1999, and end-
ing on September 30, 2004.
(g) REPORT.—Not later than February 1, 2004, the Secretary shall submit to the Com-
mittees on Armed Services of the Senate and
the House of Representatives a report on the
pilot program. The report shall include the fol-
lowing:
(1) the assessment of the Secretary regard-
ing the value of this section under this sec-
tion for achieving the objectives of increas-
ing the number of, and the level of the quali-
fications of, persons accessed into the Army.
(2) Any recommendation for legislation or other actions that the Secretary considers appropriate to achieve objectives through grants of entry delay and financial benefits for advanced education and training
of recruits.

SEC. 576. FORENSIC PATHOLOGY INVESTIGA-
TIONS BY ARMED FORCES MEDICAL
EXAMINER.

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

"Subchapter I—Death Investigations"

"Sec. 1471. Forensic pathology investigations

§ 1471. Forensic pathology investigations

(a) AUTHORITY.—Under regulations pre-
scribed by the Secretary of Defense, the Armed
Forces Medical Examiner may con-
duct a forensic pathology investigation to
determine the cause or manner of death of a
deceased person under circumstances de-
scribed in subsection (b). The investigation
may include an autopsy of the decedent's re-
mains.
(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 de-
cedent's death, the cause was unnatural;
(B) the cause or manner of death is un-
known;
(C) there is reasonable suspicion that the
death was by unlawful means;
(D) it appears that the death resulted
from an infectious disease or from the effects
of a hazardous material that may have an
adverse effect on the military installation or
community involved; or
(E) the identity of the decedent is un-
known; and
(2) either—
(A) the decedent—
(i) was found dead or died at an installa-
tion; or
(ii) was a civilian dependent of a member
of the armed forces that is under the ex-
clusive jurisdiction of the United States;
(B) was a member of the armed forces
on active duty or inactive duty for training;
(C) was a former member recently re-
signed from active duty or inactive duty for
training.
"(c) DETERMINATION OF JUSTIFICATION.—(1)

(1) as soon as practicable after the com-
pletion of the investigation, the Armed
Forces Medical Examiner shall—

(2) to the extent practicable and consis-
tent with responsibilities under this sec-
tion, give due regard to any applicable law
protecting religious beliefs;
(3) as soon as practicable, notify the dece-
dent's family or known, if the forensic patho-
logy investigation is being conducted;
(4) as soon as practicable after the com-
pletion of the investigation, authorize re-
lease of the decedent's remains to the fam-
ily, known, and
(5) prompt the report of the results of the
forensic pathology investigation to the official
responsible for the overall investigation of the
death.
(2) DEFINITION OF STATE.—In this section,
the term 'State' includes the District of Co-
lumbia, the Commonwealth of Puerto Rico,
and Guam.

(b) REPEAL OF AUTHORITY FOR EXISTING IN-
QUEST PROCEDURES.—Sections 4711 and 7911
of title 10, United States Code, are repealed.

(c) TECHNICAL AND CLERICAL AMEND-
MENTS.—(1) Chapter 75 of such title, as
amended by subsection (a), is further amend-
ated by inserting before section 1475 the fol-
lowing:
"SUBCHAPTER II—DEATH BENEFITS"

(2) The item relating to chapter 75 in the
tables of sections at the beginning subtitle A
of such title and at the beginning of part II
of such subtitle is amended to read as fol-
lowing:
"75. Deceased Personnel ............. 1471."
(3) The title relating to chapter 75 in the
tables of sections at the beginning of section
445 of such title is amended by striking
the item relating to section 4711.

75. Deceased Personnel ............. 1471.
SEC. 577. NONDISCLOSURE OF INFORMATION ON MISSING PERSONS RETURNED TO UNITED STATES CONTROL.

Section 106 of title 10, United States Code, is amended by adding at the end the following:

'(f) NONDISCLOSURE OF CERTAIN INFORMATION.—(1) In the case of a missing person who is a member of the armed forces, information contained in a de briefing of a missing person returned to United States control during the period beginning July 8, 1959, and ending February 10, 1996, that is made available by the United States authorized to conduct the de briefing is privileged information and, notwithstanding sections 552 and 552a of title 5, may not be disclosed, in whole or in part, under other 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.

"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 armed forces, and the National Guard to the extent that such restrictions as the Secretary of Defense shall prescribe.'.

(b) RECLAMATION.—The table of sections at the beginning of this subchapter is amended by adding at the end the following:

"2249c. Use of recruiting materials for public relations purposes.'.

SEC. 579. IMPROVEMENT AND TRANSFER OF JURISDICTION OF TROOPS-TO-TEACH PROGRAM.

(a) RECODIFICATION, IMPROVEMENT, AND TRANSFER OF PROGRAM.—(1) Section 1151 of title 10, United States Code, is amended to read as follows:

'*1151. Assistance to certain separated or retired members to obtain certification and employment as teachers.

"(a) PROGRAM AUTHORIZED.—The administering Secretary may carry out a program—

"(1) to assist eligible members of the armed forces after their discharge or release, or retirement, from active duty to obtain certification or licensure as an elementary or secondary school teachers or as vocational or technical teachers; and

"(2) to facilitate the employment of such members as part of preseparation counseling.

"(b) IDENTIFICATION OF LOCAL EDUCATIONAL AGENCIES AND STATES.—(1)(A) In carrying out the program, the administering Secretary shall periodically identify local educational agencies that—

"(i) are receiving grants under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) as a result of having within their jurisdictions concentrations of children from families that are at risk of educational failure; and

"(ii) are experiencing a shortage of qualified teachers, in particular a shortage of science, mathematics, special education, or vocational or technical teachers.

"(B) The administering Secretary may identify local educational agencies under subparagraph (A) through surveys conducted for that purpose or by utilizing information on local educational agencies that is available to the Secretary of Education from other sources.

"(2) By carrying out the program, the administering Secretary shall also conduct a survey of States to identify those States 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 a purpose of a reduction of force or for the duration of a reorganization of the armed forces 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; and

"(II) is retired under section 1201 or 1204 of this title.

"(ii) who—

"(I) in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a bachelor’s degree from an accredited institution of higher education; or

"(II) 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 such member seeks assistance for placement under the program; and

"(iii) who satisfies any criteria prescribed under subparagraph (A)(i).

"(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 application program information 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); and

"(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 such requirements.

"(e) SELECTION OF PARTICIPANTS.—(1)(A) Selection of participants in the program shall be made on the basis of applications submitted to the administering Secretary on a timely basis. An application shall be in such form and contain such information as that Secretary may require.

"(B) An application shall be considered to be submitted on a timely basis if the application is submitted not later than six months after the date of the retirement of the applicant from active duty.

"(2) In selecting participants to receive assistance for placement as elementary or secondary school teachers or vocational or technical teachers, the administering Secretary shall give priority to members who—

"(A) have educational or military experience in a field of service other than education, or vocational or technical subjects and agree to seek employment as science, mathematics, or special education teachers in elementary or secondary schools or in other schools under the jurisdiction of a local educational agency; or

"(B) have educational or military experience in another subject area identified by that Secretary, in consultation with the National Governors Association, as important for national educational objectives and agree to seek employment as science, mathematics, or special education teachers in elementary or secondary schools.

"(3) The administering Secretary may not select a member to participate in the program unless that Secretary has sufficient appropriations for the program available at the time of the selection to satisfy the obligations to be incurred by the United States under subsection (g) with respect to that member.

"(f) AGREEMENT.—A member selected to participate in the program shall enter into an agreement with the administering Secretary in which the member agrees—

"(1) to obtain, within such time as the Secretary may require, certification or licensure as an elementary or secondary school teacher or vocational or technical teacher; and

"(2) to accept an offer of full-time employment as an elementary or secondary school teacher or vocational or technical teacher for less than four years in a high need school, or in a local educational agency identified under subparagraph (A) or (B) of subsection (b)(1), to begin the school year after obtaining that certification or licensure.

"(g) STIPEND AND BONUS FOR PARTICIPANTS.—(1)(A) Subject to subparagraph (B), the administering Secretary shall pay to each participant in the program a stipend in an amount equal to $5,000.

"(B) The total number of stipends that may be paid under this paragraph in any fiscal year may not exceed 3,000.

"(2)(A) Subject to subparagraph (B), the administering Secretary may, in lieu of paying the amount described in paragraph (1), require each participant to pay a bonus of $10,000 to each participant in the program who agrees under subsection (f) to accept full-time employment as an elementary or secondary school teacher or a vocational or technical teacher for less than four years in a high need school.

"(B) The total number of bonuses that may be paid under this paragraph in any fiscal year may not exceed 1,000.

"(C) In this paragraph, the term ‘high need school’ means an elementary school or secondary school that meets one or more of the following criteria:

"(i) A drop out rate that exceeds the national average.

"(ii) A large percentage of students (as determined by the Secretary of Education in consultation with the National Governors Association) who speak English as a second language.

"(iii) A large percentage of students (as determined by the Secretary of Education in consultation with the National Governors Association) who speak English as a second language.

"(iv) A population of students at least one-half of which are from families with an income below the poverty line (as that term is defined by the Office of Management and Budget and revised annually in accordance with section 6752 of the Omnibus Budget Reconciliation Act of 1990 or any similar provision of a subsequent Act).

"(D) An amount equal to $5,000 for national educational objectives and agree to seek employment as science, mathematics, or special education teachers in elementary or secondary schools.'.

SEC. 580. BONuses FOR MEMBERS OF THE ARMED FORCES RETURNED TO UNITED STATES CONTROL.

(a) RECODIFICATION, IMPROVEMENT, AND TRANSFER OF PROGRAM.—(1) Section 1152 of title 10, United States Code, is amended to read as follows:

'*1152. Bonus for Teachers and Other Education Personnel.

"(a) PROGRAM AUTHORIZED.—The administering Secretary may make an amount equal to $5,000 to each member who—

"(1) is a member who—

"(I) is retired under section 1201 or 1204 of this title; and

"(II) is retired under section 1201 or 1204 of this title;

"(2) is a member who—

"(I) is retired for length of service with at least 20 years of active service computed after six or more years of continuous active duty;

"(II) is retired under section 1201 or 1204 of this title; and

"(III) is retired under section 1201 or 1204 of this title;

"(3) is retired under section 1201 or 1204 of this title; and

"(4) is retired under section 1201 or 1204 of this title.

"(b) PAYMENT.—(1) The total number of bonuses that may be paid under this subsection in any fiscal year may not exceed 3,000.

"(2)(A) Subject to subparagraph (B), the administering Secretary may, in lieu of paying the amount described in paragraph (1), require each participant to pay a bonus of $10,000 to each participant in the program who agrees under subsection (f) to accept full-time employment as an elementary or secondary school teacher or a vocational or technical teacher for less than four years in a high need school.

"(B) The total number of bonuses that may be paid under this paragraph in any fiscal year may not exceed 1,000.

"(C) In this paragraph, the term ‘high need school’ means an elementary school or secondary school that meets one or more of the following criteria:

"(i) A drop out rate that exceeds the national average.

"(ii) A large percentage of students (as determined by the Secretary of Education in consultation with the National Governors Association) who speak English as a second language.

"(iii) A large percentage of students (as determined by the Secretary of Education in consultation with the National Governors Association) who speak English as a second language.

"(iv) A population of students at least one-half of which are from families with an income below the poverty line (as that term is defined by the Office of Management and Budget and revised annually in accordance with section 6752 of the Omnibus Budget Reconciliation Act of 1990 or any similar provision of a subsequent Act).

"(D) An amount equal to $5,000 for national educational objectives and agree to seek employment as science, mathematics, or special education teachers in elementary or secondary schools.'.
"(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) A formula established by the administering Secretary in consultation with the National Assessment Governing Board.

30. (3) Stipends and bonuses paid under this subsection shall be taken into account in determining the eligibility of the participant concerned as a student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.)."

"(d) 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 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 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 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 (3)(A) or (B) shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which such amount is due, or shall be due for securities having maturities of ninety days or less and shall accrue from the day on which the participant is first notified of the amount due.

"(1) 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 armed forces;

"(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

"(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

"(E) is seeking and unable to find full-time employment as a teacher in an elementary or secondary school or as a vocational or technical teacher for a single period not to exceed 27 months; or

"(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. The administering Secretary may also waive reimbursement in the case of extensions of required service, as determined by the Secretary.

"(j) Relationship to educational assistance under Montgomery GI Bill.—The reimbursement by any party to the program authorized under title 10, United States Code, for the period beginning on October 23, 1992, and ending on September 30, 2001, to the Secretary of Defense and the Secretary of Transportation with respect to the program authorized by section 1151 of title 10, United States Code, for the period beginning on October 1, 2001, and ending on October 1, 2001.

"(k) Discharge of state activities through consortia of States.—The administering Secretary may permit States participating in the program to assign or delegate to consortia of States administrative responsibilities with respect to the program to the Secretary of Education in consultation with the Secretary of Defense and the Secretary of Transportation with respect to the Coast Guard.

"(l) Assistance to States in activities under program.—(1) Subject to subparagraph (A), 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 facilitating the employment of participants in the program in schools 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 'administering 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 program authorized by section 1151 of title 10, United States Code (as amended by subsection (a)), in the recruitment and retention of qualified personnel by local educational agencies identified under subsection (b)(1) of such section 1151.

"(2) The report under paragraph (1) shall include information on the following:

"(A) The number of participants in the program.

"(B) The schools in which such participants are employed.

"(C) The grade levels at which such participants teach.

"(D) The subject matters taught by such participants.

"(E) The effectiveness of the teaching of such participants, as indicated by any relevant test scores of the students of such participants.

"(F) The extent of any academic improvement in the schools in which such participants teach by reason of their teaching.

"(G) The rates of retention of such participants by the local educational agencies employing such participants.

"(H) The effect of any stipends or bonuses under section 1151 in enhancing recruitment or retention of participants in the program by the local educational agencies employing such participants.

"(I) Such other matters as the Secretary of Education or the Comptroller General, as the case may be, considers appropriate.

"(3) The report of the Comptroller General under paragraph (1) shall also include any recommendations of the Comptroller General as to means of improving the program, including means of enhancing the recruitment and retention of participants in the program.

SEC. 580. SUPPORT FOR EXPANDED CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR DEPENDENTS.

(a) AUTHORITY.—(1) Subchapter II of chapter 179 of title 10, United States Code, is amended—

"(B) by inserting after section 1797 the following:

"1798. Child care services and youth program services for dependents: financial assistance for providers.

"(a) AUTHORITY.—The Secretary of Defense may provide financial assistance to an eligible civilian provider of child care services or
Defense may use any funds available for the report under section 1799(d) of this title into section may be combined with the biennial appropriation to enhance the capability of the Department of Defense and are not otherwise available to comply, and does comply, with the requirements of furnishing of the services for military families into civilian communities.

(b) ELIGIBLE PROVIDER.—A provider of child care programs or youth program services 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; or

(B) provides the services in a child developer center owned and operated by a private, not-for-profit organization;

(C) is a provider of child care services;

(D) conducts a before-school or after-school child care program in a public school facility;

(E) conducts an otherwise funded or federally sponsored school age child care or youth services program;

(F) operates a school age child care or youth services program that is owned and operated by a not-for-profit organization;

(G) is a provider of another category of child care services or youth services determined by the Secretary of Defense as appropriate for the needs of members of the armed forces or employees of the Department of Defense;

(F) OBJECTIVES.—The objectives for authorizing participation in a program under subsection (a) are as follows:

(1) To support the integration of children and youth of military families into civilian communities.

(2) To make more efficient use of Department of Defense facilities and resources.

(3) To enhance the partnership or consortium arrangement with schools and other youth services organizations serving children of the armed forces.

(3) REPORT.—(1) Every two years the Secretary of Defense shall submit to Congress a report on the exercise of authority under this section. The report shall include an evaluation of the effectiveness of the authority for achieving the objectives set out under subsection (c). The report may include any recommendations for legislation that the Secretary considers appropriate to enhance the capability of the Department of Defense to attain those objectives.

(2) A biennial report under this subsection may be combined with the biennial report under section 1796(d) of this title into one report for submission to Congress.

(3) The tables of sections at the beginning of such subchapter by striking the item relating to section 1798 and inserting the following:

"1798. Child care services and youth program services for dependents: financial assistance for providers.

1799. Child care services and youth program services for dependents: participation in a program under subsection (a) if the provider—

1800. Definitions.".

(b) FIRST BIENNIAL REPORT.—The first biennial report under sections 1798(d) and 1799(d) of title 10, United States Code (as added by subsection (a)), shall be submitted not later than March 31, 2002, and shall cover the fiscal years 1998 through 2001.

SEC. 581. RESPONSES TO 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 paragraph (2) of this subsection, 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 for children and youth otherwise ineligible for participation in a program under subsection (a) if the provider—

(B) as designated by the Assistant Secretary;

(C) The task force includes the following:

(1) Representatives of the Office of the Assistant Secretary, provide administrative, logistical, and other support for the meet-
(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 actions, the task force under subsection (a)(2)(A), the Secretary of Defense shall, in consultation with the task force, prescribe the following:

(1) Standard 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 acts of domestic violence involving members of the Armed Forces.

(2) A requirement for a commanding officer of a member of the Armed Forces either by a superior not to have contact with a person to give a written copy of the order to each person protected by the order within 24 hours after the issuance of the order.

(3) Standard guidance on the factors for commanders to consider when determining appropriate action for substantiated allegations of domestic violence by a person subject to that Code.

(4) A standard training program for all commanding officers in the Armed Forces, including curriculum, on the handling of domestic violence cases.

(c) Reporting Requirements.—(1) The Secretary shall require each branch of the Armed Forces to maintain and report annually to the Secretary of Defense a central database of information on the cases of domestic violence involving members of the Armed Forces.

(2) The Secretary shall require the administrator of each family advocacy program of the Armed Forces to maintain and report annually to the Secretary of Defense a central database of information on the cases of domestic violence involving members of the Armed Forces.

(3) Standard 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 acts of domestic violence involving members of the Armed Forces.

(4) Standard 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 acts of domestic violence involving members of the Armed Forces.

(5) A standard training program for all commanding officers in the Armed Forces, including curriculum, on the handling of domestic violence cases.

(6) Reporting Requirements.—(1) The Secretary shall require the administrator of each family advocacy program of the Armed Forces to maintain and report annually to the Secretary of Defense a central database of information on the cases of domestic violence involving members of the Armed Forces.

(7) The Secretary shall require the administrator of each family advocacy program of the Armed Forces to maintain and report annually to the Secretary of Defense a central database of information on the cases of domestic violence involving members of the Armed Forces.

(8) Standard 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 acts of domestic violence involving members of the Armed Forces.

(9) Standard 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 acts of domestic violence involving members of the Armed Forces.

(10) A standard training program for all commanding officers in the Armed Forces, including curriculum, on the handling of domestic violence cases.

(11) The Office 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 United States 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 of his respective highest grade held while on the active duty list.

(12) On April 27, 1964, the then Chief of Naval Personnel, Admiral J. L. Holloway, Jr., recommended that Rear Admiral E. 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 found 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 the advancement of Rear Admiral (retired) Kimmel (by then deceased) and recommended that the case of Rear Admiral Kimmel be reopened.

(15) Although the Dorn Report, a report on the results of a Department of Defense study that opened on December 15, 1995, did not include support for the recommendation of the late Rear Admiral (retired) Kimmel or the late Major General (shorted) 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 broadened.”

(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 the highest levels”;

(C) that “...together, these characteristics resulted in failure...”

(17) On July 21, 1997, Vice Admiral David C. Robinson (United States Navy) 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 United States military 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 consideration for promotion to 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 one of the arguments presented in support of the recommendation that the Navy 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 Ad-
miral Nimitz Foundation, the Naval Acad-
emy Alumni Association, the Retired Offi-
cers Association, the Pearl Harbor Com-
memorative Committee, and other associa-
tions and numerous retired military offi-
cers have called for the rehabilitation of the rep-
utations and honor of the late Rear Admiral
Kimmel and the late Major General (retired)
Husband Kimmel to the grade of admiral.
(b) REQUEST FOR ADVANCEMENT ON RETIRED
LISTS.—(1) The President is requested—
(A) to advance the late Rear Admiral (re-
tired) Husband E. Kimmel to the grade of admiral on the retired list of the Navy; and
(B) to advance the late Major General (re-
tired) Walter C. Short to the grade of lieu-
tenant general on the retired list of the Army.
(2) Any advancement in grade on a retired list requested under paragraph (1) shall not increase or otherwise modify the compensa-
tion or benefits from the United States to
which any person is now or may in the future
be entitled based upon the military service of the officer advanced.
(c) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the late Rear Admiral (retired) Husband E. Kimmel; and
(2) the late Major General (retired) Walter C. Short performed his duties as Com-
mander in Chief, United States Pacific Fleet, competently and professionally, and, there-
fore, the losses incurred by the United States in the attacks on Hickam Army Air Field
and Schofield Barracks, Hawaii, and other targets on the island of Oahu, Hawaii, on Decem-
ber 7, 1941, were not a result of dereliction in the per-
formance of those duties by the then Admi-
ral Kimmel; and
(2) the late Major General (retired) Walter C. Short performed his duties as Com-
panding General, Hawaiian Department, competently and professionally, and, there-
fore, the losses incurred by the United States in the attacks on Hickam Army Air Field
and Schofield Barracks, Hawaii, and other targets on the island of Oahu, Hawaii, on Decem-
ber 7, 1941, were not a result of dereliction in the performance of those duties by the then Lieutenant General Short.
SEC. 585. EXIT SURVEY FOR SEPARATING MEM-
BERS.
(a) REQUIREMENT.—The Secretary of De-
fense shall develop and carry out a survey on attitudes toward military service to be com-
pleted by members of the Armed Forces who voluntarily separate from the Armed Forces or transfer from a regular component to a re-
serve component during the period beginning on January 1, 2000, and ending on June 30,
2000, or such later date as the Secretary de-
termines necessary in order to obtain enough survey responses to provide a sufficient basis for meaningful analysis of survey results.
(b) SURVEY CONTENT.—The survey shall, at a minimum, cover the following subjects:
(1) Reasons for leaving military service.
(2) Plans for activities after separation (such as enrollment in school, use of Mont-
gomery GI Bill benefits, and work).
(3) Attitude with a Reserve component, together with the reasons for affiliating or not affiliating, as the case may be.
(4) Attitude toward pay and benefits for service in the Armed Forces.
(5) Extent of job satisfaction during service as a member of the Armed Forces.
(6) Such other matters as the Secretary de-
termines appropriate to the survey con-
cerning reasons for choosing to separate from the Armed Forces.
(c) REPORT.—Not later than February 1, 2001, the Secretary shall submit to Congress a report containing the results of the sur-
evays. The report shall include an analysis of the reasons why military personnel volun-
tarily separate from the Armed Forces and the post-separation plans of those personnel.
The Secretary shall utilize the report’s find-
ings in crafting future responses to declining
rejection. 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 per-
sonnel information established under section 8147 of the Department of Defense Appropria-
tions 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 Per-
sonnel, who shall act in coordination with the Under Secretary of Defense for Personnel
and Readiness and the Chief Information Of-
ficer of the Department of Defense.
TITILE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS
Subtitle A—Pay and Allowances
SEC. 601. FISCAL YEAR 2000 INCREASE AND RE-
STRUCTURING 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 uni-
formed services shall be increased by 4.8 per-
cent.
(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:

<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>O–1</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>O–2</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>O–3</td>
<td>$2,218.80</td>
<td>$2,527.20</td>
<td>$2,910.90</td>
<td>$3,000.00</td>
<td>$3,071.10</td>
</tr>
<tr>
<td>O–4</td>
<td>$3,000.00</td>
<td>$3,364.80</td>
<td>$3,606.04</td>
<td>$3,812.40</td>
<td></td>
</tr>
<tr>
<td>Over 8</td>
<td>$3,000.00</td>
<td>$3,364.80</td>
<td>$3,606.04</td>
<td>$3,812.40</td>
<td></td>
</tr>
<tr>
<td>Over 10</td>
<td>$3,000.00</td>
<td>$3,364.80</td>
<td>$3,606.04</td>
<td>$3,812.40</td>
<td></td>
</tr>
<tr>
<td>Over 12</td>
<td>$3,000.00</td>
<td>$3,364.80</td>
<td>$3,606.04</td>
<td>$3,812.40</td>
<td></td>
</tr>
<tr>
<td>Over 14</td>
<td>$3,000.00</td>
<td>$3,364.80</td>
<td>$3,606.04</td>
<td>$3,812.40</td>
<td></td>
</tr>
<tr>
<td>Over 16</td>
<td>$3,000.00</td>
<td>$3,364.80</td>
<td>$3,606.04</td>
<td>$3,812.40</td>
<td></td>
</tr>
</tbody>
</table>

<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>O–5</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>O–6</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Over 8</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Over 10</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Over 12</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Over 14</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Over 16</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Years of service computed under section 205 of title 37, United States Code.
### Commissioned Officers

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>O–1</th>
<th>O–2</th>
<th>O–3E</th>
<th>O–2E</th>
<th>O–1E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 2</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
</tr>
<tr>
<td>Over 3</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
</tr>
<tr>
<td>Over 6</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
</tr>
</tbody>
</table>

Note: Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

### 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>O–1E</th>
<th>O–2E</th>
<th>O–3E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 2</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
</tr>
<tr>
<td>Over 3</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
</tr>
<tr>
<td>Over 4</td>
<td>4,200.30</td>
<td>4,200.30</td>
<td>4,200.30</td>
</tr>
<tr>
<td>Over 6</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
</tr>
</tbody>
</table>

Note: 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.

### Warrant Officers

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>W–5</th>
<th>W–4</th>
<th>W–3</th>
<th>W–2</th>
<th>W–1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 2</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
</tr>
<tr>
<td>Over 3</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
</tr>
<tr>
<td>Over 6</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
</tr>
</tbody>
</table>

Note: 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.

### Enlisted Members

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 2</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
<td>2,423.10</td>
</tr>
<tr>
<td>Over 3</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
<td>3,566.20</td>
</tr>
<tr>
<td>Over 6</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
<td>5,556.20</td>
</tr>
</tbody>
</table>

Note: While serving as Sergeant Major of the Army, Master Chief Petty 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 with an increase in the monthly basic pay by the percentage equal to the sum of one percent plus the percentage calculated as provided under section 5303(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 stamp assistance.

"(a) 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 paid under this section, or if the household is comprised solely of the member not less than 180 days after the date of the enactment of this Act.

"(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 1999, the Secretary of Defense shall submit to Congress a report setting forth the number of members of the uniformed services who are eligible for food stamp assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

"(2) In preparing the report, the Secretary shall consult with the Secretaries of the Air Force and the Navy to determine the number of members who have elected to receive the special subsistence allowance.

"(3) No report is required under this section after March 1, 2004.

SEC. 604. PAYMENT FOR UNUSED LEAVE IN CONJUNCTION WITH A REENLISTMENT.

Section 501 of title 37, United States Code, is amended—

(1) in subsection (a)(1), by inserting "after the completion of the period of leave after one year";

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

"(3) The number of times that payments are resumulated under this subsection is unlimited.

"(e) DOCUMENTATION OF ELIGIBILITY.—A member of the uniformed services applying for the special subsistence allowance under this section must present documentary 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) RELATIONSHIP 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 this title.

"(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term 'food stamp assistance' means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

SEC. 611. ONE-YEAR EXTENSION OF AUTHORITY FOR PAYMENT OF CERTAIN BONUSES AND SPECIAL PAY.

(a) YEARS OF SERVICE CREDIT.—Chapter 6 of title 37, United States Code, is amended by striking "December 31, 1998" and inserting "December 31, 2000.".

(b) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 306 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 308(a) and 308(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 321(e) of title 37, United States Code, is amended by striking "December 31, 1999," and inserting "December 31, 2000.".

(e) NUCLEAR CAREER ACCENSION BONUS.—Section 321(b)(c) 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 321(d) of title 37, United States Code, is amended by striking "any fiscal year beginning before October 1, 1998, and ending December 31, 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, 1998, and ending December 31, 1999, and any year beginning after December 31, 1999, and ending before January 1, 2001.".

"§ 552a. Pay and allowances: continuation while in a duty status (whereabouts unknown).

"(a) Continuation of Pay and Allowances While in 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 (f), shall apply to the member as if the member were in a missing status for that period.

"(b) Definition 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):"
SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITY FOR RESERVE FORCES.

(a) Special Pay for Health Professionals in Critically Short Workforce Shortages.—Section 302a(f) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(b) Selected Reserve Enlistment Bonus.—Section 308b(f) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(c) Selected Reserve Enlistment 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 CBRNS and High-Pay-Rate Positions.—Section 308d(e) of title 37, United States Code, is amended by striking “December 31, 2000” and inserting “January 1, 2001”.

(e) Ready Reserve Enlistment and Reenlistment Bonus.—Section 308b(g) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(f) Prior Service Enlistment Bonus.—Section 308(f) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(g) Repayment of Education Loans for Certain Health Professionals Who Serve in the Selected Reserve.—Section 16312(a) 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 BONUSES AND SPECIAL PAY AUTHORITY FOR NURSE OFFICER CANDIDATES, REGISTERED NURSES, AND NURSE ANESTHETISTS.

(a) Nurse Officer Candidate Accession Program.—Section 2130a(a)(1) 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)(2) 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)(3) 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) of this title 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),’’;

and

“(3) adding at the end the following:

“(2) Pursuant 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 through ‘‘$25,000 for each calendar year covered by the written agreement to remain on active duty.’’.

(d) Prior Service Authority for Coverage of Increased Eligibility.—Subsection (d) of such section is amended by striking ‘‘14 years of commissioned service’’ and inserting ‘‘25 years of aviation service’’.

(e) Termination.—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 ‘‘retention bonuses’’ in the first sentence and inserting ‘‘special pay under this section’’.

SEC. 616. CAREER ENLISTED FLYER INCENTIVE PAY.

(a) Incentive Pay Authorized.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301d 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 assigned to—

“(1) to an army force who is entitled to basic pay under section 204 of this title or is entitled to compensation under paragraph (1) or (2) of section 206a of this title;

“(2) holds a military occupational specialty or military rating designated as a career enlisted flyer specialty or rating by the Armed Forces; and

“(3) 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 aviation service.

“(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 member performs operational flying duty during the month, as follows:

“(i) in the case of a member who has performed 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 performed more than 15, and not more than 20, years of aviation service, the member may be so paid after the member has frequently and regularly performed operational flying duty in each of 108 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.

“(B) The Secretary concerned, or a designee of the Secretary concerned, may reduce the minimum number of months of frequent and regular performance of operational flying duty applicable in the case of a particular member under—

“(i) subparagraph (A)(i) to 60 months;

“(ii) subparagraph (A)(ii) to 96 months; or

“(iii) subparagraph (A)(iii) to 144 months.

“(2) Monthly Rates.—(1) The monthly rate of any career enlisted flyer incentive pay paid under this section to a member on active duty shall be prescribed by the Secretary concerned, but may not exceed the following:

“Years of aviation service Monthly rate

<table>
<thead>
<tr>
<th></th>
<th>Monthly rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 8</td>
<td>$350</td>
</tr>
<tr>
<td>Over 4</td>
<td>$250</td>
</tr>
<tr>
<td>Over 8</td>
<td>$350</td>
</tr>
<tr>
<td>Over 6</td>
<td>$300</td>
</tr>
</tbody>
</table>

“(2) The monthly rate of any career enlisted flyer incentive pay paid under this section to a member on inactive duty shall be prescribed by the Secretary concerned, but may not exceed $400 or $300, as the case may be.

“(e) Nonapplicability to Members Receiving 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 under this section for the same period of service.
a (f) Regulations.—The Secretary concerned shall prescribe regulations for the administration of this section. The regulations shall include the following:

(1) flying performed under competent orders or assignments in which basic flying skills normally are maintained in the performance of assigned duties as determined by the Secretary concerned; and

(2) flying performed by members in training that leads to the award of a military occupational specialty or rating referred to in subsection (b).

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating to section 301e the following new item:

"301f. Incentive pay; career enlisted flyers."

(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 a 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 higher of:

(1) the monthly rate of incentive pay authorized by such section 301(b) or 301(c)(2)(A) as of September 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. 617. RETENTION BONUS FOR SPECIAL WARFARE 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 periods of 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 designated and serving as a special warfare officer described in subsection (a); and

(2) is in pay grade O-3, or is in pay grade O-4 and is not on a list of officers recommended by the Secretary concerned, at the time the officer applies for an agreement under this section;

(3) has completed at least 6, but not more than 10, years of active commissioned service; and

(4) has completed any service commitment incurred to be commissioned as an officer;

(5) has completed 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.

"(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) PROHIBITION.—The term of an agreement under subsection (a) and the amount of the bonus concerned, as described in 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 14 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 and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

"(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 specified in the agreement, the Secretary concerned may require the officer to repay the United States, on a pro rata basis and to 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 is entered less than five years after the date on which the agreement is accepted by the Secretary followed by payment of equal annual installments on the amount of the obligation imposed under paragraph (1) may be withheld as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 10 years of active commissioned service.

"(h) REGULATIONS.—The Secretaries concerned shall prescribe regulations for the administration of this section. Regulations prescribed under this section shall be subject to the approval of the Secretary of Defense.

"(i) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after section 301g 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—

(1) a to remain on active duty for at least two years and through the tenth year of active commissioned service; and

(2) b to complete tours of duty to which this section applies, except that the period covered by subparagraph (A) as a department head of afloat.

(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;

(6) 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) PROHIBITION.—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 14 years of active commissioned service.

"(e) 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 the bonus payable under the agreement 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.

"(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 surface warfare officer specified in the agreement, the Secretary concerned may require the officer to repay the United States, on a pro rata basis and to 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 is entered less than five years after the termination of a written agreement entered into under subsection (a) does not discharge the debtor from a debt arising under such agreement or under paragraph (1).”

“(b) REGULATIONS.—The Secretary of the Navy shall prescribe regulations to carry out this section.”

“(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating to section 305g, as added by section 111(a) of this Act, the following new item: ‘‘301h. Special pay: surface warfare officers taking effect on or after that date.”

SEC. 621. INCREASE IN MAXIMUM MONTHLY BONUS FOR ACTIVE MEMBERS.

(a) INCREASE.—Section 308(a)(2) of title 37, United States Code, is amended—

(1) by striking ‘‘$200’’ and inserting ‘‘$240’’;

(2) by striking ‘‘$300’’ and inserting ‘‘$340’’;

(b) EFFECTIVE DATE.—The amendments 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. 622. CRITICAL SKILLS ENLISTMENT BONUS.

(a) INCREASE.—Section 308(a)(2) of title 37, United States Code, is amended by striking ‘‘$10,000’’ and inserting ‘‘$5,000’’.

(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. 623. SELECTED RESERVE ENLISTMENT BONUS.

(a) ELIMINATION OF REQUIREMENT FOR MINIMUM PERIOD OF ENLISTMENT.—Subsection (b) of section 308b of title 37, United States Code, is amended by inserting ‘‘2 years’’.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments extending on or after that date.

SEC. 624. SPECIAL PAY FOR MEMBERS OF THE CONSTRUCTION RESERVE ASSIGNED TO HIGH PRIORITY UNITS OF THE SELECTED RESERVE.

Section 308a(a) of title 37, United States Code, is amended by inserting ‘‘2 years’’ after ‘‘Secretary of Defense’’.

SEC. 625. REDUCED MINIMUM PERIOD OF ENLISTMENT IN ARMY IN CRITICAL SKILLS FOR ELIGIBILITY FOR ENLISTMENT BONUS.

(a) REDUCED REQUIREMENT.—Paragraph (3) of section 308a(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 COMPONENT ENLISTMENT BONUS UPON ATTAINING A CRITICAL SKILL.

(a) NEWLY IDENTIFIED CRITICAL SKILL.—Section 308a(a) of title 37, United States Code, is amended by striking paragraph (2) and inserting the following:

“(2) A bonus may only be paid under this section to a person who meets each of the following requirements:

A. The person has completed that person’s military service obligation but has less than 14 years of total military service.

B. The person has received an honorable discharge at the conclusion of military service.

C. The person is not being released from active service for the purpose of enlistment in a reserve component.

D. The person is position eligible under paragraph (3).

E. The person has not previously been paid a bonus (except under this section) for enlistment, reenlistment, or extension of enlistment in a reserve component.

F. A person is in a specialty in which the person—

(i) successfully served while a member on active duty;

(ii) attained a level of qualification while a member on active duty commensurate with the grade and years of service of the member;

or

“(B) is occupying a position as a member of the Selected Reserve in a specialty in which the person—

(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.

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 ‘‘$25,000’’.

(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(a)(1) of title 37, United States Code, is amended by striking ‘‘$10,000’’ and inserting ‘‘$20,000’’.

(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 ‘‘$7,500’’.

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

(2) The amendments made by subsections (a) and (b) shall apply with respect to agreements accepted under section 312d(a) and 312d(b), respectively, of title 37, United States Code, on or after October 1, 1999.

(3) The amendments made by subsection (c) shall apply with respect to nuclear service years beginning on or after October 1, 1999.

SEC. 628. INCREASE IN MAXIMUM MONTHLY RATE AUTHORIZED FOR FOREIGN LANGUAGE PROFICIENCY PAY.

(a) LIMITATION ON 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 PERMANENT CHANGE OF STATION.

Section 404(a)(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 enlisted member, to the member’s first permanent duty station
from the member’s home of record or initial technical training school.”.

SEC. 642. DESTINATION AIRPORT FOR EMERGENCY TRAVEL TO THE CONTINENTAL UNITED STATES.

Section 411d(b)(1)(A) of title 37, United States Code, is amended, to read as follows: “(A) or either—

(1) the international airport in the continental United States closest to the location from which the member and the member’s dependents are dispatched; or

(2) any other airport in the continental United States that is closer to the destination than is an international airport if the cost of transportation to the other airport is less expensive than the cost of the 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 1002(b) of title 37, United States Code, is amended—

(1) by inserting “(1)” after “(A)” and

(2) by adding at the end the following: “(2) If the Secretary concerned determines that a technician (dual status) is unable to leave from technician employment under section 623(d) of title 5 is performing active duty without pay outside the United States without an adequate opportunity to satisfy administrative requirements for a commutation of subsistence and quarters and under paragraph (1), the Secretary shall 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 service.”

(b) DEFINITION.—Section 101 of such title is amended by adding at the end the following: “(2) The term ‘military technician (dual status)’ means a person—

(A) who has elected to receive a bonus under section 318 of title 37; and

(B) who is eligible to receive the bonus under section 318 of title 37.”

(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 TRAVEL OF 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 new section:

“§12322. Reserves traveling to inactive-duty training OCONUS: space required travel

‘A member of a reserve component is authorized to travel in a 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 highway, 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 tables of sections at the beginning of that chapter are 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 a 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 highway, 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.’.

(3) The tables of sections at the beginning of that chapter are amended by adding at the end the following:

“(2) Any payment of bonus.—The Secretary concerned shall pay a bonus to a member of a uniformed service who is eligible to receive the bonus under this section.

(b) ELIGIBILITY.—(1) A member of a uniformed service serving on active duty is eligible to receive a bonus under this section if the member—

(1) has served in the uniformed services for a period that would result in the member—

(1) first became a member of a uniformed service on or after August 1, 1986; and

(2) if not already obligated to remain on active duty for a period that would result in at least 20 years of active-duty service, executes a written agreement (prescribed by the Secretary concerned) to remain continuously on active duty for five years after the date of the completion of 15 years of active-duty service.

(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 MEMBERS OF THE ARMED FORCES IN CONNECTION WITH LEAVE CANCELED FOR INKOSOVO-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 in order to respond to the termination of an agreement or leave canceled to meet an exigency 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 OUTSIDE THE UNITED STATES.

(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,” “and has elected to receive a bonus under section 318 of title 37.”

(2)(A) Paragraph (2)(A) of section 1409(b) of title 10, United States Code, is amended by striking “To qualify for a bonus under this section the member—

(A) first became a member of a uniformed service on or after August 1, 1986;” and by inserting “as otherwise provided in this subsection, the Secretary shall increase the retired pay of each member and former member—

(B) who is eligible to receive the bonus under section 318 of title 37; and

(C) who is eligible to receive the bonus under section 318 of title 37.”

(2)(B) Paragraph (2)(B) of section 1409(b) of title 10, United States Code, is amended by striking “who has elected to receive a bonus under section 318 of title 37,” and by inserting “and has elected to receive a bonus under section 318 of title 37.”

SEC. 1410. ELIGIBILITY FOR BONUS.—(1) First became a member of a uniformed service on or after August 1, 1986; and

(2) and inserting “PERCENTAGE INCREASE.—‘’

(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 any liability under the agreement or this subsection.

(2) The tables of sections at the beginning of such chapter are 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) ELIGIBILITY.—(1) A member of a uniformed service serving on active duty is eligible to receive a bonus under this section if the member—

(1) first became a member of a uniformed service on or after August 1, 1986; and

(2) has completed 15 years of active duty in the uniformed services; and

(3) if not already obligated to remain on active duty for a period that would result in at least 20 years of active-duty service, executes a written agreement (prescribed by the Secretary concerned) to remain continuously on active duty for five years after the date of the completion of 15 years of active-duty service.

(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.

(b) 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 that is 180 days after the date on which the Secretary concerned receives from the member an election that satisfies the requirements imposed under subsection (c).

(c) Form and Amount of Bonus.—A bonus under this section shall be paid in one lump sum of $30,000.

(d) RETIREMENT 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)(8), the person shall refund to the United States the amount that bears the same ratio to the amount of the bonus payment as the un earned part of that total period bears to the total period.

(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.

(e) CONFORMING AMENDMENTS TO SURVIVOR BENEFIT PLAN PROVISIONS.—(1) Section 1451(h)(3) of title 10, United States Code, is amended by inserting “of certain members” after “certain members” in subparagraph (A).

(2) Section 1452(i) of such title is amended by striking “With the payment of any perquisite of the members concerned on or after August 1, 1986,” and by inserting “With the payment of any perquisite of the members of the Armed Forces on or after August 1, 1986, the Secretary concerned shall—

(A) increase the retirement pay of each member and former member and

(B) 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.

(3) 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 any liability under the agreement or this subsection.

(f) RELATED TECHNICAL AMENDMENTS.—(1) Section 1409(b)(3) of title 10, United States Code, is amended—

(A) by striking the heading for paragraph (3) and inserting “INCREASE REQUIRED.—’’;

(B) by striking the heading for paragraph (4) and inserting “PERCENTAGE INCREASE.—’’; and

(C) by striking the heading for paragraph (1) and inserting “REDUCED PERCENTAGE FOR CERTAIN POST-AUGUST 1, 1986 MEMBERS.—’’.

(2) Section 1409(b)(2) of title 10, United States Code, is amended by inserting “certain members” after “certain members” in paragraph (1) after “REDUCTION APPLICABLE TO” in the paragraph heading.
S6506

CONGRESSIONAL RECORD — SENATE

June 7, 1999

(3)(A) 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.—(1)(A) 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 the release).

"'(2) Transfer of the member by the Secretary concerned to a retired list maintained by the Secretary.

"'(B) The subsection of sections at the beginning of such chapter 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 chapter of the chapter VII of the plan 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(1).

"'(c) MAXIMUM CONTRIBUTION FROM PAY OR COMPENSATION.—(1) The amount contributed by a member of the uniformed services for any pay period out of basic pay may not exceed 5 percent of such member’s basic pay for such pay period.

"'(2) The amount contributed by a member of the Ready Reserve for any pay period for any compensation received under section 206 of title 37 may not exceed 5 percent of such compensation for the full pay period.

"'(3) The amount contributed by the plan with respect to the pay period to the extent allowable under the Internal Revenue Code of 1986.

"'(d) OTHER MEMBER CONTRIBUTIONS.—A member of the uniformed services making contributions to the Thrift Savings Fund out of basic pay, or out of compensation under section 206 of title 37, may also contribute (by the plan as the Fund) any pay on any special or incentive pay that the member receives under section 308, 308a through 308h, or 318 of title 37, to the extent allowable under the Internal Revenue Code of 1986.

"'(e) AGENCY CONTRIBUTIONS GENERALLY PROHIBITED.—Except as provided in section 211(c) of title 37, no contribution under section 8422(c) of this title may be made for the benefit of a member of the uniformed services making contributions to the Thrift Savings Fund pursuant to section 8440e of title 5.

"'(f) BENEFITS AND ELECTIONS OF BENEFITS.—In applying section 433 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 211(c) of title 37,

"'(2) the reference in section 433(g) to (1) contributions made under section 8432(a) shall be treated as being a reference to contributions made under any other agreement made after the date on which such member made contributions under section 8351, 8432(a), or this section,

"'(g) BASIC PAY DEFINED.—For purposes of this section, the term "basic pay" means basic pay that is payable under section 204 of title 37.

"'(h) 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 8440f the following:

"'§ 8440e. Members of the uniformed services on active duty

"'"(a) in subsection (a), by striking "15 members" and inserting "15 members";

"'"(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.

"'(3) Section 8432(b)(5) of title 5, United States Code, is amended—

"'"(A) in subsection (a), by striking "14 members" and inserting "15 members";

"'"(B) in subsection (b)—

"'"' (i) by striking "14 members" and inserting "15 members";

"'"' (ii) by striking "and" at the end of paragraph (8);

"'"' (iii) by striking the period at the end of paragraph (9) and inserting "; and"

"'"' (iv) by adding at the end the following:

"'"' "'(10) I shall be appointed to represent participants (under section 8440e) who are members of the Ready Reserve.

"'"' (5) Paragraph (11) of section 8351(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) A(A) The Secretary of Defense may post- pose the effective date of provisions 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 Federal Thrift Retirement Investment Board, determines that permitting such members to participate in the Thrift Savings Plan on that date would place an ex- cessive burden on the administrative capacity of the Board to accommodate participants in the Thrift Savings Plan.

"'(b) The Secretary may extend the deadline for the congressional defense committees of any determination made under subparagraph (A).

"'(c) REGULATIONS.—Not later than 180 days after the date on which the Secretary 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 37, United States Code (as added by subsection (a)(3))

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 CONTRIBUTIONS 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 in a specialty designated by the Secretary as critical to meet requirements (whether such specialty is designated as critical to meet wartime or peacetime require- ments); and

"'(2) commits in such agreement to con- tinue to serve on active duty in that spe- cialty for a period of six years.

"'(2) Under a special agreement entered into with a member under paragraph (1), the Secre- tary 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 sec- tion. This paragraph (2) applies to the Secretary’s obligation to make con- tributions under this paragraph, except that the reference in such paragraph to contribu- tions under paragraph (1) of such section does not apply.

SEC. 654. REPEAL OF REDUCTION IN RETIRED PAY FOR CIVILIAN EMPLOYEES.

(a) REPEAL.—(1) Section 652(b) of title 5, United States Code, is repealed.

(2) The chapter analysis at the beginning of chapter 76 of such title is amended by striking the item relating to section 6522.

(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 ANY PREMIUM PAID BY PERSONS ELECTING SBP COVERAGE DURING SPECIAL OPEN ENROLL- MENT PERIOD.

Section 642 of the Strom Thurmond Na- tional Defense Authorization Act for Fiscal Year 1999 (Public Law 105-330, 10 U.S.C. 1448 note) is amended—

"'(1) by redesignating subsection (h) as subsection (i); and

"'(2) by inserting after subsection (g) the follow- ing 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 month in which the person’s retired pay would have been reduced if the person had elected to participate in the Sur- vivor Benefit Plan at the first opportunity that was afforded the person to partici- pate.”.

SEC. 656. PAID-UP COVERAGE UNDER RETIRED SERVICEPERSON’S FAMILY PROTECTION PLAN.

(a) CONDITIONS.—Subchapter I of chapter 73 of title 10, United States Code, is amended by inserting at the end of such subchapter the following:

"'(c) 14336a. 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 re- tirement benefits attributable to section 1431(b) or 1432 of title 10 for any month after the later of—
“(1) the 360th month for which the person retired pay or retainer pay is reduced pursuant to such an election; and
(2) the month during which the person attains 60 years of age.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to 10 CFR ch. I the following:

1436a. Coverage paid up at 30 years and age 70.

SEC. 657. PERMANENT AUTHORITY FOR PAYMENT TO CERTAIN MILITARY SURVIVING SPOUSES.

Subsection (f) of section 644 of 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.—Paragraph (3) of section 1450(f) of title 10, United States Code, as in effect on the date of the enactment of this Act, shall apply in the case of a former spouse of any person referred to in that paragraph who—
(1) incident to a proceeding of divorce, dissolution, or annulment,
(2) entered into a written agreement on or after August 21, 1983, to make an election under section 1448(b) of such title to provide an annuity to the former spouse (the agreement having been incorporated in or ratified or approved by a court order or filed with the court of appropriate jurisdiction in accordance with applicable State law);
(B) was required by a court order dated on or after such date to make such an election for the former spouse; and

(c) ADJUSTED TIME LIMIT FOR REQUEST BY FORMER SPOUSE.—For the purposes of paragraph (3)(C) of section 1450(f) of title 10, United States Code, a court order or filing referred to in subsection (a)(1) of this section that is dated before October 19, 1984, shall be deemed to be dated on the date of the enactment of this Act.

SEC. 659. SPECIAL COMPENSATION FOR SEVERELY DISABLED UNIFORMED SERVICES RETIREE.

(a) AUTHORITY.—(1) Chapter 70 of title 10, United States Code, is amended by adding at the end the following new section:

"**1413. Special compensation for certain severely disabled uniformed services retirees**

"(a) AUTHORITY.—The Secretary concerned shall, subject to the availability of appropriations for such purpose, pay to each eligible deceased uniformed services retiree a monthly amount determined under subsection (b).

"(b) AMOUNT.—The amount to be paid to an eligible deceased uniformed services retiree in accordance with subsection (a) is the following:

"(1) For any month for which the retiree has a qualifying service-connected disability rated as total, $300.

"(2) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $200.

"(3) For any month for which the retiree has a qualifying service-connected disability rated as 30 percent, $100.

"(c) ELIGIBLE MEMBERS.—An eligible deceased uniformed services retiree referred to in subsection (a) is a member of the uniformed services (other than a member who is retired under chapter 61 of this title) who—

"(1) completed at least 20 years of service in the uniformed services that are creditable for purposes of computing the amount of retired pay to which the member is entitled; and

"(2) has a qualifying service-connected disability.

"(d) QUALIFYING SERVICE-CONNECTED DISABILITY.—In this section, the term ‘qualifying service-connected disability’ means a service-connected disability that—

"(i) was incurred or aggravated in the performance of active service as a member of a uniformed service, as determined by the Secretary concerned; and

"(ii) is rated as total, $300.

"(2) 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 of the disabled person concerned to secure or follow a substantially gainful occupation as a result of service-connected disabilities.

"(e) STATUS OF PAYMENTS.—Payments under this section are not retired pay.

"(1) SOURCE OF FUNDS.—Payments under this section are adjusted to achieve the objectives set forth in subsection (b) of that section.

"(2) RECOMPUTATION OF ANNUITIES.—(1) Effective on the first day of each month referred to in paragraph (1), each annuity under section 1450 of title 10, United States Code, that commenced before that month, is adjusted to a present value based on a discount rate of 6 percent and, whatever the percent specified in the election, may not exceed 20 percent for months beginning on or before the date of 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.

SEC. 660. COMPUTATION OF SURVIVOR BENEFITS.

(a) INCREASE.—Section 3015 of title 38, United States Code, is amended by inserting after "3015," the following:

"(a) B ASIC PAY.\n
(b) EFFECTIVE DATE.—Section 1413 of title 10, United States Code, is amended by striking "2000," and before that date.

(c) RECOMPUTATION OF ANNUITIES.—(1) Effective on the first day of each month referred to in paragraph (1), 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 section were as amended, as provided in subsection (b) for the initial computation of the annuity; and

SEC. 661. COMPUTATION OF SUPPLEMENTAL SURVIVOR ANNUITIES.

(a) INCREASE.—Section 3015 of title 38, United States Code, is amended by inserting after "3015," the following:

(b) EFFECTIVE DATE.—Section 1413 of title 10, United States Code, is amended by striking "2000," and before that date.

SEC. 662. 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) or 3012(b) of title 38, United States Code, by reason of such section 3011(b), or of any individual referred to in section 3012(c), of such title 38, United States Code, by reason of such section 3012(c), as of the date of the enactment of this Act shall cease commencing with the first month beginning after the date the Secretary of the military department concerned charged against the entitlement of the individual from whom the entitlement was transferred.

(c) CONFORMING AMENDMENT.—Section 3035(e)(1) of title 38, United States Code, is amended by inserting “(a)” before “The Secretary shall pay”;

(2) by adding at the end the following new subsection:—

(3) Exception.—As soon as practicable, and all that follows through “such additional times” and inserting “at such times”.

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”;

(2) by adding at the end the following new subsection:

(3) Exception.—As soon as practicable, and all that follows through “such additional times” and inserting “at such times”.

SEC. 674. TRANSFER OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE IN CERTAIN SITUATIONS.

(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 new sections:

“§ 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 the Secretary’s sole discretion, permit an individual described in paragraph (2) who is entitled to basic educational assistance under this subchapter to elect to transfer such individual’s entitlement to such assistance, in whole or in part, to the dependents specified in paragraph (b).

(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(b) of this title, an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time prior to the use of such entitlement by the individual. The Secretary shall—

(1) To the individual’s spouse.

(2) To one or more of the individual’s children.

(3) To a combination of the individuals referred to in paragraphs (1) and (2).

(4) An individual transferring an entitlement to basic educational assistance under this section shall—

(A) designate the dependent or dependents to whom such entitlement is being transferred and the percentage of such entitlement to be transferred to each such dependent;

(B) specify the period for which the transfer shall be effective for each dependent designated under subparagraph (A).

(5) The aggregate amount of the entitlement transferred by an individual under this section may not exceed the aggregate amount of the entitlement of such individual to basic educational assistance under this subchapter.

(2) An individual transferring an entitlement under this section may apply for the purpose of enhancing recruiting and retention and at the Secretary’s sole discretion, permit an individual described in paragraph (2) who is entitled to basic educational assistance under this subchapter to elect to transfer such individual’s entitlement to such assistance, in whole or in part, to the dependents specified in paragraph (b).

(3) A dependent to whom entitlement is transferred shall be treated as the eligible veteran for purposes of such provisions.

“(e) The entitlement so transferred after attaining the age of 26 years.

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:

“(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.

“(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 of the improved pay and other benefits under this title and under the amendments made by this title on the recruitment and retention of the members of the Armed Forces. The report shall include such recommendations (including recommendations for legislative action) as the Secretary considers appropriate.

Subtitle I—Annual Reports

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 of the improved pay and other benefits under title II of this Act and the amendments made by this Act on the recruitment and retention of the members of the Armed Forces.

(b) FIRST REPORT.—The first report under this section shall be submitted not later than December 1, 2000.

SEC. 682. MEMBERS UNDER BURDENSOME PERSTEMPO.

(a) MANAGEMENT OF DEPLOYMENTS OF INDIVIDUALS.—The Secretary of Defense is to establish the per diem payable to a member for payment of the per diem allowance otherwise payable under this section in excess of 180 days.

(b) DEPLOYMENT DEFINED.—(1) For the purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds the number of days in a consecutive period of 180 days.

(2) For the purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds 220 days in excess of 180 days.

(c) AMOUNT OF PER DIEM.—The amount of the per diem payable to a member under this section in excess of the per diem payable to a member under section 991 is payable to the Secretary as being sufficient to substantiate the claim.

(d) RELATIONSHIP TO OTHER ALLOWANCES.—Notwithstanding the provisions of title II of this Act, the Secretary of Defense is to establish the per diem payable to a member for payment of the per diem allowance otherwise payable under this section in excess of 180 days.

SEC. 683. MODIFICATION OF TIME FOR USE BY CERTAIN MEMBERS OF SELECTED RESERVE OF ENTITLEMENT TO CERTAIN EDUCATIONAL ASSISTANCE.

Section 16133(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

(4) For purposes of this section, a member of the Selected Reserve or the Army National Guard is eligible for educational assistance under this section if the member served with the Selected Reserve or the Army National Guard on active duty for training for a period of at least 1 year that began before December 31, 1990.

SEC. 684. LIMITATION ON PERIOD OF CONFLICT OPERATION OR SIMILAR OPERATION.

(a) INAPPLICABILITY TO COAST GUARD.—This section does not apply to a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy.

(b) PAYMENT OF CLAIMS.—A claim of a member for the per diem allowance otherwise payable under this section in excess of 180 days shall not be denied on the basis of the applicability of section 991 of title 10 to the member.

SEC. 685. INCREASED TUITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES DEPLOYED UNDER CONFLICT OPERATION OR SIMILAR OPERATION.

(a) INAPPLICABILITY OF LIMITATION ON DAY.—Section 901 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(a) Per diem allowance for lengthy or numerous deployments.—(1) No per diem may be paid under section 991 to a member of an armed force for any day on which the member is deployed in excess of 220 days out of 365 consecutive days.

(2) The term 'deployed' means that the member is deployed in excess of 180 days.

(b) PER DIEM ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS.—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

"735. Per diem allowance for lengthy or numerous deployments.

(1) The Secretary of Defense, in determining the per diem allowance payable to a member under this section, shall take into account the following factors:

(A) The length of the deployment.

(B) The location of the deployment.

(C) The number of deployments to which the member is subject.

(D) The type of deployment.

(E) The duration of the deployment.

(F) The impact of the deployment on the member and the member's family.

(2) The Secretary of Defense shall submit to Congress a report setting forth the factors and methodology used in determining the per diem allowance payable to a member under this section.

(3) A claim of a member for the per diem allowance payable under this section in excess of 180 days shall not be denied on the basis of the applicability of section 991 of title 10 to the member.

(c) RECORDKEEPING.—The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall keep records of the per diem allowances payable to members of the Army, Navy, and Air Force, respectively, under this section.

(d) PROVISION OF FUNDS.—The President shall ensure that sufficient funds are provided to pay the per diem allowance payable to members of the Army, Navy, and Air Force under this section.

(e) PAYMENT OF CLAIMS.—A claim of a member for the per diem allowance payable under this section shall not be denied on the basis of the applicability of section 991 of title 10 to the member.

(f) RELATIONSHIP TO OTHER ALLOWANCES.—Notwithstanding the provisions of title II of this Act, the Secretary of Defense is to establish the per diem payable to a member for payment of the per diem allowance otherwise payable under this section in excess of 180 days.

(g) RELATIONSHIP TO OTHER PER DIEM ALLOWANCES.—(1) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds the number of days in a consecutive period of 180 days.

(2) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds 220 days in excess of 180 days.

(h) AMOUNT OF PER DIEM.—The amount of the per diem payable to a member under this section in excess of the per diem payable to a member under section 991 is payable to the Secretary as being sufficient to substantiate the claim.

(i) RELATIONSHIP TO OTHER ALLOWANCES.—Notwithstanding the provisions of title II of this Act, the Secretary of Defense is to establish the per diem payable to a member for payment of the per diem allowance otherwise payable under this section in excess of 180 days.

(j) RELATIONSHIP TO OTHER PER DIEM ALLOWANCES.—(1) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds the number of days in a consecutive period of 180 days.

(2) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds 220 days in excess of 180 days.

(k) AMOUNT OF PER DIEM.—The amount of the per diem payable to a member under this section in excess of the per diem payable to a member under section 991 is payable to the Secretary as being sufficient to substantiate the claim.

(l) RELATIONSHIP TO OTHER PER DIEM ALLOWANCES.—(1) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds the number of days in a consecutive period of 180 days.

(2) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds 220 days in excess of 180 days.

(m) AMOUNT OF PER DIEM.—The amount of the per diem payable to a member under this section in excess of the per diem payable to a member under section 991 is payable to the Secretary as being sufficient to substantiate the claim.

(n) RELATIONSHIP TO OTHER PER DIEM ALLOWANCES.—(1) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds the number of days in a consecutive period of 180 days.

(2) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds 220 days in excess of 180 days.

(o) AMOUNT OF PER DIEM.—The amount of the per diem payable to a member under this section in excess of the per diem payable to a member under section 991 is payable to the Secretary as being sufficient to substantiate the claim.

(p) RELATIONSHIP TO OTHER PER DIEM ALLOWANCES.—(1) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds the number of days in a consecutive period of 180 days.

(2) For purposes of this section, a member is deployed when the total number of the days on which the member is deployed exceeds 220 days in excess of 180 days.
(5) in subsection (b), by inserting “the Secretary of Transportation shall provide for such purpose with respect to the Coast Guard when it is not operating as a service in the Navy”,

(6) entitled to basic educational assistance under this chapter.

(b) Except as provided in paragraphs (2) and (3), in the case of an individual who makes an election described in paragraph (5), the Secretary shall reduce the total amount of the unused contributions made by the individual under section 3222(c) of this title to such individual a manner determined by the Secretary of Defense for the purpose of carrying out this section or which the Secretary, in carrying out this section, may provide for purposes associated with the completion of the period of active duty being served by the individual on the date of the enactment of this section.

(2) The procedures provided in regulations referred to in paragraph (a) shall provide for notice of the requirements of subparagraphs (B), (C), and (D) of section 3011(a)(3) of title 38, United States Code, is amended to read as follows:

(c) EFFECTIVE DATE.—The amendments made by this section are effective as of October 1, 1998, and shall apply with respect to elections for which the full amount of the unused contributions made by the individual under this chapter are to be paid into the Treasury of the United States.

4. PARTICIPATION OF ADDITIONAL MEMBERS OF THE ARMED FORCES IN THE POST-VETERANS EDUCATION ASSISTANCE PROGRAM

(a) PARTICIPATION AUTHORIZED.—(1) Subchapter II of chapter 30 of title 38, United States Code, is amended by inserting after section 3014(e) the following new section:

(b) CONFORMING AMENDMENT.—Section 3015(j) of title 38, United States Code, is amended to read as follows:

(c) CANCELLATION.—The Secretary of Defense may cancel an education assistance program established under this Act in the event that the Secretary determines that such program is no longer consistent with the needs of the Armed Forces.
(a) AUTHORITY.—Chapter 55 of title 10, United States Code, is amended by striking sections 1097a and 1078d and inserting the following:

"1078a. TRICARE dental program

"(1) Establishment of dental plans.—

The Secretary of Defense may establish, and in the case of the dental plan described in paragraph (2)(A) shall establish, the following voluntary enrollment dental plans:

"(1) Plan for selected reserve and individual ready reserve.—A dental insurance plan for members or dependents of the Ready Reserve and for members of the Individual Ready Reserve described in subsection 1014(h) of this title.

"(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).

(2) 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.

(3) PLAN FOR PART-TIME ENLISTMENTS.—

A dental insurance plan for members of the Ready Reserve not eligible to enroll in the plan established under paragraph (1).

(4) PLAN FOR READY RESERVE DEPENDENTS.—

A dental benefits plan for eligible dependents of members of the Ready Reserve of the National Guard of a State who are not on active duty for more than 30 days.

(b) ADMINISTRATION OF PLANS.—

The plans established under this section shall be administered under regulations prescribed by the Secretary of Defense in consultation with the other administering Secretaries.

(c) Premiums.—

Dental plans established under subsection (a) 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 such services as the Secretary of Defense considers to be appropriate.

(4) Premium.—

(1) Premium sharing plans.—

A dental insurance plan established under subsection (a)(1) and the dental benefits plans established under subsection (a)(3) are premium sharing plans.

(2) 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.

(3) 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 for 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 10, United States Code, for the fiscal year for statutory pay systems for pay periods beginning on or after such date.

(4) The Secretary of Defense may reduce the premium required under paragraph (3) 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 minimize net costs to 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) 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;

(2) in the case of care described in subsection (c)(2), pay 20 percent of the charges for the care; and

(3) in the case of care described in subsection (c)(3), pay a percentage of the charges for the care that is determined appropriate by the Secretary of Defense, after consultation with the other administering Secretaries.

(1) TRANSFER OF MEMBERS.—If a member whose dental care is provided under a plan established under subsection (a)(3) is transferred to a duty station where dental care is provided to the member’s eligible dependents under another plan, the member may continue to participate 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 enroll under another plan.

(g) CARE OUTSIDE THE UNITED STATES.—The Secretary of Defense may, at the authority provided under subsection (a) to establish dental insurance plans and dental benefits plans for dental benefits provided outside the United States to the eligible members and dependents of members of the uniformed services, if the Secretary determines that the furnishing of care under the TRICARE Dental Plan established under that plan is necessary for the effective administration of the plan.

(h) WAIVER OF REQUIREMENTS FOR SURVIVING DEPENDENTS.—The Secretary of Defense may provide, in whole or in part, any requirements of a dental plan established under this section as the Secretary determines appropriate for the effective administration of the plan.

(i) AUTHORITY SUBJECT TO APPROPRIATIONS.—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.

(j) LIMITATION ON REDUCTION OF BENEFITS.—The Secretary of Defense may not reduce benefits provided under a 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;

(2) one year has elapsed following the date of such notice; and

(k) ELIGIBLE DEFINED.—In this section, the term ‘eligible dependent’—

(1) means a dependent described in subparagraph (A), (D), or (I) of section 1072(2) of this title; and

(2) includes any such dependent of a member who dies before the effective date 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 benefits 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 title 10, United States Code, should be amended by striking the item related 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 facilitate automatic enrollment.

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 community dental facility under chapter 55 of title 10, United States Code, designate a person to—

(A) serve, as a primary or collateral duty, as a beneficiary advocate for TRICARE beneficiaries served at that 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.

Section 724 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended by adding after the date of enactment the following:

‘‘(g) OPEN ENROLLMENT DEMONSTRATION PROGRAM.—(1) The Secretary of Defense shall conduct a demonstration program under which covered beneficiaries shall be permitted to enroll at any time in a managed care plan offered by a designated provider consistent with the enrollment requirements for the TRICARE Prime option under the TRICARE program but without regard to the limitations of that demonstration program under this subsection.

(2) Such a demonstration program shall be conducted by the Secretary of Defense, in consultation with the other administering Secretaries, after consultation with the Committees on Armed Services of the Senate and the House of Representatives.

(3) Any demonstration program carried out under this section shall commence on October 1, 1999, and end on September 30, 2001.

(4) Not later than March 15, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on any demonstration program carried out under this subsection. The report shall include, at a minimum, an evaluation of the open enrollment opportunity to covered beneficiaries and a recommendation concerning whether to authorize open enrollment for the managed care plans of designated providers permanently.’’

Subtitle B—Other Matters

SEC. 711. CARE AT Former UNIFORMED SERV-ICES TREATMENT FACILITIES FOR ACTIVE DUTY UNIFORMED SERVICES PERSONNEL DESTINED 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 722(b) 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 care under the TRICARE Prime Remote program, including coordinating with uniformed services medical authorities for hospitalizations and all referrals.

(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 allowable under the TRICARE Standard plan for the same care.

SEC. 712. ONE-YEAR EXTENSION OF CHIRO-PRAC TIC HEALTH CARE DEMON-STRATION 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 OFFICIALS.—” 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 described in the case of the amendment added by the later implementation of the change would result in a more effective provision of care to eligible beneficiaries.”.

S6512

CONGRESSIONAL RECORD — SENATE
June 7, 1999
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 the chapter to the officer or officers 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 1073 the following:

"1073a. Contracts for health care: best value contracting."

SEC. 715. AUTHORITY TO ORDER RESERVE COMPONENT MEMBERS INCURRING INJURIES ON INACTIVE-DUTY TRAINING.

Subsection (d) of section 1076c 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 services, preventive services, endodontics and other basic restorative services, surgical services, and emergency services."

SEC. 716. COVERED CUSTODIAL CARE.""

(a) CONTINUATION OF COVERAGE.—Subject to subsection (c), the Secretary of Defense may continue payment 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 under section 1077a of such title, on behalf of beneficiaries described in subsection (b).

(b) COVERED BENEFICIARIES.—Beneficiaries referred to in section 1077a of such title 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 care assurance program authorized by section 1072a(17) of such title, were provided domiciliary or custodial care services for which the Secretary provided payment.

(c) AUTHORITY.—The Secretary may authorize by case-by-case determination by the Secretary that discontinuation of payment for domiciliary or custodial care services or the termination under the case management program authorized by such section 1072a(17) to alternative programs and services would be inadequate to meet the needs of, and unjust to, the beneficiary.

SEC. 717. ENHANCEMENT OF DENTAL BENEFITS FOR RETIREES.

(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)(B) or (2)(B) of section 12322(a) of this title may be ordered to active duty, and a member of a uniformed service described in paragraph (1)(A) or (2)(A) 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."

(b) COVERED BENEFICIARIES.—Beneficiaries covered by section 1074(a) of this title are covered beneficiaries (as defined in section 1072 of such title) who, while being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty as described in such paragraph, are covered by section 1074(a) or (b) of title 10, United States Code, and shall in all fiscal and other interests of the United States to the maximum extent prescribed by the administering Secretaries, be provided domiciliary or custodial care services or transitional care services or medical and dental care for certain members incurring injuries on inactive-duty training.

(c) SECRETARIAL AUTHORITY.—The authority of the Secretary of Defense shall include:

"(1) to develop a repository for data on quality of health care;

"(2) to develop a capability for conducting research on quality of health care;

"(3) to conduct research on matters of quality of health care;

"(4) to develop decision support tools for health care providers;

"(5) to refine medical performance report cards; and

"(6) to conduct educational programs on medical informatics to meet identified needs.

"(2) The Center shall serve as a primary resource for the Department of Defense in efforts concerning the capture, processing, and dissemination of data on health care quality.

(c) AUTOMATION AND CAPTURE OF CLINICAL DATA.—The Secretary of Defense shall accelerate the efforts of the Department of Defense 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.

(d) ENHANCEMENT THROUGH DOD-DVA 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 of the Department 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 processing of health care data and informatics systems both within the Federal Government and 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 the private sector.

"(C) Coordination of the development of operational capabilities for executive information systems and clinical decision support applications within the Departments 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 provided within the Departments of Defense and Veterans Affairs is evaluated.

"(F) Protecting the confidentiality of personal health information.

"(G) Refinement of methodologies by which the quality of health care provided within the Departments of Defense and Veterans Affairs is evaluated.

"(H) Refinement of methodologies by which the quality of health care provided within the Departments of Defense and Veterans Affairs is evaluated.

"(I) Refinement of methodologies by which the quality of health care provided within the Departments of Defense and Veterans Affairs is evaluated.
(3) The Council shall submit to Congress an annual report on the activities of the Council and on the coordination of development, deployment, and maintenance of health care information systems within the Federal Government and between the Federal Government and the private sector.

(4) The Assistant Secretary of Defense for Health Affairs shall consult with the Council on the issues described in paragraph (2).

(5) A member of the Council is not, by reason of service in the Council, an officer or employee of the United States.

(6) No compensation shall be paid to members of the Council for service on the Council.


(c) ANNUAL REPORT.—The Assistant Secretary of Defense for Health Affairs shall submit to Congress each year a report on the activities of the Council and on the coordination of development, deployment, and maintenance of health care information systems within the Federal Government and between the Federal Government and the private sector.

(1) Health outcomes.

(2) Extent of use of health report cards.

(3) Extent of use of standard clinical pathways.

(4) Extent of use of innovative processes for surveillance.

(5) AUTHORIZATION OF APPROPRIATIONS.—In addition to other amounts authorized to be appropriated for the Department of Defense for fiscal year 2000 by other provisions of this Act, that are available to carry out subsection (b), there is authorized to be appropriated for the Department of Defense for such fiscal year for carrying out this subsection the sum of $2,000,000.

SEC. 720. JOINT TELEMEDICINE AND TELEPHARMACY DEMONSTRATION PROJECTS BY THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) In General.—The Secretary of Defense and the Secretary of Veterans Affairs shall carry out joint demonstration projects for purposes of evaluating the feasibility and practicability of providing health care services and pharmacy services by means of telecommunications.

(b) SERVICES TO BE PROVIDED.—The services provided under the demonstration projects shall include the following:

(1) Radiology and imaging services.

(2) Diagnostic services.

(3) Referral services.

(4) Critical pharmacy services.

(5) Any other health care services or pharmacy services designated by the Secretaries.

(c) SELECTION OF LOCATIONS.—(1) The Secretary of Defense shall carry out the demonstration projects at not more than five locations selected by the Secretaries from locations in which are located both a uniformed services medical center and a Department of Veterans Affairs medical center that are affiliated with academic institutions.

(2) Representatives of a facility and medical center selected under paragraph (1) shall carry out the demonstration project in consultation with representatives of the academic institution or institutions with which affiliated.

(d) PERIOD OF DEMONSTRATION PROJECTS.—The Secretaries shall carry out the demonstration projects for a period of one or more three-year periods beginning on October 1, 1999.

(e) REPORT.—Not later than December 31, 2002, the Secretaries shall jointly submit to Congress a report on the demonstration projects. The report shall include—

(1) a description of each demonstration project; and

(2) an evaluation, based on the demonstration projects, of the feasibility and practicability of providing health care services and pharmacy services, including the provision of such services to field hospitals of the Armed Forces and to Department of Veterans Affairs outpatient health care clinics, by means of telecommunications.

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-PROTEGE PROGRAM IMPLEMENTATION.

(a) PROGRAM PARTICIPATION TERM.—Subsection (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 “the item” and inserting “subsection (f) as provided for in this line item”;

(iii) by striking the semicolon preceding clause (ii) and inserting “(i)” 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 of a mentor firm in accordance with the requirements of this section and applicable regulations; and

(B) by striking clauses (ii), (iii), and (iv); and

and

(B) by striking subparagraph (B) and inserting the following:

“(B) The determinations made in annual performance reviews of a mentor firm’s mentor-protege agreement under subsection (h) shall be a 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.

“(C) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm pursuant to a mentor-protege agreement that provides for reimbursement of a higher amount.”

(3) in paragraph (3)(A), by striking “either” and “or” and inserting “or”;

(4) in paragraph (3)(B), by striking “shall” and inserting “may”;

(5) in paragraph (3)(C), by striking “shall” and inserting “may”;

(6) in paragraph (3)(D), by striking the semicolon at the end of paragraph (3)(D) and inserting “and”;

(7) in paragraph (3)(E), by striking “is” and inserting “are”;

(8) by inserting a period at the end of paragraph (3); and

(9) by striking paragraphs (4) and (5).
“(F) Trends in the progress made in employment, revenues, and participation in Department of Defense contracts by the protege firms operating in the program during the period of the program and the protege firms that completed or otherwise terminated participation in the program during the preceding two fiscal years.”

(e) EFFECT OF LIMITATION ON AVAILABILITY OF FUNDING.—Subsection (n) of such section is repealed.

(f) EFFECTIVE DATE 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(c) of the National Defense Authorization Act for Fiscal Year 1991 on or after that date.

(2) The amendments to 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 submit to Congress a report on the status of the implementation of the Small Business Innovation Research program transition plan that was developed pursuant to section 818 of the Balanced Budget and Competitiveness Act of 1999 (Public Law 105–278; 112 Stat. 2687).

(b) CONTENT OF REPORT.—The report shall include the following:

(1) The status of the implementation of each of the provisions in the transition plan.
(2) For any provision of the plan that has not been fully implemented as of the date of the report—

(A) the reasons for the provision not having been fully implemented; and
(B) 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 103–166; 107 Stat. 1721; 10 U.S.C. 2371 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and
(2) 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 apply the requirement to the agreement. The waiver may be effective only as to the portion of the agreement that the official determines to be effective.

(b) 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 apply the requirement to the agreement. The waiver may be effective only as to the portion of the agreement that the official determines to be effective.

(3) The Comptroller General may not take action 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.

(c) TECHNICAL CORRECTION.—Subsection (b)(1) of such section is amended by striking subparagraph (B) and inserting "(e)(1)(B) and (e)(2) of such section 2571.

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 8(a)(2) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(d)(2)), if the source of the services provides similar services contemporaneously to the public under terms and conditions similar to those offered to the Federal Government. These items shall not be considered commercial items for purposes of sections 2306a and 2306b of the Clinger Cohen Act (10 U.S.C. 2304 note).

(b) GUIDANCE.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance to procurement officials on contracting for commercial services under the pilot program. The guidance shall place particular emphasis on ensuring that contracts for designated services, including prices negotiated without competition, are fair and reasonable.

(c) 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 commercial 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 to be performed during the period.

(f) REPORT TO CONGRESS.—(1) The Secretary shall submit to Congress a report on the impact of the pilot program.

(a) The program shall include the following:

(B) The quality and timeliness of the services provided under the contract; and
(C) The number of Federal Government personnel that are necessary to enter into and administer such contracts; and
(D) The impact of the program on levels of competition for contracts under the program.

(b) The report shall be submitted to Congress not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the impact of the pilot program.

(a) The program shall include the following:

(B) The quality and timeliness of the services provided under the contract; and
(C) The number of Federal Government personnel that are necessary to enter into and administer such contracts; and
(D) The impact of the program on levels of competition for contracts under the program.

(b) The report shall be submitted to Congress not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the impact of the pilot program.

(f) REPORT TO CONGRESS.—(1) The Secretary shall submit to Congress a report on the impact of the pilot program.

SEC. 806. STREAMLINED APPLICABILITY OF COST ACCOUNTING STANDARDS.

(a) APPLICABILITY.—Paragraph (2) of section 8(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)(2)) is amended—

(1) by redesignating subparagraph (A) as subparagraph (B); and
(2) 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 used for cost accounting by the contractor or subcontractor) if the total value of all of the contracts and subcontracts covered by the 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."

(C) Subparagraph (A) does not apply to the following contracts or subcontracts for the purpose of determining whether the contractor or subcontractor is subject to the cost accounting standards:

(i) Contracts or subcontracts for the acquisition of commercial items.

(ii) Contracts or subcontracts where the price negotiated is based on prices set by law or regulation.

(iii) Firm, fixed-price contracts or subcontracts awarded on the basis of adequate price competition without submission of certified cost or pricing data.

"(4) Contracts or subcontracts with a value that is less than $50,000,000."

(b) WAIVER.—Such section is further amended by adding at the end the following:

"(4A) The head of an agency executive may waive the applicability of cost accounting standards for a contract or subcontract with a value less than $10,000,000 if that official determines in writing that—

(i) the contractor or subcontractor is primarily engaged in the sale of commercial items; and
(ii) the contractor or subcontractor would not otherwise be subject to the cost accounting standards."

Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 106–261; 112 Stat. 2681; 10 U.S.C. 2306a note) to collect and analyze information on price trends for the purpose of determining whether the contractor or subcontractor is subject to the cost accounting standards.

The term "small business concern owned and controlled by socially and economically disadvantaged individuals" has the meaning given the term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

The term "small business concern owned and controlled by women" has the meaning given the term in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D)).

The term "HUBZone small business concern" has the meaning given the term in section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3)).
"(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 shall be set forth in writing and shall take into account 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 nonprofit entities. —The amendments made by this section shall not be construed as modifying or superseding, nor as intended to impede, 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. 807. 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 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 2304a through 2304d of title 10, United States Code, sections 309 through 301K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253 through 253k).

(b) Content of Guidance. —The regulations issued pursuant to subsection (a) shall, at a minimum, provide the following:

(1) General guidance on 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 in accordance with sections 2304a through 2304d of title 10, United States Code, sections 309 through 301K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253 through 253k).

(c) Construction. —The amendments made by this section shall not be construed to affect the cost accounting standards under this subchapter in any way which is not consistent with the standards under this subchapter.

SEC. 808. CLARIFICATION OF DEFINITION OF COMMERCIAL ITEMS WITH RESPECT TO SERVICES.

Section 412(f) (E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(e)) is amended to read as follows:

"(f) The term "commercial item" means any item that is not a service, except that the term does not include any service that is provided by the same source or at the same time as the item; and

"(g) The term "commercial item" does not include any service that is provided by the same source or at the same time as the item.

SEC. 809. USE OF SPECIAL SIMPLIFIED PROCEDURES FOR PURCHASES OF COMMERCIAL ITEMS IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD.

(a) Extension of Authority.—Section 4209(e) of the National Security Act of 1947 (40 U.S.C. 508(e)) is amended by striking "three years after the date on which such amendments take effect pursuant to section 4209(b)" and inserting "January 1, 2002.

(b) GAO Report. —Not later than March 1, 2003, the Comptroller General shall report to Congress an evaluation of the test program authorized by section 4209 of the National Security Act of 1947, together with any recommendations that the Comptroller General considers appropriate regarding the test program or the use of special simplified procedures for purchases of commercial items in excess of the simplified acquisition threshold.

SEC. 810. 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(c)) is amended by striking "October 1, 1999" and inserting "October 1, 2004.

SEC. 811. CONTRACT GOAL FOR SMALL DISABILITY-OWNED BUSINESSES AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

Subsection (k) of section 2323 of title 10, United States Code, is amended by striking "2000" both places it appears and inserting "2003".

SEC. 812. USE OF FOREIGN MANUFACTURER CONTRACTS TO FACILITATE TESTING, EVALUATION, AND MODIFICATIONS OF UNITED STATES MILITARY AIRCRAFT.

Section 612 of title 10, United States Code, is amended by adding the following:

"(f) The term "qualified contractor", with respect to a major project, means a contractor that is not a United States person and is not owned or controlled by a United States person, that provides a substantial portion of the total cost of the major project, and that is not a United States person with respect to the major project.

SEC. 813. USE OF FOREIGN MANUFACTURER CONTRACTS TO FACILITATE TESTING, EVALUATION, AND MODIFICATIONS OF UNITED STATES MILITARY AIRCRAFT; REPORT TO CONGRESS.

Section 612 of title 10, United States Code, is amended by adding the following:

"(g) The Secretary of Defense shall report to the Congress an evaluation of the test program authorized by section 612 of title 10, United States Code, which is, or is estimated to be, at least $1,000,000.

SEC. 814. USE OF FOREIGN MANUFACTURER CONTRACTS TO FACILITATE TESTING, EVALUATION, AND MODIFICATIONS OF UNITED STATES MILITARY AIRCRAFT; REPORT TO CONGRESS.

Section 612 of title 10, United States Code, is amended by adding the following:

"(h) The Secretary of Defense shall report to the Congress an evaluation of the test program authorized by section 612 of title 10, United States Code, which is, or is estimated to be, at least $1,000,000

SEC. 815. USE OF FOREIGN MANUFACTURER CONTRACTS TO FACILITATE TESTING, EVALUATION, AND MODIFICATIONS OF UNITED STATES MILITARY AIRCRAFT; REPORT TO CONGRESS.

Section 612 of title 10, United States Code, is amended by adding the following:

"(i) The Secretary of Defense shall report to the Congress an evaluation of the test program authorized by section 612 of title 10, United States Code, which is, or is estimated to be, at least $1,000,000

SEC. 816. USE OF FOREIGN MANUFACTURER CONTRACTS TO FACILITATE TESTING, EVALUATION, AND MODIFICATIONS OF UNITED STATES MILITARY AIRCRAFT; REPORT TO CONGRESS.

Section 612 of title 10, United States Code, is amended be adding the following:

"(j) The Secretary of Defense shall report to the Congress an evaluation of the test program authorized by section 612 of title 10, United States Code, which is, or is estimated to be, at least $1,000,000.
“(B) is made to facilitate or expedite the completion of the project in reasonable anticipation that other donors will contribute sufficient funds or other resources in amounts sufficient to pay for completion of the project;”

“(C) is set forth as a written agreement that provides for the donor to furnish in cash or other resources to the donor’s other gift or gifts for the project, any additional amount that may become necessary for paying the cost of completing the project by reason of failure to obtain from other donors or sources funds or other resources in amounts sufficient to pay the cost of completing the project;”

“(D) is accompanied by—

“(i) an unconditional letter of credit for the benefit of the Academy that is in the amount of the donor’s other gift or gifts for the project, and is issued by a major United States commercial bank; or

“(ii) a qualified account control agreement.”

“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 ‘‘, and shall be updated and revised at least every four years’’.

“SEC. 906. PERMANENT REQUIREMENT FOR QUADRENNALE DEFENSE REVIEW.

(a) Review Required.—Chapter 2 of title 10, United States Code, is amended by inserting after section 117 the following:

‘‘§ 118. Quadrennial defense review

“(a) REVIEW REQUIRED.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, 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 and expressing the defense strategy of the United States. The Secretary shall conduct a revised defense plan for the ensuing 10 years and a revised defense plan for the ensuing 20 years.

“(b) REPORTS.—

“(1) National Defense Panel.—In conducting the review, the Secretary shall take into consideration the reports of the National Defense Panel submitted under section 184(d) of this title.

“(c) REPORT TO CONGRESS.—The Secretary shall submit a report on each review to the Committees on Armed Services of the Senate and the House of Representatives not later than September 30 of the year in which the review is conducted. The report shall include the following:

“(1) The results of the review, including a comprehensive discussion of the defense strategy of the United States and the force structure best suited to implement that strategy, expressed in terms of size, characteristics, and organization, or in other terms suitable for characterizing the force structure;

“(2) The size, characteristics, and organization of an alternative force structure that is suited for implementing the strategy but is significantly smaller than the force structure discussed under paragraph (1), together with the benefits and risks associated with the smaller force structure;

“(3) The threats examined for purposes of the review and the scenarios developed in the examination of such threats;

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

“(5) The assumptions of the structure of preparations for and participation in peace operations and military operations other than war.

“(6) The effect on the defense strategy of the utilization by the armed forces of technologies anticipated to be available for the ensuing 10 years and technologies anticipated to be available for the ensuing 20 years, including precision guided munitions, stealth, night vision, digitization, and communications, and the changes in organization, doctrine, and operational concepts that would result from the utilization of such technologies.

“(7) The manpower and sustainment policies required under the defense strategy to support engagement in conflicts lasting more than 120 days.

“(8) 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 those roles and missions.

“(9) The appropriate ratio of combat forces to support forces commonly referred to as the ‘tooth-to-tail’ ratio under the defense strategy, including in particular, the appropriate number and size of headquarters units of the Defense Agencies for that purpose.

“(10) The extent to which resources must be shifted among two or more theaters under the defense strategy in the event of conflict in such theaters.

“(11) The capability of revisions to the Unified Command Plan as a result of the defense strategy.

“(12) Any other matter the Secretary considers appropriate.

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

‘‘§ 184. National Defense Panel

“(a) ESTABLISHMENT.—Not later than January 1 of each year immediately preceding a year in which a President is to be inaugurated, the Secretary of Defense shall establish a nonpartisan, independent panel to be known as the National Defense Panel. The Panel shall have the duties set forth in this section.

“(b) MEMBERSHIP AND CHAIRMAN.—(1) The Panel shall be composed of nine members appointed from among persons in the private sector who are recognized experts in matters relating to the national security of the United States, as follows:

“(A) Three members appointed by the Secretary of Defense.

“(B) Three members appointed by the Chairman of the Committee on Armed Services of the Senate, in consultation with the ranking member of the committee.

“(C) Three members appointed by the Chairman of the Committee on Armed Services of the House of Representatives, in consultation with the ranking member of the committee.

“(2) The Panel shall submit a report on its findings and recommendations to the President and the Congress.”
“(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 countered 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) determine the order of priority that should be accorded to the development of each joint capability needed to meet each such threat;

(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 Panel—

(A) shall designate one of the members to serve as chairman of the Panel, and any recommendations for legislation that the Panel considers appropriate, as follows:

(i) A status report and an outline of the current activities not later than July 1 of the year;

(ii) A final report not later than December 1 of the year;

(iii) Not later than December 15 of the year in which the Secretary receives a final report under paragraph (1)(B), the Secretary shall submit to the Committees on Armed Services and the Senate, shall designate one of the minority leaders of 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;

(B) the requirements for operation of the Armed Forces, 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 Panel submits its final report, the Secretary shall submit to the Committees on Armed Services and the Senate, shall designate one of the minority leaders of 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;

(B) the requirements for operation of the Armed Forces, 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;

(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 to the major weapon systems programmed for the force, including any alternatives to those weapon systems.

(d) REPORT.—(1) The Panel, in the year that an assessment under subsection (c), shall submit to the Secretary of Defense and to the Committees on Armed Services 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 Panel submits its final report, the Secretary shall submit to the Committees on Armed Services and the Senate concerning the appointment of three of the members of the Commission; and

(3) The Secretary shall furnish the Panel any administrative and support services requested by the Panel.

(e) 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.

(f) TERMINATION.—The Panel shall terminate at the end of the year following the year in which the Panel submits its final report to the committees referred to in subsection (d)(1)(B). For the period 1 year following submittal of the report, the activities and staff of the panel shall be reduced to a level that the Secretary of Defense considers sufficient to complete the Congress’s consideration of the report, consultation with the Secretary of Defense and with the Committees on Armed Services of the Senate and the House of Representatives.

(g) CEREMONIAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 2 of title 10 of the United States Code is amended by inserting after the item relating to section 117 the following:

[iii] Quadrennial defense review.

(ii) United States National Security Space Management and Organization.

(3) the majority leader of the Senate concerning the appointment of three of the members of the Commission; and

(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) CHAIRMAN.—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) PAYMENT OF PANEL EXPENSES.—The expenses of the panel shall be reduced to a level that the Secretary of Defense considers necessary in order for the Panel to perform its duties effectively. The employment of an executive director shall be subject to confirmation by the Senate.

(f) 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.

(g) TERMINATION.—The Panel shall terminate at the end of the year following the year in which the Panel submits its final report to the committees referred to in subsection (d)(1)(B). For the period 1 year following submission of the report, the activities and staff of the panel shall be reduced to a level that the Secretary of Defense considers sufficient to complete the Congress’s consideration of the report, consultation with the Secretary of Defense and with the Committees on Armed Services of the Senate and the House of Representatives.

(h) CEREMONIAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 2 of title 10 of the United States Code is amended by inserting after the item relating to section 117 the following:

[iii] Quadrennial defense review.

(ii) United States National Security Space Management and Organization.

(3) the majority leader of the Senate concerning the appointment of three of the members of the Commission; and

(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) CHAIRMAN.—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) PAYMENT OF PANEL EXPENSES.—The expenses of the panel shall be reduced to a level that the Secretary of Defense considers necessary in order for the Panel to perform its duties effectively. The employment of an executive director shall be subject to confirmation by the Senate.

(f) 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.

(g) TERMINATION.—The Panel shall terminate at the end of the year following the year in which the Panel submits its final report to the committees referred to in subsection (d)(1)(B). For the period 1 year following submission of the report, the activities and staff of the panel shall be reduced to a level that the Secretary of Defense considers sufficient to complete the Congress’s consideration of the report, consultation with the Secretary of Defense and with the Committees on Armed Services of the Senate and the House of Representatives.

(h) CEREMONIAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 2 of title 10 of the United States Code is amended by inserting after the item relating to section 117 the following:

[iii] Quadrennial defense review.

(ii) United States National Security Space Management and Organization.

(3) the majority leader of the Senate concerning the appointment of three of the members of the Commission; and

(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) CHAIRMAN.—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) PAYMENT OF PANEL EXPENSES.—The expenses of the panel shall be reduced to a level that the Secretary of Defense considers necessary in order for the Panel to perform its duties effectively. The employment of an executive director shall be subject to confirmation by the Senate.

(f) 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.

(g) TERMINATION.—The Panel shall terminate at the end of the year following the year in which the Panel submits its final report to the committees referred to in subsection (d)(1)(B). For the period 1 year following submission of the report, the activities and staff of the panel shall be reduced to a level that the Secretary of Defense considers sufficient to complete the Congress’s consideration of the report, consultation with the Secretary of Defense and with the Committees on Armed Services of the Senate and the House of Representatives.

(h) CEREMONIAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 2 of title 10 of the United States Code is amended by inserting after the item relating to section 117 the following:

[iii] Quadrennial defense review.

(ii) United States National Security Space Management and Organization.

(3) the majority leader of the Senate concerning the appointment of three of the members of the Commission; and

(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) CHAIRMAN.—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) PAYMENT OF PANEL EXPENSES.—The expenses of the panel shall be reduced to a level that the Secretary of Defense considers necessary in order for the Panel to perform its duties effectively. The employment of an executive director shall be subject to confirmation by the Senate.

(f) 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.
(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 and acquisition.

(2) The benefits of establishing a new major force program, or other budget mechanism, for managing national security space fundings and programs.

(3) The benefits of a new structure for national security space management and acquisition.

SEC. 910. 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. 913. COMMISSION PROCEDURES.

(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 at such 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. 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, govern 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 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.

(3) The chief of staff of the Commission shall be the staff director.

(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.—(1) 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 PROVISIONS.—(1) The provisions of any other law regarding the use of Federal funds for the purpose of holding hearings may not exceed the rate payable for grade GS–15 of the General Schedule.

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 the DoD budget (including provisions for schedule, performance objectives, interim milestones, and necessary resources).

(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). Amounts of authorizations so transferred shall be available for the same purposes as the authorizations to which transferred.

(2) The total amount of authorizations transferred under the authority of this section may not exceed $2,000,000,000.

(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 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 may not 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 (b).
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 maintaining administrative and regulatory requirements, including the requirements and procedures relating to Government performance and results under sections 1104(a)(28), 1115, 1116, 1117, 1118, and 1119 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;

(v) obligations and costs are in compliance with the applicable laws;

(vi) funds, property, and other assets are safeguarded against waste, loss, unauthorized use, and misappropriation;

(vii) revenues and expenditures applicable to agency operations are properly recorded and accounted for so as to permit the prepayment of accounts and reliable financial and statistical reports and to maintain accountability over assets;

(viii) obligations and expenditures are recorded contemporaneously with each transaction;

(ix) obligational and accounting duties are performed separately at each step in the cycle (including, in the case of a contract, the specification of requirements, the formation of the contract, the certification of contract performance, recordkeeping and accounting, and disbursing); and

(x) 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 standardized 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 policies and procedures for financial transactions throughout the Department of Defense; and

(E) reviewing safeguards for preservation of assets and verifying the existence of assets.

(b) The authority under subsection (a) is independent of the authority provided under section 3332 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 BASED ON THE PRICE OF DEFENSE 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 subcontracts that is entered into under the prime vendor program of the Defense Logistics Agency may specify for the purposes of paragraph (1) of section 3902 of title 31, United States Code, a single required payment date that is to be applicable to an invoice for subcontracts 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 subsection (a) or under any other provisions of title 31, United States Code. The requirements specified in the contract shall be consistent with prevailing industry practices for the subcontracts items, but may not exceed 90 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 PAYMENT TO PERSONNEL PAYMENTS.

(a) AUTHORITY.—Chapter 165 of title 10, United States Code, is amended by adding at the end the following:

"§ 2784. Payments to personnel: electronic transfers of funds.

"(a) AUTHORITY.—The Secretary of Defense may require that pay, allowances, retired or survivor's annuities, and other payments be made by electronic transfer of funds.

"(b) RELATION TO OTHER LAW.—The authority under subsection (a) is independent of the authority provided under section 3332 of title 31 and may be exercised without regard to any exception provided under that section.

"(c) RELATIONAL AMENDMENT.—The table of sections at the beginning of that chapter is amended by adding at the end the following:—

"2784. Payments to personnel: electronic transfers of funds.

"(d) STAFF REPORT AND REPORT OF DEPARTMENT OF DEFENSE ELECTRONIC FUND TRANSFERS.—(1) Subject to paragraph (3), the Secretary of Defense shall conduct a feasibility study to determine—

"(A) whether all electronic payments issued by the Department of Defense should be routed through the Regional Finance Centers of the Department of the Treasury for verification and accuracy.

"(B) whether all electronic payments made by the Department of Defense should be subjected to the same level of reconciliation as United States Treasury checks, including matching each payment issued with each corresponding deposit at financial institutions.

"(C) whether the appropriate computer security controls are in place in order to ensure the integrity of electronic payments;

"(D) the estimated costs of implementing the processes and controls described in sub-paragraphs (A), (B), (C); and

"(E) the period that would be required to implement the processes and controls.

"(2) Not later than March 1, 2000, the Secretary of Defense shall submit a report to Congress containing the results of the study referred to by paragraph (1).

"(3) In this subsection, the term "electronic payment" means any 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.

SEC. 1005. PAYMENT OF FOREIGN LICENSING FEES OUT OF PROCEEDS OF SALES OF MAPS, CHARTS, AND NAVIGATIONAL BOOKS.

(a) IN GENERAL.—Subchapter II of chapter 22 of title 31, United States Code, is amended by—

(1) by redesigning section 456 as section 457; and

(2) by inserting after section 455 the following new section 456:


"(A) AUTHORITY TO PAY FOREIGN LICENSING 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 any licensing or other fees imposed by foreign countries or international organizations for the acquisition or use of data or products by the Agency;

"(B) DISPOSITION OF OTHER PROCEEDS.—Any proceeds of sales not paid under the authority in subsection (a) shall be deposited by the Secretary of Defense in the Treasury as miscellaneous receipts.

"(c) C LERICAL AMENDMENT.—The table of sections at the beginning of that chapter is amended by striking ''and'' at the end of paragraph (2) and inserting in its place ''or'' and'' and''.

SEC. 1006. AUTHORITY FOR DISBURSING OFFICERS TO SUPPORT USE OF AUTOMATED TELLER MACHINES ON NAVAL VESSELS FOR FINANCIAL TRANSACTIONS.

Section 332(a) of title 31, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3)(B) and inserting ''; and''; and

(3) by adding at the end the following new paragraph (4):

"(4) with respect to automated teller machines on naval vessels—

"(A) provide operating funds to the automated teller machines; and

"(B) accept, for safekeeping, deposits and transfers of funds made through the automated teller machines.

SEC. 1007. CENTRAL TRANSFER ACCOUNT FOR DEFENSE ELECTRONIC FUND TRANSFERS.

(a) AMOUNT FOR FISCAL YEAR 2000.—(1) Of the amounts authorized to be appropriated
under this Act for the Department of Defense for fiscal year 2000, $1,954,430,000 shall be available from the sources and in the amounts specified in paragraph (2) for the purposes specified in section 301(a)(25) to the extent that the amount authorized to be appropriated pursuant to title I for fiscal year 2000 shall set forth separately for the Department of Defense contributions for the NATO common-funded budgets of NATO that is set forth as the annual limitation in section 301(a)(1) of title I for fiscal year 2000.

The amounts and sources referred to in paragraph (1) are as follows:

(A) $229,820,000 of the total amount authorized to be appropriated pursuant to title I for fiscal year 2000.

(B) $212,510,000 of the total amount authorized to be appropriated pursuant to title II for fiscal year 2000.

(C) $1,012,100,000 of the total amount authorized to be appropriated pursuant to title III for fiscal year 2000 (except for the amount authorized to be appropriated under section 301(a)(25)).

(b) TRANSFER.—(1) The amount made available under subsection (a) from the authorizations of appropriations referred to in that subsection shall be transferred to the amount authorized to be appropriated under section 301(a)(25).

(2) The transfer authority provided in this section is in addition to the transfer authority provided in section 1001.

(c) BUDGET PROPOSALS FOR FISCAL YEARS AFTER FISCAL YEAR 2000.—The budget of the United States Government submitted to Congress under section 1105 of title 31, United States Code, for each fiscal year after fiscal year 2000 and set forth separately for a specific account the amount requested for the missions of the Department of Defense related to combating terrorism inside and outside the United States.

SEC. 1008. UNITED STATES CONTRIBUTION TO NATO COMMON-FUNDED BUDGETS IN FISCAL YEAR 2000.

(a) FISCAL YEAR 1999 LIMITATION.—The total amount contributed by the Secretary of Defense in fiscal year 2000 for the common-funded budgets of NATO may be any amount up to, but not in excess of, the amount specified in subsection (b) (rather than the maximum amount that would otherwise be applicable to those contributions under the fiscal year 1999 baseline limitation).

(b) TOTAL AMOUNT.—The amount of the limitation applicable under subsection (a) is the sum of—

(1) The amounts of unexpended balances, as of the end of fiscal year 1999, of funds appropriated before fiscal year 2000 for payments for those budgets.

(2) The amount authorized to be appropriated under section 301(a)(1) that is available for contributions for the NATO common-funded military budget under section 311.

(3) The amount authorized to be appropriated under section 301(a)(2) that is available for contribution for the NATO common-funded civil budget under section 211.

(4) The total amount of the contributions authorized under section 301(d).

(c) DEFINITIONS.—For purposes of this section:

(1) COMMON-FUNDED BUDGETS OF NATO.—The term ‘common-funded budgets of NATO’ means the Military Budget, the Security Investment Program, and the Civil Budget of the North Atlantic Treaty Organization (and any successor) and includes any additional account or program of NATO.

(2) FISCAL YEAR 1999 BASELINE LIMITATION.—The term ‘fiscal year 1999 baseline limitation’ means the maximum annual amount for Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(b)(2)(C)(ii) of the Resolution of the Senate giving the advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.

SEC. 1009. RESPONSIBILITIES AND ACCOUNTABILITY FOR FINANCIAL MANAGEMENT.

(a) UNDER SECRETARY OF DEFENSE (COMPTROLLER).—(1) Section 136 of title 10, United States Code, is amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (c) the following:

‘‘(d) The Under Secretary is responsible for ensuring that the amounts of payments for those budgets 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 prepare a report, including any report related to disbursing or accounting, to another officer, employee, or entity of the United States, the Under Secretary continues after the delegation to be responsible and accountable for the activity, operation, or function performed by the officer, employee, or entity thereto, and the Under Secretary 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 credit card transactions 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 charges appearing on each statement of 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 Government-wide credit card contracts entered into by the Administrator of General Services.

(D) Credit card payments are made promptly from the appropriate desirables to avoid interest penalties.

(E) Rebates and refunds based on prompt payment on credit card accounts are properly recorded in the accounting records.

(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.

(G) REMITTANCE ADDRESSES.—The Under Secretary of Defense (Comptroller) shall prescribe regulations governing the use of remittance addresses. The regulations shall ensure that—

(1) a remittance address for a disbursement that is authorized or requested by the Department of Defense authorizing or requesting the disbursement is not altered by any officer or employee of the department authorizing or requesting the disbursement; and

(2) a remittance address for a disbursement is altered only if the alteration is—

(A) requested by the person to whom the disbursement is authorized to be remitted; and

(B) made by an officer or employee authorized to do so who is the disbursement authorizing or employee referred to in paragraph (1).

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 defined in section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321)) shall not be limited by the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261) are hereby adhered, with respect to any such authorized amount, to the conditions and requirements by which such amounts are authorized (but the amount authorized is increased (by a supplemental appropriation) or decreased (by a rescission) or, both, in the 1999 Emergency Supplemental Appropriations Act.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. SALES OF NAVAL SHIPYARD ARTICLES AND SERVICES TO NUCLEAR SHIP CONTRACTORS.

(a) WAIVER OF REQUIRED CONDITIONS.—Chapter 633 of title 10, United States Code, is amended by inserting after section 7296a the following:

‘‘7300. Contracts for nuclear ships: sales of naval shipyard articles and services to nuclear ship contractors.

‘‘The conditions set forth in section 2208(j)(2) of this title and subsections (a)(1) and (c)(1) of section 2533 of this title shall not apply to sales of articles or services of a naval shipyard that is made to a contractor under a Department of Defense contract for a nuclear ship in order to facilitate the contractor’s fulfillment of that contract.’’.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting, in the appropriate item relating to section 7296a, the following:

‘‘7300. Contracts for nuclear ships: sales of naval shipyard articles and services to contractors.’’.

SEC. 1012. PERIOD OF DELAY AFTER NOTICE OF PROPOSED TRANSFER OF VESSEL STRICEN FROM NAVAL VESSEL REGISTER.

Section 7306(d) of title 10, United States Code, is amended—

(1) by striking ‘‘(1)’’ and inserting ‘‘(1),’’;

(2) by striking ‘‘(A)’’ and inserting ‘‘(1),’’; and

(3) by striking ‘‘(B)’’ and all that follows and inserting the following:

‘‘(2) following the date on which such notice is sent to Congress, there has elapsed 60 days on which at least one of the Houses of Congress has been in session.’’

SEC. 1013. TRANSFER OF NAVAL VESSEL TO FOREIGN COUNTRY.

(a) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the CYCLONE class coastal patrol craft CYCLONE (PC1) or a craft with a similar hull. The transfer shall be made on a sale, lease, lease/buy, or grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321).

(b) COSTS.—Any expense incurred by the United States in connection with the transfer authorized under subsection (a) shall be charged to the Government of Thailand.

(c) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the Secretary of the Navy shall, as a condition of the transfer of the vessel to the Government of Thailand under this section, that the Government of Thailand shall have such repair or refurbishment of the vessel as is needed, before the vessel is transferred, performed at a United States Naval shipyard or other shipyard located in the United States.
(d) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under subsection (a) shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

Subtitle C—Miscellaneous Report Requirements and Repeals

SEC. 1021. PRESERVATION OF CERTAIN DEFENSE AUTHORIZATION ACT REPORTS.

(a) PRESERVATION.—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 or any other provision in the United States Code, listed in the Clerk’s Report (defined in subsection (j)).

(b) TITLE 10.—Subsection (a) applies with respect to provisions of law listed in the Clerk’s Report as 10 U.S.C. 115(a).


(1) Section 2208(b)(2), listed on page 36 of the Clerk’s Report.

(2) Section 1097(22 U.S.C. 2751) note, listed on page 15 of the Clerk’s Report.

(f) OTHER NATIONAL SECURITY LAWS.—Subsection (a) applies with respect to provisions of law listed in the Clerk’s Report (defined in subsection (j)), as follows:


(g) MILITARY SELECTIVE SERVICE ACT.—Section 10(g) of the Military Selective Service Act (50 U.S.C. 1641), listed on page 191 of the Clerk’s Report.

(h) 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 4.—Sections 102, 103, and 105 of the Code of Federal Regulations (10 CFR 800.1 et seq.), referred to in paragraph (d) of the Clerk’s Report (defined in subsection (k)).

(2) TITLE 10.—Sections 103(e)(2)(A), listed on page 62 of the Clerk’s Report.

(3) TITLE 20.—Section 2859, listed on page 59 of the Clerk’s Report.

(i) OTHER LAWS.—Subsection (a) applies with respect to the following provisions of law listed in the Clerk’s Report (defined in subsection (j)), as follows:

(1) DEPARTMENT OF DEFENSE.—The following provisions of law listed in the Clerk’s Report:


(2) ENERGY POLICY AND CONSERVATION ACT.—Sections 165(b) of the Energy Policy and Conservation Act (Public Law 94–163; 42 U.S.C. 6245(b)) (listed on page 69 of the Clerk’s Report).

(3) OTHER LAWS.—Subsection (a) applies with respect to provisions of law listed in the Clerk’s Report (defined in subsection (j)), as follows:


(C) Section 2006(e)(3), listed on page 75 of the Clerk’s Report.

(D) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(E) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(F) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(G) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(H) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(I) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(J) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(K) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(L) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(M) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(N) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(O) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(P) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(Q) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(R) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(S) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(T) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(U) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(V) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(W) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(X) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(Y) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(Z) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.

(aa) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk’s Report.
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 161 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 of the Senate and the House of Representatives a report on the proposal in the President’s Strategic Master Plan of December 1998 and the Air Force Space Commissary—

"(2) The scenario to be used for purposes of this section, the term "military equipment" means all equipment that is in the inventory as of such date.

(b) CONTENT.—The report shall include the following:

"(1) 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.

(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.

(4) Supporting documentation identifying the location of each item that are available to Congress or auditors of the Comptroller General upon request.

(c) MILITARY EQUIPMENT DEFINED.—For the purposes of this section, the term "military equipment" means all equipment that is in support of military missions and is maintained or systems of the Army, Navy, Air Force, or Marine Corps.

(d) INSPECTOR GENERAL REVIEW.—Not later than November 30, 2000, the Inspector General of the Department of Defense shall review the report submitted to the committees 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 prescribe in regulations the policy and any other actions taken by the Secretary to provide the maximum possible protections for confidentiality 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.

(b) REPORT BY SECRETARY OF DEFENSE.—Not later than January 21, 2000, the Secretary of Defense shall submit to Congress 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. The workforce reductions addressed in the report shall include actions that are to be effected by fiscal year 2002.

(b) CONTENT OF REPORT.—The report shall include the following:

(1) For each site, a description of the assigned chemical storage, chemical demilitarization, and industrial missions.

(2) A description of the criteria and reporting requirements applied to ensure that the storage sites and the workforce operating the storage sites have—
(A) the capabilities necessary to respond effectively to emergencies involving chemical accidents; and

(B) the industrial capabilities necessary to meet requirements of the High-Level Steering Group, established to oversee the implementation of the Defense Capabilities Initiative and to meet the requirement of coordination and harmonization among related acquisition programs.

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 Senate and the Committees on Armed Services, on the date that the President submits the budget for fiscal year 2001 to Congress under section 1101(a) 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 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 (a).

(4) A justification for each major defense acquisition program (as defined in section 2301 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.

(9) 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. 1034. REPORT ON MILITARY-TO-MILITARY CONTACTS WITH THE PEOPLE’S REPUBLIC OF CHINA.

(a) Requirements.—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 of the People’s Liberation Army who have visited United States military installations since January 1, 1993.


(a) Requirements.—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 Senate and the Committees on Armed Services, on the date that the President submits the budget for fiscal year 2001 to Congress under section 1101(a) 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 national security interests of the United States.

(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 (a);

(4) A justification for each major defense acquisition program (as defined in section 2301 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.

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 Allies to ensure the effectiveness of future operations across the full spectrum of Alliance missions in the present and foreseeable security environment.

(3) The objective of the Defense Capabilities Initiative is to improve 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 and information systems.

(b) Submission.—The Secretary of Defense shall submit to Congress a report on the implementation of the Defense Capabilities Initiative.

(c) Timing.—The report shall be submitted in classified 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 the Senate and the Committees on Armed Services and Foreign Relations of the Senate, the Secretary of the Army shall submit to Congress a report on 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 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.

SEC. 1033. REPORT ON USE OF NATIONAL GUARD FACILITIES AND INFRASTRUCTURE FOR SUPPORT OR PROVISION OF VETERANS SERVICES.

(a) Report.—(1) The Chief of the National Guard Bureau shall consult with the Secretary of Veterans Affairs, submit to the Secretary of Defense a report assessing the feasibility and desirability of using the facilities and infrastructure of the National Guard for support of 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) Transmitting Date.—The report shall be transmitted under subsection (a)(2) not later than April 1, 2000.
(2) The itinerary of the visits referred to in paragraph (2), including the visits located, 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 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 have been visited by the President or the Secretary of Defense for a constitu net's purposes.

(6) Any official documentation, such as memoranda for the record, after-action reports and final itineraries, and all receipts for expenses over $1,000, concerning military-to-military contacts or exchanges between the United States and the People's Republic of China in 1999.

(8) An assessment regarding whether or not any People's Republic of China military officials or officials of a classified status have made a call on military-to-military contacts or exchanges between the United States and the People's Republic of China in 1999.

(9) The report shall be submitted no later than March 31, 2000, and shall be unclassified but may contain a classified annex.

Subtitle D—Other Matters

SEC. 1041. LIMITATION ON RETIREMENT OR DIS- MANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.


(b) EARLIER DEADLINE FOR ANNUAL REPORT TO CONGRESS ON LIMITATIONS ON CERTAIN SYSTEMS.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking “71” and inserting “14”;

(2) in paragraph (2), by striking “18” and inserting “14”.

SEC. 1042. LIMITATION ON REDUCTION IN UNITED STATES STRATEGIC NUCLEAR FORCES.

(a) LIMITATION ON REDUCTION OF UNITED STATES STRATEGIC NUCLEAR FORCES.—None of the funds authorized to be appropriated by this Act or any other Act for fiscal year 2000 may be used to reduce the number of United States strategic nuclear forces below the maximum number of those forces for such category of nuclear arms, permitted the United States under the START II Treaty unless the President submits to Congress a report containing an assessment indicating that such reductions would not impede the capability of the United States to respond to any military significant increase in the threat posed by United States security or strategic stability posed by nuclear weapon modernization programs of the People's Republic of China or any other nation.

(b) DESTRUCTION.—Nothing in this section may be construed to authorize the retirement or dismantlement, or the preparation for retirement or dismantle ment, of any nuclear delivery system described in section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) below the level specified for the system in that section, as amended by section 1041.

(c) DEFINITIONS.—In this section:

(1) START II TREATY DEFINED.—The term “START II Treaty” means the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms and related protocols and memorandum of understanding, signed at Moscow on January 3, 1992.

(2) UNITED STATES STRATEGIC NUCLEAR FORCES.—The term “United States strategic nuclear forces” includes intercontinental ballistic missiles (ICBMs) and ICBM launchers, submarine-launched ballistic missiles (SLBMs) and SLBM launchers, heavy bombers, ICBM warheads, SLBM warheads, and heavy bomber nuclear armaments.

SEC. 1043. COUNTERPRELIMINATION PROGRAM REVIEW COMMITTEE.

(a) EXTENSION OF COMMITTEE.—Section 1605(b) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 22 U.S.C. 2751 note) is amended by striking “September 30, 2000” and inserting “February 1, 2000”.

(b) EARLY DEADLINE FOR ANNUAL REPORT TO CONGRESS ON COUNTERPRESHAPING ACTIVITIES AND PROGRAMS.—Section 1605(a) of the National Defense Authorization Act for Fiscal Year 1995 (22 U.S.C. 2751 note) is amended by striking “May 1 of each year” and inserting “January 1 of each year.”

SEC. 1044. LIMITATION REGARDING COOPERATIVE THREAT REDUCTION PROGRAMS.

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 1501 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 105–261; 112 Stat. 2171), is further amended by striking “1999” and inserting “2000”.

SEC. 1045. PERIOD COVERED BY ANNUAL REPORT ON A COUNCIL ON UNITED STATES ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAM.


SEC. 1046. SUPPORT OF UNITED NATIONS-SPONSORED EFFORTS TO INSPECT AND MONITOR IRQI WAPNS ACTIVITIES.

(a) LIMITATION ON AMOUNT OF ASSISTANCE IN FISCAL YEAR 2000.—The total amount of the assistance for fiscal year 2000 that is provided by the Secretary of Defense under section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5895a) as activities under the program of assistance authorized by that Act may not exceed $15,000,000.

(b) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (f) of section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5895a) is amended by striking “1999” and inserting “2000.”

SEC. 1047. INFORMATION ASSURANCE INITIATIVE.

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

(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, 1998, 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 Defense Information Infrastructure, including the establishment of a Defense Information Assurance Program.

(4) Notwithstanding those actions and other important actions taken by the President, the 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 other 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.

(b) DEFENSE INFORMATION ASSURANCE PROGRAM.—(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 guidance applicable under section (c) as of the date of the report. The first report shall be submitted not later than March 15, 1999.

(c) DEFENSE INFORMATION ASSURANCE GUIDE.—(1) The Secretary of Defense shall prepare a Department of Defense information assurance guide for the development of information assurance policies and technologies for information assurance under the program. The Secretary shall modify or replace the guide from time to time to make the guide current.

(2) The Department of Defense information assurance guide shall include the following:

(a) An overview of information assurance technologies, including the criteria for applying these technologies and the criteria for prioritizing 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) An assessment of 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.

(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, including an assessment of technical or other vulnerabilities in Defense Department information and communications systems.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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) Of the amounts appropriated under section 301(a)(5), $10,000,000 is available for procurement of tools for real-time communication systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(E) 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.
“(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 or to local areas for contingencies or in support of a crisis operation.

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

“103b. Nondisclosure 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) were or are under the command or control of the National Photographic Interpretation Center;

(2) concern the activities of the Agency that, at such time, were performed under the National Photographic Interpretation Center;

(3) 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)).”

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

“§ 459. Withholding of certain commercially significant information from public disclosure

“(a) AUTHORITY.—The Secretary of Defense may withhold from public disclosure information in the possession of the National Imagery and Mapping Agency if the Secretary determines in writing that—

(1) public disclosure of the information would compete with or otherwise adversely affect commercial operations in any existing or emerging commercial industry or the operation of any existing or emerging commercial market;

(2) withholding the information from public disclosure is consistent with the national security interests of the United States.

“(b) RELATIONSHIP TO DCI AUTHORITY.—(1) Nothing in this section shall be construed as superseding, limiting, or otherwise affecting the authority and responsibilities of the Director of Central Intelligence to withhold or require the withholding of imagery and 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.

(2) In the administration of the authority under subsection (a) with respect to imagery and intelligence, the Secretary of Defense shall subject to the policies and directives prescribed by the Director of Central Intelligence, the public disclosure of such information.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter, as amended by section 1005, is further amended by adding at the end the following:

“§ 459. 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(d)(1) 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 of 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 continued enrollment may remove the dependent from the program at any time that the Secretary determines that there is good cause for the removal.”

SEC. 1056. UNIFORM ACADEMIES FOR ALL DEPARTMENT OF DEFENSE DOMESTIC SECONDARY 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:

“(5) To the extent considered appropriate by the Secretary of the military department concerned, any additional funds (including transportation and billeting) that may be available.

“(c) REGULATIONS.—The Secretary of Defense shall prescribe regulations governing the conduct of the program.

“(d) PROVISION FOR LOCAL SUPPORT.—The Secretary shall ensure that each academy meeting at least the minimum operating standards established for the program is funded at a level of at least $200,000 for each fiscal year.

“(e) The Secretary of Defense and the Secretaries of the military departments 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.

“(f) 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 description of the design and conduct of the program and an evaluation of the effectiveness of the program.

“(g) PROGRAM PERSONNEL.—(1) The Secretary of the military department concerned may—

(1) authorize members of the armed forces to provide command, training, or supporting services for the program on a full-time basis; and

(2) employ or procure by contract civilian personnel to provide such services.

“(h) REGULATIONS.—The Secretary of Defense shall prescribe regulations governing the conduct of the program.

“(i) ENROLLMENT.—The Secretary shall ensure that each academy meeting at least the minimum operating standards established for the program is funded at a level of at least $200,000 for each fiscal year.

“(j) The Secretary of Defense and the Secretaries of the military departments 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.

“(k) 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 description of the design and conduct of the program and an evaluation of the effectiveness of the program.

“(l) STATE DEFINED.—In this section, the term ‘State’ includes the States, the Commonwealth of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and Guam.”
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 1998 (Public Law 105–85; 111 Stat. 1018; 10 U.S.C. 2440 note) is amended by striking "The Defense Department Budget Circular for fiscal year 2001" and inserting "The President shall direct the Secretary of Defense to make appropriations from the Defense budget for each fiscal year during fiscal years 2000 through 2005 for the commemorative program authorized under subsection (a), as follows:

(1) by inserting after section 2193 and before the section 2193b added by subsection (a) the following:

"2193a. Improvement of education in technical fields: general authority for support of elementary and secondary education in science and mathematics;"

(2) by transferring subsection (b) of section 2193 to section 2193a as added by paragraph (1), inserting such subsection after the heading for section 2193a, and striking out "(b)"; and

(3) by redesignating subsection (c) of section 2193 as section 2193b as subsection (b).

(b) CEREMONIES.—(1) The head-1203ing for section 2192 of such title is amended to read as follows:

"2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering."

(2) The heading for section 2192 is amended to read as follows:

"2192. Improvement of education in technical fields: grants for higher education in science and mathematics."

(3) 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."


(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 1999, 2000, 2001" and inserting "fiscal years 1999 through 2000"

SEC. 1060. EXTENSION TO NAVAL AIRCRAFT OF COMMUNITY AUTHORITY FOR DRUG INTERDICTION 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 YUGOSLAVIA.

(a) The Senate finds that—

(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 (including 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 war crimes, crimes against humanity, and genocide should be issued against suspects' whereabouts; warrants for war crimes suspects that have been served, despite knowledge of the suspects' whereabouts;" (5) rigorous prosecution of war crimes after the conflict in Bosnia may have prevented ongoing atrocities in Kosovo; and

(2) 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 forces 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

(5) 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; and

SEC. 1062. EXPANSION OF LIST OF DISEASES PRE- SUMED TO BE SERVICE-CONNECTED IN RADIATION-EXPOSED VETERANS.

Section 112(c)(2) of title 38, United States Code, is amended by adding at the end the following:

"(P) Lung cancer.

(Q) Colon cancer.

(R) Tumors of the brain and central nervous system."

SEC. 1063. LEGAL EFFECT OF THE NEW STRATEGIC CONCEPT OF NATO.

(a) CERTIFICATION REQUIRED.—Not later than 30 days after the date of enactment of this Act, the President shall certify to Congress whether or not the new Strategic Concept of NATO imposes any new commitment or obligation on the United States.

(b) TECHNICAL CORRECTION.—Section 112(c)(2) of title 38, United States Code, is amended by striking "radiation-exposed" and inserting "or radiation-exposed."

(c) REPORT.—Together with the certificate required under subsection (a), 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 NATO 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 the United States," as defined by the Secretary of Defense, is amended to read as follows:

"(1) "New Strategic Concept of the United States," as defined by the Secretary of Defense, means—

(a) POLICY ON THE ESTABLISHMENT OF EMBARGOS.—

(1) In 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.

(2) 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 described in subsection (a), the President shall, if the armed conflict continues, submit a report to Congress setting forth—

(i) 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

(ii) any foreign exchange controls or trade of revenue that directly or indirectly support the ability of the adversarial government to sustain the armed conflict against the Armed Forces of the United States.

**SEC. 1065. CONDITIONS FOR LENDING OBSOLETE OR CONDEMNED RIFLES FOR FUNERAL CEREMONIES.**

Section 468(3)(a)(2) of title 10, United States Code, is amended to read as follows:

"(2) issue and deliver those rifles, together with blank ammunition, to those units with who, for the purpose of rendering military assistance, the Secretary of Defense determines—

(A) the present or potential political, economic, or military situation in the unit's area of responsibility; or

(B) the unit is a designated mourning unit.

**SEC. 1066. PROHIBITION ON THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN COUNTRIES WITHOUT SPECIFIC AUTHORIZATION IN LAW.**

(a) PROHIBITION.—Notwithstanding section 2512 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 by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term "entity controlled by a foreign government" means the term defined in section 258(1) of title 10, United States Code.

(2) MILITARY 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 FOR RESPONDING TO A TERRORIST ACT.

(a) AUTHORITY.—During fiscal year 2000, the Secretary of Defense, upon the request of the Attorney General, may provide assistance to a foreign government, or any civil authorities in responding to an act or threat of an act of terrorism, including an act of terrorism or threat of an act of terrorism that involves a weapon of mass destruction, within the United States or by the Secretary of Defense determines that—

(1) special capabilities and expertise of the Department of Defense personnel is critical to respond to the act or threat; 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 this subsection. Actions taken to provide the assistance may include the prepositioning of Department of Defense personnel, equipment, and supplies in the United States.

(c) REIMBURSEMENT.—(1) Assistance provided under this section shall normally 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 a report 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) LIMITATION ON FUNDING.—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.

(g) 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 provision of assistance for the equipment of the Department of Defense that was in effect before the date of enactment of this Act.

**DEFINITIONS.**—In this section:

(1) The term "threat of an act of terrorism" includes any circumstance providing a basis for reasonably anticipating an act of terrorism, as determined by the Secretary of Defense in consultation with the Attorney General and the Secretary of the Treasury.


**SEC. 1068. SENSE OF THE CONGRESS 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, Abu al-Batat al-Megrahi and Al-Fadlallah Fitzhugh, 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 731 and imposed sanctions on Libya in Security Council Resolution 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 for terrorism, 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...
investigation and trial; renunciation of and ending support for terrorism; and payment of appropriate compensation) necessary to lift the United Nations Security Council sanctions.

(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 terrorist state and has submitted to the State Department Report, “Patterns of Global Terrorism;” stated that Colonel Qaddafi “continued publicly and privately to support terrorist groups, including the PIJ and the FPLF-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 activities constituting international terrorism under section 6(j) of the Export Administration Act of 1979 in light of Libya's ongoing support for terrorist groups.

(b) The President should consult with the Congress whenever an investigation is under consideration. If the President makes a determination that the Congress would jeopardize an on-going criminal investigation. If the President makes a determination that the Congress would jeopardize an on-going criminal investigation.

(c) The President should promptly no-...
June 7, 1999

CONGRESSIONAL RECORD — SENATE

S6531

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 illegal 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) if 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 the 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 January 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, the People’s Republic of China;

(2) an evaluation of additions during the preceding year to the offensive military capabilities of the People’s Republic of China; and

(3) 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. 2190; 50 U.S.C. 435 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. 12958 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.

(2) The deterrence of Iraq and Iran in Southwest Asia and the deterrence of 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.

(8) Between 1986 and 1998, the number of American military personnel per year has nearly tripled at the same time the Department of Defense budget has been reduced in real terms by 38 percent.

(9) The Army has 10 active-duty divisions today, down from 18 in 1991, while on an average day in fiscal year 1998, 28,000 United States Army soldiers were deployed to more than 70 countries for over 300 separate missions.

(10) Active Air Force fighter wings have gone from 22 to 13 since 1991, while 70 percent of air sorties in Operation Allied Force over the Balkans are United States-flown and the Air Force continues to increase northern and southern no-fly zones in Iraq. In response, the Air Force has initiated a "stop loss" program to block normal retirements and separations.

(11) The United States Navy has been reduced in size to 339 ships, its lowest level since 1938, necessitating the redesign of the only overseas homeported aircraft carrier from the Mediterranean to support Operation Allied Force.

(12) In 1998 just 10 percent of eligible carrier naval aviators—27 out of 261—accepted continuation bonuses and remained in service.

(13) In 1998 48 percent of Air Force pilots eligible for continuation opted to leave the service.

(14) The Army could fall 6,000 below Congressionally authorized troop strength by the end of 1999.

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

(1) The readiness of United States military forces to execute the National Security Strategy of the United States is being eroded from a combination of declining defense budgets and expanded missions.

(2) There may be missions to which the United States has committed Armed Forces from which the United States can begin disengaging.

(c) REPORT REQUIREMENT.—Not later than March 1, 2000, the President shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives, and to the Committees on Appropriations in both Houses, a report prioritizing the ongoing global missions to which the United States is contributing troops. The President shall include in the report a feasibility analysis of how the United States can—

(1) shift resources from low priority missions in support of higher priority missions;

(2) consolidate or reduce United States troop commitments worldwide;

and end low priority missions.

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 NATO, should not negotiate with Slobodan Milosevic, an indicted war criminal, or any other indicted war criminal with respect to a settlement for the crimes committed 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 "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) The term ‘armed forces educational liabilities’ means liabilities of the armed forces for benefits under chapter 38 of title 38 for Department of Defense benefits under chapter 1606 of this title;"

(3) by inserting "Department of Defense" after "future" in subsection (b)(2)(C);

(4) by striking "106" in subsection (b)(2)(C) and inserting "1606;"

(5) by inserting "and the Secretary of the Department in which the Coast Guard is operating" after "Defense Department" in subsection (g); and

(6) by striking "Department of Defense" in subsection (d) and inserting "armed forces;"

(7) by inserting "the Secretary of the Department in which the Coast Guard is operating" in subsection after "Secretary of Defense;" and

(8) by inserting and the Department in which the Coast Guard is operating after "Department of Defense" in subsection (g);

(9) by inserting "and the Secretary of the Department in which the Coast Guard is operating, in paragraphs (a) through (i) and subsection (g) after "Secretary of Defense;" and

(10) by striking "of a military department" in subsection (g)(3) and inserting "concerned."

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 inserting "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 give due consideration to any request from the Secretary of the Army for Department of Defense funds to support military education schools and training programs in the United States, including the United
WASHINGTON, D.C., on September 2, 1993.

THE ARMY.—(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 air

The Secretary of Defense may transfer to the Department of Defense the United States efforts to work cooperatively with Russia to account for, secure, and destroy Russia’s antiballistic missile equipment or any technology necessary for the acquisition or development by the recipient country of any nuclear weapon or ballistic missile.

(2) The Secretary of Defense, in coordination with the Attorney General, shall determine the amount of lethal chemical agents that shall be transferred under this section. Such amount shall be transferred from quantities of lethal chemical agents that are produced, acquired, or retained by the Department of Defense.

(3) 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.

(4) To carry out the training described in paragraph (1) and other defensive training not prohibited by the Chemical Weapons Convention, the Secretary 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.

(5) Quantities of lethal chemical agents transferred under this section shall meet all applicable requirements for transportation, storage, treatment, disposal, and use of such agents and for any resulting hazardous waste products.

(b) ANNUAL REPORT.—The Secretary of Defense, in consultation with Attorney General, shall report annually to Congress regarding the disposition of lethal chemical agents transferred under this section.

(c) NON-INTERFERENCE WITH 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. RUSSIAN NONSTRATEGIC NUCLEAR ARMS.

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

(1) the United States should agree to in-

crease the quantitative limits applicable to commercial space launch services; 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 Transfer of Russian Commercial Space Launch Services, signed in Washington, D.C., on September 2, 1993.

(2) Quantitative limitations applicable to commercial space launch services under 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 Transfer of Russian 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. 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 destructive 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 protect this principle.

(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...
(1) designates November 9, 1999, as "Victory in the Cold War Day"; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe that week with appropriate ceremonies and activities.

(c) Cold War Medal.—(1) Chapter 57 of title 10, United States Code, is amended by adding at the end the following:

"§ 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 who, during the period beginning on August 14, 1990, and ending on November 9, 1999, rendered outstanding services in the armed forces in the celebration referred to in paragraph (1) of that subsection, whether such services are given before or after November 9, 1999.

(b) DESIGN.—The Joint Chiefs of Staff shall, under regulations prescribed by the President, design for purposes of this section a decoration called the 'Victory in the Cold War Medal'. The decoration shall be of appropriate design, with ribbons and appurtenances.

(c) Period of Cold War.—For purposes of subsection (a), the term 'Cold War' shall mean the period beginning on August 14, 1990, and ending on November 9, 1999.

(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 of contributions accepted by the Secretary under subparagraph (A).

(e) 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 referred to 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 Minority Leader of the Senate.

(C) Two shall be appointed by the Minority Leader of the House of Representatives.

(D) Three shall be appointed by the Majority Leader of the Senate.

(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) for the purpose of reducing the costs 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.

(SEC. 1101. ACCELERATED IMPLEMENTATION OF VOLUNTARY EARLY RETIREMENT AUTHORITY.

Section 1101 of title 10, United States Code, is amended—

(A) by redesignating subsection (a) as subsection (b);

(B) by redesignating subsection (b) as subsection (c);

(C) by redesignating subsection (c) as subsection (d);

(D) by redesignating subsection (d) as subsection (e);

(E) by inserting at the end of subsection (e) the following new subsection (f):

"(f) The Secretary of the Navy may, notwithstanding the provisions of title 10 of such title, prescribe for persons employed under this section the following:

"(1) The work schedule, including hours of work and tours of duty, shall be set forth with such specificity and other characteristics as the Secretary determines appropriate.

"(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty;

"(b) UNITED STATES NAVAL ACADEMY.—Section 6852 of title 10, United States Code, is amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) inserting after subsection (b) the following new subsection (c):

"(c) The Secretary of the Navy may, notwithstanding the provisions of subsection (b) of such section, prescribe for persons employed under this section the following:

"(1) The work schedule, including hours of work and tours of duty, shall be set forth with such specificity and other characteristics as the Secretary determines appropriate.

"(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.";

(b) UNITED STATES NAVAL ACADEMY.—Section 6962 of title 10, United States Code, is amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) inserting after subsection (b) the following new subsection (c):

"(c) The Secretary of the Navy may, notwithstanding the provisions of subsection (b) of such section, prescribe for persons employed under this section the following:

"(1) The work schedule, including hours of work and tours of duty, shall be set forth with such specificity and other characteristics as the Secretary determines appropriate.

"(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.";
SEC. 1106. 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 5505(c)(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 5509(e) of such title is amended by striking “September 30, 2001” and inserting “September 30, 2003.”

(c) CONTINUATION OF FEHBP ELIGIBILITY.—Section 8905a(d)(4)(B) of title 5, United States Code, is amended by inserting “enough to be provided by the Federal, State, and local governments, and private sources, respectively;” after “mentions and activities of the Armed Forces;” and inserting “or the United States are adequate—” after “the United States have been engaged are available—”.

(d) PERIOD OF APPOINTMENT; VACANCIES.—Any member or agent of the Commission established under subsection (a) of this section (b)(1) as the chairperson of the Commission.

SEC. 1107. EXTENSION OF CERTAIN TEMPORARY AUTHORITIES TO PROVIDE BENEFITS FOR EMPLOYEES IN CONNECTION WITH DEFENSE WORKFORCE REDUCTIONS AND RESTRUCTURING.

SEC. 1201. ESTABLISHMENT.

(a) ESTABLISHMENT.—There is hereby established a commission known as the “Commission on National Military Museum” in the subtitle referred to as the “Commission”.

(b) COMPOSITION.—(1) The Commission shall be composed of 10 individuals appointed from among individuals who have expertise in military history, veterans affairs, or related matters, 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 Commandant of the Coast Guard.

(G) The Secretary of the Smithsonian Institution.

(H) The Chairman of the National Capital Planning Commission.

(I) The Chairperson of the Commission of Fine Arts.

(2) The President shall designate one of the individuals first appointed to the Commission under subsection (b)(1) as the chairperson of the Commission.

(c) INITIAL ORGANIZATION REQUIREMENTS.—(1) All appointments made under this section 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 on the date on which the date of the enactment of this Act, and the date on which all members of the Commission have been appointed, but not earlier than October 15, 1999.

SEC. 1202. DUTIES OF COMMISSION.

(a) IN GENERAL.—The Commission shall conduct a study in order to make recommendations to Congress regarding an authorization for the construction of a national military museum in the National Capital Area.

(b) STUDY ELEMENTS.—In conducting the study, the Commission shall—

(1) determine whether existing military museums, historic sites, and memorials in the United States are adequate—

(A) to provide in a cost-effective manner for display and interaction with, adequately visited and adequately preserved artifacts and representations of the Armed Forces and the wars in which the United States has been engaged;

(B) to honor the service to the United States of the active and reserve members of the Armed Forces and the veterans of the United States;

(C) to educate current and future generations regarding the Armed Forces and the sacrifices of members of the Armed Forces and the Nation in furtherance of the defense of freedom; and

(D) to foster public pride in the achievements and activities of the Armed Forces;

(2) determine whether adequate inventories of artifacts and representations of the Armed Forces and of the wars in which the United States has been engaged are available, either in current inventories or in private or public collections, for loan or other provision to a national military museum; and

(3) develop preliminary proposals for—

(A) the dimensions and design of a national military museum in the National Capital Area;

(B) the location of the museum in that Area; and

(C) the approximate cost of the final design and construction of the museum and of the costs of operating the museum.

(b) ADJUSTMENT DUTIES.—If the Commission determines that Congress authorizes a national military museum in the National Capital Area, the Commission shall—

(1) recommend one or more sites for the museum;

(2) propose a schedule for construction of the museum;

(3) assess the potential effects of the museum on the environment, facilities, and roadways in the vicinity of the site or sites where the museum is proposed to be located;

(4) recommend the percentages of funding for the museum to be provided by the Federal Government, State and local governments, and private sources, respectively; and

(5) assess the potential for funding for the museum during the period following the authorization of construction of the museum; and

(6) assess and recommend various governing structures, including a governing structure that places the museum within the Smithsonian Institution.

(c) AUTHORITY OF INDIVIDUALS TO ACT FOR 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 authorized by this Act, as long as such action is taken by a majority of the members of the Commission.

(e) 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.

(f) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action authorized by this Act, as long as such action is taken by a majority of the members of the Commission.

(g) COMMISSION.—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.

(h) 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.

(i) STAFF.—(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.

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 1205.

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, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure from any department or agency of the Government 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 other than for the purpose of holding hearings.

(2) The Chairman of the Commission, by resolution agreed to by a majority of the members of the Commission, shall preside at the meetings of the Commission.

(c) REPORT.—The Commission shall submit to the President a report on the Commission’s activities, findings, and recommendations under this subtitle.

SEC. 1206. PERSONNEL MATTTERS.

(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, for travel between 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 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) DEPARTMENT OF DEFENSE.—The President may, by the appointment of the chairman of the Commission, 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 may procure 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. 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) ADVANCE PAYMENT.—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 1206(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 any 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 Naval National 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 north.

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 have 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 (42 U.S.C. 15702–f) 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 “OF 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 XI—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:
(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the
Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States,
and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td></td>
<td>$2,194,333,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Stanley</td>
<td>$36,400,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Mannheim</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Area Support Group Bamberg</td>
<td>$23,200,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Kasberg</td>
<td>$31,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Hovee</td>
<td>$3,250,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Stanley</td>
<td>$3,250,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Total</td>
<td>$86,400,000</td>
</tr>
<tr>
<td>Korea</td>
<td></td>
<td>$34,760,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Humphreys</td>
<td>$24,200,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Total</td>
<td>$24,200,000</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 appropriated 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), $736,708,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $86,400,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $9,500,000.

(4) For architectural and engineering services and construction design section under section 2807 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), $1,098,000,000.


(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, $14,000,000.

(11) For the construction of the Railhead Facility, Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $14,800,000.


(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) $97,492,000 (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 XXIII—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 Navy Detachment, Camp Navajo</td>
<td>$17,020,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Air-Ground Combat Center, Twentynine Palms</td>
<td>$34,760,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Schofield Barracks</td>
<td>$17,020,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Camp Pendleton</td>
<td>$31,660,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy 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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Camp Kasberg</td>
<td>$31,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Hovee</td>
<td>$3,250,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Stanley</td>
<td>$3,250,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Total</td>
<td>$36,400,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Humphreys</td>
<td>$24,200,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Total</td>
<td>$24,200,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Kasberg</td>
<td>$31,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Hovee</td>
<td>$3,250,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Stanley</td>
<td>$3,250,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Total</td>
<td>$36,400,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Humphreys</td>
<td>$24,200,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Total</td>
<td>$24,200,000</td>
</tr>
</tbody>
</table>
or improvement of military family housing units in an amount not to exceed $17,715,000.

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside 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></td>
<td>Alabama</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mississippi</td>
<td></td>
</tr>
<tr>
<td></td>
<td>South Carolina</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$742,560,000</td>
</tr>
</tbody>
</table>

SECTION 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5), 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Alabama</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mississippi</td>
<td></td>
</tr>
<tr>
<td></td>
<td>South Carolina</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$124,370,000</td>
</tr>
</tbody>
</table>

SECTION 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), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $17,715,000.

SECTION 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Alabama</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mississippi</td>
<td></td>
</tr>
<tr>
<td></td>
<td>South Carolina</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$115,589,000</td>
</tr>
</tbody>
</table>

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5), 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.

SECTION 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. 2706) is amended in the item relating to Naval Air Station Brunswick, Maine, by striking “92 Units” in the purpose column and inserting “72 Units”.

TITLE XXIII—AIR FORCE

SECTION 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2301(a), the Secretary of the Air Force 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></td>
<td>Alabama</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Alaska</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$47,300,000</td>
</tr>
</tbody>
</table>
(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>Califronia</td>
<td>Beale Air Force Base</td>
<td>$8,900,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>$33,000,000</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Schriever Air Force Base</td>
<td>$9,400,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Grand Forks Air Force Base</td>
<td>$9,500,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$22,200,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker Air Force Base</td>
<td>$47,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Charleston Air Force Base</td>
<td>$18,200,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$10,200,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Arnold Air Force Base</td>
<td>$7,400,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Dyess Air Force Base</td>
<td>$5,400,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Linder Air Force Base</td>
<td>$13,400,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Langley Air Force Base</td>
<td>$6,300,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fairchild Air Force Base</td>
<td>$13,600,000</td>
</tr>
<tr>
<td>CONUS Classified</td>
<td>Classifed Location</td>
<td>$16,970,000</td>
</tr>
</tbody>
</table>

Total: $64,833,000

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:

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>64 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>60 Units</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Schriever Air Force Base</td>
<td>91 Units</td>
<td>$16,800,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Bolling Air Force Base</td>
<td>72 Units</td>
<td>$9,375,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>130 Units</td>
<td>$14,080,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Hanscom Air Force Base</td>
<td>91 Units</td>
<td>$16,800,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Andrews Air Force Base</td>
<td>100 Units</td>
<td>$12,299,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>F:E Bell Flight Test Base</td>
<td>34 Units</td>
<td>$9,034,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Columbus Air Force Base</td>
<td>100 Units</td>
<td>$12,299,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malmstrom Air Force Base</td>
<td>72 Units</td>
<td>$9,375,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>72 Units</td>
<td>$12,352,000</td>
</tr>
<tr>
<td>New York</td>
<td>Rome Laboratory</td>
<td>72 Units</td>
<td>$10,756,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Langley Air Force Base</td>
<td>48 Units</td>
<td>$7,500,000</td>
</tr>
<tr>
<td>Portugal</td>
<td>Lajes Field, Azores</td>
<td>75 Units</td>
<td>$12,364,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Ascension Island</td>
<td>64 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Lakenheath</td>
<td>64 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Mildenhall</td>
<td>64 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Mildenhall</td>
<td>64 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>United States</td>
<td>Total:</td>
<td></td>
<td>$136,248,000</td>
</tr>
</tbody>
</table>

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 $1,651,051,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $651,833,000.
(2) For military construction projects outside the United States authorized by section 2301(b), $78,656,000.
(3) For unspecified minor construction projects authorized by section 3005 of title 10, United States Code, $8,741,000.
(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $38,264,000.
(5) For military housing functions:
   (A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $333,671,000.
   (B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $281,892,000.
   (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 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)(11) for the purpose 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:
As follows:

(b) Outside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(3), 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:

<table>
<thead>
<tr>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andersen Air Force Base, Guam</td>
<td>$66,600,000</td>
</tr>
<tr>
<td>Naval Station Reykjavik, Iceland</td>
<td>$184,000,000</td>
</tr>
<tr>
<td>Naval Air Station, Whidbey Island, Washington</td>
<td>$115,000,000</td>
</tr>
<tr>
<td>Naval Air Station, Norfolk, Virginia</td>
<td>$4,300,000</td>
</tr>
<tr>
<td>Naval Air Station, Kingsville, Texas</td>
<td>$4,050,000</td>
</tr>
<tr>
<td>Naval Air Station, Lackland, Texas</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Naval Air Station, Corpus Christi, Texas</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Naval Air Station, Pensacola, Florida</td>
<td>$4,880,000</td>
</tr>
<tr>
<td>Naval Air Station, Jacksonville, Florida</td>
<td>$6,726,000</td>
</tr>
<tr>
<td>Naval Air Station, Key West, Florida</td>
<td>$4,880,000</td>
</tr>
<tr>
<td>Naval Air Station, Diego Garcia, British Indian Ocean Territory</td>
<td>$3,780,000</td>
</tr>
<tr>
<td>Naval Air Station, Okinawa, Japan</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Naval Air Station, Guam</td>
<td>$44,170,000</td>
</tr>
<tr>
<td>Fort George G. Meade, Maryland</td>
<td>$2,940,000</td>
</tr>
</tbody>
</table>

SEC. 2402. 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 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 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 2808(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 2885 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 for fiscal years beginning after September 30, 1998, 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:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical Demilitarization Program</td>
<td>Blue Grass Army Depot, Kentucky</td>
<td>$195,800,000</td>
</tr>
<tr>
<td>Defense Education Activity</td>
<td>Marine Corps Base, Camp Lejeune, North Carolina</td>
<td>$10,570,000</td>
</tr>
<tr>
<td>Defense Logistics Agency</td>
<td>Laurel Bay, South Carolina</td>
<td>$8,874,000</td>
</tr>
<tr>
<td></td>
<td>Eielson Air Force Base, Alaska</td>
<td>$26,000,000</td>
</tr>
<tr>
<td></td>
<td>Defense Fuel Supply Center, Elmendorf Air Force Base, Alaska</td>
<td>$23,500,000</td>
</tr>
<tr>
<td></td>
<td>Defense Distribution Supply</td>
<td>Paint, New Cumberland, Pennsylvania</td>
</tr>
<tr>
<td></td>
<td>Fairchild Air Force Base, Washington</td>
<td>$12,400,000</td>
</tr>
<tr>
<td></td>
<td>Various Locations</td>
<td>$8,900,000</td>
</tr>
<tr>
<td>Defense Manpower Data Center</td>
<td>Presidio, Monterey, California</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>National Security Agency</td>
<td>Fort Meade, Maryland</td>
<td>$2,940,000</td>
</tr>
</tbody>
</table>

(b) Limitation of total cost of construction projects.—Notwithstanding the cost variation authorized by section 2405 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed—

1. The total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a);
2. $15,000,000 (the balance of the amount authorized under section 2401(a) for the construction of the hospital replacement, Fort Wainwright, Alaska); and
3. $34,000,000 (the balance of the amount authorized under section 2401(a) for the construction of the Ammunition Demilitarization Facility, Blue Grass Army Depot, Kentucky).

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 authority heading relating to Chemical Demilitarization Programs, is amended in the heading relating to Pueblo Chemical Activity, Colorado, by striking “$179,000,000” in the amount column and inserting “$203,500,000”.
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 $168,340,000.

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, $104,817,000.

(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.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations 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), for which appropriated funds have been obligated before 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 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</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Naval Station Brunswick</td>
<td>Family Housing Construction</td>
<td>$10,925,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Base Camp Lejuene</td>
<td>Family Housing Construction</td>
<td>$10,110,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Air Station Beaufort</td>
<td>Family Housing Construction</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Naval Complex Corpus Christi</td>
<td>Family Housing Construction</td>
<td>$11,675,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Air Station Kingsville</td>
<td>Family Housing Construction</td>
<td>$7,550,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Marine Corps Combat Development Command, Quantico.</td>
<td>Sanitary Fill</td>
<td>$8,900,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station Everett</td>
<td>Family Housing Construction</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>

SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—

(1) October 1, 1996; or

(2) the date of the enactment of this Act.

TITILE 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; and

(2) in subsection (g), by striking "subsection (e)(1)" and inserting "subsection (e)(1) and (2)".

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 1385 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 10 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 1112 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
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), by striking ‘‘private persons’’ and inserting ‘‘eligible entities’’;

(2) in subsection (c), by striking ‘‘private persons’’ and inserting ‘‘eligible entities’’;

(c) DIRECT LOANS AND GUARANTEES.—Section 2873 of such title is amended—

(1) in subsection (a), by striking ‘‘private persons’’ and inserting ‘‘eligible entities’’;

(2) in subsection (b), by striking ‘‘any person in the private sector’’ and inserting ‘‘an eligible entity’’; and

(3) by striking ‘‘the person’’ and inserting ‘‘the eligible entity’’.

(d) INVESTMENTS.—Section 2875 of such title is amended—

(1) in subsection (a), by striking ‘‘non-governmental entities’’ and inserting ‘‘an eligible entity’’;

(2) in subsection (b), by striking ‘‘a nongovernmental entity’’ both places it appears and inserting ‘‘an eligible entity’’; and

(b) LIMITED AUTHORITY FOR ACQUISITION OF RESERVE FACILITIES UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND CONSTRUCTION OF MILITARY HOUSING.

SEC. 2808. MODIFICATION OF LIMITATIONS ON RESERVATION OF REAL ESTATE FOR MILITARY PROJECTS FOR CERTAIN SAFETY PROJECTS.

(a) EXEMPTION FROM NOTICE AND WAIT REQUIREMENT.—Subsection (a) of section 18233a of title 10, United States Code, is amended by adding at the end the following new paragraph:

``(1) An unspecified minor military construction project (as defined in section 2805(a) of this title) that is intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening.’’.

(b) AVAILABILITY OF OPERATING AND MAINTENANCE FUNDS.—Subsection (b) of that section is amended to read as follows:

``(b) Availability of operating and maintenance funds.—(1) The Secretary, in making an appropriation pursuant to this section, may—

(i) make an appropriation for the fiscal years referred to in that paragraph; or

(ii) make an appropriation for the project for the purpose of providing utility services.

(2) Notwithstanding the proviso in section 2905(b)(3), the Secretary may expend such funds for the purpose of providing utility services.

(3) Nothing in this paragraph shall be construed to authorize the Secretary to spend any part of the funds expended under this paragraph for the purpose of providing utility services.’’.

(c) RENTAL GUARANTEES.—Section 2876 of such title is amended—

(1) in subparagraph (A), by striking ‘‘a nongovernmental entity’’ and inserting ‘‘the eligible entity’’;

(2) in subparagraph (B), by striking ‘‘any person in the private sector’’ and inserting ‘‘the eligible entity’’;

(d) DIFFERENTIAL LEASE PAYMENTS.—Section 2877 of such title is amended by striking ‘‘private persons’’ and inserting ‘‘eligible entities’’.

(e) CONVEYANCE OR LEASE OF EXISTING PROPERTY AND FACILITIES.—Section 2878(a) of such title is amended—

(1) in subsection (1), by striking ‘‘private persons’’ and inserting ‘‘eligible entities’’;

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

``(B) the availability of such amounts for the costs of the utility company or entity with respect to the construction, repair, or replacement of the utility system.’’

SEC. 2821. CONVEYANCE OF PROPERTY AT INSTALLATIONS CLOSED OR RE-ALIGNED UNDER THE BASE CLOSURE AND REALIGNMENT ACT OF 1990.

(a) 1990 LAW.—Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2907 note) is amended—

(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)(i) 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.

(ii) 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 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 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.).

(2)(A) The Secretary shall, upon the request of the redevelopment authority concerned, 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 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act, that was entered into before April 1, 1990, and under the enactment of the Act in order to conform the agreement to the provisions of subparagraph (B) of such section 204(b)(4), as so amended.

(2)(B) A modification of an agreement under this paragraph may compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States under the agreement.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

SEC. 2531. LAND CONVEYANCE, ARMY RESERVE CENTER, BANGOR, MAINE.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Army shall convey to the City of Bangor, Maine (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 any improvements thereon, consisting of approximately 5 acres and containing the Army Reserve Center in Bangor, Maine, the Harald E. MacArthur Reserve Center, the parcel has been determined to be excess to the needs of the Army.

(2) The purpose of the conveyance is to permit the City to use the property for educational purposes.

(b) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by subsection (a) the Secretary has transferred jurisdiction over any of the property to be conveyed to the Administrator of General Services, the Administrator may make the conveyance of such property under this section.

(c) FEDERAL SCREENING.—(1) If any of the property authorized to be conveyed by subsection (a) of this section is under the jurisdiction of the Administrator of General Services, the Administrator shall conduct a subsection (a) of such section 2696. For purposes of such subsection (b), the date of the enactment of the provision of law authorizing the conveyance of such property shall be the date of the enactment of this Act.

(d) REVERSIONARY INTEREST.—If during the 5-year period beginning on the date the conveyance authorized by subsection (a) of this section is under the jurisdiction of the Administrator of General Services, the property conveyed under such subsection is not being used for the purpose of the conveyance of such property, the property shall revert to the United States, and the United States shall have the right of entry onto the property. Any determination of the Secretary under this subsection shall be made
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 35 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 City 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 flood purposes.

(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.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance with that of the Secretary to protect the interests of the United States.

SEC. 2841. 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. 305, 112 Stat. 2230) is amended by striking “Gulf of Maine Aquarium Development Corporation, Portland, Maine” and inserting “Gulf of Maine Aquarium Development Corporation, Portland, Maine, a non-profit educational and research institute”.

(b) Conforming Amendments.—That section is further amended by striking “the Corporation” each place it appears and inserting “the Corporation, Portland, Maine”.

SEC. 2842. LAND CONVEYANCE, RHODE ISLAND.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the City of Newport, Providence County, and the Commanding General of the Rhode Island National Guard, as detailed in agreements entered into between the City, County, and the Commanding General of the Rhode Island National Guard, use of the city hall complex and maintenance facility by the Minnesota National Guard in accordance with the standards referred to in that subsection.

(b) CONDITION.—The conveyance authorized by subsection (a) shall be subject to the conditions that the City use the conveyed property, exclusively for public purposes.

(c) REVERSION.—If, during the 5-year period beginning on the date the Secretary makes the conveyance authorized by subsection (a), the Secretary determines that the conveyed property is not being used for any of the purposes specified in subsection (b), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have an immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(d) DESCRIPTION OF PROPERTY.—The conveyance authorized by subsection (a) shall be determined by a survey acceptable to the Secretary. The cost of the survey shall be borne by the City.

(e) 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. 2843. LAND CONVEYANCE, INDUSTRIAL RESERVE PLANT NO. 387, DALLAS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Navy may convey to the City of Dallas, Texas (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 at the comprehensive Industrial Reserve Plant No. 387, Dallas, Texas.

(b) CONDITION.—The conveyance authorized by paragraph (1), the Secretary may convey to the City such improvements, equipment, fixtures, and other personal property located on the parcels referred to in that paragraph and required by the Navy for other purposes.

(c) CONDITION OF CONVEYANCE.—The conveyance authorized by paragraph (1) shall be subject to the condition that the City—

(1) use the parcels, directly or through an appropriate public entity, for economic or other public purposes as the City determines appropriate; or

(2) convey the parcels to an appropriate public entity for use for such purposes.

(d) REVERSION.—If, during the 5-year period beginning on the date the Secretary makes the conveyance authorized by subsection (a), the Secretary determines that the conveyed property is not being used for a purpose specified in subsection (c), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry onto the property.

(e) LIMITATION ON CERTAIN SUBSEQUENT CONVEYANCES.—(1) Subject to paragraph (2), if at any time after the Secretary makes the conveyance authorized by subsection (a) the City conveys any portion of the parcels conveyed under that subsection to a private entity, the City shall pay to the United States an amount equal to the fair market value of the property (as determined by the Secretary) of the portion conveyed at the time of its conveyance under this subsection.

(2) Paragraph (1) applies to a conveyance described in that paragraph only if the Secretary makes the conveyance authorized by subsection (a) without consideration.
the period covered by that paragraph.

(2) If good faith negotiations for the con-veyance of the property continue under this section, upon termination of the term of the existing lease for the property, the Secretary shall continue to lease the property to the current tenant of the property at a rate of rent applicable to the first three years of the lease of the property pursuant to the existing lease for the property.

(g) MAINTENANCE OF PROPERTY.—(1) Subject to paragraph (2), the Secretary shall be responsible for maintaining the real property to be conveyed under this section in its condition as of the date of the enactment of this Act until such time as the property is conveyed by deed under this section.

(2) The current tenant of the property shall be responsible for maintaining the real property under subsection (b) of this section, but the rent paid under that paragraph shall be borne by the City.

(h) 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 Secretary. The cost of the survey shall be borne by the City.

(i) 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. 2854. LAND CONVEYANCE, NAVAL TRAINING CENTER, ORLANDO, FLORIDA.

The Secretary of the Navy shall convey all right, title, and interest of the United States in and to the land comprising the main base portion of the Naval Training Center and the McCoy Annex Areas, Orlando, Florida, to the City of Orlando, Florida, in accordance with the terms and conditions set forth in the Memorandum of Agreement by and between the United States of America and the City of Orlando, Florida, dated October 23, 1997, as amended.

PART III—AIR FORCE CONVEYANCES

SEC. 2855. LAND CONVEYANCE, MCCLELLAN NU-CLEAR RADIATION CENTER, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law, the Secretary of the Air Force may convey, without consideration, to the Regents of the University of California, Davis, any and all costs associated with the decontamination and decommissioning of the McClellan Nuclear Radiation Center under requirements that are imposed by the Nuclear Regulatory Commission or any other appropriate Federal or State regulatory agency.

(b) 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 Secretary. The cost of the survey shall be borne by the Secretary.

(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. 2856. LAND CONVEYANCE, NEWINGTON DE-FENSE FUEL SUPPLY POINT, NEW HAMPSHIRE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, 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 for purposes of such additional inspection of the McClellan Nuclear Radiation Center and the atomic reactor located at the Center as the Regents consider appropriate.

(c) ALTERNATIVE CONVEYANCE AUTHORITY.—In the event that the conveyance authorized by this section is under the jurisdiction of the Administrator of General Services, the Administrator shall make the conveyance of such property under this section.

(d) FEDERAL SCREENING.—(1) If any of the property authorized to be conveyed by this section is under the jurisdiction of the Administrator 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 2686 of title 10, United States Code.

(2) Subsections (b) through (d) of such section 2686 shall apply to the screening under paragraph (1) as if the screening were a screening conducted under subsection (a) of such section 2686. 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.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a), the easement to be conveyed under subsection (b)(2), and the pipeline to be conveyed under subsection (b)(4), shall be determined by surveys and other means satisfactory to the Authority having jurisdiction over the property or pipeline, as the case may be, at the time of the conveyance. The cost of any survey or other service performed at the direction of the Authority shall be borne by the Authority.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary 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.

Subtitle E—Other Matters

SEC. 2861. ACQUISITION OF STATE-HELD INHOLDINGS, EAST RANGE OF FORT HUACHUCA, ARIZONA.


(b) CONVEYANCE AUTHORIZED.—The Secretary of the Interior may also acquire by eminent domain, but with the consent of the State of Arizona, any title, right, and interest (including any mineral rights) of the State of Arizona, and any title, right, and interest (including any mineral rights) of the State of Nevada, and any title, right, and interest (including any mineral rights) of the State of California, to the property described in subsection (a).

(c) ALTERNATIVE CONVEYANCE AUTHORITY.—In the event that the conveyance authorized by this section is under the jurisdiction of the Administrator of General Services, the Administrator shall make the conveyance of such property under this section.

(d) FEDERAL SCREENING.—(1) If any of the property authorized to be conveyed by this section is under the jurisdiction of the Administrator 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 2686 of title 10, United States Code.

(2) Subsections (b) through (d) of such section 2686 shall apply to the conveyance described in subsection (1) as if the conveyance were a conveyance conducted under subsection (a) of such section 2686. 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.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a), the easement to be conveyed under subsection (b)(2), and the pipeline to be conveyed under subsection (b)(4), shall be determined by surveys and other means satisfactory to the official having jurisdiction over the property or pipeline, as the case may be, at the time of the conveyance. The cost of any survey or other service performed at the direction of the official shall be borne by the official.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary 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.

Subtitle F—Miscellaneous
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 or by sale 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 Navy to the State of Arizona, as provided in subsection (c)(1).

(c) CONDITIONS ON CONVEYANCE TO STATE.—The Secretary may make the conveyance described in subsection (b) only if—

(1) the transfer of the Federal lands to the State of Arizona is acceptable to the State Land Commissioner; and

(2) the conveyance of lands and interests in lands and mineral rights (whether by sale or by transfer as provided in subsection (b)) is accepted by the State of Arizona as full consideration for the land and mineral rights acquired by the United States under subsection (a) and terminates all right, title, and interest in all of the other United States in and to the acquired lands and mineral rights.

(d) USE OF EMINENT DOMAIN.—The Secretary may acquire the State 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 subsection (b) shall be determined in accordance with the Uniform Appraisal Standards for Federal Land Acquisition, as published by the Department of Justice in 1992.

(f) RIGHT OF DECISION.—The Secretary shall be subject to the review and acceptance by the Land Department of the State of Arizona and the Bureau of Land Management.

(g) 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 and regulations promulgated 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 to the United States by Public Land Order 1471 of 1957.

(i) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Interior may require such terms and conditions and conditions of connection with the conveyance and acquisition 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.

(j) 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 may convey to the Secretary of the Navy or private person or entity all right, title, and interest of the United States in and to any real property (including any improvements), personal property, or services or any combination thereof, in an aggregate amount equal to not less than the fair market value of real or personal property conveyed or leased.

(2) Subject to subsection (1), the services accepted by the Secretary under paragraph (1) may include, but are not limited to—

(A) The construction or improvement of facilities at Ford Island; and

(B) The restoration or rehabilitation of real property at Ford Island.

(c) Provision of property support services for property or facilities at Ford Island.

(1) The Secretary of the Navy may not carry out a transaction authorized by this section until—

(A) the Secretary submits to the appropriate committees of Congress a notification of the transaction, including—

(i) a detailed description of the transaction; and

(ii) a justification for the transaction specifying the manner in which the transaction will meet the purpose of this section; and

(2) a period of 30 calendar days has elapsed following the date on which the notification is received by the Congress.

(d) ACQUISITION OF LEASEHOLD INTEREST BY SECRETARY.—(1) The Secretary of the Navy may acquire a leasehold interest in any facility constructed under subsection (a) or in the aggregate amount equal to not less than the value of the acquired lands and mineral rights.

(2) A lease of real property under this subsection may provide that, upon termination of the lease term, the lessee shall have the right of first refusal to acquire the real property covered by the lease if the property is then conveyed under subsection (b).

(e) REQUIREMENT FOR COMPETITION.—The Department of Defense shall provide for competition for the acquisition of property or leasehold interest in the aggregate amount equal to not less than the value of the acquired lands and mineral rights.

(f) USE OF ACCOUNT.—(1) The Secretary of the Navy may use the Ford Island Improvement Account to acquire property or facilities at Ford Island.

(2) To extent that the authorities provided under section 2883(a)(2) 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 units.

(3) The Secretary of the Navy may transfer funds from the Ford Island Improvement Account to the following funds: The Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code; The Department of Defense Military Unaccompanied Housing Improvement Fund established by section 2883(a)(2) of that title.

(g) INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.—The authorities provided herein shall be governed by the provisions of subchapter IV of chapter 169 of title 10, United States Code, for activities authorized under subchapter IV of chapter 169 of that title at Ford Island.
(1) CONFORMING AMENDMENTS.—Section 2863(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 Army transfers to that Fund pursuant to section 2863(i)(3)(A)(i) 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) paragraph (2), by adding at the end the following new subparagraph:

"(E) Any amounts that the Secretary of the Army transfers to that Fund pursuant to section 2863(i)(3)(A)(i) 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.”;

(m) DEFINITIONS.—In this section:

(1) the term “appropriate committees of Congress” has the meaning given that term in section 2801(b) of title 10, United States Code.

(2) the term “property support service” means the Department of Defense office designated to perform secretarial office and support services and security-related changes to the METRO entrance at the Pentagon,

SEC. 2803. ENHANCEMENT OF PENTAGON RENOVATION ACTIVITIES.

The Secretary of Defense in conjunction with the Pentagon Renovation Program is authorized to design and construct secure secretarial office and support facilities and security-related changes to the METRO entrance at the Pentagon. The Secretary of Defense 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 FACILITY TOWERS AT NAVAL STATION, ANNAPOLIS, MARYLAND, TO FACILITATE TRANSFER OF TOWERS.

(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 listed in subsection (b) during the one-year period beginning on the date of enactment of this Act.

(b) COVERED TOWERS.—The naval radio transmitting towers described in this subsection are the three southeasternmost 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 right, title, and interest (including maintenance responsibility) of the United States in and to the radio transmitting 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 RELLOCATION FROM PORT DOUGLAS, UTAH.

Section 2863 of the National Defense Authorization Act for fiscal year 1998 (P.L. 105–85) is amended as follows:

"With respect to 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. Payments made with this shall be credited to the appropriation, fund or account from which the expenses are ordinarly 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 military training opportunities and serve a critical role in the national security of the United States, and are required for these purposes should be continued;

(3) in addition to their use for military purposes, these ranges contain significant natural habitats, and provide important wildlife habitats;

(4) the future use of these ranges is important not only for the affected military branches, but also for the local residents and other public land users;

(5) the public land withdrawals authorized in 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 a manner consistent 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 be authorized for responsibility and requirements under applicable laws, should jointly prepare a comprehensive legislative proposal to renew the public land withdrawals for the four ranges referenced in section 2901 and transmit such proposal to the Congress no later than July 1, 1999.

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 testing facilities authorized 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 other test ranges in Arizona, continue to operate, as the United States must retain nuclear test capability at these ranges to maintain nuclear deterrence and preserve its national heritage;

(2) the renewal of these public land withdrawals at Barry M. Goldwater Air Force Range and other ranges in Arizona is necessary to safeguard national security interests;

(3) the renewal of these public land withdrawals at Barry M. Goldwater Air Force Range and other ranges in Arizona is vital to preserve its national heritage; and

(4) it is important for the Secretary of the Interior and Secretary of Defense to work together to renew the public land withdrawals at these ranges.

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 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 and defense activities necessary for national security 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 operation and maintenance, $1,615,350,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquired thereto), $131,145,000, to be allocated as follows:

Project 00–D–103, terescale simulation facility, Lawrence Livermore National Laboratory, Livermore, California, $8,000,000.

Project 00–D–105, strategic computing complex, Los Alamos National Laboratory, Los Alamos, New Mexico, $23,000,000.

Project 00–D–107, joint computational engineering laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $1,900,000.

Project 99–D–102, rehabilitation of maintenance facility, Lawrence Livermore National Laboratory, Livermore, California, $3,900,000.

Project 99–D–103, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.

Project 99–D–104, protection of real property (roof reconstruction, Phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,400,000.

Project 99–D–105, central health physics calibration facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $1,000,000.

Project 99–D–106, model validation and systems technology laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $6,500,000.

Project 99–D–108, renovation existing roadways, Nevada Test Site, Nevada, $7,000,000.

Project 97–D–102, dual-axis radiographic hydrotest facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $650,000,000.

Project 96–D–102, stockpile stewardship facilities revitalization, Phase VI, various locations, $2,640,000.

Project 96–D–104, processing and environmental technology laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $10,900,000.

Project 97–D–102, dual-axis radiographic hydrotest facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $650,000,000.

Project 96–D–102, stockpile stewardship facilities revitalization, Phase II, Las Vegas, Nevada, $20,000,000.

(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:

Project 96–E–111, national ignition facility, Lawrence Livermore National Laboratory, Livermore, California, $248,100,000.

(C) For technology partnership and educational development, $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 necessary for national security programs in the amount of $2,039,300,000, to be allocated as follows:

(A) For operation and maintenance, $1,380,000,000.

(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–123, stockpile management restructuring initiative, Oak Ridge, Tennessee, $21,800,000.


Project 98–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, $14,000,000.

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 necessary for national security programs in the amount of $2,039,300,000, to be allocated as follows:

(A) For operation and maintenance, $2,047,997,000.

(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), $54,551,000, to be allocated as follows:

- Project 99–D–121, structural upgrades, Savannah River Site, Aiken, South Carolina, $11,971,000.
- 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, $14,000,000.
- 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.

(4) Program Direction.—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.—Funds are hereby authorized to be appropriated 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:

- Project 00–D–192, Nonproliferation and International Security Centers (NISC), Los Alamos National Laboratory, New Mexico, $6,000,000.
- For nuclear safeguards and security, $59,100,000.

(B) For security investigations, $47,000,000.

(C) For emergency management, $21,000,000.

(D) For program direction, $90,450,000.

(2) Intelligence.—For intelligence, $36,050,000.

(3) Counterintelligence.—For counterintelligence, $6,200,000.

(4) Worker and Community Transition Assistance.—For worker and community transition assistance, $30,000,000, to be allocated as follows:

(A) For worker and community transition, $26,500,000.

(B) For program direction, $3,500,000.

(5) Fissile Materials Control and Disposition.—For fissile materials control and disposition, $200,000,000, to be allocated as follows:

(A) For operation and maintenance, $129,766,000.

(B) For program direction, $7,345,000.

(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–124, Immobilization and associated processing facility, various locations, $21,765,000.
- Project 99–D–141, pit disassembly and conversion facility, various locations, $28,751,000.
- Project 99–D–143, mixed oxide fuel fabrication facility, various locations, $12,375,000.

(6) Environmental, Safety, and Health.—For environment, safety, and health, $79,000,000, to be allocated as follows:

(A) For the Office of Environment, Safety, and Health (Defense), $54,231,000.

(B) For program direction, $24,769,000.

(7) Office of Hearings and Appeals.—For the Office of Hearings and Appeals, $3,000,000, to be allocated as follows:

(A) For nuclear reactors development, $654,400,000, to be allocated as follows:

- For operation and maintenance, $630,400,000.

(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), $24,000,000, to be allocated as follows:

- GPN–101, general plant projects, various locations, $9,000,000.

Project 00–D–192, Nonproliferation and International Security Centers (NISC), 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 intelligence, $36,050,000.

For counterintelligence, $6,200,000.

For worker and community transition, $26,500,000.

For program direction, $3,500,000.

For fissile materials control and disposition, $200,000,000, to be allocated as follows:

For operation and maintenance, $129,766,000.

For program direction, $7,345,000.

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:

For worker and community transition, $26,500,000.

For program direction, $3,500,000.

For fissile materials control and disposition, $200,000,000, to be allocated as follows:

For operation and maintenance, $129,766,000.

For program direction, $7,345,000.

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:

For operation and maintenance, $129,766,000.

For program direction, $7,345,000.

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:

For operation and maintenance, $129,766,000.

For program direction, $7,345,000.

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:

For operation and maintenance, $129,766,000.

For program direction, $7,345,000.

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:

For operation and maintenance, $129,766,000.
Project 98–PVT–7, spent nuclear fuel dry storage, Idaho Falls, Idaho, $5,000,000.

Project 98–PVT–5, waste disposal, Oak Ridge, Tennessee, $30,000,000.

Project 97–PVT–1, tank waste remediation system phase I, Hanford, Washington, $110,000,000.

Project 97–PVT–2, advanced mixed waste treatment facility, Idaho Falls, Idaho, $110,000,000.

(b) ADJUSTMENT.—The amount authorized to be appropriated in subsection (a) is reduced by $39,000,000.

SEC. 3105. DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $241,000,000, to be allocated as follows:

Project 98–PVT–6, 106 C.S.C. 10222(c) in the amount of $112,000,000.

(b) ADJUSTMENT.—The amount authorized to be appropriated pursuant to subsection (a) is reduced by $39,000,000.

---

SEC. 3124. FUND TRANSFER AUTHORITY.

(a) TRANSFER TO OTHER FEDERAL AGENCIES.—The Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title to other Federal agencies for the performance of work for which the funds were authorized. Funds so transferred may be merged with funds available for the same purposes and for the same period as the authorizations of the Federal agency to which the amounts are transferred.

(b) TRANSFER OF FUNDING UNITS.—No funds shall be transferred to any agency, department, or contractor under this section if the transfer would result in the total amount obligated pursuant to this title to exceed the total amount authorized to be appropriated by this title.
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 act, amounts appropriated for an 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 for appropriations in subsection (a) shall remain available to be expended only until the end of fiscal year 2002.

SEC. 3129. TRANSFERS OF DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.

(a) TRANSFER AUTHORITY FOR DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.—The Secretary of Energy shall provide the manager of each field office of the Department of Energy with the authority to transfer defense environmental management funds from a program or project under the jurisdiction of the office to another such program or project.

(b) LIMITATIONS.—(1) Only one transfer may be made to or from any program or project under subsection (a) in a fiscal year.

(2) The amount transferred to or from a program or project under subsection (a) may not exceed $5,000,000 in a fiscal year.

(3) A transfer may not be carried out by a manager of a field office under subsection (a) unless the manager determines that the transfer is necessary to address a risk to health, safety, or the environment or to assure the most efficient use of defense environmental management funds at the field office.

(4) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

(c) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—The requirements of section 3128 shall not apply to transfers of funds pursuant to subsection (a).

(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) DURATION.—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 3102.

(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, that is being carried out by the office, and for which defense environmental management funds have been authorized and obligated or expended by the Department before the date of the enactment of this Act.

(2) The term "defense environmental management funds" means funds appropriated to the Department pursuant to an authorization for carrying out environmental restoration and waste management activities necessary for national security programs.

(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 FOR- MERRILLER SITE REMEDIAL ACTION PROGRAM.

Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act, or by any Act authorizing appropriations for the military activities of the Department of Defense, other than those of the Department of Energy for a fiscal year after fiscal year 2000, may be obligated or expended to conduct any work, construction, storage, or disposal activities at a Remedial Action 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, in consultation with the Secretary of Defense, shall 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.—The program under subsection (a) shall be a program within the Office of Defense Programs of the Department of Energy.

(c) PROGRAM PLAN.—As part of the program under subsection (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 for the following:

(1) Mechanisms to provide for the remanufacturing of each weapon design 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 for 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.

(d) ANNUAL SUBMITTAL OF PLAN.—(1) The Secretary shall submit to the committees on Appropriations of the House of Representatives the plan developed under subsection (c) not later than January 1, 2000.

The plan shall contain the maximum level of detail practicable.

(2) The Secretary shall submit to the committees referred to in paragraph (1) each year after 2000, at the same time as the submission of the budget for the fiscal year beginning October 1, 2005, under title 31, United States Code, an update of the plan submitted under paragraph (1). Each update shall contain the same level of detail as 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 for the program submitted under section 3132.

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 Management and the Tennessee Valley Authority Watts Bar or Sequoyah nuclear power plants consistent with the Secretary's December 22, 1998, decision document.

(b) SENSE OF CONGRESS REGARDING FUNDING OF TRITIUM PRODUCTION.

(Securities and Exchange Commission)
may be made available to an institute if the institute—

(i) is currently involved in activities described in subparagraph (A)(i); or

(ii) is involved in activities described in subparagraph (A)(ii).

(B) No funds available for the Initiative for Proliferation Prevention program may be provided to a scientist or scientist 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 Initiative for Proliferation Prevention program.

(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 projects 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 required by subparagraph (A), the Secretary shall submit to Congress a report describing the procedures. The report shall set forth a schedule for the implementation of the procedures.

(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 be achieved, the Secretary may not provide assistance for the project.

(B) 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 by each department and agency of the United States Government that participates in or contributes to the initiative. The report shall describe the participation in or contribution to the initiative.

(C) Report—(1) Not later than January 1, 2000, the Secretary of Energy shall submit to the Chairman of the Committee on Armed Services of the Senate and House of Representatives a report on the Initiative for Proliferation Prevention program or the Nuclear Cities Initiative.

(II) 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.

(C) A list of the institutes and scientists who are participating or have participated in the project, the number of jobs created through the project, and the manner in which the project has met the nonproliferation objectives of the United States.

(C) A list of the institutes and scientists associated with weapons of mass destruction programs or other defense-related programs in the states of the former Soviet Union that the Department seeks to engage in commercial work 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 President of the Russian Federation and between the Secretary of Energy of the United States and the Prime Minister of the Russian Federation and between the Secretary of Energy of the United States and the Prime Minister 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 a 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 who have significant experience in matters related to the security of nuclear weapons and materials, information, and counterintelligence matters, as follows:

(A) Two shall be appointed by the Chairman of the Committee on Armed Services of the Senate, in consultation with the ranking member of that Committee.

(B) Two shall be appointed by the ranking member of the Committee on Armed Services of the Senate, in consultation with the Chairman of that Committee.

(C) Two shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives, in consultation with the ranking member of that Committee.

(D) One shall be appointed by the ranking member of the Committee on Armed Services of the House of Representatives, in consultation with the Chairman of that Committee.

(E) One shall be appointed by the Secretary of Defense.

(F) One shall be appointed by the Director of the Federal Bureau of Investigation.

(G) One shall be appointed by the Director of Central Intelligence.

(2) Members of the Commission shall be appointed for four year terms, except as follows:

(A) One member initially appointed under paragraph (1)(A) shall serve a term of two years.

(B) One member initially appointed under paragraph (1)(C) shall serve a term of two years.

(C) The member initially appointed under paragraph (1)(E) shall serve a term of two years.

(3) Any vacancy in the Commission shall be filled in the manner in which the original appointment was made and shall not affect the powers of the Commission.

(4) After five members of the Commission have been appointed under paragraph (1), the Chairman of the Committee on Armed Services of the Senate, in consultation with the Chairman of the Committee on Armed Services of the House of Representatives, shall designate the members of the Commission from among the members appointed under paragraph (1)(A). The chairman or co-chairman of the Commission may be designated once five members of the Commission have been appointed under paragraph (1)(A).

(5) The members of the Commission shall be appointed not later than 60 days after the date of the enactment of this Act.

(6) The members of the Commission shall establish procedures for the activities of the Commission, including procedures for calling meetings, requirements for quorums, and the method of taking votes.

(7) The Commission shall meet not less than once every three months.

(8) The Commission shall submit to the Senate, in accordance with this section, review the safeguards, security, and counterintelligence activities (including activities relating to information management, computer security, and personnel security) at Department of Energy facilities to—

(A) determine the adequacy of those activities to ensure the security of sensitive information, processes, and activities under the jurisdiction of the Department against threats to the disclosure of such information or processes; and

(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) shall include the following:

(A) The disclosure of the Design Threat Basis documents as a basis for the allocation of resources for safeguards, security, and counterintelligence activities at the Department facilities or at facilities throughout the United States.

(B) Visits to Department facilities to assess the adequacy of the safeguards, security, and counterintelligence activities at Department facilities.

(C) Evaluations of specific concerns set forth in Department reports regarding the status of safeguards, security, or counterintelligence activities at Department facilities.

(D) Reviews of relevant laws, Department orders, and other requirements relating to safeguards, security, and counterintelligence activities at Department facilities.

(E) Proposals for additions to safeguards, security, and counterintelligence activities at Department facilities that the Secretary of Energy considers appropriate.

(F) Report.—(1) Not later than February 15 each year, the Commission shall submit to the Secretary of Energy and to the congressional defense committees a report on the activities of the Commission, amended by the preceding year. The report shall be submitted in an unclassified form, but may include a classified annex.

(2) Each report—

(A) shall describe the activities of the Commission during the year covered by the report;

(B) shall set forth proposals for any changes in safeguards, security, or counterintelligence activities at Department facilities; and

(C) may include any other recommendations for legislation or administrative action that the Commission considers appropriate.

(e) PERSONNEL MATTERS.—(1)(A) Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission.

(B) All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

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 V 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.

(3)(A) The Commission may, without regard to the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule, pay rates for positions and General Schedule pay rates.

(B) The Commission may appoint and terminate such personnel and pay rates for positions and General Schedule pay rates 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 pay rates.

(C) Any officer or employee of the United States may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(d) The members and employees of the Commission shall be authorized clearance to access the facilities of the Department of Defense for the purpose of conducting, as part of the Department of Energy personal assurance programs, periodic polygraph examinations of each Department of Energy employee, or contractor employee, at a Department of Energy facility who—

(1) carries out duties or responsibilities in or around a location where Restricted Data is or may be present;

(2) has or may have regular access to a location where Restricted Data is present.

(e) CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS RELATING TO THE SAFEGUARDING AND SECURITY OF SAFE-

(1) The Secretary of Energy may, without notice or hearing, assess a civil penalty in an amount not to exceed $1,000,000 for the activities of the Commission under this section.

SEC. 3155. BACKGROUND INVESTIGATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) In General.—The Secretary of Energy shall ensure that an investigation meeting the requirements of section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165) is made for each Department of Energy employee, or contractor employee, at a Department of Energy facility who—

(1) carries out duties or responsibilities in or around a location where Restricted Data is or may be present;

(b) Compliance.—The Secretary shall have one year from the date of the enactment of this Act to meet the requirement in subsection (a).

SEC. 3154. PLAN FOR POLYGRAPH EXAMINATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) PLAN.—(1) Not later than 120 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the congressional defense committees a plan for conducting, as part of the Department of Energy personal assurance programs, periodic polygraph examinations of each Department of Energy employee, or contractor employee, at a Department of Energy facility who has or may have access to Restricted Data or Sensitive Compartmented Information.

(b) The plan shall include recommendations for any legislative action necessary to implement the plan.

(b) CLARIFYING AMENDMENT.—The section heading of section 3154 of that Act (42 U.S.C. 2282a) is amended—

(1) by striking ‘‘(a) IN GENERAL.—’’; and

(2) by striking subsection (b).
(B) A cooperative program carried out be-
tween the Department of Energy and an
independent state of the former Soviet Union.
(C) A cooperative program carried out be-
tween the Department of Energy and any na-
tion designated as sensitive by the Secretary of
State.
(3) The committees referred to in this para-
graph are the following:
(A) The Committees on Armed Services and
Appropriations and the Select Com-
mittance on Intelligence of the Senate.
(B) The Committees on Armed Services and
Appropriations and the Permanent Se-
lect Committee on Intelligence of the House of
Representatives.
(b) LIMITATION ON USE OF FUNDS PENDING CERTIFICATION.—(1) Except as provided in paragraph (2), no amounts authorized to be
appropriated by section 3101 or 3103 or other-
wise 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 plan-
ning in anticipation of such program, begin-
nning on the date that is 45 days after the
date of the enactment of this Act and con-
tinuing for the duration of such Act, after the date
the Director of Central Intelligence submits to
the committees referred to in subsection
(a)(3) the certification referred to in sub-
section (a)(1). Certification shall be sub-
mitted in unclassified form, but may include
a classified annex.
(2)(A) The 30-day wait period specified in
paragraph (1) for the obligation and expendi-
ture of funds for a program referred to in
subsection (a)(2), or any studies or plan-
nings in anticipation of such program, begin-
ning on the date of the enactment of
this Act.
(B) The certification referred to in sub-
section (a)(3) shall not apply—
(i) to the obligation or expenditure of funds
authorized to be appropriated by title III for
activities relating to cooperative threat re-
duction with states of the former Soviet
Union; or
(ii) to the obligation or expenditure of funds
authorized to be appropriated by sec-
tion 3101(a)(1)(A)(ii) for the materials protec-
tion control and accounting program of the
Department.
SEC. 3157. INCREASED PENALTIES FOR MISUSE OF RESTRICTED DATA.
(a) COMMUNICATION OF RESTRICTED DATA.—
Section 224 of the Atomic Energy Act of 1954
(42 U.S.C. 2275) is further amended by—
(1) in clause a., by striking "$20,000" and
inserting "$40,000"; and
(2) in clause b., by striking "$10,000" and
inserting "$20,000".
(b) RECEIPT OF RESTRICTED DATA.—Section
225 of the Atomic Energy Act of 1954 (42
U.S.C. 2275) is amended by striking "$20,000
and inserting "$35,000.
(c) DISCLOSURE OF RESTRICTED DATA.—
Section 227 of the Atomic Energy Act of 1954
(42 U.S.C. 2277) is amended by striking "$2,500
and inserting "$5,000.
SEC. 3158. ORGANIZATION OF DEPARTMENT OF
ENERGY COUNTERINTELLIGENCE AND INTELLIGENCE PROGRAMS AND ACTIVITIES.
(a) OFFICE OF COUNTERINTELLIGENCE.—Title
II of the Department of Energy Organization
Act (42 U.S.C. 7131 et seq.) is amended by
adding at the end the following:
“OFFICE OF COUNTERINTELLIGENCE
“SEC. 213. (a) There is within the Depart-
ment an Office of Counterintelligence.
(b)(1) The head of the Office shall be the
Director of Counterintelligence.
(b)(2) The Secretary shall, with the concur-
currence of the Director of the Federal Bureau
of Investigation, designate the head of the of-
ce from among senior executive service
employees of the Federal Bureau of Investi-
gation who have expertise in matters relat-
ing to counterintelligence activities.
(c) The Director of the Federal Bureau of
Investigation may detail, on a reimbursable
basis, any employee of the Bureau to the De-
partment of Energy to perform an assigned task.
(d)(1) The service of an employee of
the Bureau as Director of the Office shall not result in any loss of status, right, or privilege by the employee.
(d)(2) The Director of the Office shall report
directly to the Secretary.
(c)(1) The Office shall de-
v
velop and ensure the implementation of se-
curity and counterintelligence programs and
activities at Department facilities in order to reduce the potential for loss or leakage of
classified and other sensitive information at
such facilities.
(d)(2) The Director of the Office shall be re-

sponsible for the administration of the per-
sonnel assurance programs of the Depart-
ment.
(3) The Director shall inform the Sec-
rectary, the Director of Central Intelligence,
and the Director of the Federal Bureau of In-
vestigation on a regular basis, and upon spe-
cific request from the Secretary, regarding the
status and effectiveness of the security and

counterintelligence programs and activi-
ties at Department facilities.
(d)(3) Not later than March 1 each year,
the Director of the Office shall submit to the
Secretary, the Director of Central Intel-
lence, and the Director of the Federal Bu-
reau of Investigation and to the Committees
on Armed Services of the Senate and House of
Representatives a report on the status and
effectiveness of the security and counterin-
telligence programs and activities at De-
partment facilities during the preceding
year.
(2) Each report shall include for the year
covered by the report the following:
(A) A description of the status and effec-
tiveness of the security and counterintel-
lence programs and activities at Depart-
ment facilities.
(B) A description of any violation of
law or other requirement relating to intel-
ligence, counterintelligence, or security at
such facilities.
(i) the number of violations that were in-
vestigated;
(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.
(d)(4) Each report submitted under this sub-
section to the committees referred to in par-
agraph (1) shall be submitted in unclassi-

fied form, but may include a classified
annex.
(b) OFFICE OF INTELLIGENCE.—That title is
further amended by adding at the end the follow-
ing:
OFFICE OF INTELLIGENCE
SEC. 214. (a) There is within the Depart-
ment an Office of Intelligence.
(b)(1) The head of the Office shall be the
Director of Intelligence.
(b)(2) The Director of the Office shall be a
senior executive service employee of the De-
partment.
(c) The Director of the Office shall report
directly to the Secretary.
(c) The Director of the Office shall be res-
ponsible for the analysis of intelligence with
respect to nuclear weapons materials, other
nuclear matters, and energy security.
(c) CLEICAL AMENDMENT.—The table of
contents for that Act is amended by insert-

ing after the item relating to section 212 the
following:
“214. Office of Intelligence.”
SEC. 3159. COUNTERINTELLIGENCE ACTIVITIES
AT CERTAIN DEPARTMENT OF EN-
ERGY FACILITIES.
(a) ASSIGNMENT OF COUNTERINTELLIGENCE
PERSONNEL.—(1) The Secretary of Energy
shall assign to each Department of Energy facility at which Restricted Data is located and
an individual who shall assess security and
counterintelligence matters at that facility.
(2) An individual assigned to a facility un-
der this subsection shall be stationed at the
facility.
(b) SUPERVISION.—Each individual assigned
under subsection (a) shall report directly to
the Director of the Office of Counterinte-
lence of the Department of Energy.
SEC. 3160. WHISTLEBLOWER PROTECTION.
(a) PROGRAM.—The Secretary of Energy
shall establish a program to ensure that an
employee of the Department of Energy, or a
contractor employee, may not be discharged,
demoted, or otherwise discriminated against
as a reprisal for disclosing to a person or en-
tity referred to in subsection (b) information
relating to the protection of classified infor-
mation which the employee reasonably believes to provide di-
rect and specific evidence of a violation de-
scribed in subsection (c).
(b) COVERED PERSONNEL AND ENTITIES.—A
person or entity referred to in this sub-
section is—
(1) A member of a committee of Congress
having primary responsibility for oversight of
the department, agency, or element of the
Federal Government to which the disclosed
information relates;
(2) An employee of Congress who—
(A) is a staff member of a committee of
Congress having primary responsibility for
oversight of the department, agency, or ele-
ment of the Federal Government to which
the disclosed information relates; and
(B) is reasonably believed to provide direct
and specific evidence of a violation de-
scribed in subsection (c);
(c) COVERED VITOLATIONS.—A violation re-
ferred to in subsection (a) is—
(1) a violation of law or Federal regulation;
(2) gross mismanagement, a gross waste of
funds, a misapplication of funds, or abuse of
authority;
(3) a false statement to Congress on an
issue of material fact.
SEC. 3161. INVESTIGATION AND REMEDIATION OF
ALLEGED REPRISALS FOR DISCLOS-
URE OF CERTAIN INFORMATION TO CON-
GRESS.
(a) SUBMISSION OF ALLEGATIONS TO INSPE-
CTOR GENERAL.—A Department of Energy em-
ployee or contractor employee who believes
that the employee has been discharged, de-
moted, or otherwise discriminated against
as a reprisal for disclosing information re-
ferred to in subsection (a) of section 3160 in ac-
cordance with the provisions of that section may
submit a complaint relating to such action to
the Inspector General of the Department of
Energy.
(b) INVESTIGATION.—(1) For each complaint
submitted under subsection (a), the Inspect-
ger General shall—
(A) determine whether or not the com-
plaint is frivolous; and
(B) if the Inspector General determines
the complaint is not frivolous, conduct an
investigation of the complaint.
(2) The Inspector General shall sub-
mit a report on each investigation undertaken
under paragraph (1)(B) to
(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.

(3) 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 316(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.

(2) Nothing in this section shall be construed to modify or supersede any other requirement to report information on intelligence activities to Congress, including the requirement of the National Security Act of 1947 (50 U.S.C. 413) for the President to ensure that the intelligence committees are kept fully and currently informed of the intelligence activities of the United States and for the intelligence committees to notify promptly other congressional committees of any matter relating to intelligence activities requiring the attention of such committees.

SEC. 3163. CONDUCT OF SECURITY CLEARANCES.

(a) RESPONSIBILITY OF FEDERAL BUREAU OF INVESTIGATION.—Section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165) is amended by striking "the Civil Service Commission" each place it appears in subsections a., b., and c. and inserting "the Federal Bureau of Investigation".

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

(1) by striking subsections d. and f.; and
(2) by redesignating subsections e., g., and h. as subsections d., e., and f., respectively; and

(3) in subsection d., as so redesignated, by striking "determine that investigations" and all that follows and inserting "require that investigations be conducted by the Federal Bureau of Investigation of any group or class covered by subsections a., b., and c. of this section.",

(c) COMPLIANCE.—The Director of the Federal Bureau of Investigation shall have one year from the date of the enactment of this Act to meet the responsibilities of the Bureau under section 145 of the Atomic Energy Act of 1954, as amended.

(d) 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 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.

(b) DEADLINE.—The Secretary shall submit a notification to the congressional defense committees pursuant to this section without the consent of the person.

SEC. 3162. NOTIFICATION TO CONGRESS OF CERTAIN SECURITY AND COUNTER INTELLIGENCE FAILURES AT DEPARTMENT OF ENERGY FACILITIES.

(a) REQUIREMENT.—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.

(b) DEADLINE.—The Secretary shall submit a notification to the congressional defense committees pursuant to this section without the consent of the person.

(c) PROCEDURES.—The Secretary and the congressional defense committees shall establish such procedures as may be necessary to carry out the provisions of this title.

(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 methods, and sensitive law enforcement information that is furnished to the congressional defense committees pursuant to this section.

(2) Such procedures shall be established in consultation with the Secretary of Energy, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation.

(e) SAVING 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.

(2) Nothing in this section shall be construed to modify or supersede any other requirement to report information on intelligence activities to Congress, including the requirement of the National Security Act of 1947 (50 U.S.C. 413) for the President to ensure that the intelligence committees are kept fully and currently informed of the intelligence activities of the United States and for the intelligence committees to notify promptly other congressional committees of any matter relating to intelligence activities requiring the attention of such committees.

SEC. 3164. PROTECTION OF CLASSIFIED INFORMATION DURING LABORATORY-TO-LABORATORY EXCHANGES.

(a) PROVISION OF TRAINING.—The Secretary of Energy shall establish a Department of Energy contractor employees participating in laboratory-to-laboratory cooperative exchange activities are fully trained in matters relating to the protection of classified information and to potential espionage and counterintelligence threats.

(b) COOPERATION.—(1) The Secretary shall establish a plan to ensure that the Department of Energy contractor employees participating in laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

(2) The Department of Energy shall maintain a list of personnel designated to be a sensitive country for laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

SEC. 3165. DEFINITION.

(a) ADMINISTRATION OF JOINT NUCLEAR WEAPONS COUNCIL.—(1) Subsection (b) of section 179 of title 10, United States Code, is amended by adding at the end the following new paragraph:

(1) The Council shall meet not less often than once every three months.

(2) Subsection (c) of that section is amended by adding at the end the following new paragraph:

(3) If the position of Assistant to the Secretary of Defense for Nuclear and Chemical Biological Defense Programs remains vacant for a period of more than 9 months, the Secretary of Defense shall appoint a qualified individual to serve as acting staff director of the Council until the position of Assistant to the Secretary of Defense for Nuclear and Chemical Biological Defense Programs is filled.

(b) REVITALIZATION OF JOINT NUCLEAR WEAPONS COUNCIL.—(1) The Secretary of Defense shall jointly prepare and submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to revitalize the Joint Nuclear Weapons Council established by section 179 of title 10, United States Code.

(c) ANNUAL REPORT ON COUNCIL ACTIVITIES.—The Secretary of Defense, shall, after consultation with the Secretary of Energy, submit to the Committees on Armed Services of the Senate and the House of Representatives an annual report on the activities of the Joint Nuclear Weapons Council. Each such report shall include the following:

(1) A description of the activities of the Council during the 12-month period ending on the date of the report together with any assessments or studies conducted by the Council during that period.

(2) A description of the highest priority requirements of the Department of Defense with respect to the Department of Energy stockpile stewardship and management program as of that date.

(3) An assessment of the extent to which the requirements referred to in paragraph (2) are being addressed by the Department of Energy as of that date.

(d) NUCLEAR MISSION MANAGEMENT PLAN.—The Secretary of Defense shall develop and implement a plan to ensure the continued reliability of the capability of the Department of Defense to carry out its nuclear deterrent mission. The plan shall—

(1) articulate the current policy of the United States on the role of nuclear weapons and nuclear deterrence in the conduct of defense and foreign relations matters;

(2) establish stockpile viability and capability to carry out the mission, including the number and variety of warheads required;
STOCKPILE CERTIFICATION.—Any report submitted to the Committee pursuant to subsection (a) shall also contain the following:

(a) REQUIREMENT.—The Secretary of Energy shall prepare for each fiscal year after fiscal year 2000 a plan to meet the requirements for the national security programs of the Department of Energy for the five-fiscal year period beginning in the year the program and budget plan is prepared.

(b) ELEMENTS.—Each program and budget plan shall contain the following:

1. The estimated expenditures and proposals for programs necessary to support the proliferation activities of the national security programs of the Department during the five-fiscal year period covered by the program and budget plan, expressed in a level of detail comparable to that contained in the budget submitted by the President to Congress under section 1105 of title 31, United States Code.

2. A description of the anticipated workload requirements for each Department site during that five-fiscal year period.

3. In subsection (c), as so redesignated, by striking “the budget required” and inserting “five-fiscal year budget”.

(b) ADDITIONAL REQUIREMENTS FOR WEAPONS ACTIVITIES.—Section 3136 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2841; 42 U.S.C. 7271c) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

(c) IMPACT REPORT ON STOCKPILE.—The Secretary shall in the materials submitted to Congress in support of the budget required for the fiscal year 2000 that is submitted by the President pursuant to section 1105 of title 31, United States Code, a description of how the funds identified for each program element in the weapons activities budget of the Department for such fiscal year will help ensure that the nuclear weapons stockpile is safe and reliable as determined in accordance with the criteria established under 3138 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2257; 42 U.S.C. 2271).

SEC. 3173. EXTENSION OF AUTHORITY OF DEPARTMENT OF ENERGY TO PAY VOLUNTARY SEPARATION INCENTIVE PAYMENTS.


(b) EXERCISE OF AUTHORITY.—The Department shall pay voluntary separation incentive payments under subsection (a) in accordance with the provisions of such section 683.

SEC. 3174. INTEGRATED FISSILE MATERIALS MANAGEMENT PLAN.

(a) PLAN.—The Secretary of Energy shall develop a long-term plan for the integrated management of fissile materials by the Department of Energy. The plan shall—

1. Identify means of consolidating or integrating the responsibilities of the Office of Environmental Management, the Office of Fissile Materials Disposition, the Office of Nuclear Energy, and the Office of Defense Programs, and the disposition of fissile materials, and for the waste streams containing fissile materials, in order to achieve budgetary and other efficiencies in the discharge of those responsibilities; and

2. Identify any expenditures necessary at the sites that are anticipated to have an enduring mission for plutonium management in order to achieve the integrated management of fissile materials by the Department.

(b) PROCUREMENT OF SERVICES UNDER PROGRAM.—Any services that the Secretary considers appropriate for purposes of the pilot program, and the procurement of services that the Secretary considers appropriate for purposes of the pilot program.

SEC. 3175. USE OF AMOUNTS AUTHORIZED AS AWARD FEES FOR DEPARTMENT OF ENERGY CLOSURE PROJECTS FOR ADDITIONAL CLEANUP PROJECTS AT CLOSURE PROJECT SITES.

(a) AUTHORITY TO USE AMOUNTS.—The Secretary of Energy may use an amount authorized as a payment of award fees for a Department of Energy closure project for purposes of conducting additional cleanup activities at the closure project site if the Secretary

1. Anticipates that such amount will not be obligated for payment of award fees in the fiscal year in which such amount is authorized to be appropriated; and

2. Determines the use will not result in a deferral of the payment of the award fees for more than 12 months.

SEC. 3176. PILOT PROGRAM FOR PROJECT MANAGEMENT OVERSIGHT REGARDING DEPARTMENT OF ENERGY CONSTRUCTION PROJECTS.

(a) REQUIREMENT.—(1) The Secretary of Energy shall carry out a pilot program on the use of project management oversight (PMO) services for Department of Energy construction projects.

(2) Subject to paragraph (2), the Secretary shall select the projects for construction selected by the Department to control excessive costs and schedule delays associated with Department construction projects having large capital costs.

(b) PROJECTS COVERED BY PROGRAM.—(1) Subject to paragraph (2), the Secretary shall select the projects for construction selected by the Department to control excessive costs and schedule delays associated with Department construction projects having large capital costs.

(c) SERVICES UNDER PROGRAM.—The project management oversight services utilized under the pilot program shall include the following:

1. Monitoring the overall progress of a project.

2. Determining whether or not a project is on schedule.

3. Determining whether or not a project is within budget.

4. Determining whether or not a project conforms with plans and specifications approved by the Department.

5. Determining whether or not a project is being carried out efficiently and effectively.

6. Any other management oversight services that the Secretary considers appropriate for purposes of the pilot program.
(2) from among commercial entities that—
(A) do not currently manage or operate fa-
cilities at a location where the pilot program is being conducted; and
(B) have an expertise in the management of large construction projects.

(e) REPORT.—Not later than February 1, 2000, the Secretary shall submit to the Com-
mittees on Armed Services of the Senate and the House of Representa-
tives a report on pilot program. The report shall include the Secretary's assessment of the feasibility and desirability of utilizing project management oversight services for Department of Energy construction projects.

SEC. 3177. ASSESSMENT OF CONSTRUCTION TECHNOLOGY SITE, COLORADO.

(a) EVALUATION OF TECHNOLOGY SITE.—Not later than December 31, 2000, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representa-
tives 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 shipments 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:
(1) A closure date for the Rocky Flats Plant in 2006.
(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 2006 Rocky Flats Plant Closure Plan.

(3) That, to the maximum extent practicable, 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 shipments 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 ENVIRONMENTAL 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 Representa-
tives a report assessing the desirability of utilizing project management oversight services 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 future use of the Rocky Flats Environmental Technology Site effect 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 additional actions throughout the nuclear weap-
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:

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.

Subtitle E—Other Matters

Sec. 141. Extension of authority to carry out Armament Rerooting 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. Multi-satellite technology development program.
Sec. 213. Space control technology.
Sec. 214. Space maneuver vehicle.
Sec. 215. Manufacturing technology program.
Sec. 216. Testing of airblast 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. Employment 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 programs.
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.

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 guards authorized to be on active duty in support of the Reserves.
Sec. 501. Extension of requirement for completion by joint 4-star officer positions.

Sec. 502. Additional three-star officer positions for Superintendents of the Service academies.

Sec. 503. Increase in maximum number of officers authorized to be on active-duty list in frocked grade of brigadier general or rear admiral.

Sec. 504. Reserve officers requesting or otherwise causing nonselection for promotion.

Sec. 505. Minimum grade of officers eligible to serve on boards of inquiry.

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

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

Sec. 508. Exemption of retiree council members from recalled retiree limits.

Sec. 511. Additional exceptions for reserve component general and flag officers from limitation on authorized strength of general and flag officers on active duty.

Sec. 512. Duties of Reserves on active duty in support of the reserves.

Sec. 513. Repeal of limitation on number of Reserves on full-time active duty in support of preparedness for emergencies involving weapons of mass destruction.

Sec. 514. Extension of period for retention of reserve component majors and lieutenant commanders who twice fail of selection for promotion.

Sec. 515. Continuation of officer on reserve active-status list for disciplinary action.

Sec. 516. Retention of reserve component chaplains until age 67.

Sec. 517. Restored credit for participation in health professions scholarship and financial assistance program.

Sec. 518. Exclusion of reserve officers on educational delay from eligibility for consideration for promotion.

Sec. 519. Exclusion of period of pursuit of professional education from computation of years of service for reserve officers.

Sec. 520. Correction of reference relating to crediting of satisfactory service by reserve officers in highest grade held.

Sec. 521. Establishment of Office of the Coast Guard Reserve.

Sec. 522. Chiefs of reserve components and the additional general officers at the National Guard Bureau.

Sec. 523. Permanent authority for ROTC scholarships for graduate students.

Sec. 524. Authority for award of master of strategic studies degree by the University of the United States Army War College.

Sec. 525. Minimum educational requirements for faculty of the Community College of the Air Force.

Sec. 526. Conference of graduate-level degrees by Air University.

Sec. 527. Payment of tuition for education and training of members in the defense acquisition workforce.

Sec. 528. Financial assistance program for pursuit of degrees by officer candidates in Marine Corps Platoon Leaders Class Program.

Sec. 529. Retroactive award of Navy Combat Action Ribbon.

Subtitle D—Decorations, Awards, and Commendations

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 conflict.

Sec. 553. Elimination of backlog in requests for replacement of military medals and other decorations.

Subtitle E—Amendments to Uniform Code of Military Justice

Sec. 601. Fiscal year 2000 increase and restructuring of basic pay.

Sec. 602. Pay increase for fiscal years 2001 through 2006.

Sec. 603. Special subsistence allowance for food stamp eligible members.

Sec. 604. Payment for unused leave in conjunction with a reenlistment.

Sec. 605. Continuance of pay and allowances while in duty status (whereabouts unknown).

Sec. 606. Equitable treatment of class of 1987 of the Uniformed Services University of the Health Sciences.

Subtitle F—Other Matters

Sec. 651. Fiscal year extension of authorities relating to payment of certain bonuses and special pays.

Sec. 652. One-year extension of certain bonuses and special pay authorities for reserve forces.

Sec. 653. One-year extension of certain bonuses and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists.

Sec. 654. Amount of special career incentive pay for air battle managers formerly eligible for hazardous duty pay.

Sec. 655. Aviation career officer special pay.

Sec. 656. Career enlisted flyer incentive pay.

Sec. 657. Retention bonus for special warfare officers extending periods of active-duty.

Sec. 658. Retention bonus for surface warfare officers extending periods of active duty.

Sec. 659. Additional special pay for board certified veterinarians in the Armed Forces and Public Health Service.

Sec. 660. Increase in rate of diving duty special pay.

Sec. 661. Increase in maximum amount authorized for reenlistment bonus for active members.

Sec. 662. Critical skills enlistment bonus.

Sec. 663. Selected Reserve enlistment bonus.

Sec. 664. Special pay for members of the Coast Guard Reserve assigned to high priority units of the Selected Reserve.

Sec. 665. Reduced minimum period of enlistment in the critical skill for eligibility for enlistment bonus.

Sec. 666. Elimibility for reserve component prior service enlistment bonus upon attaining a critical skill.

Sec. 667. Increase in special pay and bonuses for nuclear-qualified officers.

Sec. 668. Increase in maximum monthly rate authorized for foreign language proficiency pay.

Sec. 669. Sense of the Senate regarding tax treatment of members receiving special pay.

Subtitle C—Travel and Transportation Allowances

Sec. 641. Payment of temporary lodging expenses to reservists 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 (dual status) serving on active duty without pay outside the United States.
Sec. 611. Contract goal for small disadvantaged businesses and certain institutions of higher education.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—General

Sec. 901. Number of management headquarters and headquarters support activities personnel.

Sec. 902. Additional matters for annual reports on joint warfighting experimentation.

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.

Subtitle B—Commission To Assess United States National Security Space Management and Organization

Sec. 911. Establishment of commission.

Sec. 912. Duties of commission.

Sec. 913. Report.

Sec. 914. Powers.

Sec. 915. Commission procedures.

Sec. 916. Personnel matters.

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 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 stricken 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 audits.

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

Sec. 1024. Report on delivery, storage, and control of military equipment.

Sec. 1025. Space technology guide.
Sec. 1028. 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 anticipated effects of proposed changes in operation of storage sites for lethal chemical agents and munitions.

Sec. 1026. Report on deployments of rapid assessment and initial detection teams across State boundaries.

Sec. 1025. Report on consequence management program in preparation for national contingency plans.


Sec. 1022. Review of incidence of State motor vehicle violations by Army personnel.

Sec. 1021. 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 activities for 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. Cancellation of merger 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 effects or 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 Domestic 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 to 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 incurable diseases presumed to be service-connected for radiation-exposed veterans.

Sec. 1063. Legal efforts toward new strategic concept of NATO.

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

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

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. Investigations 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. Declasification 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 indited war criminals.

Sec. 1079. Expansion of funding for education programs.

Sec. 1080. Technical amendment to prohibition on release of contractor information.

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 launches.

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 of 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.

Sec. 1204. Powers.

Sec. 1205. Commission procedures.

Sec. 1206. Personnel matters.

Sec. 1207. Miscellaneous administrative provisions.

Sec. 1208. Funding.

Sec. 1209. Termination of commission.

Subtitle B—Related Matters


Title XIII—Military Voting Rights Act of 1999

Sec. 1301. Short title.

Sec. 1302. Duties of Secretary.

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

Part 2. Congressional Defense Committees Defined

For purposes of this Act, the term “congressional defense committees” means—

(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

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, $1,498,188,000.

(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 weapons, including missiles and torpedoes, $1,392,100,000.

(3) For shipbuilding and conversion, $7,016,454,000.

(4) For other procurement, $4,197,791,000.

(b) Marine Corps.—Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Marine Corps in the amount of $2,398,570,000.

(c) Navy and Marine Corps Ammunition.—Funds are hereby authorized to be appropriated for procurement for the Navy and the Marine Corps in the amount of $542,700,000.
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 in such trainers that have been identified by the Director of Operations Tests 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.

SEC. 112. ARMY AVIATION MODERNIZATION.

(a) MODERNIZATION PLAN.—The Secretary of the Army shall submit to the congressional defense committees a comprehensive plan for the modernization of the Army’s helicopter force. The plan shall include provisions for the following:

(1) For the AH-64D Apache Longbow program:
(A) Restoration of the original acquisition objectives of the program to the procurement of 747 aircraft and 227 fire control radars.

(b) LIMITATION.—Not more than 90 percent 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 in such trainers that have been identified by the Director of Operations Tests 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.

SEC. 113. ARMY AVIATION MODERNIZATION.

(a) Modernization Plan.—The Secretary of the Army shall submit to the congressional defense committees a comprehensive plan for the modernization of the Army’s helicopter force. The plan shall include provisions for the following:

(1) For the AH-64D Apache Longbow program:
(A) Restoration of the original acquisition objectives of the program to the procurement of 747 aircraft and 227 fire control radars.

(b) LIMITATION.—Not more than 90 percent 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 in such trainers that have been identified by the Director of Operations Tests 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.

SEC. 114. MULTIPLE LAUNCH ROCKET SYSTEM.

Of the funds authorized to be appropriated under section 101(2), $500,000 may be made available to complete the development of refurbishment and demilitarizing tools and technologies for use in the disposition of Army MLRS inventory.

Subtitle C—Navy Programs

SEC. 121. LH-8 AMPHIBIOUS DOCK SHIP PROGRAM.

(a) Authorization of Ship.—The Secretary of the Navy is authorized to procure the amphibi- ous dock ship to be designated as LHD-8, subject to the availability of appropriations for that purpose.

(b) Mount Authorized.—Of the amount authorized to be appropriated under section 102(a)(3) for fiscal year 2000, $375,000,000 is available for the advance procurement and advance construction of the hull for the LHD-8 amphibious dock ship program.

The Secretary of the Navy may enter into a contract or contracts with the shipbuilder and the Secretary of the Navy is authorized to procure the amphibi- ous dock ship to be designated as LHD-8, subject to the availability of appropriations for that purpose.

(c) Authorization of Construction.

(1) The Secretary of the Navy is authorized to appropriate and obligate not to exceed—

SEC. 122. ARLEIGH BURKE CLASS DESTROYER PROGRAM.

(a) Authority for Multiyear Purchase of 6 Additional Vessels.—

(b) Fiscal Year 2001 Advance Procurement.—

(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 procure- ment programs, projects, and activities of the Navy, up to $190,000,000 may be made available, as the Secretary of the Navy may direct, for advance procurement for the Arleigh Burke class destroyer program. Authorization to make transfers under this sub- section is in addition to the transfer author- ity provided in section 101.

SEC. 123. REPEAL OF REQUIREMENT FOR ANNUAL REPORT FROM SHIPBUILDERS UNDER CERTAIN NUCLEAR ATTACK SUBMARINE ACTIVITIES.

(a) Repeal.—

SEC. 124. COOPERATIVE ENGAGEMENT CAPA- BILITY PROGRAM.

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

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

SEC. 125. FA-18E/F AIRCRAFT PROGRAM.

(a) AUTHORITY.—Beginning with the fiscal year 2000 program year, the Secretary of the Navy may, in accordance with section 2525 of title 10, United States Code, enter into a multyear procurement contract for the procurement of 182 FA-18E/F aircraft.

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) to enter into a multyear contract for the procurement of FA-18E/F aircraft or authorize entry of the FA-18E/F aircraft program into full-rate production until—

(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 FA-18E/F aircraft.

(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 multyear contract will meet the operational requirements document prepared under section 2525 of title 10, United States Code, as of the date the plan was submitted on April 1, 1997, except that with respect to the range performance parameter a deviation of 1 percent shall be permitted.

Subtitle D—Air Force Programs

SEC. 131. F-22 AIRCRAFT PROGRAM.

Before awarding the contract for low-rate initial production under the F-22 aircraft program, the Secretary of Defense shall certify to the congressional defense committees that—

(1) 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

(2) the engineering and manufacturing development program and the production program can each be executed within the limitation on total cost applicable to that program under section 2304 of title 10, United States Code, as of the date the plan was submitted on April 1, 1997.

Subtitle E—Other Matters

SEC. 141. EXTENSION OF AUTHORITY TO CARRY OUT ARMAMENT RETOOLING AND MANUFACTURING SUPPORT INITIATIVE.

Section 193(a) of the Armament Retooling and Manufacturing Support Act of 1992 (subtitle H of title I of Public Law 102-484; 10 U.S.C. 2501 note) is amended—

(1) in subsection (a), by striking “During fiscal years 1993 through 1999” and inserting “During fiscal years 1993 through 2001”;

(2) in subsection (b), by striking “fiscal years 1993 through 2001”;

And

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.

(a) EXTENSION.—Section 141 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1632; 10 U.S.C. 4545 note) is amended—

(1) in subsection (a), by striking “During fiscal years 1998 and 1999” and inserting “During fiscal years 1998 through 2001”; and

(2) in subsection (b), by striking “fiscal years 1998 through 2001”;

And

SEC. 211. NATO COMMON-FUNDED CIVIL BUDGET.

Of the amount authorized to be appropriated under section 201(3), $35,000,000 is available for continued implementation of the micro-satellite technology program established pursuant to section 215 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-85; 111 Stat. 1659).

(b) MICRO-SATELLITE TECHNOLOGY DEVELOPMENT PROGRAM.—The Secretary of Defense shall develop a micro-satellite technology development plan to guide technology investment decisions and prioritize technology demonstration activities.

(c) REPORT.—Not later than April 15, 1999, the Secretary shall submit to the congressional defense committees a report regarding the plan developed under subsection (b).

SEC. 212. SPACE CONTROL TECHNOLOGY.

(a) FUNDINGS AVAILABLE FOR EXECUTION.—Of the funds authorized to be appropriated under section 201(3), $19,822,000 shall be available for space control technology development pursuant to the Department of Defense Space Control Technology Plan of 1999.

(b) FUNDINGS AVAILABLE FOR ARMY EXECUTION.—Of the funds authorized to be appropriated under section 201(3), $41,000,000 shall be available for space control technology development. Of the funds made available pursuant to the preceding sentence, the Commanding General of the United States Army Space and Missile Defense Command may utilize such amounts as are necessary for any or all of the following activities:

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

(2) Technology development associated with the kinetic energy anti-satellite kill vehicle to temporarily disrupt satellite functions.

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

SEC. 213. SPACE MANEUVER VEHICLE.

(a) FUNDING.—Of the funds authorized to be appropriated under section 201(3), $35,000,000 is available for the space maneuver vehicle program.

(b) ACQUISITION OF SECOND FLIGHT TEST ARTICLE.—The amount available for the space maneuver vehicle program under subsection (a) may be used only to acquire a second flight test article for the joint Air Force and National Aeronautics and Space Administration X-37 program in support of the Air Force Space Maneuver Vehicle program.

SEC. 214. MANUFACTURING TECHNOLOGY PROGRAM.

(a) SUPPORT OF HIGH-RISK PROJECTS TO MEET ESSENTIAL REQUIREMENTS.—Subsection (b) of section 2225 of title 10, United States Code, is amended—

(1) by inserting “may include” after “appropriate”;

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

(3) by inserting after “program”—the following new paragraph (1):

“(1) to focus Department of Defense support for advanced manufacturing technologies on high-risk projects for the development and application of technologies for use to satisfy manufacturing requirements essential to the national defense, as well as for use for repair and remanufacturing in support of the operation of systems commands, depots, air logistics centers, and supply stores facilities.”

(b) EXECUTION.—Subsection (c) of such section is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:
(2) The Secretary shall require that manufacturing technology projects proposed to be carried out under the program be selected principally on the basis of the extent to which the projects can provide the necessary data desired forth in subsection (b)(1), as determined by a panel established to review the proposed projects and to make the selections.

(3) The Secretary shall select the manufacturing technology project selected for the program may be carried out only if the head of the program office of a systems command, depot, air logistics center, or any other organization serves as a sponsor for the project by certifying that funds available to the program office will be used to pay the costs of implementing a manufacturing technology project proposed to be carried out under the project to the successful satisfaction of the requirements described in subsection (b)(1).”.

(c) CONSIDERATION OF COST-SHARING PROPOSALS.—Subsection (d) of such section is amended—

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

(2) by striking “A” following “(d) COMPETITION AND COST SHARING.—”; and

(3) by striking “(B) For each” and all that follows through “competitive procedures.” and inserting the following: “(2) The competition proposal and incentive factors applicable to each project to the extent to which the proposal provides for the prospective recipient to share in defraying the costs of the project.”.

SEC. 216. TESTING OF AIRBLAST AND IMPROVED EXPLOSIVES.

Of the amount authorized to be appropriated under section 201(4)—

(1) $75,000,000 is available for testing of airblast and improved explosives (in PE 63122D); and

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

Subtitle C—Ballistic Missile Defense

SEC. 221. THEATER MISSILE DEFENSE UPPER TIER ACQUISITION STRATEGY.

(a) REVISED UPPER TIER STRATEGY.—The Secretary of Defense shall establish an acquisition strategy for the upper tier missile defense systems that—

(1) aligns the systems for both of the upper tier systems in separate, independently managed program elements throughout the future-years defense program;—

(2) establishes 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 deployment 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 missile defense systems are the following:

(1) The Navy Theater Wide system.

(2) The Theater High-Altitude Area Defense System.

SEC. 222. REPEAL OF REQUIREMENT TO IMPLEMENT TECHNICAL AND PRICE COMPARATIVE STUDY FOR THEATER HIGH ALTITUDE AREA DEFENSE SYSTEM.

Subsection (a) of section 236 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 1455) is repealed.

SEC. 223. SPACE-BASED LASER PROGRAM.

(a) STRUCTURE OF PROGRAM.—The Secretary of Defense shall structure the space-based laser program as follows:

(1) a near-term integrated flight experiment; and

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

(b) INTEGRATED FLIGHT EXPERIMENT.—The Secretary shall structure the integrated flight experiment to provide for the following:

(1) Establishment of an objective to carry out an early demonstration of the fundamental end-to-end capability to detect, track, and destroy a boosting ballistic missile with a low degree of risk involving the following:

(2) Utilization, to the maximum extent possible, of technology that has been demonstrated in principle or can be developed in the near future at a low degree of risk involving the

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

(c) DEVELOPMENT OF OBJECTIVE SYSTEM DESIGN.—The Secretary shall conduct an objective systems design for the space-based laser program schedule to include the following:

(1) Robust research and development on advanced technologies in parallel with the development of the integrated flight experiment;

(2) Architecture studies to assess alternative space-based laser systems, including an assessment of the system performance characteristics.

(3) Planning for the development of a space-based laser prototype that—

(A) utilizes the technology learned from the integrated flight experiment;

(B) is supported by ongoing architecture and advanced technology research and development efforts; and

(C) is scheduled to be launched approximately two years before the date by which the objective space-based laser system configuration is to be validated for system performance characteristics.

(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 contracting approach and overall objective that the Department of Defense has established for the space-based-laser program.

(e) REVISED PROGRAM BASeline.—The Secretary, in consultation with the space-based laser joint venture team, shall promptly revise the space-based laser program baseline to reflect the requirements of this section.

(f) FUNDS AVAILABLE FOR BALLISTIC MISSILE DEFENSE ORGANIZATION EXECUTION.—Of the amounts authorized to be appropriated under section 201(4), $75,000,000 shall be available for the space-based laser program. Amounts made available under this section shall be transferred to the Air Force for execution in support of the space-based laser program.

(g) FUNDS AVAILABLE FOR AIR FORCE EXERCISE.—Of the amounts authorized to be appropriated under section 201(3), $88,840,000 shall be available for the space-based laser program.

SEC. 224. AIRBORNE LASER PROGRAM.

(a) MODIFICATION OF PROGRAM DEFINITION AND RISK REDUCTION AIRCRAFT.—The Secretary 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 determined that the commencement of the aircraft modification according to the existing schedule is justified on the basis of the results of test and analysis involving the following activities:

(1) The North OscuraPeak dynamic test program.

(2) Scintillometry data collection and analysis.

(3) The lethality/vulnerability program.

(4) The countermeasures test and analysis effort.

(5) Reduction and analysis of other existing data.

(b) AUTHORITY-TO-PROCEED.—Before the Authority-to-Proceed may be approved for the Airborne Laser program, the Secretary of Defense shall—

(1) ensure that the Secretary of the Air Force has developed an appropriate plan for the technical certification of the Airborne Laser program and submitted the plan to the Milestone II review process for the Airborne Laser Program Assessment;

(2) approve the plan; and

(3) submit a report on the plan to the congressional defense committees.

(c) MILESTONE II EXIT CRITERIA.—The Secretary of Defense shall restructure the Airborne Laser program schedule and Milestone II criteria to ensure that, prior to the making of a Milestone II decision approving entry of the program into engineering and manufacturing development—

(1) no modification of the engineering and manufacturing development aircraft is begun;—

(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 sufficient information regarding the performance of the space-based laser within the range of its validated 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 AUTHORITY-TO-PROCEED DEFINED.—In this section, the term “Airborne Laser Program Authority-TO-PROCEED” means the Assessment of Technical and Operational Readiness of the Airborne Laser Program that was submitted to Congress by the Secretary of Defense on March 9, 1999.

SEC. 225. SENSE 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 for the Airborne Laser Program that would have been sufficient to provide for 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 ballistic missile defense 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 a report on the Secretary’s assessment of the advantages or disadvantages of a two-site deployment of a ground-based National Missile Defense system, with special reference to considerations of the worldwide ballistic missile threat, defense coverage, redundancy and survivability, and economies of scale.

SEC. 227. OPTIONS FOR AIR FORCE CRUISE MISSILE DEFENSE.

(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 updated to comply with the Secretary and 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 Secretary 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) reflected in the budget 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) timet at as nearly as practicable in that manner as described in that subsection.

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

SEC. 231. ANNUAL REPORT ON EMERGING OPERATIONAL CONCEPTS.

(a) EXTENSION OF REPORTING REQUIREMENT.—Subsection (a) of section 1042 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) TECHNOLOGY AREA REVIEW AND ASSESSMENT.—That section is further amended by adding at the end the following new subsection:

“(c) Items to Be Included in Reports After 1999.—Each report under this section after 1999 shall set forth the military capabilities that are necessary for meeting national security requirements over the next two to three decades, including—

“(1) the most significant strategic and operational capabilities (including both armed forces and joint capability) that are necessary for the Armed Forces to prevail against the most dangerous threats, including asymmetrical threats, that could be posed to the national security interests of the United States by potential adversaries from 2020 to 2030;

“(2) the key characteristics and capabilities of the military systems (including both armed force-specific and joint systems) that will be needed to meet each such threat; and

“(3) the most significant research and development challenges that must be met, and the technological breakthroughs that must be made, to develop and field such systems.”

SEC. 232. TECHNOLOGY AREA REVIEW AND ASSESSMENT.

Section 270(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2649; 10 U.S.C. 2601 note) is amended to read as follows:

“(b) TECHNOLOGY AREA REVIEW AND ASSESSMENT.—With the submission of the plan under subsection (a) each year, the Secretary shall also submit to the committees referred to in that subsection a summary of each technology area review and assessment conducted by the Department of Defense in support of that plan.”

SEC. 233. REPORT BY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY.—

(a) REQUIREMENT.—The Under Secretary of Defense for Acquisition and Technology shall submit to the congressional defense committees a report on the actions that are necessary to promote the research base and technological development that will be needed for the Armed Forces to have the military capabilities that are necessary for meeting national security requirements over the next two to three decades.

(b) CONTENT.—The report shall include the actions that have been taken or are planned to be taken within the Department of Defense to ensure that—

(1) the Department of Defense laboratories place an appropriate emphasis on revolutionary changes in military operations and the new technologies that will be necessary to support those operations;

(2) the Department helps sustain a high-quality national research base that includes organizations attuned to the needs of the Department, the fostering and creation of revolutionary technologies useful to the Department, and the capability to identify opportunities for new military capabilities in emerging scientific knowledge;

(3) the Department can identify, provide appropriate funding for, and ensure the coordinated development of joint technologies that will serve the needs of more than one of the Armed Forces;

(4) the Department can identify militarily relevant technologies that are developed in defense laboratories but not those that are transferred into defense systems, and effectively utilize technology transfer processes;

(5) the Department can effectively and efficiently manage the transition of new technologies from the applied research and advanced technological development stage through the product development stage in a manner that ensures that maximum advantage is obtained from advances in technology; and

(6) the Department’s educational institutions for the officers of the uniformed services incorporate into their officer education and training programs, as appropriate, materials necessary to ensure that the officers have the familiarity with the processes, advances, and opportunities in technology development that is necessary for making decisions that ensure the superiority of United States defense technology in the future.

SEC. 234. INCENTIVES TO PRODUCE INNOVATIVE NEW TECHNOLOGIES.

(a) TECHNICAL, PROFIT INCENTIVE.—The Department of Defense profit guidelines established in subpart 215.9 of the Department of Defense Supplement to the Federal Acquisition Regulation shall be modified by the secretary to provide an increased profit incentive for contractors to develop and manufacture complex and innovative new technologies, rather than to produce mature technologies with low technical risk.

(b) EXPIRATION OF AUTHORITY.—This section shall cease to be effective one year after the date on which the Secretary of Defense publishes in the Federal Register final regulations modifying the guidelines in accordance with subsection (a).

SEC. 235. DARPA COMPETITIVE PRIZES AWARD PROCESSION PROMOTING ENCOURAGING DEVELOPMENT OF ADVANCED TECHNOLOGIES.

(a) AUTHORITY.—Chapter 130 of title 10, United States Code, is amended by inserting after section 2374 the following:

“§ 2374a. Prizes for advanced technology

“(a) AUTHORITY.—The Director of the Defense Advanced Research Projects Agency shall carry out an initiative for the purpose of encouraging the development of advanced technology, and prototype development, and prototype development that have the potential for application to the performance of the military missions of the Department of Defense.

(b) APPROPRIATIONS.—The Director shall use a competitive process for the selection of recipients of prizes under this section. The process shall include the widely-dissemination of solicitation of high-risk research proposals, research results, technology developments, and prototypes.

(c) FORM OF PRIZE.—A prize awarded under this section shall be a monetary award together with a trophy, plaque, or medal or other emblem.

(d) LIMITATIONS.—(1) The total amount may be no more than for each fiscal year in a fiscal year may not exceed $10,000,000.

(2) No prize competition may result in the award of more than $1,000,000 in cash prizes without the approval of the Under Secretary of Defense for Acquisition and Technology.

(e) RELATIONSHIP TO OTHER AUTHORITY.—The Director may exercise the authority 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, technology development, or prototype projects.

(f) ANNUAL REPORT.—Promptly after the end of each fiscal year, the Director shall submit to the Committees of both Houses of Congress a report on the administration of the program under this section, including the number of prizes awarded, the total amount of the prizes awarded, and the methods used for solicitation and evaluation of submissions, together with an assessment of the effectiveness of the methods.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2374 the following:

“2374a. Prizes for advanced technology.”

SEC. 236. ADDITIONAL PILOT PROGRAM FOR RESEARCH AND DEVELOPMENT OF DEFENSE LABORATORIES.

(a) AUTHORITY.—(1) The Secretary of Defense may carry out a pilot program to demonstrate improved relationships with universities and other private sector entities for the performance of research and development functions. The pilot program under this section shall be implemented through the development and carry out under section 246 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2655; 10 U.S.C. 2358 note)

(2) Under the pilot program, the Secretary of Defense shall provide the director of one science and technology laboratory, and the director of one test and evaluation laboratory, of each military department with authority for the following:

(A) To ensure that the defense laboratories can attract a balanced workforce of permanent and temporary personnel with an appropriate level of skills and experience, and can effectively compete in hiring processes to obtain the finest scientific talent.

(B) To develop or expand innovative methods of operation that provide more defense research for each dollar of cost, including to carry out such initiatives as focusing on the performance of core functions and adopting more business-like practices.

(C) To waive any restrictions not required by law that apply to the application and implementation of methods for achieving the objectives in subparagraphs (A) and (B).
(3) In selecting the laboratories for participation in the pilot program, the Secretary shall consider laboratories where innovative management techniques have been demonstrated as documented in sections 1115 through 1119 of title 31, United States Code, relating to Government agency performance and results.

(4) The Secretary may carry out the pilot program at each selected laboratory for a period of three years beginning not later than March 1, 2000.

(b) REPORT.—(1) Not later than March 1, 2000, the Secretary of Defense shall submit a report on the participation of the laboratory in the pilot program to Congress. The report shall include the following:

(A) Each laboratory selected for the pilot program;

(B) To the extent possible, a description of the innovative concepts that are to be tested at each laboratory or center;

(C) The criteria to be used for measuring the success of each concept to be tested.

(2) Promptly after the expiration of the period for participation of a laboratory in the pilot program, the Secretary of Defense shall submit a final report on the participation of the laboratory in the pilot program. The report shall contain the following:

(A) A description of the concepts tested;

(B) The results of testing;

(C) The lessons learned;

(D) Any proposal for legislation that the Secretary recommends on the basis of the experience at the laboratory under the pilot program.

SEC. 237. EXEMPTION OF DEFENSE LABORATORY EMPLOYEES FROM CERTAIN WORKFORCE MANAGEMENT RESTRICTIONS.

(a) STRENGTH MANAGEMENT.—Section 342 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337, 107 Stat. 5272) is amended by adding at the end the following new paragraph:

“(4) The employees of a laboratory covered by a personnel demonstration project carried out under this section shall be exempt from, and may not be counted for the purposes of, any constraint or limitation in a statute or regulation in terms of man years, end strength, full time equivalent positions, supervisory ratios, or maximum number of employees that, except as may be necessary, to train together from their home stations.

(b) REDUCTIONS IN FORCE.—Notwithstanding any provision of law that requires a reduction in the size of the defense acquisition workforce—

(1) the employees of a Department of Defense laboratory that are not considered as being included in that workforce for the purpose of that provision of law; and

(2) the Secretary of Defense, in carrying out the reduction under that provision of law, shall consider the size of the required reduction as being lowered by—

(A) the percent determined by dividing (on the basis of the equivalent of full-time employees) the total number of employees in the defense acquisition workforce as of the beginning of the reduction in force into the number of employees that, except for paragraph (1), would otherwise have been considered as being in the workforce to be reduced under that provision of law; or

(B) that the Secretary determines as being a more appropriate measure for the adjustment.

SEC. 238. USE OF WORKING-CAPITAL FUNDS FOR FINANCING RESEARCH AND DEVELOPMENT OF THE MILITARY DEPARTMENT.

(a) AUTHORITY.—Section 2208 of title 10, United States Code, is amended by adding at the end the following:

“(r) WORKING-CAPITAL FUNDS.—(1) Working-capital funds shall be used for financing all research, development, test, and evaluation activities and programs of the military departments.

(2) The following transactions are authorized for the use of working-capital funds for activities and programs described in paragraph (1):

(A) Acceptance of reimbursable orders from authorized customers.

(B) Crediting of working-capital funds, out of funds available for a military department for research, development, test, and evaluation or any other appropriate source of funds, for goods and services provided to that military department.

(3) The policies, procedures, and regulations of the Department of Defense that are applicable to the use and management of Department of Defense revolving funds shall be applied uniformly to all uses of working-capital funds for activities and programs described in paragraph (1).”.

(b) IMPLEMENTATION.—(1) The Secretary of Defense shall amend the Department of Defense Financial Management Regulation to ensure that subsection (r)(3) of section 2208 of title 10, United States Code (as added by subsection (a)) is implemented.

(2) Not later than April 1, 2000, and August 1, 2000, the Under Secretary of Defense (Comptroller) shall submit to the Committees on Armed Services of the Senate and the House of Representatives written status reports on the progress made in implementing subsection (r) of section 2208 of title 10, United States Code, as added by subsection (a).

(3) 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) each delay and obstacle encountered in the implementation, together with an explanation of the actions taken such case to ensure timely implementation.

SEC. 239. EFFICIENT UTILIZATION OF DEFENSE LABORATORIES.

(a) ANALYSIS OF INDEPENDENT PANEL.—(1) Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall convene a panel of independent experts under the auspices of the Defense Science Board to conduct an analysis of 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. In conducting the analysis, the panel shall identify opportunities to achieve efficiency and reduced duplication of efforts by consolidating responsibilities by area or function or by designating lead agencies or executive agents in cases considered appropriate. The panel shall report its findings to the Secretary of Defense and to Congress not later than August 1, 2000.

(2) The panel shall, in carrying out the analysis required by paragraph (1) shall, at a minimum, address the capabilities of the laboratories and test and evaluation facilities in the areas of air vehicles, armaments, command, control, communications, computers, intelligence, space, directed energy, electronic warfare, medicine, corporate laboratories, civil engineering, geophysics, and the environment.

(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. The process 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 Congress, not later than January 31, 2000, a report on the Air Force Distributed Mission Training program.

(b) CONTENT OF REPORT.—The report shall include a discussion of the following:

(1) The progress that the Air Force has made to demonstrate and prove the Air Force Distributed Mission Training concept of linking geographically separated, high-fidelity simulators to provide a mission rehearsal capability for Air Force units, and any units of any of the other Armed Forces necessary, to train together from their home stations.

(2) The actions that have been taken or are planned to be taken within 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 facilities necessary to the research, development, testing, and evaluation of the Distributed Mission Training program have been assessed regarding the availability of the necessary resources to demonstrate and prove the Air Force Distributed Mission Training concept.
(19) For Overseas Humanitarian, Demining, and CINC Initiatives, $5,800,000.
(20) For Drug Interdiction and Counter-drug Activities, Defense-wide, $745,265,000.
(21) For Environmental Conveyance, Remediation, and Environmental Restoration Trust Fund, $15,000,000.
(22) For Medical Programs, Defense, $10,457,000.
(23) For Cooperative Threat Reduction programs, $745,500,000.
(24) For Overseas Contingency Operations Transfer Fund, $2,387,600,000.
(25) For Combating Terrorism Activities Transfer Fund, $1,954,430,000.
(26) For quality of life enhancements, $1,845,370,000.
(27) For defense transfer programs, $31,000,000.

(b) GENERAL LIMITATION.—Notwithstanding paragraphs (1) through (27) of subsection (a), the total amount authorized to be appropriated for fiscal year 2000 under those paragraphs is $104,042,075,000.

SEC. 302. WORKING-CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the use of the Army, the Air Force, 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, $62,344,000.
(2) For the Defense Working-Capital Fund, Air Force, $33,600,000.
(3) For the National Defense Sealift Fund, $394,700,000.

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2000 from the Armed Forces Retirement Home Trust Fund the sum of $68,295,000 for the operation of the Armed Forces Retirement Home, including the United States Soldiers’ Home and Airmen’s Home and the Naval 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 denied authorization of appropriations by Congress.

(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 301(a), an additional $10,000,000 may be expended for Operational Meteorology and Oceanography and UNOLS.

SEC. 306. ARMED FORCES EMERGENCY SERVICES.

Of the funds in section 301(a)(5), $25,000,000 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 PROGRAM.

Of the amount authorized to be appropriated pursuant to section 301(a)(4) for operation and maintenance for the Army, $216,400,000 shall be available for contributions for the common-funded Military Budget of the North Atlantic Treaty Organization.

SEC. 312. USE OF HUMANITARIAN AND CIVIC ASSISTANCE FUNDING FOR PAY AND ALLOWANCES.

SEC. 313. NATIONAL DEFENSE DEFENSE FEATURES PROGRAM.

Section 2218 of title 10, United States Code, is amended by adding at the end the following:

(1) T RANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $59,200,000 is hereby increased by $2,387,600,000.

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

(a) Authorization of Additional Amounts—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 Amounts.—Of the amounts authorized to be appropriated by section 301(a)(20), as increased by subsection (a) of this section, funds available in the following amounts for the following purposes:

(1) $6,000,000 shall be available for Operation Capes Fores;
(2) $17,500,000 shall be available for a Reallocatable 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 P-3 aircraft.
(4) $8,500,000 shall be available for enhanced intelligence capability.
(5) $5,000,000 shall be used for Mothership Operations.
(6) $20,453,487,000 shall be used for National Guard State plans.

Subtitle 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 results in the management of environmental technology by providing a connection between program direction and the achievement of specific performance-based results;
(2) to assure the identification of 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 improved performance in the performance of environmental technologies 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:

"§ 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 research and development 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 the Department of Defense 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 in preparing the annual performance plans and performance reports required by this section; 

(4) determine the feasibility of permitting such officials to develop qualitative 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 in paragraph (4) is not feasible, establish a schedule for meeting the performance plan requirements set forth in subsection (c).

(2) For program control purposes under paragraph (1)(A) shall include, for the Department or agency concerned, mechanisms—

(A) to ensure the identification of end-user requirements for environmental technologies; 

(B) to prioritize such requirements within the context of funding constraints and the overall environmental technology requirements of the Department of Defense; 

(C) to avoid duplication and overlap in the development of environmental technologies both within the Department of Defense and between the Department of Defense and other public and private entities and persons; 

(2) to provide for the conduct of performance-based reviews of environmental technologies that take into account end-user evaluations of such technologies and permit a measurement of return on investments in such technologies; 

(E) to ensure that the environmental technology effort is aligned with an annual manner to end-user requirements, program and funding priorities and constraints, and the reviews conducted pursuant to subparagraph (A); and

(F) to ensure appropriate protection of United States interests in any intellectual property rights associated with environmental technologies developed by or with the assistance of the department or agencies concerned.

(3) Performance plan under paragraph (1)(B) for the environmental technology program of a department or agency for a fiscal year shall—

(A) unless the Secretary of Defense determines that it is not feasible under subsection (b)(5), establish performance objectives for each environmental technology project under the program for the fiscal year based on end-user requirements and program priorities under the program, and express such objectives in a quantifiable and measurable form; 

(B) provide a basis for comparing the actual results of each project at the end of the fiscal year with the performance objectives for such fiscal year; 

(C) establish means to validate the achievement of performance objectives for each project or to specify the extent to which such objectives are not possible; 

(D) establish performance indicators for purposes of measuring or assessing relevant outputs and outcomes for each project for the fiscal year; and

(E) establish mechanisms for determining the operational processes, skills and technology, human capital, information, or other resources necessary to meet the performance objectives for each project for the fiscal year; 

(d) ANNUAL REPORT.—(1) Not later than March 31 each year, the Secretary of Defense shall submit to Congress, at the same time as the Secretary submits the report required by section 2706(a) of this title, a report on the environmental technology program of the Department of Defense during the preceding fiscal year.

(2) Each report under paragraph (1) shall, with respect to each project under the environmental technology program of the Department—

(A) set forth the performance objectives established for the project for the fiscal year under subsection (c)(3) and assess the performance achieved with respect to the project in light of performance indicators for the project; 

(B) describe the extent to which the project met the performance objectives established for the project for the fiscal year; 

(C) if a project did not meet the performance objectives for the project for the fiscal year, include—

(i) an explanation for the failure of the project to meet the performance objectives; and 

(ii) either—

(I) a modified schedule for meeting the performance objectives; or 

(ii) in the case of any performance objective determined to be infeasible or infeasible to meet, a statement of alternative actions to be taken with respect to the project; and

(D) set forth the level of effort, including the funds obligated and expended, in the fiscal year for the achievement of each performance objective for the project.

(c). OFFICIAL CONCERNED DEFINED.—In this section, the term ‘official concerned’ means the following:

(1) The Deputy Under Secretary of Defense (Environmental Security), with respect to the environmental technology program of the Defense Agencies.

(2) The Deputy Assistant Secretary of the Army for Environment, Safety, and Occupational Health, with respect to the environmental technology program of the Army or any environmental program technology for which the Army is the executive agent.

(3) The Deputy Assistant Secretary of the Navy (Environment and Safety), with respect to the environmental technology program of the Navy or any environmental technology program for which the Navy is the executive agent.

(4) The Deputy Assistant Secretary of the Air Force (Environment, Safety, and Occupational Health), with respect to the environmental technology program of the Air Force or any environmental technology program for which the Air Force is the executive agent.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of title 10, United States Code, is amended by inserting after the section to which subsection 2358 the following new item:

"2358a. Research and development: environmental technology;.”

SEC. 322. ESTABLISHMENT OF ENVIRONMENTAL RESTORATION ACCOUNTS FOR INOPERABLE OR CLOSER ELIGIBLE INSTALLATIONS OR RE-ALIGNED UNDER THE BASE CLOSURE LAWS AND FOR FORMERLY OWNED DEFENSE SITES. 

(a) ACCOUNT FOR FORMERLY USED DEFENSE SITES.—Subsection (a) of section 2703 of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(b) AN ACCOUNT to be known as the ‘Environmental Restoration Account, Army, Formally Owned Defense Sites’, is hereby authorized and established for purposes of—

(c) ACCOUNT FOR DEFENSE BASE CLOSURE AND REALIGNMENT.—That subsection is further amended by adding at the end the following new paragraph:

"(c) AN ACCOUNT to be known as the ‘Environmental Restoration Account, Defense Base Closure and Realignment’, is hereby authorized and established for purposes of—

(d) USE OF FUNDS IN BASE CLOSURE AND REALIGNMENT ACCOUNT.—(1) Subsection (b) of that section is amended—

(e) FUNDING.—(1) Except as provided in paragraph (2), funds authorized and appropriated—

(f) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), this amendment is effective as of the date on which the Act is implemented.

SEC. 323. ESTABLISHMENT OF ENVIRONMENTAL RESTORATION ACCOUNTS FOR INOPERABLE OR CLOSER ELIGIBLE INSTALLATIONS OR RE-ALIGNED UNDER THE BASE CLOSURE LAWS AND FOR FORMERLY OWNED DEFENSE SITES.

(a) ACCOUNT FOR FORMERLY USED DEFENSE SITES.—Subsection (a) of section 2703 of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(b) AN ACCOUNT to be known as the ‘Environmental Restoration Account, Army, Formally Owned Defense Sites’, is hereby authorized and established for purposes of—

(c) ACCOUNT FOR DEFENSE BASE CLOSURE AND REALIGNMENT.—That subsection is further amended by adding at the end the following new paragraph:

"(c) AN ACCOUNT to be known as the ‘Environmental Restoration Account, Defense Base Closure and Realignment’, is hereby authorized and established for purposes of—

(d) USE OF FUNDS IN BASE CLOSURE AND REALIGNMENT ACCOUNT.—(1) Subsection (b) of that section is amended—

(e) FUNDING.—(1) Except as provided in paragraph (2), funds authorized and appropriated—

(f) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), this amendment is effective as of the date on which the Act is implemented.
(2) The amendments made by subsections (b) and (c) shall take effect on October 1, 2000.

SEC. 223. EXTENSION OF LIMITATION ON PAYMENTS FOR FINES AND PENALTIES USING FUNDS IN ENVIRONMENTAL RESTORATION ACCOUNTS.

Section 2902(b)(1) of title 10, United States Code, is amended by striking "through 1999," both places it appears and inserting "through 2010."

SEC. 224. 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) Environmental Remediation 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 programs 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, consisting of the four fiscal years preceding the fiscal year in which the report is submitted, 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 of the manner in which the scope of the activities have changed over the course of the period; and

"(ii) a separate list of the major achievements of the program and of any major problems with the program.

"(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) that is derived from any account or fund 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 for the project;

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

"(III) the aggregate amount obligated for the project through that fiscal year;

"(iii) for each project commenced in the last fiscal year of the period 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, if any, specified for the project in the budget for the fiscal year, and

"(v) if the anticipated aggregate cost of any project covered by the report will exceed by more than 25 percent the amount specified in the initial budget request for such project, a justification for the activities.

"(C) Amounts authorized to be appropriated (A) Environmental compliance activities.

"(B) Conservation activities.

"(C) Pollution prevention activities.

"(D) Activities relating to environmental technology.

"(2) Each report submitted under paragraph (1) shall be submitted—

"(I) at the conclusion of each fiscal year for which the report is submitted, including—

"(i) each Federal environmental remediation plan, with respect to each such fiscal year, a report on the progress made in carrying out activities under the environmental quality programs of the Department of Defense and the military departments.

"(ii) for each project commenced during the period described in subparagraph (A) for any such fiscal year, a summary of the major achievements of the program (1) that is derived from any account or fund of which has exceeded or is anticipated to exceed $1,500,000, including—

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

"(II) the aggregate amount of fines and penalties imposed 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 the payment of a fine or penalty under the statute and the extent to which the cost of such projects during such fiscal year exceeded or is anticipated to exceed the original amount of the fine or penalty; and

"(IV) the amount of fines and penalties imposed or assessed during each such fiscal year;

"(ii) with respect to each such Federal environmental statute—

"(I) the aggregate amount of fines and penalties imposed or assessed during each such fiscal year;

"(ii) a summary of the major achievements of the program (1) that is derived from any account or fund of which has exceeded or is anticipated to exceed $1,500,000, including—

"(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 the payment of a fine or penalty under the statute and the extent to which the cost of such projects during such fiscal year exceeded or is anticipated to exceed the original amount of the fine or penalty; and

"(IV) the amount of fines and penalties imposed or assessed during each such fiscal year;

"(b) REPORT ON ENVIRONMENTAL QUALITY PROGRAMES.—(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 programs 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, consisting of the four fiscal years preceding the fiscal year in which the report is submitted, 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 of the manner in which the scope of the activities have changed over the course of the period; and

"(ii) a separate list of the major achievements of the program and of any major problems with the program.

"(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) that is derived from any account or fund 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 for the project;

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

"(III) the aggregate amount obligated for the project through that fiscal year;

"(iii) for each project commenced in the last fiscal year of the period 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, if any, specified for the project in the budget for the fiscal year, and

"(v) if the anticipated aggregate cost of any project covered by the report will exceed by more than 25 percent the amount specified in the initial budget request for such project, a justification for the activities.

"(C) Amounts authorized to be appropriated (A) Environmental compliance activities.

"(B) Conservation activities.

"(C) Pollution prevention activities.

"(D) Activities relating to environmental technology.

"(2) Each report submitted under paragraph (1) shall be submitted—

"(I) at the conclusion of each fiscal year for which the report is submitted, including—

"(i) each Federal environmental remediation plan, with respect to each such fiscal year, a report on the progress made in carrying out activities under the environmental quality programs of the Department of Defense and the military departments.

"(ii) for each project commenced during the period described in subparagraph (A) for any such fiscal year, a summary of the major achievements of the program (1) that is derived from any account or fund of which has exceeded or is anticipated to exceed $1,500,000, including—

"(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 the payment of a fine or penalty under the statute and the extent to which the cost of such projects during such fiscal year exceeded or is anticipated to exceed the original amount of the fine or penalty; and

"(IV) the amount of fines and penalties imposed or assessed during each such fiscal year;

"(ii) with respect to each such Federal environmental statute—

"(I) the aggregate amount of fines and penalties imposed or assessed 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 the payment of a fine or penalty under the statute and the extent to which the cost of such projects during such fiscal year exceeded or is anticipated to exceed the original amount of the fine or penalty; and

"(IV) the amount of fines and penalties imposed or assessed during each such fiscal year;

"(ii) with respect to each such Federal environmental 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 the payment of a fine or penalty under the statute and the extent to which the cost of such projects during such fiscal year exceeded or is anticipated to exceed the original amount of the fine or penalty; and

"(IV) the amount of fines and penalties imposed or assessed during each such fiscal year;
(1) REQUIREMENT TO PROVIDE INFORMATION AND GUIDANCE.—The Secretary of Defense shall publicly disclose existing, available information relevant to a foreign nation’s determination of the impact of United States military access and operations on the part of the United States any liability or obligation for the costs of environmental restoration or remediation at any site referred to in subsection (a).

(2) CONGRESSIONAL LIST.—Not later than September 30, 2000, 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) does not apply with respect to any information, operations, or obligation for the costs of environmental restoration or remediation at any site referred to in subsection (a).

(c) NATIONAL SECURITY.—Information the Secretary of Defense believes 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 to evaluate and authorize the use of ordnance infringing the Federal navigational channel and adjacent shorelines of the Toussaint River.

(b) The Secretary shall report to the congressional defense committees and the Senate Committee on Environment and Public Works on long-term solutions and costs related to the flow of ordnance and the Toussaint River, Ohio. The Secretary shall also evaluate any ongoing use of Lake Erie as an ordnance firing range and justify the need for continuing 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 or 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 REIMBURSEMENT PROGRAM FOR DEPOT-LEVEL MAINTENANCE AND REPAIR IS ENTERED INTO.


SEC. 342. ADDITIONAL MATTERS TO BE REPORTED BEFORE PRIME VENDOR CONTRACT FOR DEPOT-LEVEL MAINTENANCE AND REPAIR IS ENTERED INTO.


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

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

(3) by adding at the end the following:

“(3) contains an analysis of the extent to which the contract conforms to the requirements of section 2466 of title 10, United States Code; and

“(4) describes the measures taken to ensure that the contract does not violate the core logistics policies, requirements, and restrictions set forth in section 2466 of that title.”.

SEC. 343. IMPLEMENTATION OF JOINTLY APPROVED CHANGES IN DEFENSE RESEARCH, DEVELOPMENT, TEST, AND PRODUCTION SYSTEMS.

(a) RECOMMENDATIONS OF JOINT EXCHANGE DUR DILIGENCE STUDY.—Subsection (c) of section 367 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1987; 10 U.S.C. 2482 note) is amended by striking “may be implemented only if implementation of the recommendation” and inserting “may be implemented only if implementation of the recommendation is approved by all of the Secretaries of the military departments or”.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking “Except as provided in subsection (c), the operation”.

SEC. 344. WAIVER OF REQUIRED CONDITION FOR SALES OF ARTICLES AND SERVICES OF INDUSTRIAL FACILITIES TO PURCHASERS OUTSIDE THE DEPARTMENT OF DEFENSE.

(a) SALES TO SMART CARD CONTRACTORS.—Section 2308(b) of title 10, United States Code, is amended—

(1) by redesigning paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting “(1)” after “(j)” and “(3)” after “(c)”;

and

(3) by adding at the end the following:

“(2) WAIVER AUTHORITY.—The Secretary of Defense may—

(A) waive the requirement under paragraph (1) in the case of a particular sale if the Secretary determines that the waiver is necessary for reasons of national security and notifies Congress regarding the reasons for the waiver; and

(B) sell to purchasers generally.—Section 2553 of title 10, United States Code, is amended—

(1) by redesigning subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) WAIVER AUTHORITY.—The Secretary of Defense may—

(A) waive the requirement under paragraph (1) in the case of a particular sale if the Secretary determines that the waiver is necessary for reasons of national security and notifies Congress regarding the reasons for the waiver; and

SEC. 345. ELIGIBILITY TO RECEIVE FINANCIAL ASSISTANCE AVAILABLE FOR LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF DEPARTMENT OF DEFENSE.
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, near Cavalese, Italy, and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (a).

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

(e) TREATMENT OF PAYMENTS.—Any amount paid under subsection (d) 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) CONSTRUCTION.—The payment of an amount under this section may not 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 any judicial proceeding or investigation arising from the accident described in subsection (a).

(g) RESOLUTION OF OTHER CLAIMS.—No payment under this section or any other provision of law for the settlement of claims arising from the accident described in subsection (a) shall be made to citizens of Germany until the Government of Germany provides a comparable settlement of the claims arising from the deaths caused by the accident involving a United States Air Force aircraft flying at an incorrect cruise altitude.

(h) FILING CLAIMS.—The payment made by the United States under this section shall be considered compensation for injuries or death arising from United States military acts.

SEC. 351. SENSE OF SENATE REGARDING DEATHS RESULTING FROM THE ACCIDENT OFF THE COAST OF NAMIBIA ON SEPTEMBER 13, 1997.

(a) FINDINGS.—The Senate makes the following findings:

(1) On September 13, 1997, a German Luftwaffe Tupolev TU–154M aircraft collided with a United States Air Force C–141 Starlifter aircraft off the coast of Namibia.

(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, Byrons Road, Maryland; Airman 1st Class Justin R. Drager, 19, Broad Spring, Colorado; Staff Sergeant Robert K. Evans, 31, flight engineer, Garrison, Kentucky; Captain Jason S. Ramsey, 27, pilot, South Boston, Virginia; Staff Sergeant Scott N. Roberts, 27, flight engineer, Library, Pennsylvania; Captain Peter C. Vallejo, 34, aircraft commander, Crestwood, New York; and Senior Airman Frankie L. Walker, 23, crew chief, Windber, Pennsylvania.

(3) The Final Report of the Ministry of Defense of Germany on the accident states unequivocally that, following an investigation, the German Bundestag states unequivocally that, following an investigation, the Government of Germany is responsible for the collision to the Aircraft Commander/Commandant of the Luftwaffe Tupolev TU–154M aircraft for flying at a flight level that did not correspond to the flight rules.

(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.

(7) The Senate has adopted an amendment authorizing the payment to citizens of Germany of claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy.

(b) SENSE 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 off the coast of Namibia on September 13, 1997;

(2) the United States should not make any payment to citizens of Germany as settlement of such citizens' claims for deaths arising from the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, 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 IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTH FLOORS FOR ACTIVE FORCES.

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

(1) The Army, 490,000.

(2) The Navy, 371,781.

(3) The Marine Corps, 172,240.


SEC. 402. REVISION IN PERMANENT END STRENGTH AUTHORIZATIONS.

(a) REVISED END STRENGTH FLOORS.—Subsection (b) of section 691 of title 10, United States Code, is amended—

(1) in paragraph (2), by striking out "371,781" and inserting in lieu thereof "371,802";

(2) in paragraph (3), by striking out "172,240" and inserting in lieu thereof "172,200"; and

(3) in paragraph (4), by striking out "360,877" and inserting in lieu thereof "360,820".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1999.
SEC. 403. REDUCTION OF END STRENGTHS BELOW LEVELS FOR TWO MAJOR REGIONAL CONTINGENCIES.

Section 403 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 notification of the proposed lower end strength together with the justification for the lower end strength. The Secretary may submit 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.

(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, 90,238.
(4) The Marine Corps Reserve, 39,624.
(6) The Air Force Reserve, 73,764.
(7) The Coast Guard Reserve, 8,000.

(b) The total end strengths prescribed for such fiscal year for the Selected Reserve components of the Army and Air Force are (notwithstanding section 129 of title 10, United States Code) authorized strengths for military technicians (non-dua status) as of September 30, 2000, as follows:

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

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2000, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the Naval Reserve, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 22,396.
(2) The Army Reserve, 205,000.
(3) The Naval Reserve, 90,238.
(4) The Marine Corps Reserve, 39,624.
(6) The Air Force Reserve, 1,134.

SEC. 412. END STRENGTHS FOR MILITARY TECHNICIANS.

(a) Dual Status Technicians.—The minimum number of military technicians (dual status) as of September 30, 2000, for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army Reserve, 5,179.
(2) For the Army National Guard of the United States, 22,247.
(3) For the Air Reserve Force, 9,785.
(4) For the Air National Guard of the United States, 22,247.

(b) Non-Dual Status Technicians.—The reserve components of the Army and Air Force are (notwithstanding section 129 of 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, 1,295.
(2) For the Army National Guard of the United States, 1,800.
(3) For the Air Reserve Force, 342.
(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:

<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-0</td>
<td>......</td>
<td>......</td>
<td>...........</td>
<td>.............</td>
</tr>
<tr>
<td>E-1</td>
<td>645</td>
<td>220</td>
<td>605</td>
<td>20</td>
</tr>
<tr>
<td>E-2</td>
<td>2,501</td>
<td>429</td>
<td>1,041</td>
<td>94</td>
</tr>
</tbody>
</table>

(b) Senior Enlisted Members.—The table in section 1201(a) 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-0</td>
<td>......</td>
<td>......</td>
<td>...........</td>
<td>.............</td>
</tr>
<tr>
<td>E-1</td>
<td>645</td>
<td>220</td>
<td>605</td>
<td>20</td>
</tr>
<tr>
<td>E-2</td>
<td>2,501</td>
<td>429</td>
<td>1,041</td>
<td>94</td>
</tr>
</tbody>
</table>

Subtitle C—Authorization of Appropriations

SEC. 421. AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2000 a total amount 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 2012 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 JOINT 4-STAR OFFICER POSITIONS.

(a) Extension of Requirement.—Section 604(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-STARR OFFICER POSITIONS FOR SUPERINTENDENTS OF SERVICE 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) Retirement of Superintendents.—

(1) A Chapter 367 of title 10, United States Code, is amended by inserting after section 364 the following:

‘‘§ 364a. Superintendent: condition for detail to position

‘‘(A) To be eligible for detail to the position of Superintendent of the United States Military Academy, the officer shall enter into an agreement with the Secretary of the Army to accept retirement upon termination of the detail.

(2) A Chapter 573 of such title is amended by inserting after the table of sections at the beginning of the chapter the following:

‘‘§ 573a. Superintendent: condition for detail to position

‘‘To be eligible for detail to the position of Superintendent of the Academy, an officer shall enter into an agreement with the Secretary of the Army to accept retirement upon termination of the detail.’’

(b) Chapter 405 of such title is amended by inserting after section 402 the following:

‘‘§ 402a. Senior Enlisted Members

‘‘(A) To be eligible for detail to the position of Superintendent of the United States Naval Academy, the Secretary of the Navy shall retire the officer under any provision of chapter 571 of this title under which the officer is eligible to retire.’’

Subparagraph (A) of paragraph (1)(A) is amended by inserting after section 571 the following:

‘‘§ 571a. Senior Enlisted Members

‘‘(A) To be eligible for detail to the position of Superintendent of the United States Naval Academy, the Secretary of the Navy shall retire the officer under any provision of chapter 571 of this title under which the officer is eligible to retire.’’

SEC. 503. SUPERINTENDENT: CONDITION FOR DETAIL TO POSITION

‘‘To be eligible for detail to the position of Superintendent of the Academy, an officer shall enter into an agreement with the Secretary of the Army to accept retirement upon termination of the detail.’’

(b) The Superintendent shall be detailed to the position by the President. To be eligible for detail to the position, an officer shall enter into an agreement with the Secretary of the Navy to accept retirement upon termination of the detail.

(c) Chapter 367 of such title is amended by inserting after section 362 the following:

‘‘§ 362a. Superintendent: condition for detail to position

‘‘To be eligible for detail to the position of Superintendent of the United States Air Force Academy, an officer shall enter into an agreement with the Secretary of the Air Force to accept retirement upon termination of the detail.’’

Subparagraph (A) of paragraph (1)(A) is amended by inserting after the item relating to chapter 362 the following:

1. 'To be eligible for detail to the position of Superintendent of the United States Air Force Academy, an officer shall enter into an agreement with the Secretary of the Air Force to accept retirement upon termination of the detail.'
(3) A The table of sections at the beginning of chapter 71 of such title is amended by inserting after the item relating to section 3921 the following:

"3921a. Superintendent: condition for detail to position."

(4) The table of sections at the beginning of chapter 693 of such title is amended by inserting after the item relating to section 611(a) the following:

"611a. Superintendent: condition for detail to position."

SEC. 503. INCREASE IN MAXIMUM NUMBER OF OFFICERS AUTHORIZED TO BE ON ACTIVE DUTY IN FROCKED GRADE OF BRIGADIER GENERAL OR REAR ADMIRAL.

Section 771(d)(1) of title 10, United States Code, is amended by striking "regular." (b) EFFECTIVE DATE.—The amendment made by this section shall not apply to an officer serving on the date of the enactment of this Act and shall apply with respect to boards convened under section 611(a) of title 10, United States Code, on or after that date.

SEC. 504. RESERVE OFFICERS REQUESTING OR OTHERWISE INVOLVED IN NONSELECTIVE PROMOTION.

(a) REPORTING REQUIREMENT.—Section 617(c)(3)(C) of title 10, United States Code, is amended by striking "regular." (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 boards convened under section 611(a) of title 10, United States Code, on or after that date.

SEC. 505. MINIMUM GRADE OF OFFICERS ELIGIBLE TO SERVE ON BOARDS OF INQUIRY.

(a) RETENTION BOARDS FOR REGULAR OFFICERS.—Section 1187 of title 10, United States Code, is amended to read as follows:

"(a) ACTIVE DUTY OFFICERS.—Each officer who serves on a board convened under this chapter shall—

"(1) be an officer of the same armed force as the officer being required to show cause for retention in an active status;

"(2) hold a grade that—

"(A) in the case of the President of the board, is above lieutenant colonel or commander; or

"(B) in the case of any other member of the board, is above major or lieutenant commander; and

"(3) be senior in grade and rank to any officer considered by that board.

"(b) RETENTION BOARDS FOR RESERVE OFFICERS.—Subsection (a) of section 14906 of title 10, United States Code, is amended to read as follows:

"(a) ACTIVE STATUS OFFICERS.—Each officer who serves on a board convened under this chapter shall—

"(1) be an officer of the same armed force as the officer being required to show cause for retention in an active status;

"(2) hold a grade that—

"(A) in the case of the President of the board, is above lieutenant colonel or commander; or

"(B) in the case of any other member of the board, is above major or lieutenant commander; and

"(3) be senior in grade and rank to any officer considered by that board.

"(c) ADVISING THE SECRETARY.—The Secretary of a military department shall consider the following:

"(1) Whether the Reserves on active duty in support of the reserves are used in relation to the duties set forth under subsection (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:

"(A) The residence of the Reserve component whose reserve component assignment is in a position in an element of the joint forces unit.

"(B) The Joint Chiefs of Staff, or the commander of a unified combatant command regarding reserve component matters.

SEC. 505. MINIMUM SELECTION OF WARRANT OFFICERS FOR PROMOTION FROM BELOW THE PROMOTION ZONE.

Section 575(b)(2) of title 10, United States Code, is amended by striking "180 days" and inserting "270 days".

"(b) DUTIES.—A Reserve on active duty as described in subsection (a) may be assigned to duty in an element of the joint forces 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;

"(B) a joint forces unit that includes—

"(i) one or more reserve component units; and

"(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.

"(C) Advising the Secretary of Defense, the Secretary of a military department, the Joint Chiefs of Staff, or the commander of a unified combatant command regarding reserve component matters.

SEC. 506. INCREASE IN THRESHOLD PERIOD OF ACTIVE DUTY FOR APPLICABILITY OF RATING HOLDING OF CIVIL OFFICE BY RETIRED REGULAR OFFICERS AND RESERVE OFFICERS.

Section 575(b)(1) of title 10, United States Code, is amended—

"(1) in subsection (a), by inserting "grade," after "position";

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

"(3) in subsection (d), as redesignated and transferred by subsection (a)(1), by inserting "transferred by subsection (a)(1), by inserting "training" after "training";" and

"(c) REVIEW OF USE OF RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.—(1) 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 under subsection (b) of section 12310 of title 10, United States Code, as added by subsection (a)(2).

"(2) The Secretary shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives. The report shall address, at a minimum, the following:

"(A) Whether the Reserves on active duty in support of the reserves should be considered as a separate category of Reserves on active duty;

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

SEC. 511. REALIGNMENT OF LIMITATION ON NUMBER OF DUTY DAYS UNDER THE SUPPORT OF DIRECTIVE FOR RESPONSES TO EMERGENCIES INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) REPEAL.—Paragraph (4) of section 12132(c) of title 10, United States Code, is amended by striking the first sentence.

(b) EFFECTIVE DATE.—Paragraph (6) of such section is amended—

(1) by inserting “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 requested additional personnel” 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) PARITY WITH OFFICERS IN GRADES O–2 AND O–3.—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 on”;

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 receives the report of the board which considered the officer for the second time”.

(b) EFFECTIVE DATE.—The amendments made by subsections (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. CONTINUATION OF 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 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 delay the separation or retirement of the officer under the provisions 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 12705 of title 10, United States Code, is amended by striking “or, in the case of a reserve officer of the Army in the Chaplains or a reserve officer of the Air Force designated as a chaplain, 60 years of age”.

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

Section 2126(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 toward the award of retirement points for computation of years of service under section 12732 of this title and for computation of retired pay under section 12732 of this title, respectively.

“(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 years of that participation at the end of each year after the completion of the course and 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 used in the member’s records as having been earned in the year of the participation in the course of study.”;

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

(3) by inserting after paragraph (4) the following new paragraph: “(6) 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(a) of this title.”

SEC. 518. EXCLUSION OF RESERVE OFFICERS ON EDUCATIONAL DELAY FROM ELIGIBILITY FOR 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 for promotion, but shall remain on the reserve active-status list, while the officer—

“(1) pursuing a program of graduate level education for which he has attained a status approved by the Secretary concerned; and

“(2) receiving from the Secretary financial assistance in connection with the pursuit of the program approved by the Secretary.”

(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(b) 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) (whether before, on, or after that date) if—

(a) the officer is no longer on active duty or service in the Ready Reserve other than in a student status.”.

SEC. 519. EXCLUSION OF PERIOD OF PURSUIT OF EDUCA TION FROM COMPUTATION OF YEARS OF SERVICE FOR RESERVE OFFICERS.

(a) EXCLUSION.—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) Constructive service.

“(3) Except as provided in subsection (b), service as a commissioned officer of a reserve component while pursuing a program of advanced education leading to the first professional degree or special course of study for appointment, designation, or assignment as an officer in the Medical Corps, the Dental Corps, the Veterinary Corps, the Medical Service Corps, the Dental Service Corps, the Navy Medical Corps, the Dental Corps, the Army Medical Corps, the Navy Nuclear Medicine Corps, the Specialized Corps, or as a chaplain or judge advocate if the service—

“(A) follows appointment as a commissioned officer of the reserve component; and

“(B) precedes the officer’s initial service on active duty or initial service in the Ready Reserve in the professional specialty for which the course is required.

“(b) PRIOR SERVICE 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) participated in 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 and commissioning of an officer on or after that date.

SEC. 520. CORRECTION OF REFERENCE RELATING TO CREDITING OF SATISFACTORY SERVICE BY CHAPLAINS OR OFFICERS IN HIGHEST GRADE HELD.

Section 1370(d)(1) of title 10, United States Code, is amended by striking “chapter 1225” and inserting “chapter 1224”.

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.—There is 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 advisor 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 10211 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) TERM.—(1) 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 so serving, holds a grade above Captain, without vacating the officer’s permanentgrade.

“(d) BUDGET.—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 all appropriations necessary for the Coast Guard Reserve in those areas.

“(e) ANNUAL REPORT.—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 mission; such report shall be 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 this chapter is amended by inserting after the item relating to section 52 to read as follows:

“§53. Office of the Coast Guard Reserve; Director.”
SEC. 522. CHIEFS 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 “lieutenant general”.

(b) GRADE OF CHIEF OF NAVAL RESERVE.—Section 5149(c)(2) of such title is amended by striking “rear admiral (lower half)” and inserting “vice admiral”.

(c) GRADE OF COMMANDER, MARINE FORCES RESERVE.—Section 5146(c)(2) of such title is amended by striking “brigadier general” and inserting “lieutenant general”.

(d) GRADE OF CHIEF OF AIR FORCE RESERVE.—Section 8038(c) of such title is amended by striking “major general” and inserting “lieutenant general”.

(e) THE ADDITIONAL GENERAL OFFICERS FOR THE NATIONAL GUARD BUREAU.—Subparagraphs (A) and (B) of section 10506(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 526(d) of such title is amended to read as follows:

“‘(d) EXCLUSION OF CERTAIN RESERVE COMPONENT OFFICERS.—The limitations of this section do 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.””

SEC. 531. AUTHORITY TO EXCEED TEMPORARILY A STRENGTH LIMITATION FOR THE SERVICE ACADEMIES.


(1) by inserting “(1)” after “(a) REDUCTION IN AUTHORITIES.”; and

(2) by adding at the end the following:

“(2) The Secretary of the military department concerned may authorize the strength for any fiscal year to exceed the strength limitation set forth in paragraph (1) by not more than 5 percent. Before granting that authority, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a written notification of the determination to authorize the excessive strength for that fiscal year, which shall include a discussion of the justification for exceeding 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 PAID TO OFFICERS FOR FOREIGN STUDENTS AT THE SERVICE ACADEMIES.

(a) RIPPEL.—Sections 4944(b)(3), 4957(b)(3), and 6944(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 academic year that begins after that date.

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

(a) UNITED STATES MILITARY ACADEMY.—Section 4345 of title 10, United States Code, is amended—

(1) in subsection (b), by striking “10 cadets” and inserting “16 cadets”;

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

(b) UNITED STATES NAVAL ACADEMY.—Section 6957(a) of title 10, United States Code, is amended by

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

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

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9305 of title 10, United States Code, is amended by

(1) in subsection (b), by striking “10 Air Force cadets” and inserting “24 Air Force cadets”;

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

“(2) The Secretary of the military department concerned may provide financial assistance, as described in paragraph (1), to a student enrolled in an advanced education program beyond the baccalaureate degree level if the student 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 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 Commandant 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 AMENDMENTS.—(1) The heading of section 1745(a) of title 10, United States Code, is amended to read as follows:

“§ 1745. 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 9315 of title 10, United States Code, is amended by adding at the end the following:

“(d) EDUCATIONAL QUALIFICATIONS OF FACULTY.—Notwithstanding section 3308 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. CONFERRAL OF GRADUATE-LEVEL DEGREES BY AIR UNIVERSITY.

(a) AUTHORITY.—Section 3171(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 Commander 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:

“§ 3171. Air University: graduate-level degrees.”.

SEC. 538. PAYMENT OF TUITION FOR EDUCATION AND TRAINING OF MEMBERS IN THE DEFENSE ACQUISITION WORKFORCE.

Section 1765(a)(1) of title 10, United States Code, is amended to read as follows:

“(1) Tuition reimbursement and training provided under section 4107(b) of title 5 for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, on September 30, 2001, a shortage of qualified personnel to serve in acquisition positions in the Department of Defense.

“(2) In the case of members of the armed forces, the limitation shall be provided under section 2007(a) of this title shall not apply to tuition reimbursement and training provided for under this subsection.”.

SEC. 539. FINANCIAL ASSISTANCE PROGRAM FOR PURSUIT OF DEGREES BY OFFICER CANDIDATES IN MARINE CORPS LEADERS CLASS PROGRAM.

(a) IN GENERAL.—(1) Part IV of title II of chapter 64 of title 10, United States Code, is amended by adding at the end the following:

“CHAPTER 1610—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

‘‘Sec. 16401. Marine Corps Officer Candidates Class Program: officer candidates pursuing degrees.”

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

“(A) be an officer candidate in the Marine Corps Officer Candidates Class Program and successfully complete the course or, if a member of the Reserve, the bona fide 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— “(i) to serve on active duty for at least five years; “(ii) under such terms and conditions as shall be prescribed by the Secretary, to serve in the Marine Corps Reserve until the eighth anniversary of the date of the appointment; “(2) To meet the age requirements of this paragraph, a member pursuing a baccalaureate degree may not be over 26 years of age on June 30 of the calendar year in which the member is projected to be eligible for appointment as a commissioned officer in the Marine Corps through the Marine Corps Platoon Leaders Class Program, except that any such member who has served on active duty in the armed forces may, on such date, be any age under 30 years that exceeds 30 years by a number of months that is not more than the number of months that the member served on active duty. “(B) To meet the service requirements of this paragraph, a member pursuing a doctor of jurisprudence or bachelor of laws degree may not be over 30 years of age on June 30 of the calendar year in which the member is projected to be eligible for appointment as a commissioned officer in the Marine Corps through the Marine Corps Platoon Leaders Class Program, except that any such member who has served on active duty in the armed forces may, on such date, be any age under 35 years that exceeds 35 years by a number of months that is not more than the number of months that the member served on active duty. “(B) To meet the service requirements of this paragraph, a member pursuing a doctor of jurisprudence or bachelor of laws degree may not be over 30 years of age on June 30 of the calendar year in which the member is projected to be eligible for appointment as a commissioned officer in the Marine Corps through the Marine Corps Platoon Leaders Class Program, except that any such member who has served on active duty in the armed forces may, on such date, be any age under 35 years that exceeds 35 years by a number of months that is not more than the number of months that the member served on active duty. “(c) COVERED EXPENSES.—Expenses for which financial assistance may be provided under this section shall be tuition and fees charged by the institution of higher education involved, the cost of books, and, in the case of a program of education leading to a baccalaureate degree, laboratory expenses. “(d) AMOUNT.—The amount of financial assistance provided under this section shall be prescribed by the Secretary, but may not exceed $5,200 for any academic year. “(e) LIMITATIONS.—(1) Financial assistance may be provided to a member under this section only for three consecutive academic years. “(2) Not more than 1,200 members may participate in the financial assistance program under this section in any academic year. “(f) PROVISION 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 serve as an appropriate enlisted grade for such period as the Secretary prescribes, but not for more than four years, if the member— “(1) completes the military and academic requirements of the Marine Corps Platoon Leaders Class Program and requests to accept a commission when offered; “(2) fulfills the military or academic requirements of the Marine Corps Platoon Leaders Class Program; or “(3) is disenrolled from the Marine Corps Platoon Leaders Class Program and refuses to accept a commission when offered. “(g) USE OF HIGHER EDUCATION DEFINED.—In this section, the term ‘institution of higher education’ has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).”.

(2) The tables of chapters at the beginning of title E of such title and at the beginning of part B of such title are amended by adding at the end the following: "1610. Other Educational Assistance Programs

SEC. 1610. OTHER EDUCATIONAL ASSISTANCE PROGRAMS

Subsection (a) of section 3695(a)(5) of title 38, United States Code, is amended by striking—"Chapters 106 and 107" and inserting—"Chapters 107, 1606, and 1610".

(a) COMPLETION OF CREDENTIALS SERVICE.—Section 205 of title 37, United States Code, is amended by adding at the end the following: "(f) FAILURE TO COMPLETE PROGRAM.—A member of the Marine Corps Platoon Leaders Class Program and the Marine Corps Reserve, except for any period of service that the officer performed (concurrently with the period of service as a member of the Marine Corps Platoon Leaders Class Program) as an enlisted member on active duty or as a member of the Selected Reserve.

(b) TRANSITION PROVISION.—(1) An enlisted member of the Marine Corps Reserve selected for training as an officer candidate under section 12209 of title 10, United States Code, before implementation of a financial assistance program established under section 16401 of title 10, United States Code, and upon application, participate in the financial assistance program established under section 12216 of such title (as added by subsection (a)) if the member— "(A) is eligible for financial assistance under such section 12216; "(B) submits an application for the financial assistance provided under such program to the Secretary of the Navy; and "(C) enters in a written agreement described in subsection (b)(4) of such section 12216.

(2) Section 2651(f) of title 37, United States Code, as added by subsection (c), applies to a member referred to in paragraph (1).

Subtitle D—Decorations, Awards, and Commendations

SEC. 551. WAIVER OF TIME LIMITATIONS FOR AWARD OF MILITARY MEDALS AND OTHER DECORATIONS TO CERTAIN PERSONS.

(a) WAIVER.—Any limitation established by law or policy for the time within which a recommendation for the award of a military decoration or award must be submitted shall not apply to award of the decoration as described in subsection (b), the award of such decoration having been made by the Secretary of Transportation to be warranted in accordance with section 1130 of title 10, United States Code.

(b) COAST GUARD COMMENDATION MEDAL.—Subsection (a) applies to the award of the Coast Guard Commendation Medal to Mark H. Freeman, of Seattle, Washington, for heroism achieved in a manner above that normally to be expected during rescue operations for the S.S. Seagate, in September 1999, while serving as a member of the Coast Guard at Grays Harbor Lifeboat Station, Westport, Washington.

SEC. 552. AUTHORITY FOR AWARD OF MEDAL OF HONOR TO ALFRED RASCON FOR VALOR DURING THE VIETNAM CONFLICT.

(a) WAIVER OF TIME LIMITATION.—Nothing in section 3744 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 Rascon, 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 acts of valor that Alfred Rascon, of Laurel, Maryland, as an Army medic, serving in the grade of Specialist Four in the Republic of Vietnam with the Reconnaissance Platoon, Headquarters Company, 1st Battalion, 2nd Airborne Brigade (Separate), during a combat operation known as Silver City.

SEC. 553. ELIMINATION OF BACKLOG IN REGULATIONS FOR AWARD 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 for ensuring 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 the 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 Secretary of the Navy Notice 1650, 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 appropriate manner for such participation.

Subtitle E—Amendments to Uniform Code of Military Justice

SEC. 561. INCREASE IN SENTENCING JURISPRUDENCE OF SPECIAL-COURT-MARTIAL AUTHORITY AUTHORIZED TO ADJUDGE A BAD CONDUCT DISCHARGE.

(a) INCREASE IN JURISPRUDENCE.—Section 819 of title 10, United States Code (article 19 of the Uniform Code of Military Justice), is amended— 

(1) in the second sentence, by striking “six months” both places it appears and inserting “one year”;

(2) in the third sentence, by inserting after “A bad conduct discharge” the following: “, confinement for more than six months, or forfeiture of pay for more months”;

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on...
SEC. 571. FUNERAL HONORS DETAILS AT FUNERAL HONORS DETAILS OF VETERANS.

(a) RESPONSIBILITY OF SECRETARY OF DEFENSE.—Subsection (a) of section 1491 of title 10, United States Code, is amended to read as follows:

"(a) RESPONSIBILITY.—The Secretary of Defense shall ensure that, upon request, a funeral honors detail 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) ELIGIBILITY FOR HONORS.—Subsection (f) of such section is amended to read as follows:

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

2. At least two members of the funeral honors detail for the veteran's funeral must 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 will be selected by the Secretary of Defense.

3. The funeral honors detail shall be composed of units of the armed forces and other organizations to provide funeral honors details.

4. Procedures for responding and coordinating responses to requests for funeral honors details.

5. Procedures for establishing standards and protocol.

(f) DUTY STATUS OF RESERVES IN FUNERAL HONORS DETAILS.—(1) Chapter 1 of title 32, United States Code, is amended—

(A) in section 114—

(i) by striking "drill or training otherwise required" and inserting "funeral honors functions"; and
(ii) by striking "drill or training otherwise required" and inserting "drill or training, but may be performed as funeral honors duty under section 115 of this title;" and

(B) by striking the following:

3. Each 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 chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's place of residence.

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

(e) MEMBERS OF THE NATIONAL GUARD.—This section does not apply to members of the Army National Guard of the United States or the Air National Guard of the United States.

(f) DUTY STATUS OF RESERVES IN FUNERAL HONORS DETAILS.—(1) Section 12552 of title 10, United States Code, 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 funeral honors duty, with the consent of the member, to prepare for or to perform funeral honors functions at the funeral of any veteran that occurs after December 31, 1999. However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to perform funeral honors functions under this section without the consent of the Governor or other appropriate authority of the State concerned.

(b) SERVICE CREDIT.—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 title 10; 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 chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's place of residence.

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

(2) Chapter 1213 of title 10, United States Code, 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 by such 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) SERVICE CREDIT.—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 chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.

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

(2) Chapter 1213 of title 10, United States Code, 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 by such 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) SERVICE CREDIT.—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 chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.

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

(2) Chapter 1213 of title 10, United States Code, 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 by such 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) SERVICE CREDIT.—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 chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.

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

(2) Chapter 1213 of title 10, United States Code, 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 by such 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) SERVICE CREDIT.—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.
title or section 115 of title 32 at or in the vicinity of the place at which the member was to so serve, if the place is outside reasonable commuting distance from the member's residence.

(2) Section 1076(a)(2) of such title is amended by adding at the end the following:

"(E) A member who died from an injury, illness, or disease incurred or aggravated while serving in or traveling to or from the place at which the member was to so serve; or

"(ii) remained overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence.

(3) Section 1204(2) of such title is amended—

(A) by striking "or" at the end of subparagraph (A); (B) by inserting "or" after the semicolon at the end of subparagraph (B); and

(C) by adding at the end the following:

"(D) is a result of an injury, illness, or disease incurred or aggravated in line of duty—

"(i) while the member was serving on funeral honors duty under section 12503 of this title or section 115 of title 32;

"(ii) while the member was traveling to or from the place at which the member was to so serve; or

"(iii) while the member remained overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence."

(4) Section 1206(2) is amended to read as follows:

"(2) the disability is a result of an injury, illness, or disease incurred or aggravated in line of duty—

"(A) while—

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

"(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, 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) while—

"(i) serving on funeral honors duty under section 12503 of this title or section 115 of title 32;

"(ii) traveling to or from the place at which the member was to so serve; or

"(iii) remaining overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence.".

(j) Funeral Honors Duty Allowance.—Chapter 4 of title 37, United States Code, is amended by adding at the end the following:

"§ 435. Allowance for funeral honors duty

"(a) Authority.—The Secretary concerned may authorize the payment of an allowance to a member of the Ready Reserve for each day on which the member performs at least two hours of funeral honors duty pursuant to section 12503 of title 10 or section 115 of title 32.

"(b) Amount.—The daily rate of an allowance paid under this section is $50.

"(c) Full Compensation.—Except for expenses reimbursable under section (e) of section 12503 of title 10 or subsection (c) of section 115 of title 32, the allowance paid under this section is the only monetary compensation authorized to be paid a member for the performance of funeral honors duty pursuant to such section, regardless of the grade in which serving, and shall constitute payment in full to the member.

(k) Clerical Amendments.—(1) The heading for section 1491 of title 10, United States Code, is amended to read as follows:

"§ 1491. Funeral honors functions at funerals for veterans.

"(B) The heading for section 12552 of title 10, United States Code, is amended to read as follows:

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

(2)(A) The item relating to section 1491 in the table of sections at the beginning of chapter 75 of title 10, United States Code, is amended to read as follows:

"1491. Funeral honors functions at funerals for veterans.

(B) The table of sections at the beginning of chapter 1213 of title 10, United States Code, is amended by adding at the end the following:

"1213. Ready Reserve: funeral honors duty.

(C) The item relating to section 12552 in the table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended to read as follows:

"12552. Funeral honors functions at funerals for veterans.

(3)(A) The heading for section 114 of title 32, United States Code, is amended to read as follows:

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

(B) The table of sections at the beginning of chapter 4 of title 32, United States Code, is amended by striking the item relating to section 114 and inserting the following:

"114. Funeral honors functions at funerals for veterans.

115. Funeral honors duty performed as a Federal function.

(4) The table of sections at the beginning of chapter 4 of title 32, United States Code, is amended by adding at the end the following:

"35. Allowance for funeral honors duty.

SEC. 572. INCREASED AUTHORITY TO EXTEND DELAYED ENTRY PERIOD FOR ENLISTMENTS OF PERSONS WITH PRIOR MILITARY SERVICE.

(a) Maximum Period of Extension.—Section 513(b)(1) of title 10, United States Code, is amended by adding at the end the following:

"(2) An allowance under this section is in an amount of $50."

(b) Effect of 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. 573. ARMY COLLEGE FIRST PILOT PROGRAM.

(a) Program Required.—The Secretary of the Army shall establish a pilot program to assess whether the Army could increase the number of, and the level of the qualifications of, persons accepted into the Army to encourage more college students to consider the military as a viable option for their future education.

(b) Delayed Entry Allowance for Higher Education.—Under the pilot program, the Secretary shall authorize persons who are selected for the Ready Reserve or Individual Ready Reserve of the Army Reserve to enter active service in the Army, if the Secretary determines that the individual meets the qualifications established by the Secretary for that purpose.

(c) Duration of Allowance.—The period of entry into active service in the Army is not to exceed 36 months.

(d) Extension of Entry Period.—The period of delay authorized a person under section (b) may not exceed the two-year period beginning on the date of the person's enlistment accepted under paragraph (i) of such subsection.

(e) Program Amount.—(1) The amount of any allowance paid under subsection (b)(3) is $150. The allowance may not be paid for more than 24 months.

(f) Extension of Program.—This section is in addition to any other pay and allowances to which a member of a reserve component is entitled by reason of participation in the Ready Reserve of that component.

(g) Assessment.—To perform the assessment under subsection (a), the Secretary shall study and assess any group not including persons receiving a benefit under subsection (b) and compare that group with any group or groups of persons who receive such benefits under the pilot program.

(h) Extension of Program.—The Secretary shall extend the pilot program for three years from the date of the Secretary's report submitted pursuant to paragraph (g).

(i) Reporting on the Selective Reserve.

The text of section 513 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 year concerning the effect of the educational assistance program established by this chapter. The report shall cover

SEC. 574. REDUCTION IN REQUIRED FREQUENCY OF REPORTING ON THE SELECTED RESERVE COMPONENT OR THE MONTGOMERY GI BILL.

The text of section 425 of title 10, United States Code, is amended by adding at the end the following:

"The Secretary of Defense shall submit to Congress a report not later than the end of the year concerning the effect of the educational assistance program established by this chapter. The report shall cover
the two (fiscal) years preceding the fiscal year in which the report is submitted and shall include the number of members of the Selected Reserve of the Ready Reserve of each armed force, and the number entitled to receive, educational assistance under this chapter during the period covered by the report. The Secretary may submit the report more frequently and adjust the period covered by the report accordingly.".

SEC. 575. PARTICIPATION OF MEMBERS IN MAN- AGEMENT OF ORGANIZATIONS ABOROAD THAT PROMOTE INTER-NATIONAL UNDERSTANDING.

Section 1033(b)(3) of title 10, United States Code, is amended by inserting after subparagraph (D) the following: "(E) An entity that, operating in a foreign nation where United States personnel are serving at United States military activities, promotes understanding and tolerance between such personnel (and their families) and the people of that host foreign nation through fostering social relations between those persons."

SEC. 576. FORENSIC PATHOLOGY INVESTIGA- TIONS BY ARMED FORCES MEDICAL EXAMINER.

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

Subchapter I. Death Investigations

I. Death Investigations

Sec. 576. 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 paragraph (c) of this section, in order to provide 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 died under circumstances that are consistent with the determinations made by the Armed Forces Medical Examiner conduct such an investigation.

(B) there is reasonable suspicion that the death resulted from a disease or injury or was caused by a hazardous material that may have an adverse effect on the military installation or community involved.

(2) the identity of the decedent is unknown.

(c) DETERMINATION OF JUSTIFICATION.—(1) Subject to paragraph (2), the determination under paragraph (1) of subsection (b) shall be made by the Armed Forces Medical Examiner.

(2) A commander may make the determination under paragraph (1) of subsection (b) and require a forensic pathology investigation to be conducted under this section without regard to a determination made by the Armed Forces Medical Examiner if—

(A) in a case involving circumstances described in paragraph (2)(A)(i) of that subsection, the commander is the commander of the installation where the decedent was found dead or died; or

(B) in a case involving circumstances described in paragraph (2)(A)(ii) of that subsection, the commander is the commander of the decedent’s unit at a level in the chain of command designated for such purpose in the regulations prescribed by the Secretary of Defense.

(d) LIMITATION IN CONCURRENT JURISDICTION CASES.—(1) The exercise of authority under this section is subject to the exercise of primary jurisdiction for the investigation of a death—

(A) in the case of a death in a State, by the State or a local government of the State; or

(B) in the case of a death in a foreign country, that foreign country under any applicable treaty or international agreement, or other international agreement between the United States and that foreign country.

(2) Paragraph (1) does not limit the authority of the Armed Forces Medical Examiner to conduct a forensic pathology investigation in a death that is subject to the exercise of primary jurisdiction of another sovereign if the investigation by the other sovereign is concluded without a forensic pathology investigation by the Armed Forces Medical Examiner considers complete. For the purposes of the preceding sentence a forensic pathology investigation is complete if the investigation does not include an autopsy of the decedent.

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

(1) designate one or more qualified 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 re-release of the decedent’s remains to the family, if known; and

(5) promptly report the results of the forensic pathology investigation to the official responsible for the overall investigation of the death.

(f) DEFINITION OF STATE.—In this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, and Guam.

(g) REPEAL OF AUTHORITY FOR EXISTING IN- QUEST PROCEEDINGS.—Sections 4711 and 4911 of title 10, United States Code, are repealed.
"(ii) are experiencing a shortage of qualified teachers, in particular a shortage of science, mathematics, special education, or vocational or technical teachers.

"(B) The administering Secretary may identify local educational agencies under subparagraph (A) through surveys conducted for that purpose or by utilizing information on local educational agencies that is available to the Secretary of Education from other sources.

"(2) In carrying out the program, the administering Secretary shall also conduct a survey of States to identify those States 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, 1996, 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—

"(A) is retired for length of service with at least 20 years of active service computed under section 3925, 3926, 8925, or 8926 of this title or for purposes of chapter 571 of this title; or

"(B) is retired under section 1231 or 1294 of this title;

"(ii) who—

"(A) in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a baccalaureate or advanced degree from an accredited institution of higher education; or

"(B) 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 postsecondary education from an accredited institution of higher education and has 10 or more years of military experience in a vocational or technical field; and

"(bb) otherwise meets the certification or licensure requirements for a vocational or technical teacher in the State in which such member seeks assistance for placement under this subchapter; 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 applications for the program 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 paragraph (1)(A); and

"(B) identify those States surveyed under subsection (b)(2) that have alternative certification or licensure requirements for teachers.

"(e) SELECTION OF PARTICIPANTS.—(1)(A) Selection of members to participate in the program shall be made on the basis of applications submitted to the administering Secretary. An application shall be in such form and contain such information as that Secretary may require.

"(B) An application is required to be submitted on a timely basis if the application is submitted as follows:

"(i) In the case of an applicant who is eligible under subparagraph (c)(1)(A), not later than September 30, 2003.

"(ii) In the case of an applicant who is eligible under subsection (c)(1)(B), not later than four years after the date of retirement of the applicant from active duty.

"(2) In selecting participants to receive assistance for placement as an elementary or secondary school teacher or vocational or technical teachers, the administering Secretary shall give priority to members who—

"(A) have educational or military experience in science, mathematics, special education, or vocational or technical field; or

"(B) have military experience in another subject area identified by that Secretary, in consultation with the National Governors Association, as important for national average school drop out rate.

"(f) during any period in which the participant—

"(1) to obtain, within such time as that Secretary may require, certification or licensure as an elementary or secondary school teacher or vocational or technical teacher; and

"(2) to accept an offer of full-time employment as an elementary or secondary school teacher or vocational or technical teacher for not less than four years with a local educational agency identified under subparagraph (A) or (B) of subsection (b)(1), to begin the selection year after obtaining that certification or licensure.

"(g) STIPEND AND BONUS FOR PARTICIPANTS.—(1)(A) Subject to subparagraph (B), the administering Secretary shall pay to each participant in the program a stipend in an amount equal to $5,000.

"(B) The total number of stipends that may be paid under this paragraph in any fiscal year may not exceed 500.

"(2)(A) Subject to paragraph (B), the administering Secretary may, in lieu of paying a stipend under paragraph (1), pay a bonus of $10,000 to each participant in the program who agrees under subsection (f) to accept full-time employment as an elementary or secondary school teacher or vocational or technical teacher for not less than four years in a State surveyed under subsection (a) or (b) of this section.

"(B) The total number of bonuses that may be paid under this paragraph in any fiscal year may not exceed 200.

"(3) The administering Secretary may not pay a bonus or stipend under this paragraph to a participant—

"(i) if the participant—

"(A) is pursuing a full-time course of study related to the field of teaching at an eligible institution, including a graduate or professional degree, in the State where the participant will be placed; or

"(B) is serving on active duty as a member of the armed forces;
(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

(E) is seeking and unable to find full-time employment as a teacher in an elementary or secondary school or as a vocational or technical teacher for a single period not to exceed 12 months;

(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the administering Secretary.

(2) The Secretary may also waive reimbursement in cases of extreme hardship to the participant, as determined by that Secretary.

(1) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—The receipt by a participant in the program of any assistance under this section shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 36 of title 38 or chapter 1606 of this title.

(2) The extent of any academic improvement in the schools in which such participants teach by reason of their teaching.

(3) The grade levels at which such participants teach by reason of their teaching.

(4) The number of participants in the program.

(5) The schools in which such participants are employed.

(6) The grade levels at which such participants are employed.

(7) The extent of any academic improvement in the schools in which such participants teach by reason of their teaching.

(8) The rates of retention of such participants by the local educational agencies employing such participants.

(9) The effect of any stipends or bonuses under subsection (g) of such section 1151 in enhancing participation in the program or in enhancing recruitment or retention of participants in the program by the local educational agencies employing such participants.

(10) Such other matters as the Secretary of Education or the Comptroller General, as the case may be, considers appropriate.

B. The Secretary of Education shall provide for the transfer to the Secretary of Defense of any on-going functions and responsibilities of the Secretary of Defense or the Secretary of Transportation with respect to the program authorized by section 1151 of title 10, United States Code, for the period beginning on October 23, 1992, and ending on September 30, 2001.

(2) The Secretaries shall complete the transfer under paragraph (1) not later than October 1, 1993.

(3) After completion of the transfer, the Secretary of Defense shall discharge that administration's responsibilities with respect to the program in consultation with the Secretary of Defense and the Secretary of Transportation with respect to the Coast Guard.

C. REPORTS.—(1) Not later than March 31, 2002, the Secretary of Education (in consultation with the Secretary of Defense and the Secretary of Transportation) and the Comptroller General shall each submit to Congress a report on the effectiveness of the program authorized by section 1151 of title 10, United States Code (as amended by subsection (a) of such section 1151), in the recruitment and retention of qualified personnel by local educational agencies identified under subsection (b)(1) of such section 1151.

(2) The report under paragraph (1) shall include information on the following:

(A) The number of participants in the program.

(B) The schools in which such participants are employed.

(C) The grade levels at which such participants are employed.

(D) The subject matters taught by such participants.

(E) The effectiveness of the teaching of such participants, as indicated by any relevant test scores of the students of such participants.

(F) The extent of any academic improvement in the schools in which such participants teach by reason of their teaching.

(G) The rates of retention of such participants by the local educational agencies employing such participants.

(H) The effect of any stipends or bonuses under subsection (g) of such section 1151 in enhancing participation in the program or in enhancing recruitment or retention of participants in the program by the local educational agencies employing such participants.

(I) Such other matters as the Secretary of Education or the Comptroller General, as the case may be, considers appropriate.

B. The Secretary of Transportation shall submit to Congress a report on the exercise of the functions and responsibilities of the Secretary of Transportation that are applicable to the furnishing of such services to the Coast Guard.

C. The Secretary of Defense shall submit to Congress a report on the effectiveness of the program authorized by section 1151 of title 10, United States Code, for the period beginning on October 1, 1999.
"§1799. Child care services and youth pro-
gram services for dependents: participation by children and youth otherwise ineligible

(a) AUTHORITY.—The Secretary may au-
thorize participation in child care or youth programs of the Department of Defense, to the extent of the availability of space and services, by children and youth under the age of 19 who are not dependent members of the families of employees of the Department of Defense and are not otherwise eligible for participation in the programs.

(b) Authorization of participation in a program under subsection (a) shall be limited to situations in which the participation promotes the attainment of the objectives set forth in subsection (c), as determined by the Secretary.

(c) OBJECTIVES.—The objectives for au-
thorizing participation in a program under subsection (a) are as follows:

(1) To support the integration of children and youth of military families into civilian communities.

(2) To make more efficient use of Department of Defense facilities and resources.

(3) To establish or support a partnership or consortium arrangement with schools and other service organizations serving children of the armed forces.

(d) BIENNIAL REPORT.—(1) Every two years the Secretary of Defense shall submit to Congress an evaluation of the effectiveness of the authority for achieving the objectives set out under subsection (c). The report may include any recommendations for legislation that the Secretary considers appropriate to enhance the capability of the Department of Defense to attain those objectives.

(2) A biennial report under this sub-
section may be combined with the biennial report under section 1798(d) of this title into one report to Congress.

(3) The Secretary shall appoint the members of the task force from among the members of the following:

(1) The late Rear Admiral (retired) Hus-
band E. Walter C. Short.

(2) The table of sections at the beginning of

subchapter I of chapter 57 of title 5, includ-
ing per diem in lieu of subsistence, at

an annual rate of $100 per diem, for any

personnel of the Armed Forces.

(3) Each member of the task force shall

meet in plenary session at least one

annually and

visit military installations overseas

annually and military installations within

the United States semiannually.

(4) The Secretary shall include the following:

(A) Representatives of Department of De-

fense family advocacy programs.

(B) Medical personnel.

(C) Judge advocates.

(D) Military police or other law enforce-

ment 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, family advocates, pro-

ducers of services for victims of domestic violence, and researchers in domes-
tic violence including, but not limited to

the following:

(1) At least two representatives from the
national domestic violence resource center

and the special issue resource centers

ref

ferred to in section 308 of the Family Vio-

lence Prevention and Services Act (42 U.S.C. 10407).

(2) At least two representatives from na-
tional domestic violence and sexual assault policy organizations.

(3) At least two representatives from se-
lected States’ domestic violence and sexual assault coalitions.

(4) At least two local domestic violence and

sexual assault service providers in com-

munities located near military installations.

(H) Civilian law enforcement personnel

appointed in consultation with the Attorney

General.

(I) Representatives of the Department of
Justice (appointed in consultation with

the Attorney General) from the following

offices:

(i) The Office on Violence Against

Women.

(ii) The Violence Against Women Grants

Office.

(J) Representatives of the Department of
Health and Human Services (appointed

in consultation with the Secretary of

Health and Human Services) from the Family Vio-

lence Prevention and Services Office.

(K) The Secretary shall ensure that the

task force includes the following:

(1) Representatives of the Office of the

Secretary of Defense.

(2) Civilian personnel who are experts on

domestic violence involving members of the Armed Forces.

(3) The Secretary shall designate to

the task force a staff officer of the

Secretary of Defense.

(4) The Secretary shall appoint the mem-

bers of the task force in coordination with

Assistant Secretary, provide administrative,

logistical, and other support for the meet-

ings of the task force.

(5) 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 receiving the report of the task force under subsection (a)(2)(A), the Secretary of Defense shall, in consultation with the task force, prescribe the following:

(1) Standard formats for memorandums of

agreement or understanding to be used by

the Secretaries of the military departments

and the Secretary of Justice (appointed in consultation with the Attorney

General) for entering into agreements with civilian law enforcement authorities relating to acts 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 a superior not to have contact with a

person to whom a written copy of the order to each member of the

Secretary shall be protected by the Order within 24 hours

after the issuance of the order.

(3) Standard guidance on the factors for

commanders to consider when determining the appropriate action for acts of alleg-
ations of domestic violence by a person subject to that Code.

(4) A standard training program for all

commanding officers in the Armed Forces, including a standard curriculum, on the han-
dling of domestic violence cases.

(5) REPORTING REQUIREMENTS.—(a) The Sec-

retary shall establish a central database of information on the cases of domestic vio-

lence involving members of the Armed Forces.

(b) The Secretary shall require the admin-
istrator of each family advocacy program of the Armed Forces to report an-
ually to the administrator of the database established under paragraph (1), the informa-
tion received or developed under the pro-
gram following:

(A) Each domestic violence case reported to a commander, any law enforcement au-

thority of the Armed Forces, or a family adv-
cacy program of the Department of Defense.

(B) The number of the cases that involve evidence determined sufficient for sup-
porting disciplinary action, in each such case, a description of the substantiated alleg-
ation and the action taken by command authorities in the case.

(1) The number of the cases that involve evidence insufficient for sup-
porting disciplinary action and, for each such case, a description of the alleg-
ation.

(2) The Secretary shall submit to Congress an annual report on the data submitted to
the central database established under para-
graph (1).

SEC. 581. RESPONSIBILITIES OF DEPARTMENT OF THE ARMED FORCES.

(a) MILITARY-CIVILIAN TASK FORCE ON DOMES-
TIC VIOLENCE.—(1) The Secretary of De-
fense shall establish a Military-Civilian Task Force on Domestic Violence. The Secretary shall appoint the members of the task force in accordance with this section not later than six months after the date of the enact-
ment of this Act.

(2) The task force shall submit to Congress an annual report containing a detailed dis-
cussion 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 performance of the task force in responses to domestic violence in the Armed Forces that the task force considers appropriate.

(b) Military-Civilian Task Force on Domestic Violence.

(1) The Secretary of Defense shall establish a central database of information on the cases of domestic violence involving members of the Armed Forces.

(2) The Secretary shall require the admin-
istrator of each family advocacy program of the Armed Forces to report an-
ually to the administrator of the database established under paragraph (1), the informa-
tion received or developed under the pro-
gram following:

(A) Each domestic violence case reported to a commander, any law enforcement au-

thority of the Armed Forces, or a family adv-
cacy program of the Department of Defense.

(B) The number of the cases that involve evidence determined sufficient for sup-
porting disciplinary action, in each such case, a description of the substantiated alleg-
ation and the action taken by command authorities in the case.

(1) The number of the cases that involve evidence insufficient for sup-
porting disciplinary action and, for each such case, a description of the alleg-
ation.
grade of admiral as the Commander in Chief of the United States Fleet and the Commander in Chief, United States Pacific Fleet, had an excellent and unassailable record throughout his career in the United States Navy prior to the December 7, 1941 attack on Pearl Harbor.

(2) The late Major General (retired) Walter C. Short, previously serving in the grade of lieutenant general as the Commander of the United States Army Hawaiian Department, had an excellent and unassailable record throughout his career in the United States Army prior to the December 7, 1941 attack on Pearl Harbor.

(3) Numerous investigations following the attack on Pearl Harbor have documented that then Admiral Kimmel and then Lieutenant General Short were not provided necessary and critical intelligence that was available, that foretold of war with Japan, that warned of imminent attack, and that would have alerted them to prepare for the attack, including such essential communiqués as the Japanese Pearl Harbor Bomb Plot message of September 24, 1941, and the message sent from the Imperial Japanese Foreign Minister to the United States Ambassador in the United States from December 6–7, 1941, known as the Fourteen-Part Message.

(4) On December 16, 1941, Admiral Kimmel and Major General Short were relieved of their commands and returned to their permanent ranks of rear admiral and major general.

(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 these two officers were “martyred” and “if they had been brought to trial, both would have been cleared of the charge.”

(6) On October 19, 1944, a Naval 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 that Admiral Kimmel had at hand which indicated the probability of the imminent of an air attack on Pearl Harbor”; (B) Criticized the higher command for not sharing the Kimmel “dereliction of duty” charge during a very critical period of 26 November to 7 December 1941, important information . . . regarding the Japanese situation” and (C) Cited 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 essentialJapanese intentions and war plans were available in “abundance”, but were not shared with Lieutenant General Short’s Hawaiian jurisdiction.

(8) Detailed information and intelligence about Japanese intentions and war plans were available in “abundance”, but were not shared with Lieutenant General Short’s Hawaiian jurisdiction.

(9) Lieutenant General Short was not provided “on the evening of December 6th and 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.”

(10) The Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation were kept secret, and Rear Admiral (retired) Kimmel and Major General (retired) Short were denied the opportunity to defend themselves through trial by court-martial.

(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 of the United States 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 with the highest active duty list.

(12) On April 27, 1954, the then Chief of Naval Personnel, Admiral J. L. Holloway, Jr., recommended that Rear Admiral Kimmel and Major General Short be placed on the retired list 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 found that the late Major General (re-tired) 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 against the advancement of Rear Admiral (retired) Kimmel (by then deceased) and recommended that the case of Rear Admiral Kimmel be reopened.

(15) Although the Dorn Report, a report on the results of a Department of Defense study that was issued on December 13, 1995, did not provide support for an advancement of Rear Admiral (retired) Kimmel or the late Major General (retired) Short in grade, it did set forth as a conclusion of the study that the “Japanese attack and 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 concluded that—

(A) That “Army and Navy officials in Washington were privy to intercepted Japanese diplomatic communications . . . which provided direct confirmation of the imminent of war”; (B) That “the evidence of the handling of these messages in Washington reveals some significant assumptions, errors and misestimations, limited coordination, ambiguous language, and lack of clarification and follow-up at higher levels”; and (C) That “together, these characteristics resulted in failure . . . to appreciate fully and to convey to the commanders in Hawaii the sense of focus and urgency that these intercepts should have impressed on them.”

(17) On July 21, 1997, Vice Admiral David C. Richardson (United States Navy, retired) responded to the Dorn Report with his own report on the Naval Court of Inquiry and the Navy Pearl Harbor Board of Investigation and established, among other facts, that the war effort in 1941 was undermined by the intelligence distribution policy, and the degree to which the commanders of the United States forces 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 advancement on the retired lists to their highest wartime ranks.

(19) This singular exclusion from advance-

ment of Rear Admiral (retired) Kimmel and Major General (retired) Short from the Navy 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 dishonor 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, 1989, and Rear Admiral (retired) Husband K. E. Kimmel on May 14, 1968, 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 Admi- ral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Offi cers Association, the Pearl Harbor Commemorative Committee, and other associa tions and numerous retired military officers have called for the rehabilitation of the rank and honor of Major General (retired) Kimmel and the late Major General (retired) Short through their posthumous adv ance on the retired lists to their highest wartime grades.

SEC. 583. EXIT SURVEY FOR SEPARATING MEM-

BERS.

(a) REQUIREMENT.—The Secretary of Defense shall develop and carry out a survey on
June 7, 1999

CONGRESSIONAL RECORD — SENATE S6583

attitudes toward military service to be completed by members of the Armed Forces who voluntarily separate from the Armed Forces or transfer from a regular component to a reserve component during the period beginning on January 1, 2000, and ending on June 30, 2000, or such later date as the Secretary determines necessary in order to obtain enough survey responses to provide a sufficient basis for meaningful analysis of survey results. Completion of the survey shall be required of such personnel as part of outprocessing activities. The Secretary of each military department shall suspend exit surveys and interviews of that department during the period described in the first sentence.

(b) SURVEY CONTENT.—The survey shall, at a minimum, cover the following subjects:

(1) Reasons for leaving military service.

(2) Plans for activities after separation (such as enrollment in school, use of Montgomery GI Bill benefits, and work).

(3) Affiliation with a Reserve component, together with the reasons for affiliating or not affiliating, as the case may be.

(4) Attitude toward pay and benefits for service in the Armed Forces.

(5) Extent of job satisfaction during service as a member of the Armed Forces.

(6) Such other matters as the Secretary determines appropriate to the survey concerning reasons for choosing to separate from the Armed Forces.

(c) REPORT.—Not later than February 1, 2001, the Secretary shall submit to Congress a report containing the results of the surveys. The report shall include an analysis of the reasons why military personnel voluntarily separate from the Armed Forces and the post-separation plans of those personnel. The Secretary shall utilize the report’s findings in crafting future responses to declining retention and recruitment.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

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.

<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>0–1 1/2</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>0–1</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>0–2</td>
<td>4,061.10</td>
<td>4,461.60</td>
<td>4,754.40</td>
<td>4,754.40</td>
<td>4,772.40</td>
</tr>
<tr>
<td>0–3</td>
<td>3,348.40</td>
<td>3,813.90</td>
<td>4,077.90</td>
<td>4,127.90</td>
<td>4,298.10</td>
</tr>
<tr>
<td>0–4</td>
<td>2,737.80</td>
<td>3,333.90</td>
<td>3,562.20</td>
<td>3,606.04</td>
<td>3,812.40</td>
</tr>
<tr>
<td>0–5</td>
<td>3,054.00</td>
<td>3,684.20</td>
<td>3,956.40</td>
<td>4,077.90</td>
<td>4,386.00</td>
</tr>
<tr>
<td>0–6</td>
<td>3,380.00</td>
<td>4,056.40</td>
<td>4,340.80</td>
<td>4,483.60</td>
<td>4,786.00</td>
</tr>
<tr>
<td>0–7</td>
<td>3,768.00</td>
<td>4,512.00</td>
<td>4,812.00</td>
<td>4,956.00</td>
<td>5,240.00</td>
</tr>
<tr>
<td>0–8</td>
<td>4,224.00</td>
<td>5,016.00</td>
<td>5,352.00</td>
<td>5,536.00</td>
<td>5,876.00</td>
</tr>
<tr>
<td>0–9</td>
<td>4,736.00</td>
<td>5,608.00</td>
<td>5,976.00</td>
<td>6,192.00</td>
<td>6,552.00</td>
</tr>
<tr>
<td>0–10</td>
<td>5,312.00</td>
<td>6,256.00</td>
<td>6,640.00</td>
<td>6,888.00</td>
<td>7,296.00</td>
</tr>
</tbody>
</table>

Notes:

1 Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

2 Basic pay for these officers is calculated to be $12,441.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

3 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.

4 Nevertheless, basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

5 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.
### PAY INCREASES FOR FISCAL YEARS 2001 THROUGH 2006

(a) ECI+.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 with an increase in the monthly basic pay by the percentage equal to the sum of one percent plus the percentage so calculated as provided under section 5903(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. 602. PAY INCREASES FOR FISCAL YEARS 2001 THROUGH 2006

(a) ALLOWANCE.—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) ENTITLEMENT.—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 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 house-
hold of the member meets the income stand-
ards of eligibility established under section 5(c)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.). In determining the special subsistence allowance that may be payable to the member under this section and any allowance that is payable to the member under section 403 or 404a 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 under section 3(c) of title 7.

(2) Payment of the special subsistence al-
lowance for 12 consecutive months.

(3) Promotion of the member to a higher grade.

(4) Transfer of the member in a perma-
nent change of station.

(5) RESTATEMENT ENTITLEMENT.—(1) After a termination of a member's entitlement to the special subsistence allowance under subsection (c), the Secretary concerned shall submit to the Secretary of Defense a report setting forth the number of members who shall provide the Secretary of Defense assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) Payment of the special subsistence al-
lowance for 12 consecutive months.

(3) Promotion of the member to a higher grade.

(a) CONTINUATION AND ALLOW-
ANCES WHILE IN DUTY STATUS
(WHEREABOUTS UNKNOWN).—(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 duty status (whereabouts unknown); limitations.

"(a) 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 as if the member were in a missing person situation.

"(b) The table of sections at the beginning of chapter 10 of title 37, United States Code, is amended by inserting after section 552 the following:

"§ 552a. Pay and allowances: continuation while in duty status (whereabouts unknown); limitations.

"(f) AMOUNT OF ALLOWANCE.—The monthly amount of the special subsistence allowance under this section is $100.

"(g) RELATIONSHIP 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 this title.

"(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term 'food stamp assistance' means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

"(1) TERMINATION OF AUTHORITY.—No spe-
cial subsistence allowance may be made under this section for any month beginning after September 30, 2004.

(2) The table of sections at the beginning of chapter 10, as amended by inserting after the item relating to section 402 the following:

"§ 402a. Special subsistence allowance: members who are eligible for food stamps.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on the first day of the first month that begins not less than 180 days after the date of the enactment of this Act.

(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 1999, the Secretary concerned shall submit to Congress a special report setting forth the number of members of the uniformed services who are eligible for assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) In preparing the report, the Secretary shall consult with the Secretary of Transportation (with respect to the Coast Guard), who shall provide the Secretary with any information that the Secretary de-
termines necessary to prepare the report.

SEC. 604. PAYMENT FOR UNUSED LEAVE IN CON-
JUNCTION WITH A REENLISTMENT.

Section 549 of title 37, United States Code, is amended—

(1) in subsection (a)(1), by inserting "en-
"(2) Payments resumed under this sub-
section shall terminate under subsection (c), upon the occurrence of an event described in that subsection after the resumption of the payments.

(3) 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 a special subsistence allowance under this section shall furnish the Secretary concerned 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 $100.

"(g) RELATIONSHIP 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 this title.

"(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term 'food stamp assistance' means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

"(1) TERMINATION OF AUTHORITY.—No spe-
cial subsistence allowance may be made under this section for any month beginning after September 30, 2004.

(2) The table of sections at the beginning of chapter 10, as amended by inserting after the item relating to section 402 the following:

"§ 402a. Special subsistence allowance: members who are eligible for food stamps.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on the first day of the first month that begins not less than 180 days after the date of the enactment of this Act.

(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 1999, the Secretary concerned shall submit to Congress a special report setting forth the number of members of the uniformed services who are eligible for assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) In preparing the report, the Secretary shall consult with the Secretary of Transportation (with respect to the Coast Guard), who shall provide the Secretary with any information that the Secretary de-
termines necessary to prepare the report.
and inserting in lieu thereof ‘‘December 31, 2000’’.

SEC. 614. AMOUNT OF VETERAN CAREER INCENTIVE PAY FOR AIR FORCE BATTLE MANAGERS FORMERLY ELIGIBLE FOR AIR BATTLE MANAGER SPECIAL PAY.

(a) SAVE PAY PROVISION.—Section 301(b)(2)(A) of title 37, United States Code, is amended by adding at the end the following:

‘‘(B) the rate applicable to the member under paragraph (1), (2), or (3).’’.

(b) 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 301f of title 37, United States Code, is amended—

(1) by inserting ‘‘(1)’’ after ‘‘AUTHORIZED.—’’;

(2) by striking ‘‘subsection (a)’’ and inserting ‘‘paragraph (5).’’;

(3) by redesignating paragraph (6) as paragraph (5);

(4) by striking ‘‘the member was receiving under paragraph (2)(A) after the member has performed more than 20 months in which the member performs aviation service that involves frequent and regular performance of operational flying duty during the month, as follows:’’; and

(5) by inserting ‘‘(2) by striking ‘‘than—’’ and all that follows and inserting ‘‘than $25,000 for each year covered by the written agreement to remain on active duty’’. ‘‘

(6) PRORATION AUTHORITY FOR COVERAGE OF INCREASED PERIOD OF ELIGIBILITY.—Subsection (d) of such section is amended by striking ‘‘15 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 (g), by striking ‘‘reconversion bonuses’’ in the first sentence and inserting ‘‘special pay under this section’’.

(f) REPEAL OF CONTENT REQUIREMENTS FOR ANNUAL REPORT.—Subsection (i)(1) of such section is further amended—

(1) by striking ‘‘two—’’ and the colon that follows and inserting ‘‘and’’;

(2) by striking ‘‘a—’’ and the colon that follows and inserting ‘‘the Secretary’’;

(3) by inserting ‘‘or’’ at the end of clause (1); and

(4) by renumbering paragraphs (2) through (5) as paragraphs (3) through (6), respectively.

(g) TECHNICAL AMENDMENT.—Subsection (g)(3) of such section is further amended by striking the second sentence.

(h) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date that begins on or after the date of the enactment of this Act.

SEC. 616. CAREER ENLISTED FLYER INCENTIVE PAY.

(a) INCENTIVE PAY AUTHORIZED.—(1) Chapter 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.—(1) An enlisted member referred to in subsection (a) is an enlisted member who has completed 25 years of aviation service.

(2) holds a military occupational specialty or military rating designated as a career enlisted flyer specialty or rating by the Secretary concerned in regulations prescribed under subsection (f) and continues to be 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

(3) is qualified for aviation service.

(c) MONTHLY PAYMENT.—(1) Career enlisted flyer incentive pay may be paid a member referred to in subsection (b) for each month in which the member performs aviation service that involves frequent and regular performance of operational flying duty by the member.

(2)(A) Career enlisted flyer incentive pay may be paid a member referred to in subsection (b) for each month in which the member performs operational flying duty during the period the member has completed 25 years of aviation service before completing the members first 10 years of performance of aviation service.

(3) In the case of a member who has performed 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 each month, as follows:

(i) The member referred to in paragraph (1) who has performed 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 188 months if the member so performed in each month, as follows:

(ii) The Secretary, or a designee of the Secretary concerned, may authorize the payment of incentive pay at the monthly rate that is the higher of—

(1) the monthly rate of incentive pay authorized by such section with clause (b)(1) of (i)(2) of section 301(c)(2) of title 37, United States Code, as of October 1, 1994, 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 with clause (b)(1) of (i)(2) of section 301(c)(2) of title 37, United States Code, as of October 1, 1994; and

(2) the monthly rate of incentive pay authorized by such section with clause (b)(1) of (i)(2) of section 301(c)(2) of title 37, United States Code, as of October 1, 1994.

(3) the monthly rate of incentive pay authorized by such section with clause (b)(1) of (i)(2) of section 301(c)(2) of title 37, United States Code, as of October 1, 1994.

(2) The military occupational specialties or military rating, as the case may be, that are designated as career enlisted flyer specialties or ratings, respectively, for purposes of this section.

(g) DEFINITION.—In this section, the term ‘‘operational flying duty’’ means—

(1)(I) flying performed under competent order or direction of an officer or warrant officer, in which basic flying skills normally are maintained in the performance of assigned duties as determined by the Secretary concerned; and

(II) flying performed by a member in training that leads to the award of a military occupational specialty or rating referred to in subsection (b)(2).

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

SEC. 617. RETENTION BONUS FOR SPECIAL WARFARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

(a) BONUS AUTHORIZED.—Chapter 5 of title 37, United States Code, is amended by inserting after subsection 301f the following new item:

‘‘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 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 as identified by the Secretary concerned as a special warfare military occupational specialty or designator and is serving in a position for which that specialty or designator is authorized;

(2) is in pay grade O-3, or is in pay grade O-4 and is not on a list of officers recommended for promotion, at the time the officer applies for an agreement under this section;

(3) has completed at least 6, but not more than 14, years of active commissioned service; and

(4) has completed any service commitment incurred to be commissioned as an officer.

(5) has completed a full-time course of study at a college or university level as provided in this section.

(6) has completed a written agreement under which the officer agrees to serve in a special warfare capacity for a period of at least one year and for which the officer is not otherwise required by law to serve in a special warfare capacity.

(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 agreement.

(d) 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 14 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 half the total amount payable under the agreement 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 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;

(2) in graduated annual payments under regulations prescribed by the Secretary concerned, the total amount payable pursuant to the agreement becomes 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 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

(3) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

(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 in special warfare service as specified in the agreement, the Secretary concerned may require the officer to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, all sums paid 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.

(h) REGULATIONS.—The Secretary of the Navy shall prescribe regulations to carry out this section.

SEC. 610. RETENTION BONUS FOR SURFACE WARFARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301g, as added by section 617 of this Act, the following new section:

"§301h. Special pay: surface warfare officers extending period of active duty

(4) has completed at least eight years of active commissioned service;

(5) has completed a full-time course of study at a college or university level as provided in this section.

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

(c) AMOUNT OF BONUS.—The amount of a retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

(d) 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 14 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 half the total amount payable under the agreement 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 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;

(2) in graduated annual payments under regulations prescribed by the Secretary concerned, the total amount payable pursuant to the agreement becomes 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 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

(3) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

(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 specified in the agreement, the Secretary of the Navy may require the officer to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, all sums paid 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.

(h) REGULATIONS.—The Secretary of the Navy shall prescribe regulations to carry out this section.

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating to section 301g a new section 301h.

"(c) AMOUNT OF BONUS.—The amount of a retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

(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 and subsequent payments being payable on the anniversaries of the acceptance of 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

(2) in graduated annual payments under regulations prescribed by the Secretary concerned, the total amount payable pursuant to the agreement becomes 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 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

(3) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

(4) has completed any service commitment incurred to be commissioned as an officer.

(e) 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 following by payment of equal annual installments on the anniversary of the acceptance of 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

(2) in graduated annual payments under regulations prescribed by the Secretary concerned, the total amount payable pursuant to the agreement becomes 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 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

(3) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

(4) has completed at least eight years of active commissioned service;

(5) has completed a full-time course of study at a college or university level as provided in this section.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 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 ''$240''; and

(2) by striking ''$300'' and inserting ''$340''.

(b) EFFECTIVE DATE.—Section 304(b) of title 37, United States Code, as amended by subsection (a), shall apply with respect to months beginning after September 30, 1999.
SEC. 622. CRITICAL SKILLS ENLISTMENT BONUS.
(a) ELIMINATION OF REQUIREMENT FOR MINIMUM PERIOD OF ENLISTMENT.—Subsection (a) of section 308(a) 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 section 308(a) is amended by striking "$5,000" and inserting "$8,000".
(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments and extensions of enlistments taking effect on or after that date.

SEC. 623. SELECTED RESERVE ENLISTMENT BONUS.
(a) NEWLY ATTAINED CRITICAL SKILL.—Section 308(a)(1) of title 37, United States Code, is amended by inserting ``(A)'' after ``(1)''; and
(b) BONUS FOR SELECTED RESERVE ENLISTMENT.—Section 308(a)(2) of title 37, United States Code, is amended by striking ''$5,000'' and inserting ''$8,000''.

SEC. 624. SPECIAL PAY FOR MEMBERS OF THE COAST GUARD RESERVE ASSIGNED TO HIGH PRIORITY UNITS OF THE UNITED STATES.
Section 308(a)(2) of title 37, United States Code, is amended by inserting "or the Secretary of the Navy, after "Secretary of Defense".

SEC. 625. REDUCED MINIMUM PERIOD OF ENLISTMENT FOR CRITICAL SKILL FOR ELIGIBILITY FOR ENLISTMENT BONUS.
(a) REDUCED REQUIREMENT.—Paragraph (3) of section 308(a)(1) 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 COMPONENT PRIOR SERVICE ENLISTMENT BONUS UPON ATTAINING A CRITICAL SKILL.
(a) NEWLY ATTAINED CRITICAL SKILL.—Section 308(a)(1) of title 37, United States Code, is amended by striking paragraph (2) and inserting the following:

"(2) A bonus may only be paid under this section to a person who meets each of the following requirements:

(A) The person has completed that person's military service obligation but has less than 14 years of total military service.

(B) The person has not previously been paid a bonus (except under this section) for enlistment, reenlistment, or extension of enlistment in a reserve component.

(C) The person is not being released from active service for the purpose of enlistment in a reserve component.

(D) The person is position eligible under paragraph (3).

(E) The person has not previously been paid a bonus (except under this section) for enlistment, reenlistment, or extension of enlistment in a reserve component.

(F) A person is position eligible for the purposes of paragraph (2)(D) if the person—

(A) is projected to occupy a position as a member of the Selected Reserve in a specialty in which the person—

(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 grade and years of service of the member;

(B) is successfully served while a member on active duty; and

(G) is occupying a position as a member of the Selected Reserve in a specialty in which the person—

(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 grade and years of service of the member or

(iii) has been paid a bonus (except under this section) for enlistment in a reserve component.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments and extensions of enlistments taking effect on or after that date.

SEC. 627. INCREASE IN SPECIAL PAY AND BONUS FOR NUCLEAR-QUALIFIED OFFICERS.
(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312c of title 37, United States Code, is amended by striking "$15,000" and inserting "$25,000".
(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(a)(1) of title 37, United States Code, is amended by striking "$10,000" and inserting "$20,000".
(c) NUCLEAR-QUALIFIED ANNUAL INCENTIVE BONUSES.—Section 312 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 "$5,500" and inserting "$10,000".
(d) EFFECTIVE DATE.—(1) The amendments made by this section shall take effect on October 1, 1999.

(2) The amendments made by subsections (a) and (b) shall apply with respect to agreements accepted under section 312(a) and 312(b), respectively, of title 37, United States Code, on or after October 1, 1999.

(3) The amendments made by subsection (c) shall apply with respect to fiscal years beginning on or after October 1, 1999.

SEC. 628. INCREASE IN MAXIMUM MONTHLY PAY FOR FOREIGN LANGUAGE PROFICIENCY PAY.
(a) INCREASE IN MAXIMUM MONTHLY PAY.—Section 316(b)(1) 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 PAY FOR ACTIVE DUTY OUTSIDE THE CONTINENTAL UNITED STATES.
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 PERMANENT CHANGE OF STATION.
Section 404(a)(9) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking "or" at the end of the paragraph;

(2) by inserting "or" after the semicolon; and

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

"(3) In the case of an enlisted member to the member's first permanent duty station for the purpose of record or initial technical training school:".

SEC. 642. DESTINATION AIRPORT FOR EMERGENCY LEAVE TRAVEL TO THE CONTINENTAL UNITED STATES.
Section 411d(b)(1)(A) of title 37, United States Code, is amended to read as follows:

"(A) to either of the following:

(i) the international airport in the continental United States closest to the location from which the member and the member's family are normally based;

(ii) any other airport in the continental United States that is closer to the destination than is that international airport if the cost of the transportation to the other airport is less expensive than the cost of the 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 1002(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 military technician (dual status) on leave from technician employment under section 632(c)(3) of title 5 is performing active duty without pay outside the United States without having been afforded an adequate 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 satisfy the administrative requirements for a commutation of subsistence and quarters under chapter 4 of this title instead of the commutation while the technician is performing that duty.

SEC. 644. EXPANSION OF CODIFICATION OF AUTHORITY FOR SPACE REQUIRED TRAVEL ON 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. Reserve traveling to inactive-duty training OCONUS: space required travel

"A member of the reserve component is authorized to travel in a 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 means of road, railroad, or a combination of railroad and road, and the member traveling in that status on any such aircraft under the authority of this section is not 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 new item:

``12322. Reserving traveling to inactive-duty training OCONUS space required travel.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 9203 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 INCURRED BY MEMBERS OF THE ARMED FORCES IN CONNECTION WITH LEAVE CANCELED FOR INVOLVEMENT 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) incurred in connection with the member in connection with approved leave canceled to meet an exigency 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 PERSONNEL ENTERING UNIFORMED SERVICES 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 31, 1986," the following: "has elected to receive a bonus under section 318 of title 37.

(A) Paragraph (2) (A) of section 1401(b) of title 10, United States Code, is amended by striking "The Secretary shall increase the retired pay of each member and former member who first became a member of a uniformed service before August 1, 1986," and inserting "Except as otherwise provided in this subsection, the Secretary shall increase the retired pay of each member and former member"

(B) Paragraph (3) of such section 1401(b) is amended by inserting after "August 1, 1986," the following: "who has elected to receive a bonus under section 318 of title 37.

(c) Section 1410 of title 10, United States Code, is amended by inserting at the end of that 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) ELIGIBILITY FOR BONUS.—A member of a uniformed service serving on active duty is eligible to receive a bonus under this section if the member

(1) first became a member of a uniformed service on or after August 1, 1986;

(2) has completed 15 years of active duty in the uniformed services; and

(3) if not already obligated to remain on active duty for a period that would result in the member completing 15 years of active-duty service during the period bears to the total period.

(c) ELECTION.—(1) A member eligible to receive a bonus under this section may elect to receive the bonus. The election shall be made in such form and within such period as the Secretary concerned requires.

(2) An election made under this subsection is irrevocable.

(d) NOTIFICATION OF ELIGIBILITY.—The Secretary concerned shall transmit a written notification of the opportunity to elect to receive a bonus under this section to each member who is eligible (or upon execution of an agreement described in subsection (b)(3), would be eligible) to receive the bonus. The Secretary concerned may notify the member 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 effects under sections 1401a, 1409, and 1410 of title 10 such that an election has on the computation of any retired or re- tainer pay which the member may become eligible to receive.

(e) FORM AND AMOUNT OF BONUS.—A bonus under this section shall be paid in one lump sum of $30,000.

(f) 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 that is 60 days after the Secretary concerned receives from the member an election that satisfies the requirements imposed under paragraph (3). The Secretary concerned may delay payment of the bonus 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 payment as the unserved part of that total period bears to the total period.

(g) REPAYMENT OF BONUS.—(1) If a person paid a bonus under this section fails to complete the 15 years of active duty under 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 payment as the unserved part of that total period bears to the total period.

(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 the recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

(d) 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 signing such agreement from a debt arising under the agreement or this subsection.''.

(b) SECTION 8440E OF TITLE 5, THE FOLLOWING ACTIONS SHALL BE TAKEN.

(2) The table of sections in the beginning of such chapter is amended by adding at the end the following new item:

``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 8440(b) of title 5 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 the first six months after the date 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(a)(1).

(c) MAXIMUM CONTRIBUTION FROM PAY OR COMPENSATION.—(1) The amount contributed by a member of the uniformed services for any pay period out of basic pay may not exceed 5 percent of such member’s basic pay for such pay period.

SEC. 652. PARTICIPATION IN THRIFT SAVINGS PLAN.

(a) PARTICIPATION AUTHORITY.—(1)(A) Chapter 3 of title 37, United States Code, is amended by inserting 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 the release).

(2) Transfer of the member by the Secretary concerned to a retired list maintained by the Secretary.

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

``211. Participation in Thrift Savings Plan.

(A) Subchapter III of chapter 81 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 8440(b) of title 5 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 the first six months after the date 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(a)(1).

(c) MAXIMUM CONTRIBUTION FROM PAY OR COMPENSATION.—(1) The amount contributed by a member of the uniformed services for any pay period out of basic pay may not exceed 5 percent of such member’s basic pay for such pay period.''

CONGRESSIONAL RECORD — SENATE S6589 June 7, 1999
“(2) The amount contributed by a member of the Ready Reserve for any pay period for any compensation received under section 206 of title 37 may not exceed 5 percent of such member's basic pay for such pay period, to the extent allowable under the Internal Revenue Code of 1986.

(d) Other Member Contributions.—A member who makes contributions to the Thrift Savings Fund out of basic pay, or out of compensation under section 206 of title 37, may also contribute (by direct transfer to the Fund) any part of any special or incentive pay that the member receives under section 308, 308a through 311b, or 318 of title 37, to the extent allowable under the Internal Revenue Code of 1986.

(e) Agency Contributions Generally Prohibited.—Except as provided in section 211(e) of title 37, no contribution under 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 subsection (a).

(f) Benefits and Elections of Benefits.—In applying section 8433 to a member of the uniformed services who has an account under the Thrift Savings Fund—

(1) any reference in this section to separation from Government employment shall be construed to refer to an action described in section 601 of title 37; and

(2) the reference in section 8433(c)(1) contributions made under section 8432(a) shall be treated as being a reference to contributions made by the Federal Thrift Retirement Investment Board by the member, whether made under section 8351, 8432(a), or this section.

(g) Basic Pay Defined.—For purposes of this section, the term ‘basic pay’ means basic pay that is payable under section 204 of title 37.

(h) Repeal.—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 8446 the following:

‘‘8446e. Members of the uniformed services on active duty.’’

(i) Section 8432(b) of title 5, United States Code, is amended—

(A) in paragraph (1), by striking ‘‘15 members’’ and inserting ‘‘14 members’’;

(B) by redesignating paragraph (4) as paragraph (5);

(C) by inserting after paragraph (4) the following new paragraph (4):

‘‘No contribution may be made under this section for the 6-year period for which an employee made a contribution under section 8440e.’’

(j) Section 8453 of title 5, United States Code, is amended—

(A) in subsection (a), by striking ‘‘14 members’’ and inserting ‘‘15 members’’; and

(B) in subsection (b)—

(i) by striking ‘‘14 members’’ and inserting ‘‘15 members’’;

(ii) by striking ‘‘and’’ at the end of paragraph (8); and

(iii) by striking the period at the end of paragraph (9) and inserting ‘‘; and’’; and

(iv) by adding at the end the following:

‘‘10 shall be appointed to represent participants under section 8446e who are members of the uniformed services.’’

(k) Paragraph (11) of section 8351(b) of title 5, United States Code, is redesignated as paragraph (12).

(l) Application.—(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)(A) The Secretary 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 Federal Thrift Retirement Investment Board, determines that permitting such members to participate in the Thrift Savings Plan on that date would place an excessive burden on the operational 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).

(m) Regulations.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue regulations to implement section 8440e of title 5, United States Code (as added by subsection (a)(2)) and section 211 of title 37, United States Code (as added by subsection (a)(3)).

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 Contributions 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 finds that—

(A) the member is in a specialty designated by the Secretary as critical to meet requirements of the Department of Defense (whether such specialty is designated as critical to meet wartime or peacetime requirements); and

(B) the member's continued service is critical to the Secretary to accommodate participants in the Thrift Savings Plan.

‘‘(2) The amount contributed by a member under this paragraph shall be subject to determination by the Federal Thrift Retirement Investment Board in accordance with section 8440e of title 5. The amount of any such contribution is determined under subparagraph (A).

‘‘(A) is in a specialty designated by the Secretary as critical to meet requirements of the Department of Defense (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 any agreement entered into under paragraph (1), the Secretary may make a contribution equal to the basic pay of such member in the Thrift Savings Fund at the first opportunity following the 360th month for which the person attained 70 years of age.’’

SEC. 654. Repeal of Reduction in Retirement Pay for Civilian Employees.—

(a) Repeal.—(1) Section 5532 of title 5, United States Code, is repealed.

(2) The chapter analysis at the beginning of chapter 71 of title 10, United States Code, is amended by adding at the end the following:

‘‘1450 Added by section 657 of title 5, United States Code, is amended by adding after subsection (f)(3) the following:

‘‘(4) The amount contributed by a member under such section to the Thrift Savings Fund shall not be considered to be a reduction of any nature in the pay of such member under such section as provided in subsection (a) or (b).’’

(b) Effect of Repeal.—The amendments made by this section are effective on the date of the enactment of this Act.

SEC. 655. Credit toward Paid-Up SBP Coverage.—


(a) by redesignating paragraph (a) as paragraph (b); and

(b) by striking ‘‘360th’’ and inserting ‘‘360’’.

SEC. 656. Permanent Authority for Payment of Survivor Benefits to Certain Military Surviving Spouses.—

(a) Cases Not Covered by Existing Authority.—Subparagraph (4) of section 1450(f) of title 10, United States Code, is amended by striking the item relating to section 1450(f) of title 10, United States Code, as in effect on the date of the enactment of this Act, and inserting the following:

‘‘(4) Section 1450(f) of title 10, United States Code (as provided in section 1450(f) of title 10, United States Code, as effect on the date of the enactment of this Act) shall apply in the case of a former spouse of any retired member referred to in subsection (a) or (b) who—

(A) incident to a proceeding of divorce, dissolution, or annulment—

(i) entered into a written agreement on or after August 21, 1983, to make an election under section 1448(b) of title 10 to provide annuity to the former spouse (the agreement thereafter having been incorporated in or ratified on any active or court order filed with the court of appropriate jurisdiction in accordance with applicable State law); or

(B) was required by a court order dated on or after such date to make such an election for the former spouse; and

(2) before making the election, died within 21 days after the date of the agreement referred to in paragraph (1)(A) or the court order referred to in paragraph (1)(B), as the case may be.

(b) Adjusted Time Limit for Request by Former Spouse.—For the purposes of paragraph (3) of section 1450(f) of title 10, United States Code, as amended by this section, filing referred to in subsection (a)(1) of this section that is dated before October 19, 1994, shall be deemed to be dated on the date of the enactment of this Act.

(c) Special Compensation for Severely Disabled Former Uniformed Services Retirees.—(1) Authority.—(A) Chapter 71 of title 10, United States Code, is amended by adding at the end the following:

‘‘11413. Special compensation for certain severely disabled former uniformed services retirees.’’

(2) The amount contributed by a member under such section to the Thrift Savings Fund shall not be considered to be a reduction of any nature in the pay of such member under such section as provided in subsection (a) or (b).

(3) The Secretary concerned shall, subject to the availability of appropriations for such purpose, pay to each eligible former spouse of a retired uniformed services retiree a monthly amount determined under subsection (b).
(b) AMOUNT.—The amount to be paid to an eligible disabled uniformed services retiree in accordance with subsection (a) is the following:

(1) For any month for which the retiree has a qualifying service-connected disability rated as total, $300.

(2) For any month for which the retiree has a qualifying service-connected disability rated at 90 percent or more, $200.

(3) For any month for which the retiree has a qualifying service-connected disability rated at 50 percent or more, $100.

(c) ELIGIBLE MEMBERS.—An eligible disabled uniformed services retiree referred to in subsection (a) is a member of the uniformed services who—

(1) completed at least 20 years of service in the uniformed services that were creditable for purposes of computing the amount of retired pay to which the member is entitled; and

(2) has a qualifying service-connected disability.

(d) QUALIFYING SERVICE-CONNECTED DISABILITY DEFINED.—In this section, the term ‘qualifying service-connected disability’ means a service-connected disability that—

(1) was incurred or aggravated in the performance of duty as a member of a uniformed service as determined by the Secretary; and

(2) is rated as not less than 70 percent disabling.

(A) by the Secretary concerned as of the date on which the member is retired from the uniformed services; or

(B) by the Secretary of Veterans Affairs within four years following the date on which the member is retired from the uniformed services.

(e) SOURCE OF FUNDS.—Payments under this section are not retired pay.

(f) SOURCE OF FUNDS.—Payments under this section for any fiscal year shall be paid out of funds appropriated for pay and allowances payable by the Secretary concerned for that fiscal year.

(g) OTHER DEFINITIONS.—In this section:

(1) the term ‘disability’ means the giving effect that term in section 101 of title 38;

(2) 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 of the disabled person concerned to secure or follow a substantially gainful occupation as a result of service-connected disabilities.

(3) the term ‘retired pay’ includes retirement pay, pay on the date of retirement, pay on the date of an additional disability rating, pay on the date of an additional rating, pay on the date of the death of a member, and pay on the date of the death of a member who is paid such assistance on an accelerated basis.

(4) The term ‘retired person’ means an individual who is paid such assistance on an accelerated basis.

(h) EFFECTIVE DATE.—The amendments made by this section apply to months that begin on or after such date.

(i) TERMINATION OF REDUCTIONS IN BASIC PAY.—Any reduction in the basic pay of an individual referred to in section 3011(b) of title 38, United States Code, by reason of section 3011(b), or of any individual referred to in section 3012(c), as of the date of the enactment of this Act shall cease commencing with the first month beginning after such date, and any obligation of such individual under section 3011(b) or 3012(c), as the case may be, as of the day before such date shall be deemed to be fully satisfied as of such date.

(j) CONFORMING AMENDMENT.—Section 3854(e)(1) of title 38, United States Code, is amended in the second sentence by striking ‘‘$501’’ and inserting ‘‘$488’’.—SEC. 672. TERMINATION OF REDUCTIONS IN BASIC PAY.

(1) the term ‘disability’ means the giving effect that term in section 101 of title 38;

(2) 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 of the disabled person concerned to secure or follow a substantially gainful occupation as a result of service-connected disabilities.

(3) the term ‘retired pay’ includes retirement pay, pay on the date of retirement, pay on the date of an additional disability rating, pay on the date of an additional rating, pay on the date of the death of a member, and pay on the date of the death of a member who is paid such assistance on an accelerated basis.

(4) The term ‘retired person’ means an individual who is paid such assistance on an accelerated basis.

(h) EFFECTIVE DATE.—The amendments made by this section apply to months that begin on or after such date.

(i) TERMINATION OF REDUCTIONS IN BASIC PAY.—Any reduction in the basic pay of an individual referred to in section 3011(b) of title 38, United States Code, by reason of section 3011(b), or of any individual referred to in section 3012(c), as of the date of the enactment of this Act shall cease commencing with the first month beginning after such date, and any obligation of such individual under section 3011(b) or 3012(c), as the case may be, as of the day before such date shall be deemed to be fully satisfied as of such date.

(j) CONFORMING AMENDMENT.—Section 3854(e)(1) of title 38, United States Code, is amended in the second sentence by striking ‘‘$501’’ and inserting ‘‘$488’’.
each month of the period covered by the accelerated payment of such assistance.

"(5) Basic educational assistance shall be paid on an accelerated basis under this subsection in the following cases:

(A) In the case of assistance for a course leading to a standard college degree, at the beginning of the quarter, semester, or term of such course that begins on or after the date on which the individual is notified of the approval of the transfer of such entitlement, or the date on which the individual is notified of the approval of renewal of such entitlement by the Secretary concerned, if the individual is a member of the Armed Forces at the time of the approval of such transfer of entitlement.

(B) In the case of assistance for a course other than a course referred to in subparagraph (A), the Secretary concerned shall:

(i) at the later of (I) the beginning of the course, or (II) a reasonable time after the request for payment by the individual concerned; 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.

"(6) The Secretary shall prescribe regulations for purposes of making payments of basic educational assistance on an accelerated basis under this subsection. Such regulations shall specify the circumstances under which accelerated payments may be made and include requirements relating to the request for, making and delivery of, and receipt and use of such payments.".

SEC. 674. TRANSFER OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE: MEMBERS OF THE ARMED FORCES.

(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 new section:

"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 entitled to basic educational assistance under this subchapter to elect to transfer such individual's entitlement to such assistance, in whole or in part, to the dependents specified in subsection (b).

"(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.

"(3) Subject to the time limitation for use of entitlement under section 3001 of this title, an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time after the approval of the Secretary concerned of the transfer of entitlement without regard to whether the individual is a member of the Armed Forces when the transfer is executed.

"(b) An individual approved to transfer an entitlement to basic educational assistance under this section may transfer the individual's entitlement to such assistance as follows:

(I) To the individual's spouse.

(ii) To one or more of the individual's children.

(iii) To a combination of the individuals referred to in paragraphs (I) and (ii).

(c)(1) An individual transferring an entitlement to basic educational assistance under this section shall—

"(A) designate the dependent or dependents to whom such entitlement is being transferred and the percentage of such entitlement to be transferred to each such dependent; and

"(B) specify the period for which the transfer shall be effective for each dependent designated under subparagraph (A).

"(2) The aggregate amount of the entitlement transferred to an individual under this section may not exceed the aggregate amount of the entitlement of such individual to basic educational assistance under this subchapter as follows:

"(A) An individual transferring an entitlement under this section may modify or revoke the transfer at any time before the use of any entitlement transferred under this section begins. An individual transferring an entitlement under this section may transfer the entitlement to educational assistance under this subchapter to elect to modify or revoke such transfer at any time after the approval of such transfer.

"(B) The use of any entitlement transferred under this section shall be charged against the entitlement of the individual making the transfer at the rate of one month for each month of transferred entitlement that is used.

"(3) Except as provided in section 3685 of title 10, United States Code, accelerated payments may be made and the manner of the delivery, receipt, and use of such payments shall be prescribed for purposes of this section as follows:

"(i) at the later of (I) the beginning of the course, or (II) a reasonable time after the request for payment by the individual concerned; and

"(ii) in any amount requested by the person up to the aggregate amount of monthly assistance otherwise payable under this subchapter for the period of the course.

"(d) 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 time for beginning the use of such entitlement shall be treated as the time of the approval by the Secretary of Defense and the Secretary of Transportation of the application for an accelerated payment.

"(e) The Secretary shall prescribe regulations for purposes of section 3034(a)(1) of this title that specify the circumstances under which accelerated payments may be made and the manner of the delivery, receipt, and use of the assistance provided under this section.

"(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 revoke a transfer of entitlement under this section as follows:

"(1) The Secretary of Defense shall prescribe regulations for purposes of 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.

"(2) 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 revoke a transfer of entitlement 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.

"(g) The regulations prescribed by the Secretary of Defense shall provide for the payment of educational assistance allowance under this subchapter to members of the Armed Forces who are members of the Armed Forces reserve components concerned.

"(h)(1) Whenever a person entitled to an educational assistance allowance under this chapter so requests and the Secretary concerned, in consultation with the Chief of the reserve component concerned, determines it appropriate, the Secretary may pay such amount of the educational assistance 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 subsection as follows:

"(A) In the case of an allowance for a course leading to a standard college degree, at the beginning of the quarter, semester, or term of the course in a lump-sum amount equivalent to the aggregate amount of monthly assistance otherwise payable under this chapter for the quarter, semester, or term, as the case may be, of the course.

"(B) In the case of a person entitled to an educational assistance allowance for a course other than a course referred to in subparagraph (A)—

(i) at the later of (I) the beginning of the course, or (II) a reasonable time after the request for payment by the individual concerned;

(ii) in any amount requested by the person up to the aggregate amount of monthly assistance otherwise payable under this chapter for the period of the course.

"(i) In the case of an educational assistance allowance for a course referred to in subparagraph (A), the Secretary concerned shall—

"(A) pay on an accelerated basis the amount of the allowance otherwise payable for the period without regard to the adjustment under that subsection; and

"(B) pay on the date of the adjustment any additional amount of the allowance that is payable for the period as a result of the adjustment.

"(j)(1) A person's entitlement to an educational assistance allowance under this chapter shall be credited to one month for each month of the period covered by an accelerated payment of the allowance to the person under this subsection.

"(2) The regulations prescribed by the Secretary of Defense shall provide for the payment of an educational assistance allowance on an accelerated basis under this subsection. The regulations shall specify the circumstances under which accelerated payments may be made and the manner of the delivery, receipt, and use of the allowance so paid.

"(6) In this subsection, the term 'Chief of the reserve component concerned' means the following:

"(A) The Chief of Army Reserve, with respect to members of the Army Reserve.

"(B) The Chief of Naval Reserve, with respect to members of the Naval Reserve.

"(C) The Chief of Air Force Reserve, with respect to members of the Air Force Reserve.

"(D) The Commander, Marine Reserve Forces, with respect to members of the Marine Reserve.

"(E) The Chief of the National Guard Bureau, with respect to members of the Army National Guard and the Air National Guard.

"(F) The Chief of Coast Guard Reserve.".
SEC. 682. MODIFICATION OF TIME FOR USE BY CERTAIN MEMBERS OF SELECTED RESERVE OF ENTITLEMENT TO CERTAIN BENEFITS IMPROVEMENTS ON RECRUITMENT AND RETENTION OF PERSONNEL FOR THE ARMED FORCES.

Not later than one year after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the effects of the amendments made by this title on: (a) recruitment and retention of the members of the Armed Forces; (b) the recruitment and retention of the members of the family of the Armed Forces; and (c) recruiting and retention of the members of the Armed Forces under the jurisdiction of the Secretary of Defense.

SEC. 691. ANNUAL REPORT ON EFFECTS OF EDUCATIONAL BENEFITS IMPROVEMENTS ON RECRUITMENT AND RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) REQUIREMENT FOR REPORT.—On December 1, 1999, the Secretary of Defense shall submit to the congressional defense committees a report assessing the effects of the amendments made by such provisions, on the recruitment and retention of the members of the Armed Forces. The report shall include in the Secretary's assessment of the effects of the improvements, the Secretary's assessment of the effects of the improved pay and other benefits under this title and under the amendments made by subsections (a) and (b) of title 37, United States Code, is amended by adding at the end the following new section:

"§ 435. Per diem allowance for lengthy or numerous deployments

(a) PER DIEM ALLOWANCE.—The Secretary of the military department concerned shall pay a per diem allowance to a member of an armed force for each day that the member is deployed in excess of 220 days out of 365 consecutive days.

(b) DEFINITION OF DEPLOYED.—In this section, the term 'deployed' means that the member is deployed or in a deployment within the meaning of section 991 of title 10, United States Code.

(c) AMOUNT OF PER DIEM.—The amount of the per diem payable to a member under this section is $100.

(d) PAYMENT OF CLAIMS.—A claim of a member or the families of a member for per diem allowance that is not fully substantiated by the applicable recordkeeping system applicable to the member under section 991(c) of title 10 shall be paid if the Secretary concerned determines that evidence is sufficient to substantiate the claim.

SEC. 692. MEMBERS UNDER BURDENSON PEDESTRIAN.

(a) MANAGEMENT OF DEPLOYMENTS OF INDIVIDUALS.—Part II of subtitle A of title 10, United States Code, is amended by inserting after chapter 49 the following:

"CHAPTER 50—MISCELLANEOUS COMMAND RESPONSIBILITIES

Sec. 891. Management of deployments of members of the armed forces.

Sec. 891. Management of deployments of members of the armed forces.

(a) GENERAL OR FLAG OFFICER RESPONSIBILITIES.—The first general officer or flag officer in the chain of command of a member of the armed forces shall plan, 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.

(b) DEPLOYMENT DEFINED.—For the purposes of this section, a member of the armed forces is deployed or in a deployment on any day on which, pursuant to orders, the member is performing service in a training exercise or operation at a location or 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) The table of sections at the beginning of chapter 7 of title 37, United States Code, is amended by inserting after the item relating to section 434 the following:

"§ 435. Per diem allowance for lengthy or numerous deployments."
S6594

commissioned officer of the National Oceanic and Atmospheric Administration on the
active list, as the case may be.

mmaher on DSKCGSP4G1 with SOCIALSECURITY

SEC. 696. PARTICIPATION OF ADDITIONAL MEMBERS OF THE ARMED FORCES IN
MONTGOMERY GI BILL PROGRAM.
(a) PARTICIPATION AUTHORIZED.—(1) Sub-

chapter II of chapter 30 of title 38, United
States Code, is amended by inserting after
section 3018C the following new section:
‘‘§ 3018D. Opportunity to enroll: certain VEAP
participants; active duty personnel not previously enrolled
‘‘(a) Notwithstanding any other provision
of law, an individual who—
‘‘(1) either—
‘‘(A)(i) is a participant on the date of the
enactment of this section in the educational
benefits program provided by chapter 32 of
this title; or
‘‘(ii) disenrolled from participation in that
program before that date; or
‘‘(B) has made an election under section
3011(c)(1) or 3012(d)(1) of this title not to receive educational assistance under this chapter and has not withdrawn that election
under section 3018(a) of this title as of the
date of the enactment of this section;
‘‘(2) is serving on active duty (excluding
periods referred to in section 3202(1)(C) of
this title in the case of an individual described in paragraph (1)(A)) on the date of
the enactment of this section;
‘‘(3) before applying for benefits under this
section, has completed the requirements of a
secondary school diploma (or equivalency
certificate) or has successfully completed
the equivalent of 12 semester hours in a program of education leading to a standard college degree;
‘‘(4) if discharged or released from active
duty before the date on which the individual
makes an election described in paragraph (5),
is discharged with an honorable discharge or
released with service characterized as honorable by the Secretary concerned; and
‘‘(5) during the one-year period beginning
on the date of the enactment of this section,
makes an irrevocable election to receive benefits under this section in lieu of benefits
under chapter 32 of this title or withdraws
the election made under section 3011(c)(1) or
3012(d)(1) of this title, as the case may be,
pursuant to procedures which the Secretary
of each military department shall provide in
accordance with regulations prescribed by
the Secretary of Defense for the purpose of
carrying out this section or which the Secretary of Transportation shall provide for
such purpose with respect to the Coast Guard
when it is not operating as a service in the
Navy;
is entitled to basic educational assistance
under this chapter.
‘‘(b)(1) Except as provided in paragraphs (2)
and (3), in the case of an individual who
makes an election under subsection (a)(5) to
become entitled to basic educational assistance under this chapter—
‘‘(A) the basic pay of the individual shall
be reduced (in a manner determined by the
Secretary of Defense) until the total amount
by which such basic pay is reduced is—
‘‘(i) $1,200, in the case of an individual described in subsection (a)(1)(A); or
‘‘(ii) $1,500, in the case of an individual described in subsection (a)(1)(B); or
‘‘(B) to the extent that basic pay is not so
reduced before the individual’s discharge or
release from active duty as specified in subsection (a)(4), the Secretary shall collect
from the individual an amount equal to the
difference between the amount specified for
the individual under subparagraph (A) and
the total amount of reductions with respect
to the individual under that subparagraph,
which shall be paid into the Treasury of the
United States as miscellaneous receipts.

VerDate Mar 15 2010

June 7, 1999

CONGRESSIONAL RECORD — SENATE

21:45 Nov 01, 2013

Jkt 081600

‘‘(2) In the case of an individual previously
enrolled in the educational benefits program
provided by chapter 32 of this title, the Secretary shall reduce the total amount of the
reduction in basic pay otherwise required by
paragraph (1) by an amount equal to so much
of the unused contributions made by the individual to the Post-Vietnam Era Veterans
Education Account under section 3222(a) of
this title as do not exceed $1,200.
‘‘(3) An individual may at any time pay the
Secretary an amount equal to the difference
between the total of the reductions otherwise required with respect to the individual
under this subsection and the total amount
of the reductions with respect to the individual under this subsection at the time of
the payment. Amounts paid under this paragraph shall be paid into the Treasury of the
United States as miscellaneous receipts.
‘‘(c)(1) Except as provided in paragraph (3),
an individual who is enrolled in the educational benefits program provided by chapter 32 of this title and who makes the election described in subsection (a)(5) shall be
disenrolled from the program as of the date
of such election.
‘‘(2) For each individual who is disenrolled
from such program, the Secretary shall refund—
‘‘(A) to the individual in the manner provided in section 3223(b) of this title so much
of the unused contributions made by the individual to the Post-Vietnam Era Veterans
Education Account as are not used to reduce
the amount of the reduction in the individual’s basic pay under subsection (b)(2); and
‘‘(B) to the Secretary of Defense the unused contributions (other than contributions
made under section 3222(c) of this title) made
by such Secretary to the Account on behalf
of such individual.
‘‘(3) Any contribution made by the Secretary of Defense to the Post-Vietnam Era
Veterans Education Account pursuant to
section 3222(c) of this title on behalf of an individual referred to in paragraph (1) shall remain in such account to make payments of
benefits to the individual under section
3015(f) of this title.
‘‘(d)(1) The requirements of sections
3011(a)(3) and 3012(a)(3) of this title shall
apply to an individual who makes an election described in subsection (a)(5), except
that the completion of service referred to in
such section shall be the completion of the
period of active duty being served by the individual on the date of the enactment of this
section.
‘‘(2) The procedures provided in regulations
referred to in subsection (a) shall provide for
notice of the requirements of subparagraphs
(B), (C), and (D) of section 3011(a)(3) of this
title and of subparagraphs (B), (C), and (D) of
section 3012(a)(3) of this title. Receipt of such
notice shall be acknowledged in writing.’’.
(2) The table of sections at the beginning of
chapter 30 of that title is amended by inserting after the item relating to section 3018C
the following new item:
‘‘3018D. Opportunity to enroll: certain VEAP
participants; active duty personnel
not
previously
enrolled.’’.
AMENDMENT.—Section
(b)
CONFORMING
3015(f) of that title is amended by striking
‘‘or 3018C’’ and inserting ‘‘3018C, or 3018D’’.
(c) SENSE OF CONGRESS.—It is the sense of
Congress that any law enacted after the date
of the enactment of this Act which includes
provisions terminating or reducing the contributions of members of the Armed Forces
for basic educational assistance under subchapter II of chapter 30 of title 38, United
States Code, should terminate or reduce by
an identical amount the contributions of
members of the Armed Forces for such as-

PO 00000

Frm 00140

Fmt 0624

Sfmt 0634

sistance under section of section 3018D of
that title, as added by subsection (a).
SEC. 697. REVISION OF EDUCATIONAL ASSISTANCE
INTERVAL
PAYMENT
REQUIREMENTS.
(a) IN GENERAL.—Clause (C) of the third

sentence of section 3680(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 shorter in length than the period.’’.
(b) EFFECTIVE DATE.—The amendment
made by subsection (a) shall apply with respect to payments of educational assistance
under title 38, United States Code, for
months 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 1060a of

title 10, United States Code, is amended by
striking ‘‘may carry out a program to provide special supplemental food benefits’’ and
inserting ‘‘shall carry out a program to provide supplemental foods and nutrition education’’.
(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)(1)(A) of such section is amended by adding at the end the following: ‘‘In the determining of eligibility for the program benefits, a person already certified for participation in the special supplemental nutrition
program for women, infants, and children
under section 17 of the Child Nutrition Act of
1996 (42 U.S.C. 1786) shall be considered eligible for the duration of the certification period under that program.’’.
(d) NUTRITIONAL RISK STANDARDS.—Subsection (c)(1)(B) of such section is amended
by inserting ‘‘and nutritional risk standards’’ after ‘‘income eligibility standards’’.
(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 17(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 MANAGEMENT.
(a) IMPROVEMENT OF TRICARE PROGRAM.—

(1) Chapter 55 of title 10, United States Code,
is amended by inserting after section 1097a
the following:
‘‘§ 1097b. TRICARE: benefits and services
‘‘(a) COMPARABILITY TO FEHBP BENEFITS.—
The Secretary of Defense shall, to the maximum extent practicable, ensure that the
health care coverage available through the
TRICARE program is substantially similar
to the health care coverage available under
similar health benefits plans offered under
the Federal Employees Health Benefits program established under chapter 89 of title 5.
‘‘(b) PORTABILITY.—The Secretary of Defense shall provide that any covered beneficiary enrolled in the TRICARE program

E:\1999SENATE\S07JN9.REC

S07JN9


may receive benefits under that program at facilities that provide benefits under that program throughout the various regions of that program.

(2) The Secretary of Defense shall, to the maximum extent practicable, minimize the authorization or certification requirements imposed upon covered beneficiaries under the TRICARE program as a condition of access to benefits under that program.

(2) The Secretary of Defense shall, to the maximum extent practicable, utilize practices for processing claims under the TRICARE program that are similar to the best industry practices for processing claims for health care services in a simplified and expedited manner. To the maximum extent practicable, such practices shall include electronic processing of claims.

(2) The Secretary of Defense shall carry out the responsibilities under this section after consultation with the other administering Secretaries.

§ 1097c. TRICARE: financial management

(a) Reimbursement of Providers.-(1) Subject to paragraph (2), the Secretary of Defense may reimburse health care providers under the TRICARE program at rates higher than the reimbursement rates otherwise authorized by the other administering Secretaries under this paragraph if the Secretary determines that application of the higher rates is necessary in order to ensure the availability of an adequate level of health care services.

(b) Consultation Requirement. The Secretary of Defense shall carry out the responsibilities under this subsection after consultation with the other administering Secretaries.

§ 1076a. TRICARE dental program

(a) Establishment of Dental Plans.-(1) The Secretary of Defense, 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 RESERVES. A dental insurance plan for members of the Selected Reserve of the Ready Reserve and for members of the Individual Ready Reserve described in subsection 10144(h)(2) of this title.

(2) PLAN FOR OTHER RESERVES. A dental insurance plan for members of the Individual Reserves described in section 1072(3) of title 10, United States Code, is amended by striking sections 1076a and 1076b and inserting the following:

§ 1076a. TRICARE dental program

(a) Authority.—Chapter 55 of title 10, United States Code, is amended by striking sections 1076a and 1076b and inserting the following:

(b) Third-Party Collections.-(1) A medical treatment facility of the uniformed services under the TRICARE program has the same right as the United States under title 37, as the case may be, to receive reimbursement for the services provided.

(c) Payment Procedures.—A member’s share of the premium for a plan established under subsection (a) may be paid by deductions from the basic pay of the member and from any other compensation provided under section 37 of title 37, as the case may be. The regulations prescribed under subsection (b) shall specify the procedures for payment of the premiums by beneficiaries who do not receive such pay.

(d) 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) pay the copayment charge that is specified by the Secretary of Defense, in consultation with the other administering Secretaries.

(2) In the case of care described in subsection (c)(2), pay 20 percent of the copay charge.

(3) In the case of care described in subsection (c)(3), pay a percentage of the copay charge that is determined appropriate by the Secretary of Defense, in consultation with the other administering Secretaries.

(4) Transfer of Members.—If a member who is a dependent of a member entitled to benefits under the 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 program other than that plan, the member may continue participation under the plan. If the member is later transferred to a duty station where dental care is provided to the member’s eligible dependents except under the plan established under subsection (a)(3), the member may reenroll the dependents in that plan.

(5) Care Outside the United States.—The Secretary of Defense may, in consultation with the other administering Secretaries, establish and implement such procedures and regulations as the Secretary considers appropriate for the effective and efficient operation of the plan.

(6) Waiver of Requirements for Service in the Military.—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).

“(1) AUTHORITY SUBJECT TO APPROPRIATIONS.—The authority of the Secretary of Defense to enter into a contract under this section is subject to the availability of appropriations for that purpose.

“(2) LIMITATION ON REDUCTION OF BENEFITS.—(A) The Secretary of Defense may not reduce benefits provided under a 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 DEPENDENT DEFINED.—In this section, the term ‘eligible dependent’—

(1) means a dependent described in subparagraph (A), (D), or (I) of section 1072(2) of this title; and

(2) includes any such dependent of a member who was on active duty 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 care program referred to in section 1072(3) of title 10, United States Code, and is designated as eligible by the Department of Defense, and the service areas of the designated providers.

“(2) Any demonstration program carried out under this section shall commence on October 1, 1999, and end on September 30, 2001.

“(m) 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 of Defense, the Secretary of Veterans Affairs, and the United States Code, should modify existing policies and procedures for the TRICARE Senior Prime demonstration program as necessary to permit the automatic enrollment.

SEC. 794. 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 commander of each medical care facility under chapter 55 of title 10, United States Code, designate a person to serve, as a primary or collateral duty, as beneficiary advocate for TRICARE beneficiaries served at that facility.

(b) DUTIES.—The Secretary shall prescribe the duties of the position of beneficiary advocate established under this section.

(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.

Section 721 of title 10, United States Code, is amended by striking out the item relating to section 1073a of title 10, United States Code, and inserting the following:

“(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 that shall be administered so as to begin the fiscal year all changes in benefits and administration that are to 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 would significantly improve the provision of care to eligible beneficiaries and a recommendation concerning whether to authorize open enrollments in the managed care plans of designated providers permanently.

Subtitle B—Other Matters

SEC. 711. CARE AT FORMER UNIFORMED SERVICES TREATMENT FACILITIES AT CERTAIN LOCAL REMOTES.

(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 1073(c) 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—

(1) comply with Department of Defense policies applicable to the furnishing of care under the TRICARE Remote program, including coordinating with uniformed services medical authorities for hospitalizations and all referrals for specialty care.

(2) OUTFRONT RATES.—The Secretary of Defense, in consultation with the designated providers, shall prescribe reimbursement rates for care furnished to eligible members described in paragraph (1).

(d) FEE FOR SERVICE.—All fees prescribed under subsection (c) shall be paid in accordance with the terms of the contract entered into by the designated provider and the member.

SEC. 712. ONE-YEAR EXTENSION OF CHIRP PROGRAM.

Section 731 of title 10, United States Code, is amended by striking “(k) Eligible dependents defined.—In this section, the term ‘eligible dependent’—

(1) means a dependent described in subparagraph (A), (D), or (I) of section 1072(2) of this title; and

(2) includes any such dependent of a member who was on active duty 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 care program referred to in section 1072(3) of title 10, United States Code, and is designated as eligible by the Department of Defense, and the service areas of the designated providers.

“(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 that shall be administered so as to begin the fiscal year all changes in benefits and administration that are to 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 would significantly improve the provision of care to eligible beneficiaries and a recommendation concerning whether to authorize open enrollments in the managed care plans of designated providers permanently.

SEC. 714. BEST VALUE CONTRACTING.

(a) AUTHORITY.—Chapter 55 of title 10, United States Code, is amended by inserting at the end the following:

“7173a. 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 this chapter to 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; and

(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 striking “731” and inserting “7173a.”

SEC. 715. AUTHORITY TO ORDER STAFF RESERVE COMPONENT MEMBERS TO ACTIVE DUTY FOR HEALTH SURVEILLANCE STUDIES.

Section 12801 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(b) When authorized by the Secretary of Defense, the Secretary concerned may order a member of a reserve component to active duty, 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 a period of time that would, for other reasons, result in a more effective provision of care to eligible beneficiaries.

SEC. 716. CONTINUATION OF PREVIOUSLY PROVIDED CUSTODIAL CARE BENEFITS FOR DEPENDENT CHAMPUS BENEFICIARIES.

(a) CONTINUATION OF COVERAGE.—Subject to subsection (c), the Secretary of Defense may reimburse payment made under the Air Force Health and Medical Program of the Uniformed Services (as defined in section 1072 of title 10,
Subsection (d) of section 1076c of title 10, United States Code, is amended by adding at the end the following: "(d) Benefits Available Under the Plan.—The dental insurance plan established under such section and shall provide benefits for dental care and treatment which may be comparable to the benefits authorized under section 1076a of this title for plans established under such section and shall include diagnostic services, preventative services, endodontics and other basic restorative services, surgical services, and emergency services.

SEC. 717. ENHANCEMENT OF DENTAL BENEFITS FOR RETIREES.

Subsection (d) of section 1076h of title 10, United States Code, is amended by adding at the end the following: "(d) Benefits Available Under the Plan.—The dental insurance plan established under such section and shall provide benefits for dental care and treatment which may be comparable to the benefits authorized under section 1076a of this title for plans established under such section and shall include diagnostic services, preventative services, endodontics and other basic restorative services, surgical services, and emergency services.

SEC. 718. MEDICAL AND DENTAL CARE FOR CERTAIN MEMBERS INCURRING INJURIES ON INACTIVE-DUTY TRAINING.

(a) ORDER TO ACTIVE DUTY AUTHORIZED.—Chapter 1209 of title 10, United States Code, is amended to read as follows: "Chapter 1209—Medical Care on Inactive-Duty Training

(1) Members authorized to be treated under chapter 1209 of this title shall be treated at any time when they are on inactive-duty training, by order of the Secretary of Defense, for any injury, illness, or disease inuring from said injury, illness, or disease inuring from an injury, illness, or disease incurred in an active duty for a period of more than 30 days while the member remains on active duty.

(b) COVERED BENEFICIARIES.—Subparagraph (a) is subject to a case-by-case determination by the Secretary that discontinuation of payment for domiciliary or custodial care services or transition under the case management program authorized by section 1076a(17) to alternative programs and services would be inadequate to meet the needs of, and unjust to, the beneficiary.

SEC. 719. HEALTH CARE QUALITY INFORMATION SYSTEMS MODIFICATION AND ENHANCEMENT.

(a) PURPOSE.—It is the purpose of this section to ensure that the Department of Defense addresses issues of medical quality surveillance and implements solutions for those issues in a timely manner that is consistent with national policy and industry standards.

(b) DEPARTMENT OF DEFENSE MEDICAL INFORMATICS AND DATA.—(1) The Secretary of Defense shall establish a Department of Defense Center for Medical Informatics and Data to support the Assistant Secretary of Defense for Health Affairs in efforts—

(A) to develop parameters for assessing the quality of health care;

(B) to develop the defense digital patient record;

(C) to develop a repository for data on quality of health care;

(D) to develop a capability for conducting research on quality of health care;

(E) to conduct research on matters of quality of health care;

(F) to develop decision support tools for health care providers;

(G) to refine medical performance report cards; and

(H) to conduct educational programs on medical informatics to meet identified needs.

(2) The Center shall serve as a primary resource for the Department of Defense for matters concerning the capture, processing, dissemination of data on health care quality.

(c) AUTOMATION AND CAPTURE OF CLINICAL DATA.—The Secretary of Defense shall accelerate the development of Department of Defense 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.

(d) ENHANCEMENT THROUGH DoD-DVAMEDICAL 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 of the Department of Defense;

(C) The Surgeon General of the Army;

(D) The Surgeon General of the Navy;

(E) The Surgeon General of the Air Force;

(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 processing of health care quality information for evaluating the Department of Defense in coordination with other departments and agencies of the Federal Government and with 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 the private sector.

(C) Coordination of development of operational capabilities for executive informatics systems and clinical decision support systems within the Departments of Defense and Veterans Affairs.

(D) Standardization of processes used to collect, evaluate, and disseminate health care quality information.

(E) Establishment of methodologies by which the quality of health care provided within the Departments of Defense and Veterans Administration is evaluated.

(F) Protecting the confidentiality of personal health information.

(3) The Council shall submit to Congress an annual report on the activities of the Council and on the coordination of development, deployment, and maintenance of health care informatics systems within the Federal Government and between the Federal Government and the private sector.

(4) The Assistant Secretary of Defense for Health Affairs shall consult with the Council on matters described in paragraph (2).

(5) A member of the Council is not, by reason of service on the Council, an officer or employee of the United States.

(6) Compensation shall be paid to members of the Council for service on the Council.


(e) ANNUAL REPORT.—The Assistant Secretary of Defense for Health Affairs shall submit to Congress each year a report on the quality of health care furnished under the health care programs of the Department of Defense. The report shall cover the most recent fiscal year ending before the date of this report and shall contain a discussion of the quality of the health care measured on the basis of each statistical and customer satisfaction factor that the Secretary determines appropriate, including, at a minimum, the following:

(1) Extent of use of outcomes assessment.

(2) Extent of use of health record audits.

(3) Extent of use of standard clinical pathways.

(4) Extent of use of innovative processes for surveillance.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to other amounts authorized to be appropriated for the Department of Defense for fiscal year 2000 by other provisions of this Act, that are available to carry out subsection (b), there is authorized to be appropriated for the Department of Defense for such fiscal year for carrying out this subsection the sum of $2,000,000.

SEC. 720. JOINT TELEMEDICINE AND TELEPHARMACY DEMONSTRATION PROJECTS BY THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Defense and Secretary of Veterans Affairs shall carry out joint demonstration projects for pursuant to section 1076a(25) of title 10, United States Code, as amended by this section.

(b) SERVICES TO BE PROVIDED.—The services provided under the demonstration projects shall include the following:
SEC. 802. MENTOR-PROTEGE PROGRAM IMPLEMENTATION AND ADMINISTRATION.

(a) General. — The Secretary of Defense shall select an administration and support center selected under paragraph (1) to perform the functions of the administration and support center specified in section 831 of the National Defense Authorization Act for Fiscal Year 2000.

(b) Responsibilities. — The administration and support center selected under paragraph (1) shall, to the maximum extent practicable, assure the following:

(1) 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 made in any other agreement in which the mentor firm is eligible to receive in the remaining years of the program participation term under such agreement.

(2) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm may not exceed $5,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify a reimbursement of a higher amount.

(c) Administration. — The administration and support center selected under paragraph (1) shall, to the maximum extent practicable, assure that the administration and support center specified in section 831 of the National Defense Authorization Act for Fiscal Year 2000, in the exercise of its responsibilities under this section, shall include, at a minimum, the following:

(1) The Secretary shall submit to Congress a report on the mentor-protege agreement program at October 1, 1999.

(2) The administration and support center selected under paragraph (1) shall, to the maximum extent practicable, carry out the demonstration project in consultation with representatives of the academic institution or institutions with which affiliated.

(d) Period of Demonstration Projects. — The Secretary shall carry out the demonstration projects during the three-year period beginning on October 1, 1999.

(e) Amendments. — Not later than December 31, 2002, the Secretary shall jointly submit to Congress a report on the demonstration projects. The report shall include:

(1) a description of each demonstration project and any changes made in writing that unusual circumstances justify reimbursement using a separate contract; and

(2) an evaluation, based on the demonstration projects, of the feasibility and practicability of providing health care services and pharmacy services, including the provision of such services to field hospitals of the Armed Forces and to Department of Veterans Affairs facilities, and to health care clinics, by means of telecommunications.

TITLES IX—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

SEC. 801. EXTENSION OF TEST PROGRAM FOR NEGOTIATION OF COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.


SEC. 802. MENTOR-PROTEGE PROGRAM IMPLEMENTATION AND ADMINISTRATION.

(a) Program Participation Term. — Subsection (e)(2) of section 831 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2382 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) Incumbents 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 "(i) as a line item" and inserting "subsection (f) as provided for in a line item";

(iii) by striking the semicolon preceding clause (i) and inserting ", except that this clause does not apply in a case in which the Secretary 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 inserting 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 made in any other agreement in which the mentor firm is eligible to receive in the remaining years of the program participation term under such agreement.

"(C) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm may not exceed $5,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify a reimbursement of a higher amount.

"(D) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm may not exceed $5,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify a reimbursement of a higher amount.

"(E) The Secretary shall act through the Comptroller General, to examine all costs reimbursed to the mentor firm under the agreement are reasonably incurred to furnish assistance to the protege firm in accordance with the requirements of this section and applicable regulations; and

"(F) Trends in the progress made in employment, revenues, and participation in Department of Defense contracts during the fiscal year covered by the report. The requirement for submission of an annual report applies with respect to each fiscal year covered by the program participation term under the agreement and each of the two fiscal years following the expiration of the program participation term under the agreement.

"(2) 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 such review—

"(i) all costs reimbursed to the mentor firm under the agreement were reasonably incurred to furnish assistance to the protege firm; and

"(ii) the mentor firm and protege firm accurately 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.

"(3) The Secretary shall act through the Comptroller General, to examine all costs reimbursed to the mentor firm under the agreement in accordance with the requirements of this section and applicable regulations; and

"(4) Trends in the progress made in employment, revenues, and participation in Department of Defense contracts during the fiscal year covered by the report. The requirement for submission of an annual report applies with respect to each fiscal year covered by the program participation term under the agreement and each of the two fiscal years following the expiration of the program participation term.

"(B) The Secretary shall act through the Commanding Officer of the Defense Contract Management Command in carrying out the reviews and making the determinations under subparagraph (A).

"(D) Each mentor-protege agreement, if any, that was approved during the fiscal year pursuant to subsection (g) during the period beginning on October 1, 1999, and ending on October 1, 2004.

"(B) The Secretary shall carry out the demonstration projects during the three-year period beginning on October 1, 1999.

"(C) The total amount reimbursed to mentor-protege agreements that were entered into before the fiscal year ending on March 31, 2000, shall be $5,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract; and

"(D) Each mentor-protege agreement, if any, that was approved during the fiscal year pursuant to subsection (g) during the period beginning on October 1, 1999, and ending on October 1, 2004.

"(B) The Secretary shall carry out the demonstration projects during the three-year period beginning on October 1, 1999.

"(C) The total amount reimbursed to mentor-protege agreements that were entered into before the fiscal year ending on March 31, 2000, shall be $5,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract; and

"(D) Each mentor-protege agreement, if any, that was approved during the fiscal year pursuant to subsection (g) during the period beginning on October 1, 1999, and ending on October 1, 2004.

"(B) The Secretary shall carry out the demonstration projects during the three-year period beginning on October 1, 1999.

"(C) The total amount reimbursed to mentor-protege agreements that were entered into before the fiscal year ending on March 31, 2000, shall be $5,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract; and

"(D) Each mentor-protege agreement, if any, that was approved during the fiscal year pursuant to subsection (g) during the period beginning on October 1, 1999, and ending on October 1, 2004.

"(B) The Secretary shall carry out the demonstration projects during the three-year period beginning on October 1, 1999.

"(C) The total amount reimbursed to mentor-protege agreements that were entered into before the fiscal year ending on March 31, 2000, shall be $5,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract; and

"(D) Each mentor-protege agreement, if any, that was approved during the fiscal year pursuant to subsection (g) during the period beginning on October 1, 1999, and ending on October 1, 2004.

"(B) The Secretary shall carry out the demonstration projects during the three-year period beginning on October 1, 1999.

"(C) The total amount reimbursed to mentor-protege agreements that were entered into before the fiscal year ending on March 31, 2000, shall be $5,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract; and

"(D) Each mentor-protege agreement, if any, that was approved during the fiscal year pursuant to subsection (g) during the period beginning on October 1, 1999, and ending on October 1, 2004.

"(B) The Secretary shall carry out the demonstration projects during the three-year period beginning on October 1, 1999.

"(C) The total amount reimbursed to mentor-protege agreements that were entered into before the fiscal year ending on March 31, 2000, shall be $5,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract; and

"(D) Each mentor-protege agreement, if any, that was approved during the fiscal year pursuant to subsection (g) during the period beginning on October 1, 1999, and ending on October 1, 2004.
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.

(b) Pilot Program Covered.—The Secretary of Defense may designate the following categories of services as commercial services covered by the pilot program:

(1) Utilities and housekeeping services.

(2) Education and training services.

(3) Transportation, travel and relocation services.

(4) Treatment as Commercial Items.—A Department of Defense contract for the procurement of services described in this section shall be treated as a contract for the procurement of commercial items, as defined in section 4(d)(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 408(d)(12)), if 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. These items shall not be considered commercial items for purposes of section 422(e) of the Clinger-Cohen Act of 1994.

(c) Guidance.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall issue guidance to procurements of services described in this section.

(d) Duration of Pilot Program.—(1) The Secretary shall submit a report to the Congress on the impact of the pilot program on:

(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 under such contracts;

(C) the Federal Government personnel that are necessary to enter into and administer such contracts; and

(D) the impact of the program on levels of competition with small business concerns, price competition without submission of certified cost or pricing data.

``(2) Contracts or subcontracts with a value that is less than $5,000,000."’’

SEC. 806. STREAMLINED APPLICABILITY OF COST ACCOUNTING STANDARDS.

(a) Applicability.—(Paraphrase of section 261(d) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(d)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) 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 used for cost accounting by the contractor or subcontractor) if the Federal Government determines in writing that—

(i) the contractor or subcontractor is primarily engaged in the sale of commercial items; and

(ii) the contractors or subcontractors are not covered by the pilot program."’’

SEC. 807. 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 amended to provide guidance to agencies on the appropriate use of task order and delivery order contracts in accordance with sections 2304a through 2304d of title 10, United States Code, and sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253 through 259).

(b) Content of Guidance.—The regulations issued pursuant to subsection (a) shall, at a minimum, provide the following:

(1) General guidance on 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 applicable law.

(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; and

(B) the requirement in section 2304(c)(1), (c)(2)(D), (c)(5)(A), and section 303(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b) to ensure that all contractors are afforded a fair and open opportunity to be considered for the award of task orders and delivery orders; and

(C) the requirement in section 2304(c)(c) of title 10, United States Code, and section 303(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b) for a statement of work in each task order or delivery order issued that clearly specifies all tangible services 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 of General Services to assess the effectiveness of the multiple awards schedule program of the General Services Administration referred to in section 309(b)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(b)(3)) that is administered as the Federal Supply Schedules program and shall include an examination of the following:

(1) The administration of the program by the Administrator of General Services;

(2) The programming practices followed by Federal customer 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 the executive agency compliance with the regulations, together with any recommendations that the Comptroller General considers appropriate.

SEC. 808. CLARIFICATION OF DEFINITION OF COMMERCIAL ITEMS WITH RESPECT TO ASSOCIATED SERVICES.

Section 4(12) (E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(E)) is amended to read as follows:

"(E) Installation services, maintenance services, repair services, training services, and other services if—

"(i) the services are procured for support of an item of defense property and are provided by an agency of the Federal Government that provides for the donor to furnish in cash amounts sufficient to pay for completion of the project in reasonable time and at reasonable cost and to ensure that other donors will contribute sufficient funds or other resources in amounts sufficient to pay for completion of the project;

"(C) is set forth as a written agreement that provides for the donor to furnish in cash or securities, in addition to the donor’s other gift or gifts for the project, any additional amount that may become necessary for paying the cost of completing the project by reason of a failure to obtain other donors or sources funds or other resources in amounts sufficient to pay the cost of completing the project; and

("D) is accompanied by—

"(i) an unconditional letter of credit for the benefit of the Academy that is in the amount of the guarantee and is issued by a major United States commercial bank or a major United States investment management firm that—

"(A) ensures the availability of sufficient funds or other financial resources to pay the amount guaranteed during the period of the guarantee;

("(B) provides for the perfection of a security interest in the assets of the account for the benefit of the Academy with the highest priority available for liens and security interests under applicable law;

("C) requires the donor to maintain in an account with the investment management firm assets having a fair market value that is not less than 130 percent of the amount guaranteed; and

("D) requires the investment management firm at any time that the value of the account is less than the value required to be maintained under subparagraph (C), to liquidate any noncash assets in the account and invest the proceeds in United States Treasury bills issued under section 3104 of title 31.

"(4) MAJOR UNITED STATES COMMERCIAL BANK.—The term ‘major United States commercial bank’ means a commercial bank that—

("A) is headquartered in the United States; and

("B) has net assets in a total amount considered by the Secretary of the Treasury to qualify the bank as a major bank.

"(5) MAJOR UNITED STATES INVESTMENT MANAGEMENT FIRM.—The term ‘major United States investment management firm’ means an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a-3)) that—

("A) is headquartered in the United States; and

("B) provides for the perfection of a security interest in the assets of the account for the benefit of the Academy.

SEC. 903. ACCEPTANCE OF GUARANTEES IN CONNECTION WITH GIFTS TO THE UNITED STATES MILITARY ACADEMY.

(Authority.—Chapter 403 of title 10, United States Code, is amended by adding at the end the following:

"4359. Acceptance of guarantees with gifts for major projects

"(a) ACCEPTANCE AUTHORITY.—The Secretary of the Army may, subject to subparagraph (B), accept from a donor a qualified guarantee for the completion of a major project for the benefit of the Academy.

("b) OBLIGATION AUTHORITY.—Funds available for payment of one or more of a qualified guarantee for the completion of a major project for the benefit of the Academy.

("b) OBLIGATION AUTHORITY.—Funds available for the completion of a major project for the benefit of the Academy.

(1) MAJOR PROJECT.—The term ‘major project’ means a project for the purchase or other procurement of real or personal property, or for the construction of any improvement to real property, the total cost of which is, or is estimated to be, at least $1,000,000.

"(2) QUALIFIED GUARANTEE.—The term ‘qualified guarantee’, with respect to a major project, means a guarantee that—

"(A) is made by a person in connection with the person’s donation, specifically for the project, of a total amount in cash or securities that, as determined by the Secretary of the Army, is sufficient to defray a substantial portion of the total cost of the project;

("B) is made to facilitate or expedite the completion of the project in reasonable anticipation that other donors will contribute sufficient funds or other resources in amounts sufficient to pay for completion of the project;
Panel submitted under section 184(d) of this generation the reports of the National Defense
essary to ensure the proper oversight of the audit. The report shall include any rec-
review, including, specifically, the results of the Inspector General shall submit to the congres-
fense shall review the financial and manage-
Civil Air Patrol financial management, Air Force and Civil Air Patrol 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.

Sec. 904. Inspector General Review.—(1) The Inspector General of the Department of Defense shall review the financial and management of the Civil Air Patrol. The review shall include an audit.

(2) Not later than February 15, 2000, the Inspector General shall submit to the congressional defense committees a report on the review, including, specifically, the results of the audit. The report shall include any recommendations that the Inspector General considers necessary to ensure the proper oversight of the financial and management operations of the Civil Air Patrol.

Sec. 906. Minimum Interval for Updating and Revising Department of Defense Strategic Plan.

Section 102 of title 10, United States Code, is amended by striking "" and shall be updated and revised at least every three years,"" and inserting a period and the following: ""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 Quadrennial Defense Review.

(a) Review Required.—Chapter 2 of title 10, United States Code, is amended by inserting after section 117 the following: ""118. Quadrennial defense review

""(a) Review Required.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, 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 and expressing the defense strategy of the United States. The strategy shall include the most critical changes that should be accorded to the development of each joint capability needed to meet each such challenge; and

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

""184. National Defense Panel

""(a) Establishment.—Not later than January 1 of each year immediately preceding a year in which a President is to be inaugurated, the Secretary of Defense shall establish a national defense panel to be known as the National Defense Panel. The Panel shall have the duties set forth in this section.

""(b) Membership and Chairman.—The Panel shall be composed of nine members appointed from among persons in the private sector who are recognized experts in matters relating to the national security of the United States, as follows: (A) Three members appointed by the Secretary of Defense.

""(B) Three members appointed by the Chairman of the Committee on Armed Services of the Senate and the House of Representatives, in consultation with the ranking member of the committee.

""(C) Three members appointed by the Chairman of the Committee on Armed Services of the Senate and the House of Representatives, in consultation with the ranking member of the committee.

""(D) 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 designate one of 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 progress made by the armed forces in transforming to meet the environment; and

""(C) identify the most dangerous threats to the national security interests of the United States that are to be countered by the United States in the ensuing 10 years and that should 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) develop—

""(i) a recommendation on the priority that should be accorded to each of the strategic and operational challenges identified under subparagraph (D) and

""(ii) a recommendation on the priority that should be accorded to each of the strategic and operational challenges identified under subparagraph (D) 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 paragraphs (A) are the adequacy of the force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies established since the previous quadrennial defense review under section 118 of this title.

""(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 regarding weapon systems programmed for the force, including any alternatives to those weapon systems.

""(d) Report.—(1) The Panel, in the year that it is conducting an assessment 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 future force structure, including a discussion of the Panel’s activities, the findings and recommendations of the Panel, and any recommendations for legis-

""(2) 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 submit to the committees referred to in subsection (a) of this section, and with the report, the Secretary’s comments on the report.

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

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

(2) The members of the Panel shall be allowed travel expenses, including per diem allowances, of civilians employees of the Department of Defense and any other Federal department or agency under similar conditions, to enable the Panel to carry out its duties.

(g) SECURITY CLEARANCES.—All members of the Panel shall be provided with the security clearances necessary to enable the Panel to carry out its duties.

(h) PAYMENT OF PANEL EXPENSES.—The compensation, travel expenses, and per diem allowances of members and employees of the Panel shall be paid by 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.

(1) TERMINATION.—The Panel shall terminate at the conclusion of the year in which the Panel submits its final report under subsection (d)(1)(B). For the period that begins 90 days after the date of submittal of the final report under subsection (d)(1)(B), the Panel shall be reduced to a level that the Secretary of Defense considers sufficient to continue the availability of the Panel for consultation on matters concerning space warfighting and the Committee on Armed Services of the Senate and the House of Representatives.

(2) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 2 of title 10, United States Code, is amended by inserting after the item relating to section 117 the following:

“118. Quadrennial defense review.”

(2) The table of sections at the beginning of chapter 7 of title 10 is amended by adding at the end the following:


Subtitle B—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 should 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 Senate concerning the appointment of three of the membership of the Senate.

(c) QUALIFICATIONS.—Members of the Commission shall be 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) CHAIRMAN.—The Speaker of the House of Representatives, after consultation with the majority leader of the Senate and the minority leader 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 life of the Commission. Any member of the Commission in the Commission shall be filled in the same manner as the original appointment.

(f) SECURITY CLEARANCES.—All members of the Commission shall have appropriate security clearances.

(g) INITIAL ORGANIZATION REQUIREMENTS.—(1) All members of 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 no later than 60 days after the date on which all members of the Commission have been appointed, but not earlier than October 15, 1999.

SEC. 912. POWERS OF COMMISSION.

(a) REVIEW OF UNITED STATES NATIONAL SECURITY SPACE MANAGEMENT AND ORGANIZATION.—The Commission shall, with a focus on changes to be implemented over the near-term, medium-term, and long-term that would strengthen United States national security space capabilities and with the Committee on Armed Services of the Senate and the House of Representatives.

(b) RELATIONSHIP TO OTHER LAW.—Nothing in this Act shall be deemed to be in derogation of any authority or function of any other United States Government official, body, or entity.

(c) DUTIES OF COMMISSION.—The Commission shall, not later than six months after the date of its first meeting, submit to Congress a report on its findings and recommendations.

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. POWERS.

(a) HEARINGS.—The Commission or, at its direction, any panel of 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 any person or any panel or member considered advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense for national security space management and organization.

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 be authorized to act by a majority of the members of the Commission.

(c) COMMISSION.—The Commission shall 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 of 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 authorized by 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, in accordance with the General Schedule rates for GS–15 of other agencies under 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 chapter 61 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 the approval of 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 55 and chapter 61 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 maximum rate of such title and the rate of pay for other personnel may not exceed the minimum 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 in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of the Commission may procure temporary and intermittent services under section 3109 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 and the rate of pay for other personnel may not exceed the minimum rate payable for grade GS–15 of the General Schedule.

SEC. 917. MISC. ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and postal and printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) 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 the Department of Defense for operation and maintenance of the Defense–wide activities for fiscal year 2000. 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.

SEC. 919. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 913.

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 for fiscal year 2000 to any other fiscal year 2000, or to any fiscal year 2001, in an amount not to exceed the total amount of such authorizations that are transferred.

(2) The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $2,000,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for additional personnel as may be necessary to enable the Commission to perform its duties 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 submitted to Congress under section 2222 of title 10, United States Code, shall include the following matters:

(A) An inventory of the finance and accounting systems and data feeder systems of the Department of Defense and, for each such system—

(i) a statement regarding whether the system complies with the requirements applicable to the system under sections 3332, 3335, and 3321 of title 31, United States Code;

(B) a statement regarding whether the system is to be retained, consolidated, or eliminated;

(C) 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 requirements and any further consolidation that may be involved); and

(D) a detailed plan (including performance objectives and milestones for measuring progress toward attainment of the objectives) for—

(i) 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 expenses 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 cycles of transactions (including, in the case of a contract, the specifications 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 1511 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 by section 3804(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;

(2) including a single, consistent set of policies and procedures for financial transactions throughout the Department of Defense;

(3) ensuring compliance with applicable policies and procedures for financial transactions throughout the Department of Defense; and

(4) reviewing safeguards for preservation of assets and verifying the existence of assets.

(5) An internal controls checklist which, consistent with authority in sections 3511 and 3512 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 OF DEPARTMENT OF DEFENSE PERSONNEL PAYMENTS.

Section 3903 of title 31, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

"(c) Authority 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 section 3903(a) of title 31 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 due date would otherwise be applicable to the invoice under the regulations prescribed under paragraphs (2), (3), and (4) of subsection (a) or under any other provisions of law. The amount 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 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 PAYMENT OF DEPARTMENT OF DEFENSE PERSONNEL PAYMENTS.

(a) Authority.—Chapter 165 of title 10, United States Code, is amended by adding at the end the following new section 2784:

"2784. Payments to personnel: electronic transfers of funds

"(a) Authority.—The Secretary of Defense may require that pay, allowances, retired pay, and any other payments out of funds available to the Department of Defense to or for members of the armed forces, former members of the armed forces, employees of the Department of Defense, or dependents of such personnel be made by electronic transfer of funds. For any such requirement, the Secretary of Defense may prescribe in regulations any exceptions that the Secretary considers appropriate.

"(b) Relationship to Other Law.—The authority under subsection (a) is independent of the authority provided under section 3332 of title 31 and may be exercised without regard to any exception provided under that section."

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

"2784. Payments to personnel: electronic transfers of funds."
any successor or additional account or program of NATO).

(2) FISCAL YEAR 1998 BASELINE LIMITATION.—The term ‘fiscal year 1998 baseline limitation’ means the amount that the Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(b)(2) of the Mutual Defense Treaty of the United States with the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.

SEC. 1009. RESPONSIBILITIES AND ACCOUNTABILITY FOR FINANCIAL MANAGEMENT.

(a) UNDER SECRETARY OF DEFENSE (COMPTROLLER).—(1) Section 135 of title 10, United States Code, is amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (c) the following:

‘‘(d)(1) The Under Secretary is responsible for ensuring that the financial statements of the Department of Defense and the agencies 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) Subsection (c)(1) of such section is amended by inserting ‘‘ and to ensure accountability of the citizens of the United States, Congress, the President, and managers within the Department of Defense’’ before the semicolon at the end.

(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 the Central 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 limit on the use of each card by each credit card holder.

(B) The credit card holders and authorizing officials are responsible for reconciling the charges appearing on each statement of 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 within prescribed deadlines to avoid interest penalties.

(E) Rebates and refunds based on prompt payment on credit card accounts are properly recorded in the books of account.

(F) Records of a credit card transaction (including records on associated contracts, reports, accounts, and invoices) are retained in accordance with standard Federal Government records retention and disposition of records requirements.

(G) REMITTANCE ADDRESSES.—The Under Secretary of Defense (Comptroller) shall prescribe regulations setting forth controls on alteration of remittance addresses. The regulations shall ensure that—

(1) a remittance address for a disbursement that is provided by an officer or employee of the Department of Defense authorizing or requesting the disbursement is not altered by any officer or employee of the department authorized to prepare the disbursement, and—

(2) a remittance address for a disbursement is altered only if the alteration is—

(A) requested by the person to whom the disbursement is authorized to be remitted; and

(B) made by an officer or employee authorized to do so who is not an officer or employee referred to in paragraph (1).

(c) AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999.

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 in 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 amount by which appropriations pursuant to such act (to the extent that appropriations were increased (by a supplemental appropriation) or decreased (by a rescission), or both, in the 1999 Emergency Supplemental Appropriations Act.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. SALES OF NAVAL SHIPYARD ARTICLES AND SERVICES TO NUCLEAR FOREIGN COUNTRY.

(a) WAIVER OF REQUIRED CONDITIONS.—Chapter 633 of title 10, United States Code, is amended by inserting after section 7299a the following:

‘‘§7300. Contracts for nuclear ships: sales of naval shipyard articles and services to contractors.

‘‘The provisions set forth in section 2208(c)(2) of this title and subsections (a)(1) and (c)(1) of section 2553 of this title shall not apply to a sale of articles or services of a naval shipyard that is made to a contractor under a Department of Defense contract for a nuclear ship in order to facilitate the contractor's fulfillment of that contract.

(b) CEREMONIAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2209 the following:

‘‘7300. Contracts for nuclear ships: sales of naval shipyard articles and services to contractors.’’

SEC. 1012. PERIOD OF DELAY AFTER NOTICE OF PROPOSED TRANSFER OF VESSEL STRICKEN FROM NAVAL VESSEL REGISTER.

Section 7306(d) of title 10, United States Code, is amended—

(1) by striking ‘‘(1)’’;

(2) by striking ‘‘(A)’’ and inserting ‘‘(1)’’;

and

(3) by striking ‘‘(B)’’ and all that follows and inserting the following:

‘‘(2) following the date on which such notice is sent to Congress, there has elapsed 60 days on which at least one of the Houses of Congress has been in session.’’.

SEC. 1013. TRANSFER OF NAVAL VESSEL TO FOREIGN COUNTRY.

(a) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the CYCLONE class coastal patrol craft CYCLONE (PC1) or a craft with a similar hull. The transfer shall be made on a sale, trade, grant, or other basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321).

(b) COSTS.—Any expense incurred by the United States Government in connection with the transfer authorized under subsection (a) shall be charged to the Government of Thailand.

(c) REPAIR AND REFURBISHMENT IN UNITED STATES SHipyards.—To the maximum extent practicable, the Secretary of the Navy shall require, as a condition of the transfer of the vessel, that the repair or refurbishment of the vessel be performed at a United States Naval shipyard or other shipyard located in the United States.

(d) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under subsection (a) shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

Subtitle C—Miscellaneous Report Requirements and Repeals

SEC. 1021. PRESERVATION OF CERTAIN DEFENSE REPORTING REQUIREMENTS.

(a) PRESERVATION.—Any provision of law specified in subsections (b) through (l) 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 of law) in accordance with the terms of the specified provision of law.

TITLE 10.—Subsection (b) applies with respect to the following provisions of title 10, United States Code, listed in the Clerk's Report (defined in subsection (j)):—

(1) Sections 111(c) and 119(j), listed on page 57 of the Clerk's Report.


(3) Section 119(f), listed on page 62 of the Clerk's Report as 10 U.S.C. 113(g)(1).

(4) Section 231, listed on page 64 of the Clerk's Report.

(5) Section 216, 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 2110, listed on page 57 of the Clerk's Report.

(10) Section 2011(e), listed on page 56 of the Clerk's Report as Pub. L. 102–190, Sec. 1026(a).

(11) Section 2208(a), listed on page 64 of the Clerk's Report as 10 U.S.C. 2208(a).

(12) Section 2304(a), 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).

(16) Section 2461(g), listed on page 62 of the Clerk's Report as 10 U.S.C. 2461 note.

(17) Section 2662(b), listed on pages 69, 74, and 76 of the Clerk's Report.

(18) Section 2667(b), listed on page 62 of the Clerk's Report.

(19) Section 2706, listed on page 60 of the Clerk's Report.

(20) Section 2839, listed on page 58 of the Clerk's Report.

(21) Section 2902(c)(2), specified on page 148 of the Clerk's Report as section 1804(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 12302(d), listed on page 14 of the Clerk's Report as 10 U.S.C. 673(d).

(24) Section 1637, listed on page 59 of the Clerk's Report as 10 U.S.C. 113(a).

(c) TITLES.—Subsection (a) applies with respect to sections 1008(a) and 1008(b) of title
S6606

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:


(A) Section 703(g) (85 Stat. 1376), listed on page 68 of the Clerk’s Report.

(B) Section 704 (95 Stat. 1377), listed on pages 68, 73, and 75 of the Clerk’s Report.


(A) Section 822(b) (42 U.S.C. 6676(b)), listed on page 36 of the Clerk’s Report.

(B) Section 9097 (22 U.S.C. 2571), listed on page 60 of the Clerk’s Report.

(e) OTHER NATIONAL SECURITY LAWS.—Subsection (a) applies with respect to provisions of the National Emergencies Act (defined in subsection (j)), as follows:


(3) IRAQ RESOLUTION.—Section 3 of the Authorization for Use of Military Force Against Iraq Resolution (50 U.S.C. 1541 note), listed on page 14 of the Clerk’s Report as Pub. L. 102-1, Sec. 3.

(4) MILITARY SELECTIVE SERVICE ACT.—Section 10(g) of the Military Selective Service Act (50 U.S.C. App. 460(g)) (listed on page 191 of the Clerk’s Report).

(h) OTHER TITLES OF THE UNITED STATES CODE.—Subsection (a) applies with respect to provisions of the United States Code, listed on page 162 of the Clerk’s Report.

(i) OTHER LAWS ADMINISTERED BY THE DEPARTMENT OF DEFENSE.—Subsection (a) applies with respect to the following provisions of law listed in the Clerk’s Report (defined in subsection (j)), as follows:

(1) DEPARTMENT DEPENDENTS’ EDUCATION ACT OF 1978.—Section 1405(b) of the Defense Dependents’ Education Act of 1978 (title XIV of Public Law 95-650), Sec. 1405(b) (listed on page 77 of the Clerk’s Report).


(g) PROVISIONS OF LAW REQUIRING DEPARTMENT OF ENERGY REPORTS.—Subsection (a) applies with respect to provisions of law listed in part IV–A-5 of the Clerk’s Report (defined in subsection (j)), relating to reports to be submitted by the Secretary of Energy (or any other official of the Department of Energy), as follows:

(1) NATIONAL DEFENSE AUTHORIZATION ACTS.—The following provisions of law:

(A) Section 1460e(c) of the National Defense Authorization Act, Fiscal Year 1999 (Public Law 100-456; 42 U.S.C. 2121 note) (listed on page 83 of the Clerk’s Report).

(B) Section 3141(c) of the National Defense Authorization Acts for Fiscal Years 1996 and 1991 (Public Law 101-108; 42 U.S.C. 7274a(c)) (listed on page 87 of the Clerk’s Report).


(2) TITLE 10, UNITED STATES CODE.—Sections 742(b), 742(b), and 743(b) of title 10, United States Code (listed on page 89 of the Clerk’s Report).

(3) ENERGY POLICY AND CONSERVATION ACT—Section 135(b) of the Energy Policy and Conservation Act (Public Law 94-163; 42 U.S.C. 624(b)) (listed on page 89 of the Clerk’s Report).

(b) OTHER LAWS 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 31.—The following provisions of title 31:

(a) REQUIREMENT FOR REPORT.—(1) The Secretary of Defense shall submit to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives an integrated report on assessments of the readiness of the United States to execute the National Military Strategy. The report shall contain the following:

(A) The Chairman’s views on the consolidated lists.

(B) Certain comments made in the consolidated lists.

(C) The annual report on combatant command requirements.

(D) The annual report on combatant command requirements.

(2) Sec. 1022. ANNUAL REPORT ON COMBATANT COMMAND REQUIREMENTS. Section 131 of title 10, United States Code, is amended by adding at the end the following:

(3) Sec. 1021. REPORT ON ASSESSMENTS OF READINESS TO EXECUTE THE NATIONAL MILITARY STRATEGY. Section 104 of title 10, United States Code, is amended by adding at the end the following:

(4) Sec. 1041. REQUIREMENT FOR REPORT.—(1) The Secretary of Defense shall submit to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives an integrated report on assessments of the readiness of the United States to execute the National Military Strategy. The report shall contain the following:

(A) The annual report on combatant command requirements.

(B) The annual report on combatant command requirements.

(C) The annual report on combatant command requirements.

(D) The annual report on combatant command requirements.

(2) The annual report on combatant command requirements.

(3) The annual report on combatant command requirements.

(4) The annual report on combatant command requirements.

(5) The annual report on combatant command requirements.

(6) The annual report on combatant command requirements.

(7) The annual report on combatant command requirements.

(8) The annual report on combatant command requirements.

(9) The annual report on combatant command requirements.

(10) The annual report on combatant command requirements.
SEC. 1024. REPORT ON INVENTORY AND CONTROL OF MILITARY EQUIPMENT.

(a) REPORT REQUIRED.—Not later than August 31, 2000, and with each fiscal year thereafter, 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 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 the end of fiscal year.

(3) For each item of military equipment that cannot be reconciled:
   (A) an explanation of why the quantities cannot be reconciled; and
   (B) a discussion of the remedial actions planned to be taken, including target dates for accomplishment of the plan.

(4) Supporting schedules identifying the location of each item that are available to Congress or auditors of the Comptroller General upon request.

(c) MILITARY EQUIPMENT DEFINED.—For purposes of this section, the term “military equipment” means all equipment that is used in support of military missions and is maintained on the visibility systems of the Army, Navy, Air Force, or Marine Corps.

SEC. 1025. SPACE TECHNOLOGY GUIDE.

(a) REQUIREMENT.—The Secretary of Defense shall develop a detailed guide for investment in space science and technology, demonstrations of space technology, and planning and development for space technology, and technology demonstrations of space technology, and contractor performance, particularly regarding chemical or biological weapons, chemical or biological defense, and chemical or biological demilitarization programs.

(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 set 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.—The Secretary of Defense shall submit to Congress a report on the actions taken under subsection (b) and any other actions taken by the Secretary to provide the maximum possible protection for confidentiality described in that subsection.

SEC. 1026. REPORT AND REGULATIONS ON DECONTAMINATION READINESS PROGRAM INTEGRATION OF INITIAL DETECTION TEAMS ACROSS STATE BOUNDARIES.

(a) STUDY AND REPORT.—(1) The Comptroller General shall study the policies, procedures, and practices of the military departments and the Joint Chiefs of Staff and the Secretary of Defense and consider 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 seeking to provide 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 regulations that the Secretary considers appropriate to provide the maximum possible protection for the confidentiality of communications described in subsection (a) relating to misconduct described in that subsection.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the results of the study to Congress.

SEC. 1027. COMPTROLLER GENERAL REPORT ON ANTICIPATED EFFECTS OF PROPOSED CHANGES IN OPERATING STANDARDS 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. The workforce reductions addressed in the report shall include those that are to be effectuated by the end of fiscal year 2001.

(b) CONTENT OF REPORT.—The report shall include the following:

(1) For each site, a description of the assigned chemical storage, chemical demilitarization, and industrial missions.

(2) A description of the criteria and report items applied to the storage sites and the workforce operating the storage sites have—

(A) the capabilities necessary to respond effectively to emergencies involving chemical accidents; and

(B) the industrial capabilities necessary to meet replenishment and surge requirements.

(3) The risks associated with the proposed workforce reductions and contractor performance, particularly regarding chemical accidents, incident response capabilities, continuity-of-effort programs, and current or planned chemical demilitarization programs.

(4) The effects of the proposed workforce reductions and contractor performance on the capability to satisfy requirements regarding environmental protection that are applicable to the performance of current and future chemical demilitarization and industrial missions.

(5) The effects of the proposed workforce reductions and contractor performance on the capability to perform industrial missions, particularly the material replenishment missions for chemical or biological defense or for chemical munitions.

RECOMMENDATIONS.—In preparing the report, the Inspector General shall consider the risks and adverse effects identified in the report.

SEC. 1028. REPORT ON DEPLOYMENTS OF RAPID ASSESSMENT AND INITIAL DETECTION TEAMS ACROSS STATE BOUNDARIES.

(a) JOINT READINESS REVIEW.—(1) The Secretary of Defense shall submit to Congress a quarterly report to Congress on the out-of-State use of Rapid Assessment and Initial Detection Teams in the overall Consequence Management Program Integration Office of the Department of Defense.

(2) The Secretary of Defense shall set forth in the report assessment in an annex to the quarterly report. The Secretary shall in the annex a detailed description of how the active and reserve component units are integrated with the Rapid Assessment and Initial Detection Teams in the overall Consequence Management Program Integration Office of the Department of Defense.

(b) CONDEMAINTION READINESS PLAN.—The Secretary of Defense shall submit to Congress a report on the Contamination Readiness Plan for the Consequence Management Program Integration Office of the Department of Defense.

SEC. 1029. REPORT ON CONSEQUENCE MANAGEMENT PROGRAM INTEGRATION OF FISCAL YEAR READINESS.

(a) JOINT READINESS REVIEW.—(1) The Secretary of Defense shall submit to Congress a 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, and for each quarter thereafter, a report on the readiness of the departments and agencies of the United States to carry out the missions.

(b) CONTENT OF REPORT.—The report shall include the following:

(1) The actions necessary to ensure that the units designated to carry out the missions are at the highest level of readiness for carrying out the missions.

(2) The funding necessary for 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) REQUIREMENT FOR REPORT.—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 congressional defense committees, on the date that the President submits the budget for fiscal year 2001 to Congress under section 1105(a) of title 31, United States Code, a report on the relationship between the budget proposed for budget function 050 (National Defense) for that fiscal year and the then-current and emerging threats to the national 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 potential that an attack by such threat 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-year defense program that addresses the threats in each category.

(4) A justification for each major defense acquisition program (as defined in section 2300 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 unclassified form, but may also be submitted in classified form if necessary.

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 nations of the 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, a new focus will be given to improving interoperability among Alliance forces and to increasing defense capabilities through improvements in the deployability and mobility of forces, the sustainability of the forces, the survivability and effective engagement capability of the forces, and command and control and 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 spectrum of Alliance missions, thereby increasing burdensharing within the Alliance and enhancing the ability of European allies to undertake assignments in support of the United States and of the European Security and Defense Identity within the Alliance.

(b) ANNUAL REPORT.—(1) Not later than January 1, 2000, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and International Relations 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:

(A) A detailed description of the task force, task group, or the successor group, established to oversee the implementation of the Defense Capabilities Initiative and to meet the requirement of coordination among relevant planning disciplines.

(B) A description of the actions taken, including implementation of the Multinational Logistics Initiative, to ensure the compatibility of the CS system architecture, by the Alliance as a whole to further the Defense Capabilities Initiative.

(C) A description of the actions taken by each of our NATO allies to improve the capabilities of their forces in each of the following areas:

(i) Interoperability with other Alliance forces.

(ii) Deployability and mobility.

(iii) Sustainability and logistics.

(iv) Survivability and effective engagement capability.

(v) Command and control and information systems.

(2) The report shall be submitted in unclassified form, but may also be submitted in classified form if necessary.

SEC. 1032. REPORT ON USE OF NATIONAL GUARD FACILITIES AND INFRASTRUCTURE FOR PROVISION OF VETERANS SERVICES.

(a) REPORT.—(1) The Chief of the National Guard Bureau shall, in consultation with the Secretary of Veterans Affairs, submit to the Secretary of Defense a report assessing the feasibility and desirability of using the facilities and electronic infrastructure of the National Guard for support of 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) TRANSMITTAL DATE.—The report shall be transmitted under subsection (a) not later than April 1, 2000.

SEC. 1034. REPORT ON MILITARY-TO-MILITARY CONTACTS AND EXCHANGES WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) REPORT.—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 of the People’s Liberation Army who have visited United States military installations since January 1, 1993.

(2) The itinerary of the visits referred to in paragraph (1), including the installations visited, the duration of the visits, and the activities conducted during the visits.

(3) The involvement, if any, of the general and flag officers referred to in paragraph (1) in the June 1989 Tiananmen Square massacre.

(4) A list of facilities in the People’s Republic of China that have been the subject of a requested 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 have been the subject of a requested visit by the People’s Liberation Army which has been denied by the United States.

(6) Any official documentation, such as memoranda for the record, after-action reports and final itineraries, and all receipts for expenses over $1,000, concerning military-to-military contacts or exchanges between the United States and the People’s Republic of China.

(7) An assessment regarding whether or not any People’s Republic of China military officials have been shown classified material as a result of military-to-military contacts or exchanges between the United States and the People’s Republic of China.

(8) An assessment of the People’s Republic of China military-to-military contacts or exchanges between the United States and the People’s Republic of China.

Subtitle D—Other Matters

SEC. 1041. LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.

(a) ONE-YEAR EXTENSION.—Subtitle (g) of section 1382 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 198), as amended by section 1501 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-270; 112 Stat. 2271), is further amended by striking ‘‘and 1999’’ and inserting ‘‘through 2000’’.

(b) MINIMUM LEVELS FOR CERTAIN SYSTEMS.—(1) In paragraph (1), by striking ‘‘71’’ and inserting ‘‘76’’;

(2) in paragraph (2), by striking ‘‘18’’ and inserting ‘‘14’’.

SEC. 1042. LIMITATION ON REDUCTION IN UNITED STATES STRATEGIC NUCLEAR FORCES.

(a) LIMITATION ON REDUCTION OF UNITED STATES STRATEGIC NUCLEAR FORCES.—None of the funds authorized to be available for fiscal year 2000 may be used to reduce the number of United States strategic nuclear forces below the maximum number on the bases or in the inventory for each category of nuclear arms, permitted the United States under the START II Treaty unless the President submits to Congress a report demonstrating that such reductions would not impede the capability of the United States to respond militarily to any militarily significant increase in the challenge to United States security or strategic stability posed by nuclear weapon modernization programs of the People’s Republic of China.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize...
the retirement or dismantlement, or the preparation for retirement or dismantlement, of any strategic nuclear delivery system described in section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85) below the level specified for the system in that section, as amended by section 1041.

(1) the retirement or dismantlement of that system as described in section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85) below the level specified for the system in that section, as amended by section 1041.

(1) START II TREATY DEFINED.—The term "START II Treaty" means the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, and related protocols and memorandum of understanding, signed at Moscow on January 3, 1995.

(2) UNITED STATES STRATEGIC NUCLEAR FORCES.—The term "United States strategic nuclear forces" includes intercontinental ballistic missiles (ICBMs) and ICBM launchers, submarine-launched ballistic missiles (SLBMs) and SLBM launchers, heavy bombers, ICBM warheads, SLBM warheads, and heavy bomber nuclear armaments.

SEC. 1043. COUNTERPROLIFERATION PROGRAM REVIEW COMMITTEE.


(b) Executive Secretary of the Committee.—Paragraph (5) of section 1605(a) of the National Defense Authorization Act for Fiscal Year 1994 (22 U.S.C. 2751 note) is amended to read as follows:

(5) The Assistant Secretary of Defense for Strategic Forces shall serve as executive secretary to the committee.

(c) Earlier Deadline for Annual Report on Counterproliferation Activities and Programs.—Section 1605(a) of the National Defense Authorization Act for Fiscal Year 1995 (22 U.S.C. 2751 note) is amended by striking "May 1 of each year" and inserting "February 1 of each year".

SEC. 1044. LIMITATION REGARDING COOPERATIVE THREAT REDUCTION PROGRAMS.

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 authorized under section 1501 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) as activities of the Department of Defense in support of activities under that Act may not exceed $15,000,000.

(b) Extension of Authority To Provide Assistance.—Section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) is amended by striking "1999" and inserting "2000".

SEC. 1047. INFORMATION ASSURANCE INITIATIVE.

(a) Findings.—(1) The United States is becoming increasingly dependent upon information systems for national security, economic security, and a broad range of other vital national interests.

(2) Presidential Decision Directive 63, dated May 22, 1998, 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 efforts to establish the Defense Information Infrastructure, including the establishment of a Defense Information Assurance Program.

(4) Notwithstanding those actions and other important actions taken by the President and the Secretary 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 the Department of Defense, on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(b) Extent of Authority to Provide Assistance.—Subsection (f) of section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) is amended by striking paragraph (2) and inserting the following:

(2) Of the amounts appropriated to the Department of Defense to carry out the National Information Assurance Program, $10,000,000 shall be available for development of 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 to ensure that the information assurance testbed shall be organized to provide the following:

(A) An integrated organizational structure within the Department of Defense to plan, direct, and support the conduct of exercises designed to prepare and inform the Department of Defense regarding information warfare threats.

(B) An organizational and planning means for the conduct by the Department of Defense of integrated or joint exercises and experiments with the commercial organizations and other non-Department of Defense organizations that are 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.

(c) Defense Information Assurance Guide.—(1) The Secretary of Defense shall prepare and submit to Congress a Defense Information Assurance Guide applicable under subsection (c) as of the date of the report. The first report shall be submitted not later than March 15, 1999.

(2) The Secretary of Defense information assurance guide shall include the following:

(A) A plan for developing 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 for the Department of Defense to address the challenges of information warfare that are specified in the information assurance testbed established under section (2) of this subsection, together with a recitation of the organizational changes that have been implemented.

(C) A plan for joint efforts by the Department of Defense with other Federal departments and agencies of the Federal Government and with State and local organizations to strengthen the security of the information systems and infrastructures on which the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(D) An assessment of the threats to information assurance and infrastructures on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises, including an assessment of the threats to the United States from other vulnerabilities in Department of Defense information and communications systems.

(E) 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 plan 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.

(T) Information Assurance Testbed.—(1) The Secretary of Defense shall prepare 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 to ensure that the information assurance testbed shall be organized to provide the following:

(A) An integrated organizational structure within the Department of Defense to plan, direct, and support the conduct of exercises designed to prepare and inform the Department of Defense regarding information warfare threats.

(B) An organizational and planning means for the conduct by the Department of Defense of integrated or joint exercises and experiments with the commercial organizations and other non-Department of Defense organizations that are 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.

(2) Of the amounts authorized under section 104—

(A) $10,000,000 is available for procurement of equipment for the Defense Information Assurance Program or for otherwise responding to information warfare threats.

(B) $10,000,000 is available for development and procurement of tools for real-time computer intrusion detection, analysis, and warning.

(C) $5,000,000 in program element 657100 is available for establishing and operating the information assurance testbed established pursuant to subsection (d); and

(D) $85,000,000 in program element 331400 is available for—
SEC. 1048. DEFENSE SCIENCE BOARD TASK FORCE ON RADIO AND TELEVISION 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 and the adequacy of 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 acquire to broadcast radio and television into an area so as to ensure that the general public in that area are exposed to the facts of the conflict. In making the assessment and recommendations, the task force shall review the following:

(1) The capabilities of the United States Armed Forces to develop programming and 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 desirable improvements to the EC-130 Commando Solo aircraft, and the utilization of other airborne platforms, unmanned aerial vehicles, 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 any additional assessments and recommendations of the Secretary of Defense, to the congressional defense committees not later than March 1, 2000.

SEC. 1049. PREVENTION OF INTERFERENCE WITH DEPARTMENT OF DEFENSE USE OF THE FREQUENCY SPECTRUM.

(a) COMPATIBILITY WITH DEFENSE SYSTEMS.—A non-Department of Defense entity operating a communication system, device, or apparatus on any portion of the frequency spectrum used by the Department of Defense, whether or not licensed to do so, shall ensure that the system, device, or apparatus is designed so as not to interfere with and 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 enactment of this Act.

(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 used by the department because of such interference, the non-Department of Defense entity that shall be liable to the United States for the costs incurred by the United States for the redesign or rebuilding of such 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 a 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 where that modification, upgrade or 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 under this 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 thatbroadcasts, or otherwise interferes with, communications by a Department of Defense communication system used by the Department of Defense outside the United States and its territories on any frequency that, as of the date of the enactment of this Act, is reserved to or used by the Department of Defense or to which the broadcasting is authorized under law.

(b) SAVINGS PROVISION.—The provisions of subsection (a) shall not apply to the construction or operation of a communication system by the Department of Defense to gain access to or interfere with the enforcement authority of the Federal Communications Commission under the Communications Act of 1934 or any other Act.

SEC. 1051. REPEAL OF LIMITATION ON AMOUNT OF FEDERAL EXPENDITURES FOR THE NATIONAL GUARD CHALLENGE PROGRAM.

Section 509(b) of title 10, United States Code, is amended by striking "$50,000,000" and inserting "$25,000,000".

SEC. 1052. NONDISCLOSURE OF INFORMATION PERSONNEL OF OVERSEAS, SENSITIVE, OR ROUTINELY DEPLOYABLE UNITS.

(a) AUTHORITY.—The Secretary of Defense may withhold from public disclosure operational files described in subsection (b) to the extent that such information may be withheld under section 701(b) of the National Security Act of 1947 (50 U.S.C. 431).

(b) COVERED OPERATIONAL FILES.—The authority under subsection (a) shall apply 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).

SEC. 1053. NONDISCLOSURE OF OPERATIONAL REQUIREMENTS.

(a) AUTHORITY.—The Secretary of Defense may withhold from public disclosure information regarding the operational requirements that, or to participate in, a special activity or classified mission, including the following:

(1) A unit engaged in collecting, handling, processing, or destroying of classified information and materials.

(2) A unit engaged in training—

(i) special operations units;

(ii) security group commands weapons stations; or

(iii) communications stations.

(3) 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.

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

"§ 130b. Nondisclosure of information: personnel in overseas, sensitive, or routinely deployable units."

SEC. 1054. NONDISCLOSURE OF INTELLIGENCE 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 extent that such information may be withheld under section 701(b) of the National Security Act of 1947 (50 U.S.C. 431).

(b) COVERED OPERATIONAL FILES.—The authority under subsection (a) shall apply 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).

(2) 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).

(3) 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) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter, as amended by section 1005, is further amended by adding at the end the following:

"§ 458. Withholding of operational files from public disclosure."

SEC. 1055. NONDISCLOSURE OF INFORMATION PERSONNEL OF OVERSEAS, SENSITIVE, OR ROUTINELY DEPLOYABLE UNITS.

(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:
§459. Withholding of certain commercially significant information from public disclosure

(a) AUTHORITY.—The Secretary of Defense may withhold from public disclosure information in the possession of the National Imagery and Mapping Agency if the Secretary determines in writing that—

(1) withholding of the information would compete with or otherwise adversely affect commercial operations in any existing or emerging commercial industry or the operation of an existing or emerging commercial market;

(2) withholding the information from public disclosure is consistent with the national security of the United States;

(b) RELATIONSHIP TO DCI AUTHORITY.—(1) Nothing in this section shall be construed as superseding, limiting, or otherwise affecting the authority and responsibilities of the Director of Central Intelligence to withhold or require the withholding of imagery and 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.

(2) In the administration of the authority under subsection (a) with respect to imagery and intelligence, the Secretary of Defense shall be subject to the policies and directives prescribed by the Director of Central Intelligence for the public disclosure of such information.

(c) CLERICAL AMENDMENT.—The tables of sections at the beginning of such subchapter, as amended by section 1053, is further amended by adding at the end the following:

“§459. Withholding of certain commercially significant information from public disclosure.”

SEC. 1055. CONTINUING ENROLLMENT OF DEPENDENTS IN DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS AFTER LOSS OF ELIGIBILITY.

Section 2164(d)(3) 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 the date of such change, would otherwise terminate the eligibility of the dependent to be enrolled in the program. The enrollment may continue, if authorized by the Secretary, as appropriate. The Secretary may remove the dependent from the program at any time that the Secretary determines that there is good cause for the removal.”

SEC. 1056. UNIFIED SCHOOL BOARDS FOR ALL DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS IN THE COMMONWEALTH OF PUERTO RICO AND GUAM.

Section 2166(d)(1) of title 10, United States Code, as amended by adding at the end the following:

“The Secretary 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 instead of one school board for all 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: program for support of elementary and secondary education in science, mathematics, and technology

(a) AUTHORITY FOR PROGRAM.—The Secretary of Defense may conduct a science, mathematics, and technology education 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 the conduct of science, mathematics, and technology.

(c) STARBASE ACADEMIES.—(1) The Secretary shall provide for the establishment of at least 25 academies under the program for students in science, mathematics, and technology.

(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 and operation of the academy and the costs of the establishment and operation of the academy are paid out of funds provided by other than the Department of Defense. Any such costs that are paid out of appropriated funds shall be considered as paid out of funds provided by such other sources if such sources fully reimburse the United States for such costs.

(d) AUTHORIZED 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—

(A) authorize members of the armed forces to provide command, administrative, training, or supporting services for the program on a full-time basis; and

(B) 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.—(1) The Secretary of Defense shall ensure that each academy meeting at least the minimum number of STARBASE academies existing on the date of the enactment of this Act.

(2) The amendment made by paragraph (1) is further amended—

(1) by inserting after section 2193 and before the section 2193b added by subsection (a) the following:

“§2193a. Improvement of education in technical fields: general authority for support of elementary and secondary education in science, mathematics, and engineering

(a) RELATIONSHIP TO DCI AUTHORITY.—(1) Nothing in this section shall be construed as superseding, limiting, or otherwise affecting the authority and responsibilities of the Director of Central Intelligence to withhold or require the withholding of imagery and 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.

(2) In the administration of the authority under subsection (a) with respect to imagery and intelligence, the Secretary of Defense shall be subject to the policies and directives prescribed by the Director of Central Intelligence for the public disclosure of such information.

(b) CLERICAL AMENDMENT.—The tables of sections at the beginning of such subchapter, as amended by section 1053, is further amended by adding at the end the following:

“§2193. Withholding of certain commercially significant information from public disclosure.”

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 1998 (Public Law 105–85; 111 Stat. 1918; 10 U.S.C. 133 note) is amended by striking “The Secretary of Defense and the Secretary of the Army” and inserting “The Secretary of Defense and inserting ‘The Secretary of Defense and the Secretary of the Army’.

(b) CHANGE OF NAME.—Section 1083(c) of such Act is amended by striking “The Department of Defense Korean War Commemoration” and inserting “The United States of America Korean War Commemoration.”

(2) The amendment made by paragraph (1) may not be construed to create any new rights that are established or vested before the date of the enactment of this Act.

(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".


SEC. 1060. EXTENSION TO NAVAL AIRCRAFT OF COAST GUARD AUTHORITY FOR ARMED CONFLICT INTERDICTOR ACTIVITIES.

Section 637(c) of title 14, United States Code, as 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 REPUBLIC OF YUGOSLAVIA.

(a) The Senate finds that—

(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 22 criminals; and

(3) the ICTY has jurisdiction to investigate: Grave breaches of the 1949 Geneva Convention;

(b) It is the sense of Congress that—

(1) the United States, in coordination with other United Nations contributors, should provide sufficient resources 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 and credibility 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;

(5) NATO should not accept any diplomatic resolution to the conflict in Kosovo that would bind the United States to cease-fire measures, or to any other provision of prior agreements, or to the surrender of war criminals for crimes committed during operations in Kosovo.

SEC. 1062. EXPANSION OF LIST OF DISEASES PRE-arlNMENTAL DISORDER CONNECTED FOR RADIATION-EXPOSED VETERANS.

Section 1112(b)(2) of title 38, United States Code, is amended by adding at the end the following:

"(12) Lung cancer.

(13) Q fever.

(14) Tumors of the brain and central nervous system."

SEC. 1063. LEGAL EFFECT OF THE NEW STRATEGIC CONCEPT OF NATO.

(a) CERTIFICATION REQUIRED.—Not later than 30 days after the date of enactment of this Act, the President shall determine and certify to the Congress 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 under Article II, Section 2, Clause 2 of the Constitution of the United States.

SEC. 1064. MULTINATIONAL ECONOMIC EMBARGO AGAINST GOVERNMENTS IN ARMED CONFLICT WITH THE UNITED STATES.

(a) POLICY ON THE ESTABLISHMENT OF EMBARGOES.—

(1) IN 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—

(2) seek the establishment of a multinational economic embargo against such country; and

(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 described 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 forecast of the future market prices of energy 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 NATIONAL CEREMONIES.

Section 688a(a)(2) of title 10, United States Code, is amended to read as follows:

"(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;"
SEC. 1067. MILITARY ASSISTANCE TO CIVIL AUTHORITIES FOR RESPONDING TO NATIONAL EMERGENCIES

(a) AUTHORITY.—During fiscal year 2000, the Secretary of Defense, upon the request of the Attorney General, may provide assistance to civil authorities in responding to an act or threat of an act of terrorism, including an act of terrorism or threat of an act of terrorism in furtherance of a weapon of mass destruction, within the United States if the Secretary of Defense determines that—

(1) special capabilities and expertise of the Department of Defense are necessary and critical to respond to the act or threat; and

(2) the provision of such assistance will not adversely affect the military preparedness of the United States.

(b) NATURE OF ASSISTANCE.—Assistance provided under subsection (a) may include the deployment of Department of Defense personnel, equipment, and supplies to any other official authority to make a reasonable and necessary contribution.

(c) REIMBURSEMENT.—(1) Assistance provided under this section shall normally 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.

(d) LIMITATION ON FUNDING.—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 and 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 subsection (a).

(g) 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 use of members of the armed forces or equipment of the United States Armed Forces for law enforcement purposes in effect before the date of enactment of this Act.

(h) AUTHORIZATION—The authority provided in this section expires on September 30, 2001, and may be extended by the Congress.

SEC. 1068. SENSE OF THE CONGRESS REGARDING THE CONTINUATION OF SANCTIONS AGAINST LIBYA

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

(1) On November 21, 1988, 270 people, including 189 United States citizens, were killed in a terrorist bombing on 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 Finahim, 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 the bombing of Pan Am Flight 103 and imposed sanctions on Libya in Security Council Resolutions 748 and 883 because Libyan leader Colonel Muammar Qadhafi refused to transfer the suspects to either the United States or the United Kingdom to stand trial.

(4) The United Nations Security Council Resolutions 731, 748, and 837 demand that Libya cease all support for terrorism, turn over the two suspects, cooperate with the investigation and trial, and address the issue of appropriate compensation.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should use all available diplomatic means necessary, including the use of the United States veto at the United Nations Security Council, to prevent the Secretary of State from lifting sanctions against Libya until Libya fulfills all of the conditions set forth in United Nations Security Council Resolutions 731, 748, and 837.

SEC. 1069. INVESTIGATIONS OF VIOLATIONS OF EXPORT CONTROLS BY UNITED STATES SATELLITE MANUFACTURERS

(a) NOTICE TO CONGRESS OF INVESTIGATION.—The President shall promptly notify Congress whenever an investigation is undertaken 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 notify Congress when the waiver of any restriction to an individual or firm is granted on behalf of any United States person or firm that is the subject of an investigation described in subsection (a).

(c) NOTICE IN APPLICATIONS.—It is the sense of Congress that any United States person or firm that requests an export license in connection with a commercial satellite of United States origin shall 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 international terrorism under section 6(j) of the Export Administration Act of 1979 in light of Libya’s ongoing support for terrorist groups.

(d) PROTECTION OF CLASSIFIED AND OTHER SENSITIVE INFORMATION.—The Senate and the House of Representatives shall each establish, by rule or resolution of such House, procedures to protect from unauthorized disclosure classified information, information relating to intelligence sources and methods, and sensitive law enforcement information that is furnished to Congress pursuant to this section.

SEC. 1070. MILITARY ASSISTANCE TO CIVIL AUTHORITIES FOR RESPONDING TO NATIONAL EMERGENCIES

(a) NOTICE TO CONGRESS OF CERTAIN EXPORT WAIVERS.—The President shall promptly notify Congress whenever an investigation is undertaken 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 notify Congress whenever an investigation is undertaken of an alleged violation of United States export control laws in connection with a commercial satellite of United States origin.

(c) NOTICE IN APPLICATIONS.—It is the sense of Congress that any United States person or firm that requests an export license in connection with a commercial satellite of United States origin shall 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 international terrorism under section 6(j) of the Export Administration Act of 1979 in light of Libya’s ongoing support for terrorist groups.
the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives and the Minority Leader of the House of Representatives. Such notification shall include a justification for any such determination.

SEC. 1070. ENHANCEMENT OF ACTIVITIES OF DEFENSE THREAT REDUCTION AGENCY.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations—

(1) to authorize the personnel of the Defense Threat Reduction Agency (DTRA) who monitor satellite launch campaigns overseas 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 personnel;

(3) to allocate funds and other resources to the Agency at levels sufficient to prevent any shortfalls in the number of such personnel;

(4) to establish mechanisms in accordance with the provisions of section 1514(a)(2)(A) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-330; 112 Stat. 2175; 50 U.S.C. 2778 note) that provide for—

(A) the allocation to the Agency, in advance of a launch campaign, of an amount equal to the amount estimated to be required by the Agency to monitor the launch campaign; and

(B) the reimbursement of the Department, at the end of a launch campaign, for amounts expended by the Agency in monitoring the launch campaign;

(5) to establish a formal technology training program for personnel of the Agency who monitor satellite launch campaigns overseas, 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 included in such discussions;

(7) to provide, on at least an annual basis, briefings to the Officers and employees of the United States commercial satellite entities on United States export license standards, guidelines, and restrictions, and encourage such entities and employees to participate in such briefings;

(8) to establish a system for—

(A) the preparation and filing by personnel of the Agency who monitor satellite launch campaigns overseas 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 accordance with applicable laws; and

(9) to extend the counterintelligence program within the Agency as part of its satellite launch monitoring program.

(b) ANNUAL REPORT ON IMPLEMENTATION OF SATELLITE TECHNOLOGY SAFEGUARDs.—(1) The Secretary of Defense and the Secretary of State shall each submit to Congress each year, as 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 description of the 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.

(D) An assessment of the record of United States satellite makers in cooperating with Agency monitors, and in complying with United States export control laws, during that year.

(2) Each report under paragraph (1) shall be submitted in classified form and unclassified form.

SEC. 1071. IMPROVEMENT OF LICENSING ACTIVITIES BY THE DEPARTMENT OF STATE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prescribe regulations to provide, consistent with the need to protect classified, law enforcement sensitive information, timely notice to the manufacturer of a commercial satellite of United States origin of the reasons for a denial or approval with conditions, as the case may be, of the application for license involving the overseas launch of such satellite.

SEC. 1072. ENHANCEMENT OF INTELLIGENCE COMMUNITY.

(a) CONSULTATION WITH DICI.—The Secretary of State and Secretary of Defense shall consult with the Director of Central Intelligence on the export control applications of aliens to transfer or acquire information and on the application for a license involving the overseas launch of a commercial satellite of United States origin in order to assure that the export control application and the license, if approved, will meet any requirements necessary to protect the national security interests of the United States.

(b) Advisory Group.—The Director of Central Intelligence shall establish within the intelligence community an advisory group to provide information and analysis to Congressional committees, upon request, and to appropriate departments and agencies of the Federal Government, on licenses involving the overseas launch of commercial satellites of United States origin.

(c) ANNUAL REPORTS ON EFFORTS TO ACQUIRE SENSITIVE UNITED STATES TECHNOLOGY AND TECHNICAL INFORMATION.—The Director of Central Intelligence shall submit each year to Congress and appropriate officials of the executive branch a report on the efforts during the preceding year to obtain and detain United States origin technology and technical information. The report shall include an analysis of the steps taken by the United States government to eliminate legal or regulatory barriers to the export of technology and technical information that is critical to the national security of the United States and other interests of the United States.

(1) The term "Missile Technology Control Regime" means the policy statement, beginning in the first calendar year, beginning in the first calendar year of enactment of this Act, the Secretary of Defense shall 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 Department of State, the United States space launch industry, the United States telecommunications industry, and other interested persons; and

(2) if the phase-out 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.

SEC. 1073. ADHERENCE OF PEOPLE'S REPUBLIC OF CHINA TO MISSILE TECHNOLOGY CONTROL REGIME.

(a) SENSE OF CONGRESS.—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 Department of State, the United States space launch industry, the United States telecommunications industry, and other interested persons; and

(C) if the phase-out 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.

(b) REPORT ELEMENTS.—Each report shall include—

(1) an analysis of the military forces facing threats from the People's Republic of China;

(2) an evaluation of additions during the preceding year to the offensive military capabilities of the People's Republic of China;

(3) a description of such transfers 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;
“(9) The actions to be taken to ensure that records subject to Executive Order No. 12958 that have previously been determined to be suitable for release to the public are reviewed on a case-by-case 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 the Southern and Western theaters of 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 seven active United Nations peacekeeping operations, including some missions that have continued for decades.

(8) Between 1996 and 1998, nearly 80 percent of the number of American military deployments per year has nearly tripled at the same time the Department of Defense budget has been reduced in real terms by 30 percent.

(9) The Army has 10 active-duty divisions today, down from 18 in 1991, while on an average day in fiscal year 1996, 28,000 United States Army soldiers were deployed to more than 70 countries for over 300 separate missions.

(10) Active Air Force fighter wings have gone from 22 to 13 since 1991, while 70 percent of air sorties in Operation Allied Force over the Balkans are United States-flown and the Air Force continues to engage northern and southern Iraq. In Iraq, the Air Force has initiated a “stop loss” program to block normal retirements and separations.

(11) The United States Navy has been reduced in size to 339 ships, its lowest level since 1918, necessitating the redeployment of the only overseas homeported aircraft carrier to the Western Pacific to the Mediterranean to support Operation Allied Force.

(12) In 1998 just 10 percent of eligible carrier naval aviators—27 out of 261—accepted continuation bonuses and remained in service.

(13) In 1998 48 percent of Air Force pilots eligible for continuation opted to leave the service.

(b) Purpose.—(1) The purpose of this section is for the United States to:

(1) shift resources from low priority missions in support of higher priority missions;

(2) consolidate or reduce United States troop commitments worldwide;

(3) end low priority missions.

SEC. 1078. SENSE OF THE SENATE ON NEGOTIATIONS WITH INDIENCED WAR CRIMINAL LAUNCH SERVICES.

(a) IN GENERAL.—It is the sense of the Senate that the United States, as a member of 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 (Serbia and Montenegro).

(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—

(1) The term ‘armed forces educational liabilities’ means liabilities of the armed forces for benefits under chapter 30 of title 38 and for Dependent education benefits under chapter 1606 of this title.;

(3) by inserting “Department of Defense” after “future” in subsection (b)(2)(C);

(4) by striking “(1)(B)” and inserting “(1)(C)”;

(5) by inserting “and the Secretary of the Department in which the Coast Guard is operating” in subsection (d) after “Secretary of Defense.”;

(6) by striking “Department of Defense” in subsection (d) and inserting “armed forces”;

(7) by inserting “the Secretary of the Department in which the Coast Guard is operating” in subsection (e) after “Secretary of Defense.”;

(8) by striking “by 1996.” and inserting “by 2000.”;

(9) by striking “The Secretary of the Navy shall make every reasonable effort, as required by section 1081.” and inserting “The Secretary of the Navy shall make every reasonable effort required by section 1081.”;

(10) by striking “the United States should agree to international cooperation to seek out and prevent the illegal transfer from Russia to Iran or any other country of any ballistic missile; and

(11) by striking “the United States should demand full and complete cooperation from the Government of the Russian Federation on preventing the illegal transfer from Russia to 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

(12) by striking “the United States should take every appropriate measure necessary to encourage international cooperation to seek out and prevent the illegal transfer from Russia to 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 section 1081.

(2) the United States should demand full and complete cooperation from the Government of the United States of America and the Government of the Russian Federation regarding International cooperation on United States-Russian Cooperation on 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.

(3) the United States should agree to implementation of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding International Cooperation on United States-Russian Cooperation on 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. 1080. TECHNICAL AMENDMENT TO PROHIBITION ON RELEASE OF CONTRACTOR PROFILES FROM THE FREEDOM OF INFORMATION ACT.

Section 203(g) of title 10, United States Code, is amended by striking “the Department of Defense” and inserting “an agency named in section 203 of this title”.

SEC. 1081. ATTENDANCE AT PROFESSIONAL MILITARY EDUCATION SCHOOLS BY MILITARY PERSONNEL OF THE NEW UNITED STATES.

(a) FINDING.—Congress finds that it is in the national interests of the United States to fully integrate Poland, Hungary, and the Czech Republic into the Allied nations of the North Atlantic Treaty Organization, into the NATO alliance as quickly as possible.

(b) MILITARY EDUCATION AND TRAINING PROGRAMS.—(1) The Secretary of Defense shall give due consideration to according a high priority to the attendance of military personnel of Poland, Hungary, and the Czech Republic at professional military education schools and training programs in the United States, including the United 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 joint and general staff colleges of the Armed Forces, and other schools and training programs of the Armed Forces that admit personnel of foreign armed forces.

SEC. 1082. SENSE OF CONGRESS REGARDING UNITED STATES-RUSSIAN COOPERATION IN COMMERCIAL SPACE LAUNCH SERVICES.

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

(1) the United States should agree to implement the quantitative limitations applicable to commercial space launch services provided by Russian space launch service providers if the Government of the Russian Federation demonstrates a sustained commitment to seek out and 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 nuclear weapon or ballistic missile; and

(2) the United States should take every appropriate measure necessary to encourage international cooperation to seek out and prevent the illegal transfer from Russia to 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 section 1081.

(2) Quantitative limitations applicable to commercial space launch services.—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 International Cooperation on United States-Russian Cooperation on 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 ARMY.—(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, and each following September 30, a report 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 the governments of sovereign nations in the Pacific theater of operations of World War II to overcome any political obstacles that have the potential for preventing the Secretary of the Army from accomplishing the objectives described in subsection (a)(1).

SEC. 1084. CHEMICAL AGENTS USED FOR DEFENSE 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 that required to support training for emergency first-response personnel in addressing the health, law enforcement, and safety concerns associated with potential terrorist incidents that might involve the use of lethal chemical weapons or agents, or other training designated by the Attorney General.
(2) The Secretary of Defense, in coordination with the Attorney General, shall determine the amount of lethal chemical agents that are transferred under this section. Such amount shall be transferred from quantities of lethal chemical agents that are produced, acquired, or retained by the Department of Defense.
(3) 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.
(4) To carry out the training described in paragraph (2), where defense training is not prohibited by the Chemical Weapons Convention, the Secretary of Defense may transfer 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.
(5) Quantities of lethal chemical agents transferred under this section shall meet all applicable requirements for transportation, storage, treatment, 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 submit to Congress annually a report detailing the exports made thereunder.
(c) NON-INFRINGEMENT WITH TREATY OBLIGATIONS.—Nothing in this section may be construed as interfering with United States treaty obligations under the Chemical Weapons Convention.
(d) UNITED STATES ARMS CONTROL AND DISARMAMENT EFFORTS.—In this section, the term “Chemical Weapons Convention” means the Convention on the Prohibition of the Development, Production, and Stockpiling of Chemical Weapons and Their Destruction, opened for signature on January 13, 1993.

SEC. 1085. RUSSIAN NONSTRATEGIC NUCLEAR FORCES.
(a) ESTIMATES.—(1) It is in the interest of Russia to fully implement the Presidential Nuclear Initiatives announced in 1991 and 1992 by then-President Boris Yeltsin and then-President George H.W. Bush.
(2) The President of the United States shall call on Russia to match the unilaterally reductions in the United States inventory of clear warheads and associated fissile materials, such that the United States has reduced the inventory by nearly 90 percent.
(3) If the certification under section 1044 is made, the President should emphasize that continued interest of the United States in working cooperatively with Russia to reduce the dangers associated with Russia’s tactical nuclear warheads.
(b) ANNUAL REPORTING REQUIREMENT.—(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. 471; 22 U.S.C. 5955 note) after fiscal year 1998 shall include, regarding Russia’s arsenal of tactical nuclear warheads, the following:
(A) Estimates regarding current types, numbers, locations, and deployment status of the warheads.
(B) An assessment of the strategic relevance of the warheads.
(C) An assessment of the current and project 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 stockpile of 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 warheads.

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 protect such 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, and the totalitarianism that the United States struggled to eradicate during the Cold War.
(7) The fall of the Berlin Wall on November 9, 1989, was the end for the Soviet totalitarianism, and thus the end of the Cold War.
(8) November 9, 1999, is the 10th anniversary of the fall of the Berlin Wall.
(b) DESIGNATION OF VICTORY IN THE COLD WAR DAY.—Congress hereby designates November 9, 1999, as “Victory in the Cold War Day”; and requests that the President issue a proclamation calling on the people of the United States to observe, with appropriate ceremonies and activities.
(c) COLD WAR MEDAL.—(1) Chapter 57 of title 10, United States Code, is amended by adding at the end the following:
"§ 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 who served in the United States Armed Forces during the Cold War in order to recognize the contributions of such individuals to United States victory in the Cold War.
(b) Design.—The Joint Chiefs of Staff shall, under regulations prescribed by the President, design for purposes of this section a decoration called the ‘‘Victory in the Cold War Medal’’. The decoration shall be of appropriate design, with ribbons and appurtenances.
(c) 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, 1989.
(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:
"1133. Cold War medal: award."
(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 designated as follows:

(A) One selected by and from among those appointed pursuant to subparagraphs (A), (B), and (C) of paragraph (2),

(B) As used in subparagraph (A)—

(i) the term 'combat zone' has the meaning given such term in section 112(c)(2) of the Internal Revenue Code of 1986;

(ii) the term 'combat zone' has the meaning given that term in section 158(f)(1) of this title; and

(2) The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 1581 the following:

"1580. Emergency essential employees: designation."

SEC. 1104. LEAVE WITHOUT LOSS OF BENEFITS FOR EMPLOYEES IN COMBAT ZONES.

(a) SERVICE IN A COMBAT ZONE AS EXIGENCY OF THE PUBLIC BUSINESS.—Section 6323(d)(1) of title 5, United States Code, is amended by adding at the end the following:

"(4)(A) For the purpose of this subsection, a service in the Department of Defense emergency essential employees in a combat zone is an exigency of the public business for that employee. Any leave that, by reason of such service, is lost by the employee by operation of this section (regardless of whether such leave was scheduled) shall be restored to the employee and shall be credited and available in accordance with paragraph (2).

(B) As used in subparagraph (A)—

(i) the term 'Department of Defense emergency essential employee' means an employee of the Department of Defense who is designated emergency essential under section 1580 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.

(b) DESIGNATION OF EMERGENCY ESSENTIAL EMPLOYEES SERVING IN A COMBAT ZONE.—(1) Chapter 81 of title 10, United States Code, is amended by striking 'or a civilian employee under the supervision of the officer'.

SEC. 1105. RESTORATION OF LEAVE OF EMERGENCY ESSENTIAL EMPLOYEES SERVING IN A COMBAT ZONE.

(a) SERVICE IN A COMBAT ZONE AS EXIGENCY OF THE PUBLIC BUSINESS.—Section 6323(d)(1) of title 5, United States Code, is amended by adding at the end the following:

"(4)(A) For the purpose of this subsection, a service in the Department of Defense emergency essential employees in a combat zone is an exigency of the public business for that employee. Any leave that, by reason of such service, is lost by the employee by operation of this section (regardless of whether such leave was scheduled) shall be restored to the employee and shall be credited and available in accordance with paragraph (2).

(B) As used in subparagraph (A)—

(i) the term 'Department of Defense emergency essential employee' means an employee of the Department of Defense who is designated emergency essential under section 1580 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.

(b) DESIGNATION OF EMERGENCY ESSENTIAL EMPLOYEES.—(1) Chapter 81 of title 10, United States Code, is amended by striking 'or a civilian employee under the supervision of the officer'.

(c) U.S. MILITARY ACADEMY.—Section 4338 of title 10, United States Code, is amended by adding at the end the following:

"(8) The Secretary of the Army may, notwithstanding the provisions of subparagraph V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

(1) The work schedule, including hours of work and tours of duty, and make such specific and other characteristics as the Secretary determines appropriate.

(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.

(b) UNITED STATES NAVAL ACADEMY.—Section 6922 of title 10, United States Code, is amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) inserting after subsection (b) the following new subsection (c):

"(1) The Secretary of the Navy may, notwithstanding the provisions of subparagraph V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

(1) The work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty."

(c) U.S. AIR FORCE ACADEMY.—Section 9338 of title 10, United States Code, is amended by adding at the end the following:

"(1) The Secretary of the Air Force may, notwithstanding the provisions of subparagraph V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

(1) The work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty."

Title II—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 10 individuals appointed from among individuals who have an expertise in military or museum matters, of whom—

(A) nine 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) one shall be appointed by the Chairman of the Committee of the House of Representatives;

(E) one shall be appointed by the Ranking Member of the Committee 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 Commandant of the Coast Guard.

(G) The Secretary of the Smithsonian Institution.

(H) The Chairman of the National Capital Planning Commission.

(I) The Chairperson of the Commission of Fine Arts.
following the authorization of construction of the museum and of the National Capital Area; and

SEC. 1208. FUTURE USE OF NAVY ANNEX PROPERTY.  (a) IN GENERAL.—Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance of activities for fiscal year 2000.

(b) REQUEST.—Upon receipt of a written certification from the Chairman of the Commission specifying the amounts 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.
TITLE XII—MILITARY VOTING RIGHTS
ACT OF 1999

SEC. 2101. SHORT TITLE.
This title may be cited as the "Military Voting Rights Act of 1999".

SEC. 2102. 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 have 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) REINDEXATION AND BAILLITING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 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 service 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 service 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 "FEDERAL OFFICE".
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>Fort Irwin</td>
<td>$13,400,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>$25,500,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Fort McPherson</td>
<td>$1,250,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Walter Reed Medical Center</td>
<td>$6,800,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Schofield Barracks</td>
<td>$95,200,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Leavenworth</td>
<td>$34,100,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Blue Grass Army Depot</td>
<td>$17,100,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Benning</td>
<td>$56,900,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Westover Air Force Reserve Base</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Fort Leonard Wood</td>
<td>$10,600,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Hawthorne Army Depot</td>
<td>$1,700,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Fort Monmouth</td>
<td>$11,800,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$175,400,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Military Ocean Terminal Sunny Point</td>
<td>$3,800,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Carlisle Barracks</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Letterkenny Army Depot</td>
<td>$16,600,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>$50,400,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>$4,900,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fort Myer</td>
<td>$3,900,000</td>
</tr>
<tr>
<td>CONUS Various</td>
<td>Yuma Training Center</td>
<td>$17,200,000</td>
</tr>
</tbody>
</table>

Total: $75,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Ansbach</td>
<td>$21,000,000</td>
</tr>
<tr>
<td></td>
<td>Area Support Group Bamberg</td>
<td>$35,200,000</td>
</tr>
<tr>
<td></td>
<td>Mannheim</td>
<td>$4,500,000</td>
</tr>
<tr>
<td></td>
<td>Camp Casey</td>
<td>$31,000,000</td>
</tr>
<tr>
<td></td>
<td>Camp Heuwe</td>
<td>$3,200,000</td>
</tr>
<tr>
<td></td>
<td>Camp Stanley</td>
<td>$3,200,000</td>
</tr>
</tbody>
</table>

Total: $66,400,000

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>Country</th>
<th>Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Camp Humphreys</td>
<td>60 Units</td>
<td>$24,500,000</td>
</tr>
</tbody>
</table>

Total: $24,500,000

(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 units 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), $736,708,000.
2. For military construction projects outside the United States, $86,400,000.
3. For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $9,500,000.
4. For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $38,414,000.
5. For military family housing functions:
   (A) For construction and acquisition, planning and design, and improvement of military family housing, $61,521,000.
   (B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,098,080,000.
   (C) For the construction of the United States Disciplinary Barracks, Phase III, Fort Leavenworth, Kansas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105-85; 111 Stat. 166), $18,380,000.

(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, $14,800,000.

(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, $14,000,000.

(11) For the construction of the Railhead Facility, Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act of Fiscal Year 1999, $14,800,000.


(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—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 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>$17,020,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Air-Ground Combat Center, Twentynine Palms</td>
<td>$14,000,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Camp Pendleton</td>
<td>$11,600,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Logistics Base, Barlow</td>
<td>$1,670,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Recruit Depot, San Diego</td>
<td>$3,200,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Lemoore</td>
<td>$2,200,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, North Island</td>
<td>$5,420,000</td>
</tr>
<tr>
<td></td>
<td>Naval Hospital, San Diego</td>
<td>$21,590,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Naval Air Station, Whiting Field, Milton</td>
<td>$4,750,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Logistics Base, Albany</td>
<td>$6,260,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Camp R.M. Smith</td>
<td>$86,250,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station, Kaneohe Bay</td>
<td>$5,790,000</td>
</tr>
<tr>
<td></td>
<td>Naval Shipyard, Pearl Harbor</td>
<td>$10,610,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Pearl Harbor</td>
<td>$18,600,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Naval Submarine Base, Pearl Harbor</td>
<td>$28,460,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Naval Surface Warfare Center, Baywak</td>
<td>$10,040,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Naval Training Center, Great Lakes</td>
<td>$73,290,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Naval Air Station, Brunswick</td>
<td>$18,490,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Naval Construction Battlison Center, Gulfport</td>
<td>$19,570,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>MSTS Portsmouth</td>
<td>$3,850,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Naval Air Warfare Center, Atlantic</td>
<td>$15,710,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Air Station, New River</td>
<td>$5,470,000</td>
</tr>
<tr>
<td></td>
<td>Naval Shipyard, Philadelphia</td>
<td>$13,320,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Naval Weapons Station, Charleston</td>
<td>$7,440,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Marine Corps Air Station, Beaufort</td>
<td>$10,490,000</td>
</tr>
<tr>
<td></td>
<td>Naval Corps Combat Development Command, Quantico</td>
<td>$20,630,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Oceana</td>
<td>$11,490,000</td>
</tr>
<tr>
<td></td>
<td>Naval Shipyard, Norfolk, Portsmouth</td>
<td>$17,630,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Norfolk</td>
<td>$69,550,000</td>
</tr>
<tr>
<td></td>
<td>Naval Weapons Station, Yorktown</td>
<td>$25,040,000</td>
</tr>
<tr>
<td></td>
<td>Tactical Training Group Atlantic, Dam Neck</td>
<td>$3,440,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Naval Ordnance Center Pacific Division Detachment, Port Hadlock</td>
<td>$10,310,000</td>
</tr>
<tr>
<td></td>
<td>Puget Sound Naval Shipyard, Bremerton</td>
<td>$15,610,000</td>
</tr>
<tr>
<td></td>
<td>Strategic Weapons Facility Pacific, Bremerton</td>
<td>$6,300,000</td>
</tr>
</tbody>
</table>

Total: $742,560,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>Administrative Support Unit</td>
<td>$83,090,000</td>
</tr>
<tr>
<td>Diego Garcia</td>
<td>Naval Support Facility, Diego Garcia</td>
<td>$8,150,000</td>
</tr>
<tr>
<td>Greece</td>
<td>Naval Support Activity, Souda Bay</td>
<td>$6,380,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Naval Support Activity, Naples</td>
<td>$26,750,000</td>
</tr>
</tbody>
</table>

Total: $124,370,000

### 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Naval Shipyard, San Diego</td>
<td>Units</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Marine Corps Air Station, Kaneohe Bay</td>
<td>Units</td>
<td>$26,615,000</td>
</tr>
</tbody>
</table>
SEC. 2201. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—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 $2,076,635,000 as follows:

1. For military construction projects inside the United States authorized by section 2301(a), $672,380,000.
2. For military construction projects outside the United States authorized by section 2301(b), $124,370,000.
3. For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $7,342,000.
5. For construction and acquisition, planning and design, and improvement of military family housing and facilities, $298,874,000.
6. For support of military housing (including functions described in section 2833 of title 10, United States Code), $805,070,000.
7. For construction of the Berthing Wharf (Increment II), Naval Station Norfolk, Virginia, authorized by section 2801(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2186), $12,690,000.
8. For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $7,342,000.
(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—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 2201 of this Act may not exceed—
1. $17,745,000.
2. $70,105,000.
3. $115,589,000.

SEC. 2202. 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 2201(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 $165,050,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), 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>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>84 Units</td>
<td>Navasota Air Force Base</td>
<td>$22,693,000</td>
<td></td>
</tr>
<tr>
<td>110 Units</td>
<td>Fort Polk Air Force Base</td>
<td>$30,168,000</td>
<td></td>
</tr>
<tr>
<td>96 Units</td>
<td>Keesler Air Force Base</td>
<td>$19,167,000</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$115,589,000</td>
</tr>
</tbody>
</table>

SEC. 2205. TECHNICAL MODIFICATION OF AUTHORITY RELATING TO CERTAIN FISCAL YEAR 1997 PROJECT.

The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2186) is amended in the item relating to Naval Air Station Brunswick, Maine, by striking “92 Units” in the purpose column and inserting “72 Units”.

SEC. 2202. 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 1999 (division B of Public Law 105–261; 112 Stat. 2186) is amended in the item relating to Naval Air Station Brunswick, Maine, by striking “92 Units” in the purpose column and inserting “72 Units”.

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2301(a)(1), the Secretary of the Air Force 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>Alabama</td>
<td>Maxwell Air Force Base</td>
<td>$10,600,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$24,100,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>El Centro Air Force Base</td>
<td>$42,300,000</td>
</tr>
<tr>
<td>California</td>
<td>Beaumont Air Force Base</td>
<td>$8,800,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>$33,000,000</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Schriever Air Force Base</td>
<td>$9,900,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$33,600,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Patrick Air Force Base</td>
<td>$17,800,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Hickam Air Force Base</td>
<td>$5,300,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Mountain Home Air Force Base</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>McConnell Air Force Base</td>
<td>$10,305,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Fort Campbell</td>
<td>$6,300,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Andrews Air Force Base</td>
<td>$9,800,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>McConnell Air Force Base</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Keesler Air Force Base</td>
<td>$35,900,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Keesler Air Force Base</td>
<td>$35,900,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Malmstrom Air Force Base</td>
<td>$11,600,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Offutt Air Force Base</td>
<td>$8,300,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Hanscom Air Force Base</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Michigan</td>
<td>Columbus Air Force Base</td>
<td>$2,600,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Keesler Air Force Base</td>
<td>$35,900,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Keesler Air Force Base</td>
<td>$35,900,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Whiteman Air Force Base</td>
<td>$54,900,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Montana Air Force Base</td>
<td>$11,600,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>$8,300,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$18,600,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>McGuire Air Force Base</td>
<td>$11,800,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$4,200,000</td>
</tr>
<tr>
<td>New York</td>
<td>Cannon Air Force Base</td>
<td>$4,200,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Rome Laboratory</td>
<td>$25,800,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$22,100,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker Air Force Base</td>
<td>$47,400,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Portland Air Force Base</td>
<td>$9,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Wright-Patterson Air Force Base</td>
<td>$22,100,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Naval Air Station</td>
<td>$9,500,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Charleston Air Force Base</td>
<td>$18,200,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$10,200,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Arnold Air Force Base</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Dyess Air Force Base</td>
<td>$5,400,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$4,200,000</td>
</tr>
</tbody>
</table>
(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force 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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$8,900,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Aviano Air Force Base</td>
<td>$3,700,000</td>
</tr>
<tr>
<td>Narnia</td>
<td>Ram Air Base</td>
<td>$19,600,000</td>
</tr>
<tr>
<td>Portugal</td>
<td>Lajes Field, Azores</td>
<td>$1,800,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Ascension Island</td>
<td>$2,150,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Fairchild</td>
<td>$3,300,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Lakenheath</td>
<td>$18,200,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Mildenhall</td>
<td>$17,600,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Mildenhall</td>
<td>$17,600,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Mildenhall</td>
<td>$17,600,000</td>
</tr>
<tr>
<td>Total:</td>
<td></td>
<td>$76,650,000</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>................................................. $10,200,000</td>
</tr>
<tr>
<td>California</td>
<td>Beale Air Force Base</td>
<td>60 Units $8,500,000</td>
</tr>
<tr>
<td></td>
<td>Edwards Air Force Base</td>
<td>140 Units $32,790,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Vandenberg Air Force Base</td>
<td>91 Units $16,800,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>130 Units $14,080,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Columbus Air Force Base</td>
<td>54 Units $9,054,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malmstrom Air Force Base</td>
<td>34 Units $7,570,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>72 Units $12,950,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Keesler Air Force Base</td>
<td>76 Units $12,187,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Grand Forks Air Force Base</td>
<td>42 Units $10,050,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Minot Air Force Base</td>
<td>72 Units $10,756,000</td>
</tr>
<tr>
<td>Portugal</td>
<td>Lajes Field, Azores</td>
<td>48 Units $7,500,000</td>
</tr>
<tr>
<td>Total:</td>
<td></td>
<td>136,248,000</td>
</tr>
</tbody>
</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 $129,992,000.

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 $1,931,051,000 as follows:

1. For military construction projects inside the United States authorized by section 2301(a), $851,833,000.
2. For military construction projects authorized by section 2301(b), $405,281,000.
3. For unspecified minor construction projects authorized by section 2305 of title 10, United States Code, $8,741,000.
4. For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $38,264,000.
5. For military housing functions:
   (A) For construction and acquisition, planning and design, and improvement of military family housing units, $8,741,000.
   (B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $82,189,000.
6. Limitation on total cost of construction projects. 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 2301 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 2301(a)(1) for the project authorized by section 2301(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:

<table>
<thead>
<tr>
<th>Defense Agencies: Inside the United States</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency</td>
<td>Installation or location</td>
<td>Amount</td>
</tr>
<tr>
<td>Chemical Demilitarization Program</td>
<td>Blue Grass Army Depot, Kentucky</td>
<td>$15,400,000</td>
</tr>
<tr>
<td>Defense Education Activity</td>
<td>Marine Corps Base, Camp Lejeune, North Carolina</td>
<td>$10,100,000</td>
</tr>
<tr>
<td>Laurel Bay, South Carolina</td>
<td>$2,874,000</td>
<td></td>
</tr>
</tbody>
</table>
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.

Of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 539), section 2408 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3040), as amended by section 2407 total amount of $1,842,582,000 as follows:

Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Agency</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense Logistics Agency</td>
<td>Eglin Air Force Base, Alaska</td>
<td>$26,000,000</td>
</tr>
<tr>
<td></td>
<td>Defense Fuel Supply Center, Elmendorf Air Force Base, Alaska</td>
<td>$23,500,000</td>
</tr>
<tr>
<td></td>
<td>Defense Distribution Support Center, New Cumberland, Pennsylvania</td>
<td>$5,000,000</td>
</tr>
<tr>
<td></td>
<td>Fairchild Air Force Base, Washington</td>
<td>$12,400,000</td>
</tr>
<tr>
<td></td>
<td>Various Locations</td>
<td>$8,500,000</td>
</tr>
<tr>
<td></td>
<td>Presidio, Monterey, California</td>
<td>$28,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Meade, Maryland</td>
<td>$2,846,000</td>
</tr>
<tr>
<td>Defense Manpower Data Center</td>
<td>Naval Amphibious Base, Coronado, California</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Benning, Georgia</td>
<td>$10,200,000</td>
</tr>
<tr>
<td></td>
<td>Mississippi Army Armament Plant, Mississippi</td>
<td>$12,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg, North Carolina</td>
<td>$20,100,000</td>
</tr>
<tr>
<td>National Security Agency</td>
<td>Fort Wainwright, Alaska</td>
<td>$33,200,000</td>
</tr>
<tr>
<td></td>
<td>Davis-Monthan Air Force Base, Arizona</td>
<td>$10,000,000</td>
</tr>
<tr>
<td></td>
<td>Los Angeles Air Force Base, California</td>
<td>$13,600,000</td>
</tr>
<tr>
<td></td>
<td>Travis Air Force Base, California</td>
<td>$7,500,000</td>
</tr>
<tr>
<td></td>
<td>Patrick Air Force Base, Florida</td>
<td>$1,750,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Jacksonville, Florida</td>
<td>$3,780,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Pensacola, Florida</td>
<td>$4,300,000</td>
</tr>
<tr>
<td>Special Operations Command</td>
<td>Moody Air Force Base, Georgia</td>
<td>$1,250,000</td>
</tr>
<tr>
<td></td>
<td>Fort Riley, Kansas</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Tri-Care Management Agency</td>
<td>Andrews Air Force Base, Maryland</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Patuxent River, Maryland</td>
<td>$4,150,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station, Cherry Point, North Carolina</td>
<td>$3,500,000</td>
</tr>
<tr>
<td></td>
<td>Wright-Patterson Air Force Base, Ohio</td>
<td>$3,800,000</td>
</tr>
<tr>
<td></td>
<td>Fort Sam Houston, Texas</td>
<td>$5,400,000</td>
</tr>
<tr>
<td></td>
<td>Cheatham Annex, Virginia</td>
<td>$1,450,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Norfolk, Virginia</td>
<td>$4,050,000</td>
</tr>
<tr>
<td></td>
<td>Fort Lewis, Washington</td>
<td>$5,500,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Whidby Island, Washingon</td>
<td>$4,700,000</td>
</tr>
</tbody>
</table>

Total: $187,320,000

(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:

Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Agency</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense Education Activity</td>
<td>Andersen Air Force Base, Guam</td>
<td>$44,170,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station Rota, Spain</td>
<td>$17,920,000</td>
</tr>
<tr>
<td>Defense Logistics Agency</td>
<td>Royal Air Force, Fairchild, United Kingdom</td>
<td>$4,570,000</td>
</tr>
<tr>
<td></td>
<td>Royal Air Force, Lakenheath, United Kingdom</td>
<td>$3,370,000</td>
</tr>
<tr>
<td></td>
<td>Andersen Air Force Base, Guam</td>
<td>$24,100,000</td>
</tr>
<tr>
<td>Defense Manpower Data Center</td>
<td>Menom Air Base, Spain</td>
<td>$15,200,000</td>
</tr>
<tr>
<td>National Security Agency</td>
<td>Royal Air Force, Meno Hill Station, United Kingdom</td>
<td>$500,000</td>
</tr>
<tr>
<td></td>
<td>Naval Security Group Activity, Sabana Seca, Puerto Rico</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Tri-Care Management Agency</td>
<td>Ramstein Air Force Base, Germany</td>
<td>$7,100,000</td>
</tr>
<tr>
<td></td>
<td>Yongsan, Korea</td>
<td>$41,100,000</td>
</tr>
<tr>
<td>Defense-Wide</td>
<td>Royal Air Force, Lakenheath, United Kingdom</td>
<td>$7,100,000</td>
</tr>
<tr>
<td></td>
<td>Counterdind Forward Operating Location, Antilles</td>
<td>$4,800,000</td>
</tr>
<tr>
<td></td>
<td>Counterdind Forward Operating Location, Costa Rica</td>
<td>$6,720,000</td>
</tr>
<tr>
<td></td>
<td>Counterdind Forward Operating Location, Ecuador</td>
<td>$31,200,000</td>
</tr>
</tbody>
</table>

Total: $311,485,000

SEC. 2402. 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 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 authorized to be appropriated pursuant to section 2405(a)(5), $78,756,000 shall be available for credit to the Department of Defense Family Housing Improvement Fund established by section 2804 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 2805 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 for 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:

(1) For military construction projects outside the United States authorized by section 2401 (a), $286,320,000.
(2) For unspecified minor construction projects under section 2805 of title 10, United States Code, $18,818,000.
(3) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $938,000.
(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $33,664,000.
(8) For military family housing functions:
   (A) For improvement of military family housing and facilities, $50,000.
   (B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $41,440,000 of which not more than $35,639,000 may be obligated or expended for the leasing of military family housing units worldwide.
   (C) For rent to the Department of Defense Family Housing Improvement Fund as authorized by section 2403, $78,756,000.
   (D) For the construction of the Ammunition Demilitarization Facility, Anniston Army Depot, Alabama, authorized by section 2101 (a) of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; Stat. 1758), $7,000,000.


(12) For the construction of the Ammunition Demilitarization Facility, Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2775), as amended by section 2406 of this Act, $11,800,000.

(13) For the construction of the Ammunition Demilitarization Facility, Newport Army Depot, Indiana, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2159), $61,200,000.

(14) For the construction of the Ammunition Demilitarization Facility, Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999, $96,600,000.

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variation authorized by section 2803 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed—

(1) the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a);

(2) $115,000,000 (the balance of the amount authorized under section 2401(a) for the construction of the hospital replacement, Fort Wainwright, Alaska); and

(3) $184,000,000 (the balance of the amount authorized under section 2401(a) for the construction of the Ammunition Demilitarization Facility, Blue Grass Army Depot, Kentucky).

SEC. 2501. 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 agency heading relating to Chemical Demilitarization Program, is amended in the item 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 $166,340,000.

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, $104,817,000.

(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, $323,340,000; 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 therefor) 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 for fiscal year 2003.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations 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 therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2002; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2003 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 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/Army National Guard</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 Lejeune</td>
<td>Family Housing Construction (104 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 (140 units)</td>
<td>$11,675,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Air Station Kingsville</td>
<td>Family Housing Construction (48 units)</td>
<td>$7,250,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Marine Corps Combat Development Command, Quantico</td>
<td>Family Housing Construction (100 units)</td>
<td>$5,015,000</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>Mississippi</td>
<td>Camp Shelby</td>
<td>Multipurpose Range</td>
<td>$5,000,000</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>Pueblo Chemical Activity</td>
<td>Ammunition Demilitarization Facility</td>
<td></td>
<td>$179,200,000</td>
</tr>
</tbody>
</table>

Army National Guard: Extension of 1996 Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Guard Training Site, Jefferson City</td>
<td>Multifunction Range</td>
<td></td>
<td>$7,236,000</td>
</tr>
</tbody>
</table>

SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—

(1) October 1, 1999; 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 2530(a) of title 10, United States Code, is amended—

(1) in subsection (e), by adding at the end the following new paragraph:

“(5) 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.

(2) 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)—

‘‘(1) a notice of the decision; and

‘‘(2) a statement of the current estimated cost of the project, including the cost of any real property transaction in connection with the project.’’; and

(2) in subsection (g), by striking “subsection (e)(1) and inserting “subsection (e)(1)”, and

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 1105 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: ‘‘(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 169 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 appropriated 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 18233(f)(1) of title 10, United States Code, and other provisions of law.

‘‘(d) LIMITATION ON OBLIGATION AND EXPENDITURE.—(1) Subject to paragraph (2), amounts appropriated for obligation and expenditure 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).

‘‘(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 this subchapter is amended by adding at the end the following new item:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>Family Housing Construction (186 units)</td>
<td>$80,200,000</td>
</tr>
</tbody>
</table>

SEC. 2804. LIMITATION ON AUTHORITY REGARDING ANCILLARY SUPPORTING FACILITIES 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 12323(c)(1) of title 10, United States Code, is amended by inserting ‘‘and design’’ after ‘‘planning’’.

SEC. 2806. MODIFICATION OF LIMITATIONS ON RESERVE COMPONENT FACILITY PROJECTS FOR CERTAIN SAFETY PROJECTS.

(a) EXEMPTION FROM NOTICE AND WAIT REQUIREMENT.—Subsection (a)(2) of section 18233a of title 10, United States Code, is amended by adding at the end the following new subparagraph:

‘‘(C) An unspecified minor military construction project (as defined in section 18233a(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 (c)(1) of that section is amended to read as follows:

‘‘(b) Under such regulations as 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 18233a(a) of this title costing not more than—

(1) the amount specified in section 18205(c)(1) of this title, in the case of a project...
intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening; or

(2) the amount specified in section 2869(a)(1) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (f) through (h) as subsections (f), (g), and (h) respectively; and

(2) by inserting after subsection (e) the following new subsection (f):—

(‘‘f’’) EXTENDED CONTRACTS FOR UTILITY SERVICES.—(1) The Secretary concerned may, in connection with a conveyance of a utility system under this section, enter into a contract for the provision of utility services.

(2) Notwithstanding the proviso in section 201(a)(3) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(a)(3)), the term of a contract under this subsection may be up to 50 years.

(g) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYS.—That section is further amended by inserting after subsection (f), as added by subsection (a) of this section, the following new subsection (g):

(‘‘g’’) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYS.—(1) Funds appropriated for a military construction project authorized by law for the construction, repair, or replacement of a utility system to be conveyed under this section may, in the case of an installation, be used to construct a system for the utility system to be conveyed under this section for purposes of the economic analysis required for the conveyance of the utility system under this section.

(2) An agreement under this subsection with respect to a utility system for purposes of the economic analysis required for the conveyance of the utility system under this section shall also be for consideration at the fair market value of the property.

(3) The transfer of property under this section shall be without consideration in the case of an installation located in a rural area whose closure or realignment under this title will have a substantial adverse impact on the economy of the communities in the vicinity of the installation.

(4) For purposes of clause (iii), the term ‘‘economic analysis’’ shall be the economic analysis performed under subsection (a)(2) of section 2871 of title 10, United States Code.

(b) RELATION TO OTHER ACTS.—Section 2875 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by inserting ‘‘or realigned’’ after ‘‘closed’’; and

(B) by striking ‘‘or realigned’’ after ‘‘closed’’; and

(c) USE OF FUNDS.—Section 2879 of title 10, United States Code, is amended—

(1) by inserting ‘‘or realigned’’ after ‘‘closed’’; and

(2) by inserting ‘‘or realigned’’ after ‘‘closed’’; and

(3) by inserting ‘‘closed’’ after ‘‘closed’’; and

(4) by inserting ‘‘closed’’ after ‘‘closed’’; and

(5) in subsection (b)—

(A) by inserting ‘‘or realigned’’ after ‘‘closed’’; and

(B) by striking ‘‘closed’’ after ‘‘closed’’; and

(6) by striking paragraphs (a), (c), and (d) and inserting the following new paragraphs—

(a) Appropriations.—Section 2872 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (f) through (h) as subsections (f), (g), and (h) respectively; and

(2) by inserting after subsection (e) the following new subsection (f):—

(‘‘f’’) EXTENDED CONTRACTS FOR UTILITY SERVICES.—(1) The Secretary concerned may, in connection with a conveyance of a utility system under this section, enter into a contract for the provision of utility services.

(2) Notwithstanding the proviso in section 201(a)(3) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(a)(3)), the term of a contract under this subsection may be up to 50 years.

(g) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYS.—That section is further amended by inserting after subsection (f), as added by subsection (a) of this section, the following new subsection (g):

(‘‘g’’) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYS.—(1) Funds appropriated for a military construction project authorized by law for the construction, repair, or replacement of a utility system to be conveyed under this section may, in the case of an installation, be used to construct a system for the utility system to be conveyed under this section for purposes of the economic analysis required for the conveyance of the utility system under this section.

(2) An agreement under this subsection with respect to a utility system for purposes of the economic analysis required for the conveyance of the utility system under this section shall also be for consideration at the fair market value of the property.
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 jurisdiction:

(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) Construction or improvement of utilities.

(VII) Rehabilitation or Improvement of buildings, including preservation of historic property.

(VIII) Construction, improvement, or acquisition of pollution prevention equipment or facilities.

(IX) Demolition of facilities.

(X) Abatement of pollution, including removal of hazardous material, land-scaping, grading, and other site or public improvements.

(XI) Planning and marketing the development and reuse of the installation.

(v) An agreement for the transfer of property of an installation under clause (ii)(i) shall be with the Secretary to recognize the redevelopment authority concerned with respect to the installation for the period of economic redevelopment of the installation to the Secretary at their discretion from the property authorized to be conveyed by subsection (a) 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 loan 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 paragraph (a).

(c) APPLICABILITY TO CERTAIN PRIOR AGREEMENTS.—(1)(a) 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 2906(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act, that was entered into before April 21, 1999, for purposes of the cost-sharing adjustment, release, or reduction of any right, title, claim, lien, or demand of the United States under the agreement.

(b) In modifying an agreement under this paragraph the Secretary may modify an agreement under this paragraph only if—

(i) the Secretary determines that, as a result of changed economic circumstances, the modification is necessary to provide for economic redevelopment of the installation concerned or related to that installation;

(ii) the terms of the modification do not require payment or other consideration to the Secretary under the agreement before the date of the modification; and

(iii) the terms of the modification do not provide rights, licenses, leases, or any right, title, claim, lien, or demand of the United States under the agreement with respect to the receipt by the United States of in-kind consideration.

(C) In modifying an agreement under subparagraph (A), the Secretary may waive some or all future payments to the United States under the agreement to the extent that the Secretary determines such waiver is necessary.

(D) In modifying an agreement under subparagraph (A), the Secretary and the redevelopment authority concerned shall would include in the agreement provisions consistent with clauses (i) through (iii) of section 2906(b)(4) of the Defense Base Closure and Realignment Act of 1990 (as amended by this section), or clauses (iii)(l) and (v) under section 204(b)(4)(B) of the Defense Authorization Amendments and Base Closure and Realignment Act (as so amended), as applicable.

(f) DESCRIPTION OF PROPERTY.—(1) 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 City.

(f) ADDITIONAL TERMS AND CONDITIONS.—The agreement for the transfer of property authorized to be conveyed by subsection (a) of 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 interest 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 maintenance facility on the parcel.

(b) CONVEYANCE TO COUNTY AUTHORIZED.—The Secretary of the Army may convey to Ramsey County, Minnesota (in this section referred to as the "County"), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 11 acres at the Twin Cities Army Ammunition Plant, for the purpose of permitting the County to construct a maintenance facility on the parcel.

(c) CONSIDERATION.—As a consideration for the conveyances under this section, the City shall make the city hall complex available for use by the Minnesota National Guard for public meetings, and the County shall make the maintenance facility available for use by the Minnesota National Guard, as detailed in this section.

(d) DESCRIPTION OF PROPERTY.—(1) The exact acreage and legal description of the real property to be conveyed under this section shall be determined by surveys satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the real property.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.
having jurisdiction over Red Butte Dam and Reservoir.

(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 (a) solely for purposes of improving Red Butte Dam and Reservoir to meet the standards referred to in that subsection.

(d) Responsibility for Maintenance and Operation of Property.—The District shall assume all responsibility for the operation and maintenance of Red Butte Dam and Reservoir for fish, wildlife, and flood control 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 acceptable 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.

PART II—NAVY CONVEYANCES

SEC. 2841. CLARIFICATION OF LANGUAGE, NAVY CONVEYANCE, READINESS CENTER, PORTLAND, MAINE.

(a) Clarification on Conveyee.—Subsection (a)(1) of section 8523 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 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 educational research institute (in this section referred to as the ‘Aquarium’)."

(b) Conforming Amendments.—That section is further amended by striking “the Corporation” each time it appears and inserting “the Aquarium”.

SEC. 2842. LAND CONVEYANCE, NEWPORT, RHODE ISLAND.

(a) Conveyance Authorized.—The Secretary of the Navy may convey, without consideration, 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 a parcel of real property (together with any improvements thereon) consisting of approximately 15 acres and known colloquially as the Ranger Road site.

The real property is bounded by Naval Station Newport, Rhode Island, to the north and west, by the Town of Middletown, Rhode Island, to the north and east, and by Admiral Kalbush Road, the Jai Alai fronton, the Newport City Yard, and the ramp to Newport Bridge to the south.

(b) Condition.—The conveyance authorized by subsection (a) shall be subject to the condition that the City use the conveyed property for one or more of the following purposes:

(1) A satellite campus of the Community College of Rhode Island.

(2) A center for child day care and early childhood education.

(3) A center for offices of the Government of the State of Rhode Island.

(c) Reversionary Interest.—If during the 5-year period beginning on the date the Secretary makes the conveyance authorized by subsection (a) the Secretary determines that the conveyance authorized by subsection (b) is not used for any of the purposes specified in subsection (a), all right, title, and interest in and to the property, including any improvements thereon, shall revert to and become the property of the United States.

(d) Legal Description of Property.—The exact acreage and legal description of the real property and all real property interests conveyed under subsection (a) shall be determined by survey acceptable to the Secretary. The cost of the survey shall be borne by the City.

(e) 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. 2843. LAND CONVEYANCE, NAVAL WEAPONS INSTRUCTION BASE PLANT NO. 387, DALLAS, TEXAS.

(a) Conveyance Authorized.—The Secretary of the Navy may convey to the City of Dallas, Texas (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 known as the Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas.

(2) As part of the conveyance authorized by paragraph (1), the Secretary may convey to the City such improvements, equipment, fixtures, and other personal property located on the parcels referred to in that paragraph to the City as the Secretary determines to be not required by the Navy for other purposes.

(b) The Secretary may permit the City to review and inspect the improvements, equipment, fixtures, and other personal property located on the parcels referred to in paragraph (1) for purposes of the conveyance authorized by this paragraph.

(c) Authority to Convey Without Consideration.—The conveyance authorized by subsection (a) may be made without consideration if the Secretary determines that the conveyance of the property would be in the best interests of the United States.

(d) Condition of Conveyance.—The conveyance authorized by subsection (a) shall be subject to the condition that the City—

(1) use the parcels, directly or through an agreement with a public or private entity, for economic purposes or such other public purposes as the City determines appropriate; or

(2) convey the parcels to an appropriate public entity for use for such purposes.

(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 acceptable 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 under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2844. LAND CONVEYANCE, NAVAL TRAINING CENTER, ORLANDO, FLORIDA.

The Secretary of the Navy shall convey all right, title, and interest of the United States in and to the land, water, and air space comprising the base portion of the Naval Training Center and the McCoy Annex Areas, Orlando, Florida, to the City of Orlando, Florida, in accordance with the terms and conditions set forth in the Memorandum of Agreement by and among the United States of America and the City of Orlando for the Economic Development Conveyance of Property on the Main Base and McCoy Annex Areas of the Naval Training Center, Orlando, executed by the Parties on December 3, 2019, as amended.

PART II—AIR FORCE CONVEYANCES

SEC. 2851. LAND CONVEYANCE, MCCLELLAN NUCLEAR RADIATION CENTER, CALIFORNIA.

(a) Conveyance Authorized.—Notwithstanding any other provision of law, the Secretary of the Air Force may convey, without consideration, to the Regents of the University of California, acting on behalf of the Regents of the University of California, Davis (in this section referred to as the “Regents”), all right, title, and interest of the United States in and to the parcel of real property, including improvements thereon, at the McAllister Nuclear Radiation Center, Davis, California.

(b) Inspection of Property.—The Secretary shall, at an approximate time prior to the conveyance authorized by subsection (a), permit the Regents access to the property to

(1) conduct such inspections of the property as the Regents determine to be necessary,

(2) prepare and submit to the Secretary a report describing the results of the inspections,

(3) retain possession of the property for a reasonable time after the conveyance, and

(4) be liable for damages resulting from any injury or damage to the property.
be conveyed for purposes of such investigation of the McClellan Nuclear Radiation Center and the atomic reactor located at the Center as the Regents consider appropriate.

(c) Authority.—(A) The Secretary may not make the conveyance authorized by subsection (a) unless the Regents agree to indemnify and hold harmless the United States for any injury, damage, or liability arising from the operation of the atomic reactor after its conveyance under this section.

(B) As consideration for the agreement under subparagraph (A), the Secretary may pay the Regents an amount determined appropriate by the Secretary. The amount may not exceed $17,593,000.

(2) Notwithstanding the agreement under paragraph (1), the Secretary may, as part of the conveyance authorized by section 2695, enter into an agreement with the Regents under which agreement the United States shall indemnify and hold harmless the University and any other appropriate Federal or State regulatory agency, the Secretary, or the State of Arizona, any trust mineral estate of the State of Arizona, any State trust lands and mineral interests in lands under subsection (b) that were withdrawn and reserved for Army use, and any private party, from any injury, damage, or liability arising from the operation of the atomic reactor at the McClellan Nuclear Radiation Center after its conveyance under this section that arises from a defect in the atomic reactor that could not have been discovered in the course of the inspection carried out under subsection (b).

(d) Continuing Operation of Reactor.—Until such time as the property authorized to be conveyed by subsection (a) is conveyed by deed, the Secretary shall take appropriate actions, including the allocation of personnel, funds, and other resources, to ensure the continuing operation of the atomic reactor located at the McClellan Nuclear Radiation Center in accordance with applicable requirements of the Nuclear Regulatory Commission and otherwise in accordance with law.

(e) Description of Property.—The exact acreage and legal description of the real property to be conveyed under subsection (a), the easement to be conveyed under subsection (b)(2), and the pipeline to be conveyed under subsection (b)(1) shall be determined by surveys and other means satisfactory to the official having jurisdiction over the property or pipeline, as the case may be, at the time of the conveyance. The cost of any survey or other action performed at the direction of that official under the preceding sentence shall be borne by the Authority.

(f) Additional Terms and Conditions.—The official having jurisdiction over the property to be conveyed under subsection (a), or the conveyance may require such additional terms and conditions in connection with the conveyance as the official considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2852. ACQUISITION OF STATE-HELD INDIAN TRUST RANGE OF FORT HUACHUCA, ARIZONA.

(a) Acquisition Authorized.—(1) The Secretary of the Interior may acquire by eminent domain the State of Arizona, all right, title, and interest in and to the following:

(i) The parcel located at 33°31'57.1" N., 110°53'56.1" W., in the Bonito Range, Cochise County, Arizona. The parcel comprises approximately 5,352.1 acres and is owned by the United States.

(ii) The parcel located at 33°31'57.1" N., 110°53'56.1" W., in the Bonito Range, Cochise County, Arizona. The parcel comprises approximately 5,352.1 acres and is owned by the United States.

(b) Consideration.—(1) Subject to subsections (e) and (f), the conveyance authorized by this section shall be the execution of a deed of conveyance to the State of Arizona, all right, title, and interest of the United States, or some lesser interest, in or some parcels of Federal land under the jurisdiction of the Bureau of Land Management in the State of Arizona.

(2) The conveyance authorized by this section shall be pursuant to and in accordance with any Act of Congress or other authority or combination of authorities in this section for the purpose of developing or facilitating the development of Fort Huachuca, and the Secretary shall meet, at no cost to the United States, all costs associated with the execution of any conveyance under this Act.
(2) Subject to subsection (i), the services accepted by the Secretary under paragraph (1) may include the following:

(A) The construction or improvement of facilities at Ford Island.

(B) The restoration or rehabilitation of real property at Ford Island.

(C) The provision of property support services for property at Ford Island.

(D) NOTICE AND WAIT REQUIREMENTS.—The Secretary of the Navy may not carry out a transaction authorized by this section until:

(1) the Secretary submits to the appropriate committees of Congress a notification of the transaction; and

(2) a period of 30 calendar days has elapsed following the date on which the notification is received by those committees.

(b) LEASE AUTHORITY.—(1) The Secretary of the Navy may convey to any public or private person or entity all right, title, and interest of the United States in the property under subsection (a), or lease the property under this section.

(A) The Secretary may lease to any public or private person or entity any real property or personal property under the jurisdiction of the Secretary of the Navy.

(B) The Secretary may not exercise any authority under this subsection until—

(1) the Secretary submits to the appropriate committees of Congress a master plan for the development of Ford Island; and

(2) the Secretary to be a service that supports the operation and maintenance of real property, personal property, or facilities.

(C) The restoration or rehabilitation of military radio transmitting towers located at Naval Station, Annapolis, Maryland that are the three southeastern most transmitting towers described in this subsection 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 extend the facilities provided under section 2686(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.

(m) DEFINITIONS.—In this section:

(1) the term "appropriate committees of Congress" has the meaning given that term in section 2801(4) of title 10, United States Code.

(2) the term "property support service" means the following:

(A) The provision of property support services for the operation and maintenance of real property, personal property, or facilities.

(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. ENHANCEMENT OF PENTAGON RENOVATION ACTIVITIES.

The Secretary of Defense in conjunction with the Pentagon Renovation Program is authorized to design and construct secure secretarial office and support facilities and security-related changes to the METRO entrance at the Pentagon Reservation. The Secretary shall, not later than January 15, 2000, submit to the congressional defense committees the estimated cost for the planning, design, construction, and installation of improvements for buildings, 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 FACILITY TOWERS AT NAVAL STATION, ANNAPOLIS, MARYLAND, TO FACILITATE TRANSFER OF TOWERS.

(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 described in subsection (b) during the one-year period beginning on the date of enactment of this Act.

(b) COVERED TOWERS.—The naval radio transmitting towers described in this subsection are the three southeastern 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 right, title, and interest (including maintenance responsibility) of the United States in such naval radio transmitting 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 accrued maintenance responsibility) during the one-year period referred to in subsection (a).
SEC. 2865. ARMY RESERVE RELOCATION FROM FORT DOUGLAS, UTAH.

Section 2865 of the National Defense Authorization Act for fiscal year 1998 (P.L. 105–85) is amended as follows:

(1) With regard to the conveyance of a portion of Fort Douglas, Utah to the University of Utah and the 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 and State of Utah to pay costs associated with the conveyance and relocation. Funds received under this section shall be in the appropriation fund or account from which the expenses are ordinarily paid. Amounts so credited shall be available until expended.

TITLES XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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 military training opportunities and serve a critical role in the national security of the United States and their use for these purposes should be continued;

(3) in addition to their use for military purposes these lands contain significant natural and cultural resources, and provide important wildlife habitat;

(4) the future use of these ranges is important not only for the affected military branches, but also for local residents and other public land users;

(5) the public land withdrawals authorized in 1986 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 a timely manner, consistent 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 the Interior, with the responsibilities and requirements under applicable laws, should jointly prepare a comprehensive legislative proposal to renew the public land withdrawals for the four ranges referenced in section 2901 and transmit such proposal to the Congress no later than July 1, 1999.

SEC. 2903. SENSE OF THE 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 withdrawal of the lands withdrawn 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 the Cabeza 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 manner; and

(4) a continuation in high-quality management of United States natural and cultural resources is required if the United States is to preserve its national heritage.

DEPARTMENT OF ENERGY NATIONAL SECURITY ACT FOR FISCAL YEAR 2000

On May 27, 1999, the bill, S. 1062, was passed by the Senate. The text of the bill is as follows:

S. 1062

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 Energy National Security Act for Fiscal Year 2000”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

1. Short title.

2. Table of contents.

3. Congressional defense committees defined.

TITLES XXXIII—NATIONAL DEFENSE STOCKPILE

SEC. 3001. Short title.


SEC. 3003. Purchase of vehicles.

SEC. 3004. Expenditures in accordance with treaties.

SEC. 3005. Office of Transition Administration.

CONGRESSIONAL RECORD — SENATE

June 7, 1999
SEC. 3101. WEAPONS ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for weapons activities necessary for national security in the amount of $1,748,500,000, to be allocated as follows:

(A) For operation and maintenance, $1,480,621,000.

(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), $138,679,000, 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-123, stockpile management restructuring initiative, Pantex Plant consolidation, Amarillo, Texas, $3,429,000.
- Project 99-D-132, stockpile management restructuring initiative, Y-12 Plant consolidation, Oak Ridge, Tennessee, $13,150,000.
- Project 99-D-133, tritium facility modernization and consolidation, Savannah River Site, Aiken, South Carolina, $21,800,000.

(C) For site project (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $54,551,000, to be allocated as follows:

- Project 99-D-124, stockpile management restructuring initiative, Y-12 Plant consolidation, Oak Ridge, Tennessee, $3,500,000.
- Project 99-D-125, tritium extraction facility, Savannah River Site, Aiken, South Carolina, $3,000,000.
- Project 99-D-126, accelerator production of tritium, various locations, $21,000,000.
- Project 99-D-127, structural upgrades, Kansas City Plant, Kansas City, Missouri, $4,000,000.
- Project 99-D-128, chemical and metallurgy research building upgrades, Los Alamos National Laboratory, Los Alamos, New Mexico, $18,000,000.
- Project 99-D-129, security enhancements, Pantex Plant, Amarillo, Texas, $3,500,000.

(D) For program direction, $20,516,000.

SEC. 3102. DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for environmental restoration and waste management in carrying out programs necessary for national security in the amount of $235,500,000, to be allocated as follows:

(A) For operation and maintenance, $13,988,000.

(B) For project (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $100,249,000, to be allocated as follows:

- Project 99-D-001, spent nuclear fuel treatment and storage facility, title I and II, Savannah River Site, Aiken, South Carolina, $7,000,000.
- Project 99-D-002, privatization phase I infrastructure support, Richland, Washington, $13,988,000.
- Project 99-D-003, tank farm restoration and safe operations, Richland, Washington, $20,516,000.

(C) For program direction in carrying out environmental restoration and waste management activities necessary for national security in the amount of $235,500,000, to be allocated as follows:

- Project 99-D-001, spent nuclear fuel treatment and storage facility, title I and II, Savannah River Site, Aiken, South Carolina, $7,000,000.
- Project 99-D-002, privatization phase I infrastructure support, Richland, Washington, $13,988,000.
- Project 99-D-003, tank farm restoration and safe operations, Richland, Washington, $20,516,000.

(D) For project (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $100,249,000, to be allocated as follows:

- Project 99-D-001, spent nuclear fuel treatment and storage facility, title I and II, Savannah River Site, Aiken, South Carolina, $7,000,000.
- Project 99-D-002, privatization phase I infrastructure support, Richland, Washington, $13,988,000.
- Project 99-D-003, tank farm restoration and safe operations, Richland, Washington, $20,516,000.
necessary for national security programs in the amount of $344,609,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES. 
(a) IN GENERAL.—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: (i) For nonproliferation verification and development, $235,000,000; (ii) For enhancement of the nuclear arms control, $275,000,000; (iii) 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 99-D-141, Nonproliferation and International Security Centers (NISC), Los Alamos National Laboratory, New Mexico, $5,000,000; (B) For nuclear safeguards and security, $59,100,000; (C) For security investigations, $47,000,000; (D) For emergency management, $21,000,000; (E) For program direction, $90,450,000; (F) For HEU Transparency implementation, $15,750,000; (G) For international nuclear safety, $34,000,000.

(b) INTELLIGENCE.—For intelligence, $36,059,000.

(c) CONTRITIONTELLIGENCE.—For counter-intelligence, $66,200,000.

(d) WORKER AND COMMUNITY TRANSITION ASSISTANCE.—For worker and community transition assistance, $30,000,000, to be allocated as follows: (A) For worker and community transition, $26,500,000; (B) For program direction, $3,500,000; (C) For fissile materials control and disposition, $15,750,000.

SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL. 
(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for privatization initiatives, in the amount of $9,000,000, to be allocated as follows: (i) For nonproliferation, $3,000,000; (ii) For arms control, $276,000,000; (iii) 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 (NISC), Los Alamos National Laboratory, New Mexico, $5,000,000; (B) For nuclear safeguards and security, $59,100,000; (C) For security investigations, $47,000,000; (D) For emergency management, $21,000,000; (E) For program direction, $90,450,000; (F) For HEU Transparency implementation, $15,750,000; (G) For international nuclear safety, $34,000,000.

(b) ADJUSTMENT.—(1) The amount authorized to be appropriated pursuant to this section is the sum of the amounts authorized to be appropriated through paragraphs (1) through (7) of subsection (a) reduced by $12,559,000.

SEC. 3105. DEFENSE ENVIRONMENTAL MANAGEMENT ACTIVITIES. 
(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for privatization initiatives, in the environmental restoration and waste management activities necessary for national security programs in the amount of $241,000,000, to be allocated as follows: Project 98-PVT-2, spent nuclear fuel dry storage, Idaho Falls, Idaho, $5,000,000; Project 98-PVT-5, waste disposal, Oak Ridge, Tennessee, $20,000,000; Project 97-PVT-1, tank waste remediation system phase I, Hanford, Washington, $106,000,000; Project 97-PVT-2, advanced mixed waste treatment facility, Idaho Falls, Idaho, $110,000,000.

(b) ADJUSTMENT.—The amount authorized to be appropriated pursuant to subsection (a) is the sum of the amounts authorized to be appropriated for the projects set forth in that subsection, reduced by $25,000,000, for use of prior year balances in defense environmental management privatization.

Title B—Recurring General Provisions 
SEC. 3121. REPROGRAMMING. 
(a) IN GENERAL.—Until the Secretary of Energy submits to the congressional defense committees the report referred to in subsection (b) and a period of 30 days has elapsed after the date on which such report is received, the amounts are transferred may be merged with and be available for the same purposes and for the same period as the amounts are transferred.

(b) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the project exceeds $5,000,000, the Secretary shall immediately furnish a complete report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS. 
(a) IN GENERAL.—Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred before the project is completed if the current estimated cost of the construction project exceeds $3,000,000,000, and the project is located at a site which Congress has specifically denied funds.

(b) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the construction project exceeds $5,000,000, the Secretary shall immediately furnish a complete report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS. 
(a) IN GENERAL.—Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred before the project is completed if the current estimated cost of the construction project exceeds $3,000,000,000, and the project is located at a site which Congress has specifically denied funds.

(b) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the construction project exceeds $5,000,000, the Secretary shall immediately furnish a complete report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3124. FUND TRANSFER AUTHORITY. 
(a) TRANSFER TO OTHER FEDERAL AGENCIES.—The Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title to other Federal agencies for the performance of work for which the funds are authorized. Funds so transferred may be merged with and be available for the same purposes and for the same period as the amounts are transferred.

(b) TRANSFER WITHIN DEPARTMENT OF ENERGY.—(1) Subject to paragraph (2), the Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title between any such authorizations. Amounts of authorizations so transferred may be merged with and be available for the same purposes and for the same period as the amounts are transferred.
SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

Subject to the unexpended balances of appropriations Acts and section 3121, amounts appropriated pursuant to this title for management and support activities and for general plant operations, if necessary, in connection with all national security programs of the Department of Energy.

SEC. 3128. AVAILABILITY OF FUNDS.

(a) In General.—(1) Funds as provided in subsection (b), when so specified in an appropriations Act, amounts appropriated for operation and maintenance or for plant production projects may remain available until expended.

(b) EXCEPTION FOR PROGRAM DIRECTION FUNDS.—Amounts appropriated for program direction pursuant to an authorization of appropriations in subtitle A shall remain available to be expended only until the end of fiscal year 2002.

SEC. 3129. TRANSFERS OF DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.

(a) TRANSFER AUTHORITY FOR DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.—The Secretary of Energy shall provide the manager of each field office of the Department of Energy with the authority to transfer defense environmental management funds from a program to another program or for a new program or project that has not been authorized by Congress.

(b) AUTHORITY FOR CONSTRUCTION DESIGN.—(1) The amount transferred to or from a program or project under subsection (a) may not exceed $5,000,000.

(c) LIMITATION.—(1) Only one transfer may be made to or from any program or project under subsection (a) in a fiscal year.

(d) TRANSFER AUTHORITY FOR DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.—(1) The Secretary of Energy may transfer funding to a program or project if the transfer is necessary to address a risk to health, safety, or the environment or to assure the most efficient use of defense environmental management funds at the field office.

SEC. 3128. AUTHORITY FOR CONCEPTUAL DESIGN.

(a) REQUIREMENT FOR CONCEPTUAL DESIGN.—(1) Subject to paragraph (2) and except as provided in paragraph (3), before submitting 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 or any of the Secretary’s designees shall complete a conceptual design for that project.

(b) AUTHORITY 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 any proposed construction project if the total estimated cost for such design does not exceed $5,000,000.

(c) LIMITATION.—(1) Only one transfer may be made to or from any program or project under subsection (a) in a fiscal year.

(d) TRANSFER AUTHORITY FOR DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.—(1) The Secretary of Energy has the authority to transfer defense environmental management funds from a program to another program or for a new program or project that has not been authorized by Congress.

(e) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—Amounts appropriated for defense environmental management funds shall not apply to transfers of funds pursuant to subsection (a).

(f) 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.

(g) DEFINITIONS.—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 3102.

(B) A program described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department, that is being carried out by the office, and for which defense environmental management funds have been authorized and appropriated before the date of the enactment of this Act.

(h) DURATION OF AUTHORITY.—The managers of the field offices of the Department of Energy may exercise the authority provided under subsection (a) during the period beginning on October 1, 1999, and ending on September 30, 2000.

SEC. 3131. PROHIBITION ON USE OF FUNDS FOR CERTAIN ACTIVITIES UNDER FORMERLY UTILIZED SITE REMEDIAL ACTION PROGRAM.

Notwithstanding any other provision of law, no funds authorized to be appropriated or otherwise made available by this Act, or any Act authorizing appropriations for the military activities of the Department of Defense or the defense activities of the Department of Energy for fiscal year 2000, may be obligated or expended to conduct treatment, storage, or disposal activities at any site designated as a site under the Formerly Utilized Site Remedial Action Program as of the date of the enactment of this Act.

SEC. 3132. LIMITATION OF PROCESSING, TREATMENT, AND DISPOSITION OF LEGACY NUCLEAR MATERIALS.

The Secretary of Energy shall, in consultation with the Secretary of Defense, ensure the most efficient use of defense environmental management funds at the Savannah River Site, Aiken, South Carolina, and shall provide the technical capability necessary to operate and 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 life of the weapons in the nuclear weapons stockpile.

(b) ADMINISTRATIVE RESPONSIBILITY FOR PROGRAM.—The program under subsection (a) shall be a program within the Office of Defense Programs of the Department of Energy.

(c) PROGRAM PLAN.—As part of the program under subsection (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 remanufacturing of each weapon design 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 for carrying out the program, including data relating to the aging of materials, and the development of appropriate 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.

(d) ANNUAL SUBMITTAL OF PLAN.—(1) The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives the plan developed under subsection (c) not later than January 1, 2000. The plan shall contain the maximum level of detail practicable.

(2) The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives the plan developed under subsection (c) not later than January 1, 2000. The plan shall contain the maximum level of detail practicable.

June 7, 1999
CONGRESSIONAL RECORD—SENATE S6635
SEC. 3134. TRITIUM PRODUCTION.
(a) TRITIUM PRODUCTION OF NEW DESIGN.—The Secretary of Energy shall produce new tritium to meet the requirements of the Nuclear Weapons Stockpile Memorialized in the Tennessine Valley Authority Watts Bar or Sequoyah nuclear power plants consistent with the Secretary’s December 22, 1998, decision document designating 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 production facility in the Area of the Savannah River Site, Aiken, South Carolina.
(c) DESIGN AND ENGINEERING DEVELOPMENT.—The Secretary shall—
(1) complete preliminary design and engineering development of the Accelerator Production of Tritium technology design and a backup source of tritium to the source set forth in subsection (a) and consistent with the Secretary’s December 22, 1998, decision document designating the Secretary’s preferred tritium production technology.
(2) make available those funds necessary to complete engineering development and demonstration, preliminary design, and detailed design of the Accelerator Production of Tritium technology and a backup source of tritium to the source set forth in subsection (a) and 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 secure an independent cost estimate of the Accelerator Production of Tritium.
(2) The estimate shall be conducted at the highest possible level of detail and in a manner at least at the level below that currently defined by the Secretary as Type III, “Sampling Techniques.”
(b) 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 more than 40 percent of the funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program (IPP) may be obligated or expended for purposes of closing some of its facilities 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; or
(ii) was not formerly involved in activities described in subparagraph (A)(i).
(iii) 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 as assistance under this 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 by each department and agency of the United States Government that participates in or contributes to the Initiative. The report shall describe the extent of participation in or contribution to the Initiative.
(5) REPORT.—(1) Not later than January 1, 2000, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the Initiative for Proliferation Prevention program (IPP) 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 for measuring the achievement of such objectives.
(B) A list of the most successful projects under the Initiative for Proliferation Prevention program, including, for each project the name of the institute and scientists who are participating or have participated in the project, the number of jobs created through the project, and the manner in which the project has met the nonproliferation objectives of the United States.
(C) A list of the institutes and scientists associated with weapon-related construction programs or other defense-related programs in the states of the former Soviet Union that the Department seeks to engage in commercial work 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 such 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 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 Improvement Act of 1999.”
SEC. 3152. COMMISSION ON SAFEGUARDS, SECURITY, AND COUNTERINTELLIGENCE AT DEPARTMENT OF ENERGY FACILITIES
(a) ESTABLISHMENT.—There is hereby established a commission to be known as 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, the classification of information, or counterintelligence matters, as follows:

(A) One member initially appointed under paragraph (1)(A) shall serve a term of two years.
(B) One member initially appointed under paragraph (1)(C) shall serve a term of two years.
(C) The member initially appointed under paragraph (1)(E) shall serve a term of two years.

(2) Any vacancy in the Commission shall be filled in the same manner as the original appointment and shall not affect the powers of the Commission.

(3) After five members of the Commission have been appointed under paragraph (1), the Chairman of the Committee on Armed Services of the Senate, in consultation with the Chairman of that Committee:

(a) shall designate once five members of the Commission to participate in the activities of the Commission in the discharge of its duties under this section.
(b) may include any other recommendations for legislation or administrative action that the Commission considers appropriate.

(4)(A) Two shall be appointed by the Secretary of Energy, and two shall be appointed by the Director of the Federal Bureau of Investigation.

(B) One member initially appointed under paragraph (1)(A) shall serve a term of two years.

(5) The members of the Commission shall be without interruption or loss of civil service status or privilege.

(6) The members of the Commission shall hold security clearances appropriate for the matters considered by the Commission under this section.

(7) The Commission shall be without bias or partiality and shall consider the best interests of national security.

(8) The Commission shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code, including travel (or living) quarters or subsistence at a Department of Energy facility (or any location around which Restricted Data is present) or around a location where Restricted Data is maintained.

(9) The Commission shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code, including travel (or living) quarters or subsistence at a Department of Energy facility (or any location around which Restricted Data is present) or around a location where Restricted Data is maintained.

SEC. 3153. BACKGROUND INVESTIGATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) IN GENERAL.—The Secretary of Energy shall ensure that an investigation meeting the requirements of section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2161) is made for each Department of Energy employee, or contractor employee, at a Department of Energy facility who—

(1) carries out duties or responsibilities in or around a location where Restricted Data is or may be present; or
(2) has or may have regular access to a location where Restricted Data is or may be present.

(b) COMPLIANCE.—The Secretary shall have one year from the date of the enactment of this Act to meet the requirement in subsection (a).

SEC. 3154. PLAN FOR POLYGRAPH EXAMINATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) PLAN.—(1) Not later than 120 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the congressional defense committees a plan for conducting, as part of the Department of Energy personnel assurance programs, periodic polygraph examinations of each Department of Energy employee, or contractor employee, at a Department of Energy facility who has or may have access to Restricted Data or Sensitive Compartmented Information. The Secretary shall determine a plan that maximizes the potential for release or disclosure of such data or information by such employees.

(b) LIMITATION ON USE OF FUNDS PENDING SUBMITTAL OF PLAN.—Not more than 50 percent of the amounts authorized to be appropriated or otherwise made available for the Department of Energy for fiscal year 2000 for any polygraph examinations that are mandated under this section or required to be conducted under section 3154 shall be expended until the date of the submittal of the plan required by subsection (a).

SEC. 3155. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS RELATING TO THE SAFEGUARDING AND SECURITY OF RESTRICTED DATA.

(a) IN GENERAL.—Chapter 18 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et
A cooperative program carried out between the Department of Energy and the People's Republic of China.

(b) A cooperative program carried out between the Department of Energy and the 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:

(A) 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 301 or 308 shall be made available to the Department of Energy for fiscal year 2000 if the President determines that it is necessary in his judgment to protect the national security interests of the United States, or if the President determines that such funds are required to protect the national security interests of the United States, or if the Secretary of Energy determines that such funds are required to protect the national security interests of the United States, or if the Secretary of Energy determines that such funds are required to protect the national security interests of the United States, or if the Secretary of Energy determines that such funds are required to protect the national security interests of the United States.

(b) Clarifying Amendment.—The section heading of section 2281a of the Atomic Energy Act of 1954 (42 U.S.C. 2281a) is amended by inserting "SAFETY" before "REGULATIONS".

(c) Clerical Amendment.—The table of sections is amended by striking after the item relating to section 2281a the following new item:

"2281a. Civil Monetary Penalties for Violations of Department of Energy Regulations Regarding Security of Classified Information or Data."

SEC. 3156. MORATORIUM ON LABORATORY-TO-FOREIGN VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS RELATING TO THE SAFEKEEPING AND SECURITY OF CLASSIFIED OR SENSITIVE INFORMATION OR DATA.—

(a) Certification.—(1) The Secretary of Energy shall submit to the Committee on Appropriations and the Permanent Select Committee on Intelligence of the Senate, and to the House of Representatives, a report on the status and effectiveness of the security and counterintelligence programs and activities at Department facilities in order to reduce the threat of disclosure or loss of classified and other sensitive information at such facilities.

(b) The Secretary shall, with the concurrence of the Director of the Federal Bureau of Investigation, designate the head of the office from among senior executive service employees of the Federal Bureau of Investigation who have expertise in matters relating to counterintelligence.

(3) The Director of the Federal Bureau of Investigation may designate as a responsible official that portion of the Department relating to the analysis of intelligence with respect to nuclear weaponsprograms and materials, other nuclear matters, and energy security.

SEC. 3157. INCREASED PENALTIES FOR MISUSE OF RESTRICTED DATA.

(a) Communication of Restricted Data.—Section 226 of the Atomic Energy Act of 1954 (42 U.S.C. 2264) is amended—

(1) in clause a., by striking "$20,000" and inserting "$40,000"; and

(2) in clause b., by striking "$10,000" and inserting "$20,000".

(b) Receipt of Restricted Data.—Section 225 of the Atomic Energy Act of 1954 (42 U.S.C. 2263) is amended by striking "$20,000" and inserting "$40,000".

SEC. 3158. ORGANIZATION OF DEPARTMENT OF ENERGY COUNTERINTELLIGENCE PROGRAMS AND ACTIVITIES.

(a) Office of Counterintelligence.—Title II of the Department of Energy Organization Act (42 U.S.C. 7131 et seq.) is amended by adding at the end the following:

"OFFICE OF COUNTERINTELLIGENCE

SEC. 213. (a) There is within the Department an Office of Counterintelligence.

(b) The head of the Office shall be the Director of the Office of Counterintelligence.
(c) CEREMONIAL.—The table of contents for that Act is amended by inserting after the item relating to section 212 the following items:

“213. Assignment of counterintelligence; ‘214. Office of Intelligence.’.

SEC. 3159. COUNTERINTELLIGENCE ACTIVITIES AT CERTAIN DEPARTMENT OF ENERGY FACILITIES

(a) ASSIGNMENT OF COUNTERINTELLIGENCE PERSONNEL.—(1) The Secretary of Energy shall assign to each Department of Energy facility which is a nuclear weapons production facility or to which classified information is located an individual who shall assess security and counterintelligence matters at that facility.

(2) Such an individual assigned under subsection (a) shall report directly to the Director of the Office of Counterintelligence of the Department of Energy.

SEC. 3160. WHISTLEBLOWER PROTECTION

SEC. 3160. WHISTLEBLOWER PROTECTION

(a) REQUIREMENT.—The Secretary of Energy shall establish a program to ensure that an employee of the Department of Energy, or a contractor employee, may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or entity referred to in subsection (b) information relating to the protection of classified information that such employee reasonably believes to provide direct and specific evidence of a violation described in subsection (c).

(b) PERSONS OR ENTITIES.—A person or entity referred to in this subsection is the following:

(1) A Member of a committee of Congress having a primary responsibility for oversight of the department, agency, or element of the Federal Government to which the disclosed information relates.

(2) An employee of Congress who—

(A) is a staff member of a committee of Congress having a primary responsibility for oversight of the department, agency, or element of the Federal Government to which the disclosed information relates; and

(B) has an appropriate security clearance for access to the information.


(4) The Federal Bureau of Investigation.

(5) Any other element of the Federal Government, the Secretary of Energy considers likely to cause significant harm or national security interests of the United States.

(c) PENALTIES.—Any other element of the Federal Government to which the披露ed information relates.

(d) 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 fiscal quarter, including a summary of the results of such investigations.

(2) A report under paragraph (1) shall not identify or otherwise provide any information on a person submitting a complaint under this section without the consent of the person.

SEC. 3161. NOTIFICATION TO CONGRESS OF CERTAIN DEPARTMENT OF ENERGY CONTRACTOR EMPLOYEE COUNTERINTELLIGENCE FAILURES AT DEPARTMENT OF ENERGY FACILITIES

(a) REQUIREMENT.—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 any serious security or counterintelligence failure at a Department of Energy facility that the Secretary considers likely to cause significant harm or national security interests of the United States.

(b) DEADLINE.—The Secretary shall submit a notice under subsection (a) for a failure covered by such report not later than 30 days after learning of the failure.

(c) PROCEDURES.—The Secretary and the congressional defense committees shall each establish such procedures as may be necessary to carry out the provisions of this title.

SEC. 3162. PROTECTION OF CLASSIFIED AND OTHER SENSITIVE INFORMATION

(a) PROVISION OF TRAINING.—The Secretary of Energy shall ensure that all Department of Energy employees and Department of Energy contractor employees participating in laboratory-to-laboratory cooperative exchange activities are fully trained in matters relating to the protection of classified information and to potential espionage and counterintelligence threats.

(b) COUNTERING OF ESPIONAGE AND INTELLIGENCE-GATHERING ACTIVITIES.—The Secretary shall establish a pool of Department of Energy employees and Department contractor employees who are specially trained to counter threats of espionage and intelligence-gathering by foreign nationals against Department employees and Department contractor employees who travel abroad for laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

(1) The Director of Counterintelligence of the Department of Energy shall designate at least one employee from the pool established under paragraph (1) to accompany a group of...
Department employees or Department contractor employees who travel to any nation designated to be a sensitive country for laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

SEC. 3155. DEFINITION.

In this subtitle, the term “Restricted Stockpile” means—

(a) nuclear weapons;

(b) elements of the United States nuclear weapons stockpile;

(c) related defense articles and services.

Title XIV—Other Matters

SEC. 3171. MAINTENANCE OF NUCLEAR WEAPONS COMPETENCE IN THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF ENERGY.

(a) ADMINISTRATION OF JOINT NUCLEAR WEAPONS COUNCIL. Section 179 of the United States Code is amended by striking subsection (d).

(b) REVISION OF JOINT NUCLEAR WEAPONS COUNCIL. Section 179 of the United States Code is amended by adding at the end the following new paragraph:

“(3) The Secretary of Defense shall jointly submit to the President a plan setting forth the actions that the Secretary considers necessary to retain core scientific, engineering, and technical skills and capabilities within the Department of Energy, the Department of Defense, and the Department of State, as applicable, to support the global nuclear weapons stockpile indefinitely.”

(c) ANNUAL REPORT TO CONGRESS. Section 179 of the United States Code is amended by adding the following new subsections:

“(1) A description of the activities of the Joint Nuclear Weapons Council during the 12-month period ending on the date of the report together with any assessments or studies conducted by the Council during that period.

“(2) A description of the highest priority requirements of the Department of Defense with respect to the Department of Energy stockpile stewardship and management programs.

“(3) An assessment of the extent to which the requirements referred to in paragraph (2) are being addressed by the Department of Energy stockpile stewardship and management programs.

(d) NUCLEAR MISSION MANAGEMENT PLAN. The Secretary of Defense shall develop and implement a plan to ensure the continued reliability of the Department of Energy stockpile and the Department of Defense to carry out its nuclear deterrent mission. The plan shall—

(1) articulate the current policies of the United States on the use of nuclear weapons and the role of nuclear deterrence in the conduct of defense and foreign relations matters;

(2) establish stockpile viability and capability requirements with respect to that mission, including the number and variety of warheads required;

(3) establish requirements relating to the contractor industrial base, support infrastructure, and surveillance, testing, assessment, and certification of nuclear weapons necessary to achieve and maintain those requirements;

(4) take into account requirements for the critical skills, readiness, training, exercise, and testing of personnel necessary to support that mission;

(5) take into account the relevant programs and plans of the military departments and the defense agencies with respect to readiness, research and development, and modernization of the strategic deterrent forces.

(e) NUCLEAR EXPERTISE RETENTION MEASURES.—(1) The Secretary of Energy and Secretary of Defense shall jointly establish a nuclear weapons workforce retention arrangement that remains in effect for the foreseeable future.

(2) The Secretary of Energy shall appoint a director of the Council until the position of Assistant to the Secretary of Defense for Nuclear and Chemical Nonproliferation Programs is filled.”

SEC. 3173. EXTENSION OF AUTHORITY OF DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

(a) Extension.—The authority of the Secretary of Energy to prepare a long-term plan for the national security programs of the Department of Energy under section 1105 of title 31, United States Code, for the fiscal year 1999 continues in effect.

(b) ADDITIONAL REQUIREMENTS FOR WEAPONS ACTIVITIES BUDGETS.—Section 3156 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 3009–383; 5 U.S.C. 5597 note), is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) IMPACT OF BUDGET ON STOCKPILE.—The Secretary of Energy shall include in the materials the Secretary submits to Congress in support of the budget for any fiscal year after fiscal year 2000 that is submitted by the President pursuant to section 1105 of title 31, United States Code, a description of how the funds identified for each program element in the weapons activities budget of the Department for that fiscal year are needed to ensure that the nuclear weapons stockpile is safe and reliable as determined in accordance with the criteria established under section 1102 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 106–261; 112 Stat. 2257; 42 U.S.C. 2121 note).”.
Environmental Management, the Office of Fissile Materials Disposition, the Office of Nuclear Energy, and the Office of Defense Programs for the treatment, storage and dis-
position of fissile and other materials, and for the waste streams containing fissile materials, in order to achieve budgetary and other effi-
cien
cies in the discharge of those responsibilities.

(2) identify any expenditures necessary at the sites that are anticipated to have an en-
during mission for plutonium management in order to integrated management of fissile materials by the Department.

(b) SUBMITTAL TO CONGRESS.—The Secretary shall submit to the congressional defense committees a report on the management of large construction projects.

(c) REPORT.—Not later than February 1, 2000, the Secretary shall submit to the Com-
mmittees on Armed Services of the Senate and the House of Representatives a report on program. The report shall include the
estimates of the Secretary and descriptions of the desirability of utilizing project management services for Department of Energy construction projects.

SEC. 3177. EXTENSIVE FINAL REVIEW OF WASTE ISOLATION PILOT PLANT, NEW MEXICO.

Section 1433(a) of the National Defense Au-
thorization Act, Fiscal Year 1998 (Public Law 105–456; 102 Stat. 2073) is amended in the sec-
second sentence by striking “nine additional one-year periods” and inserting “fourteen additional one-year periods”.

SEC. 3178. PROPOSED SCHEDULE FOR SHIP-
MENTS OF WASTE FROM THE ROCKY FLATS PLANT TO THE WASTE ISOLATION PILOT PLANT, NEW MEXICO.

(a) SUBMITTAL OF PROPOSED SCHEDULE.—

(1) Not later than 45 days after the enactment of this Act, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives a proposed schedule for the cease-

(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 shipments of unmixed 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:

(1) A closure date for the Rocky Flats Plant in 2006.

(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 2006 Rocky Flats Plant Closure Plan.

(3) That, to the maximum extent prac-
ticable, 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 scheduled as of the date of the enactment of this Act.

SEC. 3179. COMPTROLLER GENERAL REPORT ON CLARIFICATION OF ROCKY FLATS ENVIRON-
MENTAL 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 report addressed to the closure of the Rocky Flats Environmental Technology Site, Colorado.

(b) REPORT ELEMENTS.—The report shall address the

(1) How decisions with respect to the future use of the Rocky Flats Environmental Technology Site effect 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 through the nuclear weapon

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 would alter the pace of the closure of the site.

(5) The possibility of closure of the site by 2006.

(b) R EPORT.—Not later than February 1, 2000, the Secretary shall submit to the Com-
mmittees on Armed Services of the Senate and the House of Representatives a report on prog-

SEC. 3175. USE OF AMOUNTS FOR AWARD FEES FOR PILOT PROGRAM FOR ADDITIONAL CLEANUP PROJECTS AT CLOSURE PROJECT SITES.

(a) AUTHORITY TO USE AMOUNTS.—The Secretary of Energy may use an amount author-
ized to be appropriated for the payment of award fees for a Department of Energy closure
project for purposes of conducting addi-
tional cleanup activities at the closure project site if the Department—

(1) anticipates that such amount will not be obligated for payment of award fees in the fiscal year in which such amount is author-
ized to be appropriated; and

(2) determines the use will not result in a deferral of the payment of the award fees for more than 12 months.

(b) REPORT ON USE OF AUTHORITY.—Not later than 30 days after each exercise of the authority in subsection (a), the Secretary shall notify to the congressional defense committees a report the exercise of the authority.

SEC. 3176. PILOT PROGRAM FOR PROJECT MAN-
AGEMENT OVERSIGHT REGARDING DEPARTMENT OF ENERGY CONSTRUCTION PROJECTS.

(a) REQUIREMENT.—(1) The Secretary of Energy shall carry out a pilot program on use of project management oversight (PMO) services for Department of Energy construction projects.

(2) The purpose of the pilot program is to provide a basis for determining whether or not the use of competitively procured, exter-
nal project management oversight services on construction projects would permit the Department to reduce the length of project schedule delays associated with Department construction projects having large capital costs.

(b) PROJECTS COVERED BY PROGRAM.—(1) Subject to paragraph (2), the Secretary shall carry out the pilot program at construction projects selected by the Secretary. The projects shall include one or more construction projects authorized pursuant to section 301 and one construction project authorized pursuant to section 2608.

(2) The Secretary shall select projects that have capital construction costs anticipated to be not less than $52,000,000.

(c) PILOT PROGRAM.—The project management oversight services utilized under the pilot program shall include the fol-
lowing services:

(1) Monitoring the overall progress of a project.

(2) Determining whether or not a project is on schedule.

(3) Determining whether or not a project is within budget.

(4) Determining whether or not a project conforms with plans and specifications ap-
proved by the Department.

(5) Determining whether or not a project is being carried out efficiently and effectively.

(6) Identifying oversights and omissions that the Secretary considers appropriate for purposes of the pilot program.

(d) PROCUREMENT OF SERVICES UNDER PROGRAM.—Any services procured under the pilot program shall be acquired—

(1) on a competitive basis; and

(2) from commercial entities that—

(A) do not currently manage or operate fa-
cilities at a location where the pilot program is being conducted; and

(B) have experience in the management of large construction projects.

(e) REPORT.—Not later than February 1, 2000, the Secretary shall submit to the Com-
mmittees on Armed Services of the Senate and the House of Representatives a report on the program. The report shall include the

estimates of the Secretary and descriptions of the desirability of utilizing project management oversight services for Department of Energy construction projects.

SEC. 3301. AUTHORIZED USES OF STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—Dur-

ing fiscal year 2000, the Defense Stockpile Manager may obligate up to $78,700,000 of the funds in the National De-

fense Stockpile Transaction Fund for the au-
thorized uses of such fund under section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(b)(2)), includ-
ing disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The Na-

dional Defense Stockpile Manager may obligate funds in excess of such authorized uses on Con-
gress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limi-
tations as may be provided in appropriations Acts.

SEC. 3302. LIMITATIONS ON PREVIOUS AUTHORITY FOR DISPOSAL OF STOCKPILE MATERIALS.

(a) PUBLIC LAW 105–261 AUTHORITY.—Sec-


(1) by striking “(b) LIMITATION ON DISPOSAL QUANTITY.—” and inserting “(b) LIMITATIONS ON DISPOSAL QUANTITY.—”;

(2) by adding at the end the following:

“(2) The President may not dispose of ma-

erials under this section in excess of the dis-

posals necessary to result in receipts in the amounts specified in subsection (a).”;

(b) PUBLIC LAW 104–201 AUTHORITY.—Sec-

tion 3305(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2058; 50 U.S.C. 98d note) is amended—

(1) by striking “(b) LIMITATION ON DISPOSAL QUANTITY.—” and inserting “(b) LIMITATIONS ON DISPOSAL QUANTITY.—”;

(2) by adding at the end the following:

“(2) The President may not dispose of ma-

erials under this section in excess of the dis-

posals necessary to result in receipts in the amounts specified in subsection (a).”;

(c) PUBLIC LAW 104–201 AUTHORITY.—Sec-

tion 3305(b) of the National Defense Author-

ization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2655; 50 U.S.C. 98d note) is amended—
ORDERS FOR TUESDAY, JUNE 8, 1999

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. to 2:15 p.m. for the weekly policy conferences to meet.

Mr. COCHRAN. Mr. President, I further ask consent that the Senate stand in recess until the hour of 9:30 a.m. on Tuesday. I further ask consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume debate on S. 1122, the defense appropriations bill.

Mr. COCHRAN. Mr. President, I further ask consent that the Senate stand in recess until the hour of 9:30 a.m. on Tuesday. By previous consent, a vote on the pending Grasley amendment will occur at 9:45 a.m. Also by previous consent, first-degree amendments to the bill must be offered by 2:30 p.m. tomorrow. Therefore, further amendments and votes are expected throughout tomorrow’s session.

As a reminder, cloture on the motion to proceed to the Y2K legislation was expected throughout tomorrow’s session. Grassey amendments to the bill must be offered by 2:30 p.m. tomorrow. Therefore, further amendments and votes are expected throughout tomorrow’s session.

As a reminder, cloture on the motion to proceed to the Y2K legislation was expected throughout tomorrow’s session. Grassey amendments to the bill must be offered by 2:30 p.m. tomorrow. Therefore, further amendments and votes are expected throughout tomorrow’s session.

As a reminder, cloture on the motion to proceed to the Y2K legislation was expected throughout tomorrow’s session. Grassey amendments to the bill must be offered by 2:30 p.m. tomorrow. Therefore, further amendments and votes are expected throughout tomorrow’s session.
<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeffrey P. Sasseone</td>
<td>0000</td>
</tr>
<tr>
<td>Clayton S. Saunders</td>
<td>0000</td>
</tr>
<tr>
<td>Darren A. Sawyer</td>
<td>0000</td>
</tr>
<tr>
<td>Ronald T. Schaall, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Stephen A. Schmierer</td>
<td>0000</td>
</tr>
<tr>
<td>Wadh H. Schmidt</td>
<td>0000</td>
</tr>
<tr>
<td>Bruce W. Schneider</td>
<td>0000</td>
</tr>
<tr>
<td>David A. Schieller</td>
<td>0000</td>
</tr>
<tr>
<td>John D. Schoenick</td>
<td>0000</td>
</tr>
<tr>
<td>Paul H. Scott</td>
<td>0000</td>
</tr>
<tr>
<td>John A. Smith III</td>
<td>0000</td>
</tr>
<tr>
<td>George D. Seaton</td>
<td>0000</td>
</tr>
<tr>
<td>Mark T. Siedlacer</td>
<td>0000</td>
</tr>
<tr>
<td>Kenneth E. Selliga</td>
<td>0000</td>
</tr>
<tr>
<td>Sidney R. Suttlemyer</td>
<td>0000</td>
</tr>
<tr>
<td>Paul J. Silver</td>
<td>0000</td>
</tr>
<tr>
<td>Kenan J. Sheaffer</td>
<td>0000</td>
</tr>
<tr>
<td>Brian J. Shanahan</td>
<td>0000</td>
</tr>
<tr>
<td>Curt M. Shanahan</td>
<td>0000</td>
</tr>
<tr>
<td>James J. Shaw</td>
<td>0000</td>
</tr>
<tr>
<td>Frank E. Sharmann IV</td>
<td>0000</td>
</tr>
<tr>
<td>Francis X. Serehan, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Craig B. Shelden</td>
<td>0000</td>
</tr>
<tr>
<td>Michael P. Seelky</td>
<td>0000</td>
</tr>
<tr>
<td>Lawrence B. Slade</td>
<td>0000</td>
</tr>
<tr>
<td>Thomas A. Slain, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Gary J. Smelowitz</td>
<td>0000</td>
</tr>
<tr>
<td>Andrew A. Smith, III</td>
<td>0000</td>
</tr>
<tr>
<td>Bradley J. Smith</td>
<td>0000</td>
</tr>
<tr>
<td>Gordon A. Smith</td>
<td>0000</td>
</tr>
<tr>
<td>Jeffrey C. Smith</td>
<td>0000</td>
</tr>
<tr>
<td>Mark W. Smith</td>
<td>0000</td>
</tr>
<tr>
<td>William A. Snell, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>David A. Solms</td>
<td>0000</td>
</tr>
<tr>
<td>Charles E. Somers, III</td>
<td>0000</td>
</tr>
<tr>
<td>Yarima I. Bos, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Jack L. Sotherland III</td>
<td>0000</td>
</tr>
<tr>
<td>Martin B. Spell</td>
<td>0000</td>
</tr>
<tr>
<td>James R. Sporhnoltz, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Douglas E. Spoonak</td>
<td>0000</td>
</tr>
<tr>
<td>Scott G. Spooner</td>
<td>0000</td>
</tr>
<tr>
<td>Walter H. Stammer, III</td>
<td>0000</td>
</tr>
<tr>
<td>Curt W. Stringers</td>
<td>0000</td>
</tr>
<tr>
<td>David F. Steindl, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>David W. Stender</td>
<td>0000</td>
</tr>
<tr>
<td>Kevin G. Steffefrom</td>
<td>0000</td>
</tr>
<tr>
<td>Michael G. Stefanakis</td>
<td>0000</td>
</tr>
<tr>
<td>Allen C. Stephens</td>
<td>0000</td>
</tr>
<tr>
<td>Gleen J. Stettler, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Steven W. Steuer</td>
<td>0000</td>
</tr>
<tr>
<td>Paul C. Stewart</td>
<td>0000</td>
</tr>
<tr>
<td>Marc E. Stilbins, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Joseph V. Strege</td>
<td>0000</td>
</tr>
<tr>
<td>Philip G. Strozego</td>
<td>0000</td>
</tr>
<tr>
<td>Neil C. Sturdivt, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Robert F. Surbroner, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Anthony W. Swain</td>
<td>0000</td>
</tr>
<tr>
<td>David R. Swain</td>
<td>0000</td>
</tr>
<tr>
<td>Robert C. Swallow, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>David R. Swavich</td>
<td>0000</td>
</tr>
<tr>
<td>James D. Strong</td>
<td>0000</td>
</tr>
<tr>
<td>Timothy G. Szymbanski</td>
<td>0000</td>
</tr>
<tr>
<td>Cynthia J. Talbert</td>
<td>0000</td>
</tr>
<tr>
<td>Robert J. Tamas, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Clement T. Tanaka</td>
<td>0000</td>
</tr>
<tr>
<td>William J. Tatomec, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Donald W. Taube</td>
<td>0000</td>
</tr>
<tr>
<td>Barry R. Taylor</td>
<td>0000</td>
</tr>
<tr>
<td>David M. Taylor</td>
<td>0000</td>
</tr>
<tr>
<td>Michael G. Taylor</td>
<td>0000</td>
</tr>
<tr>
<td>Timothy J. Thaler</td>
<td>0000</td>
</tr>
<tr>
<td>Cynthia M. Trebud</td>
<td>0000</td>
</tr>
<tr>
<td>Greg A. Thomas</td>
<td>0000</td>
</tr>
<tr>
<td>Mark W. Thomas</td>
<td>0000</td>
</tr>
<tr>
<td>David H. Thornton</td>
<td>0000</td>
</tr>
<tr>
<td>Jan R. Tidgell</td>
<td>0000</td>
</tr>
<tr>
<td>Jeffrey P. Tilbury</td>
<td>0000</td>
</tr>
<tr>
<td>Richard W. Tilden</td>
<td>0000</td>
</tr>
<tr>
<td>Ralph L. Tindall, III</td>
<td>0000</td>
</tr>
<tr>
<td>Jeffrey L. Turner, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Steven S. Valsek, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Joseph J. Valenzuela</td>
<td>0000</td>
</tr>
<tr>
<td>Robert M. Vance</td>
<td>0000</td>
</tr>
<tr>
<td>John A. Vankleay</td>
<td>0000</td>
</tr>
<tr>
<td>Karl J. Vandenbush</td>
<td>0000</td>
</tr>
<tr>
<td>James L. Vanzieke</td>
<td>0000</td>
</tr>
<tr>
<td>Christopher R. Vanmetere</td>
<td>0000</td>
</tr>
<tr>
<td>Jacob H. Vanzant</td>
<td>0000</td>
</tr>
<tr>
<td>Thomas A. Varallo, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Darren T. Viera</td>
<td>0000</td>
</tr>
<tr>
<td>Robert J. Vinch</td>
<td>0000</td>
</tr>
<tr>
<td>Steven N. Visscher</td>
<td>0000</td>
</tr>
<tr>
<td>Stephen J. Vissers</td>
<td>0000</td>
</tr>
<tr>
<td>Michael A. Vizcarra</td>
<td>0000</td>
</tr>
<tr>
<td>Mark C. Walker</td>
<td>0000</td>
</tr>
<tr>
<td>Steven W. Waiken</td>
<td>0000</td>
</tr>
<tr>
<td>Douglas R. Watters</td>
<td>0000</td>
</tr>
<tr>
<td>Brian D. Waiker</td>
<td>0000</td>
</tr>
<tr>
<td>Michael J. Weaver</td>
<td>0000</td>
</tr>
<tr>
<td>Scott N. Weller</td>
<td>0000</td>
</tr>
<tr>
<td>Roderick C. Wester</td>
<td>0000</td>
</tr>
<tr>
<td>John N. Westerike</td>
<td>0000</td>
</tr>
<tr>
<td>Jeffrey L. White</td>
<td>0000</td>
</tr>
<tr>
<td>Jonathan W. White</td>
<td>0000</td>
</tr>
<tr>
<td>Kenneth B. Whitehill</td>
<td>0000</td>
</tr>
<tr>
<td>Nancy J. Whitehill</td>
<td>0000</td>
</tr>
<tr>
<td>Mark R. Whitney</td>
<td>0000</td>
</tr>
<tr>
<td>Mark A. Whitley</td>
<td>0000</td>
</tr>
<tr>
<td>Joseph B. Widjand</td>
<td>0000</td>
</tr>
<tr>
<td>Janet L. Wiley</td>
<td>0000</td>
</tr>
<tr>
<td>David B. Wilkie</td>
<td>0000</td>
</tr>
<tr>
<td>Gale M. Wilkins</td>
<td>0000</td>
</tr>
<tr>
<td>Charles F. Williams, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Gordon C. Williams, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>James M. Williams, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>John B. Williamson</td>
<td>0000</td>
</tr>
<tr>
<td>Brad Williamsson</td>
<td>0000</td>
</tr>
<tr>
<td>Mark R. Williamson</td>
<td>0000</td>
</tr>
<tr>
<td>Jeffrey A. Winkeljohn</td>
<td>0000</td>
</tr>
<tr>
<td>Mathias W. Winter</td>
<td>0000</td>
</tr>
<tr>
<td>Alphonso L. Woods</td>
<td>0000</td>
</tr>
<tr>
<td>Douglas E. Weight</td>
<td>0000</td>
</tr>
<tr>
<td>Rosemary A. Wynne</td>
<td>0000</td>
</tr>
<tr>
<td>Chong M. Yu, Jr.</td>
<td>0000</td>
</tr>
<tr>
<td>Mark S. Young</td>
<td>0000</td>
</tr>
<tr>
<td>Vernon E. Young</td>
<td>0000</td>
</tr>
<tr>
<td>Jaime Yglesias</td>
<td>0000</td>
</tr>
<tr>
<td>Glenn W. Zeiders, III</td>
<td>0000</td>
</tr>
<tr>
<td>Mary M. Zubrowski</td>
<td>0000</td>
</tr>
</tbody>
</table>
EXTENSIONS OF REMARKS

THE TENTH ANNIVERSARY OF THE TIANANMEN SQUARE MASSACRE

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. HOYER. Mr. Speaker, on June 4th we commemorated the tenth anniversary of the massacre of thousands of students and workers at Tiananmen Square. We also remember the thousands injured, as well as the tens of thousands arrested and sentenced to prison or labor camps on that fateful day. We honor their bravery and courage, and the ultimate sacrifice which they made in the name of democracy and human rights.

Ten years ago today, the forward march of reform in China came to a halt; crushed by the steel tread of tanks, trampled by the boots of soldiers. The human rights situation in China has continued to deteriorate during the past decade. As recently as last week, the Washington Post reported the arrest of Yang Tao, one of the student leaders of the 1989 demonstration. This was clearly an effort by the Chinese leadership to discourage further protest on the anniversary of the Tiananmen massacre. Beijing has also attempted to silence the internet, another medium through which the memory of that tragic day will certainly be refreshed.

These efforts to erase the events of 1989 from popular conscience, Mr. Speaker, also include a strategy of redirecting the rage of the Chinese people by distorting the truth about the accidental bombing of the Chinese embassy in Belgrade.

Today we send a clear message, not only to Beijing, but to the people of China. The United States has not forgotten, and will never forget, the events that transpired ten years ago in Tiananmen Square. We support those who continue their valiant struggle for democracy.

H.R. 1882, THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT

HON. THOMAS W. EWING
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. EWING. Mr. Speaker, as one of the original champions of the Small Business Regulatory Flexibility Act, otherwise known as SBREFA, I wish to express my strong support for H.R. 1882, the Small Business Review Panel Technical Amendments Act of 1999. Although this legislation does not improve Social Security or Medicare solvency, it serves as a sign of commitment to preserving Social Security and Medicare by taking them off budget. H.R. 1259 offers largely symbolic protection for the Social Security surplus and the Medicare surplus—plus—a significant impact on small businesses. These review panels will involve actual small business owners and their comments will be used to help improve regulations prior to release. Since 1996, the panel process has been applied to the Environmental Protection Agency and the Occupational Safety and Health Administration and the results thus far have been extremely positive leading to much improved rulemaking.

I am extremely pleased the House is considering amending SBREFA to include the IRS. However, I am concerned the benefits of this legislation may go partially unrealized. A primary reason for the success of SBREFA has been the role the SBA Office of Advocacy plays in the review panel process. Economic research conducted by the Office of Advocacy has been instrumental in demonstrating errors in assumptions made by the EPA and OSHA. But the Office of Advocacy’s economic research budget has been stretched to the limits, forcing the chief Counsel for Advocacy to limit the office’s research activities. If we are to expand the Office of Advocacy’s responsibilities under SBREFA, as this bill does, then I feel it is absolutely necessary to make sure that Advocacy’s economic research budget equals these new responsibilities.

I urge my colleagues to support the passage of H.R. 1882 and applaud the efforts of Chairman JIM TALENT to bring this bill to the floor and his consistent work on behalf of small businesses throughout the country.

Social Security and Medicare Safe Deposit Box Act of 1999

SPEECH OF
HON. DAVID D. PHELPS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 26, 1999

Mr. PHELPS. Mr. Speaker, I rise today to reluctantly support H.R. 1259, the Social Security and Medicare Lock Box Act of 1999. Although this legislation does not improve Social Security or Medicare solvency, it serves as a sign of commitment to preserving Social Security and Medicare by taking them off budget. H.R. 1259 offers largely symbolic protection of our Social Security surpluses by blocking the consideration of any Budget Resolution or appropriation into these funds. This legislation includes a loophole which would exempt from these points of order any legislation that contains a sentence designating the legislation as “Social Security reform” or “Medicare reform.” Unfortunately, the bill provides no standards or definition of the word “reform.” Insuring the stability of the Social Security system for today’s seniors and future generations of retirees is one of my top priorities. I do not believe that this measure will negatively impact that goal, and thus I will support it. However, to truly demonstrate our commitment to protecting the Social Security Trust Fund, we must require all surpluses—the Social Security surplus and the Medicare surplus—to be reserved until solvency has been extended by 75 years for Social Security and by 30 years for Medicare. The legislation that would accomplish this is the Democratic alternative, which would close the current loopholes in H.R. 1259, and provide true meaningful protection for the Trust Fund.

In an era of unprecedented growth and prosperity, we have a responsibility to implement policy that ensures economic growth for all sectors of our society. This requires investing in the future—creating a better America for our children, a future in which working families can afford to send their children to college, and in which all Americans can count on the continued integrity of Social Security. While I support this bill as a first step towards protecting Social Security and Medicare, I truly hope that our actions today do not become an excuse for complacency in the future, but rather a catalyst for continued progress on the critical issues of Social Security and Medicare.

THE STUDENT WINNERS OF THE 1999 EXPLORAVISION AWARDS

HON. GEORGE E. BROWN, JR.
OF CALIFORNIA
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. BROWN of California. Mr. Speaker, for the recognition of their achievement, my colleagues, Mrs. MORELLA, and I are inserting into the RECORD the names of the student winners of the 1999 ExploraVision Awards.

Irving B. Weber Elementary School, Iowa City, IA; Grades K-3; Project: Strep Throat Home Tester; Students: Derek Ibarra, Bentley Wingert, Spencer Nash, Nathan Davidson; Teacher Advisor: Tracy Elmer; Community Advisor: Hector Ibarra.
Leeds Elementary School, Arlington, WI; Grades 4-6; Project: AllerScan; Students: Kallie Harrier, Teague Harvey, Anna Hagen, Amanda Treinen; Teacher Advisor: Jennifer McGinley; Community Advisor: Roger Clau- sen.
Point Grey Mini School, Vancouver, BC; Grades 7-9; Project: Woven Engineered Bone; Students: Patricia Liu, Olivia Maglin, Robyn Massel, Kathy Mogan; Teacher Advisor: John O’Connor; Community Advisor: Lynne Massel.
South Salem High School, Salem OR; Grades 10-12; Defeating A.D.D. through Bio-sensing Technology; Students: Jonina Allan, Rebecca Kozitza, Chrystal Hohnstein, Sam Sparks; Teacher Advisor: Michael Lampert; Community Advisor: Teresa Campbell.
IN RECOGNITION OF MICHO KUSHI

HON. DENNIS J. KUCINICH
OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to recognize Michio Kushi, the 20th century developer of macrobiotics. This diet is the catalyst for many of the mainstream dietary and lifestyle changes currently taking place.

The Standard Macrobiotic diet has been practiced widely throughout history by all major civilizations and cultures. The Diet centers on whole cereal grains and their products and other plant product. Twenty-five to thirty percent of daily food consists of vegetables and the remaining intake is comprised of soups, beans and sea vegetables. Consumption of products such as meat and dairy products are typically avoided. Michio Kushi, the founder of macrobiotics, was born in Japan and graduated from Tokyo University, the Faculty of Law, Department of Political Science. Influenced by the devastation of World War II, he decided to dedicate his life to the achievement of peace and the development of humanity.

Kushi and his wife Aveline introduced macrobiotics to North America in the 1950s by establishing the first macrobiotic restaurant in New York. In the 1960s, the Kushi moved to Boston and founded Erewhon, the nation's pioneer natural foods distributor and manufacturer. Over the last thirty years Michio Kushi has taught throughout the United States and abroad, giving lectures and seminars on diet, health, consciousness and the peaceful meeting of East and West. In 1978, the Kushi founded the Kushi Institute, an educational organization for the training of future leaders of society, including macrobiotic teachers, counselors, cooks and lifestyle advisors. In 1986, Michio Kushi founded One Peaceful World, an international information network and friendship society of macrobiotic friends, families, business, educational and other associations to help guide society and contribute to world health and world peace. In the 1980s, Kushi began meeting with government and social leaders in the United Nations, the World Health Organization, and the White House. The health benefits of a macrobiotic diet have attracted the attention of leading medical professionals. The American Cancer Society reports that a macrobiotic diet may lower the risk of cancer.

The Smithsonian Institution will announce the acquisition of the Michio Kushi Family Collection on Macrobiotics and Alternative and Complementary Health Care during a special day-long event at the National Museum of American History in Washington, D.C. on Monday, June 7, 1999. The events include a symposium featuring Michio Kushi and his wife Aveline Kushi, an exhibit of macrobiotic food and books, and an awards presentation to Mr. and Mrs. Kushi for their significant role in the development of alternative and complementary health care and to the formation of the macrobiotic movement.

I ask my fellow colleagues to join me in applauding the dedication and hard work of the Kushis in helping to educate the world's population on the benefits of the macrobiotic diet.

CONGRESSIONAL RECORD — Extensions of Remarks
July 6, 1999

HON. JAMES L. OBERSTAR
OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. OBERSTAR. Mr. Speaker, safety is our highest responsibility in aviation. The American travelling public has the right to expect the highest standards of safety when flying on a U.S. carrier or on a U.S. carrier's code share partner.

Last September, the aviation community received a wake up call when SwissAir flight 111 crashed off the shores of Nova Scotia. On board this fatal flight were 53 U.S. passengers who had purchased tickets from Delta Airlines for Delta flight 1111, but who flew on SwissAir, through an arrangement called code-sharing. This accident brought home the realization that, in a world of close alliances between domestic and foreign airlines, the lines separating and distinguishing international safety regulation have been blurred. It is clearly time to reassess our safety activities to make certain the American travelling public flies safely, whether on a U.S. or a foreign carrier.

As relationships between domestic and foreign carriers continue to grow through code sharing, we need to take a hard look at whether safety has kept pace. Since 1994, the number of code-share airlines has more than doubled—from 61 to 163. A passenger who buys a ticket from a U.S. airline for a code-sharing flight (the flight is flown by a foreign airline) has a right to expect that the entire flight will be operated under similar safety standards. Yet, put simply, there is not a process within the Department of Transportation (DOT) for assuring that a foreign code-share partner operates under safety standards similar to those governing U.S. airlines.

A look at the world's aviation safety record establishes the need for prompt action. There is a wide disparity in the accident rates for different regions, with Africa and South and Central America, for example, having an overall accident rate considerably higher than the world average. This suggests strongly that some carriers are not offering a similar level of safety as U.S. carriers. Unfortunately, DOT does not have a comprehensive mechanism in place to determine whether particular foreign carriers have safety deficiencies before code-sharing arrangements are approved.

Accordingly, I am introducing legislation today with my colleagues, ranking Aviation Subcommittee member Mr. Lipinski and Ms. Ewing, of Texas, that will dramatically improve DOT's organizational capability to assess whether a proposed foreign code share meets safety standards similar to those required of our U.S. carriers.

The legislation would require a U.S. carrier seeking to code share with a foreign air carrier to conduct a comprehensive safety audit, including on-site inspections, of the foreign carrier's operations. Prior to receiving DOT approval of a foreign code share, the U.S. air carrier must certify to the Federal Aviation Administration (FAA) that the foreign air carrier meets the standards of safety enforced by the FAA-approved safety audit program. In turn, the FAA would be required to conduct a comprehensive annual review of each domestic carrier's approved audit program, thus assuring that the FAA remains vigilant in its oversight of the carrier's implementation of that program. The domestic carrier would also conduct a periodic review of the foreign carrier's operations to ensure continued compliance with the safety standards. In addition, the FAA would be directed to work with the International Civil Aviation Organization to ensure that code-sharing oversight becomes a part of any foreign authority's air safety regulatory framework.

The importance of this requirement cannot be overstated. Currently, the FAA, which is responsible for safety oversight of domestic carriers, conducts only limited review of foreign airlines participating in code-share agreements with our airlines. For foreign airlines, the FAA looks only at whether the flag country has a good institutional structure for regulating aviation safety. The FAA does not evaluate the safety of the foreign airline itself.

Delta's recent suspension of its code-share with Korean Air underscores this point. The FAA had no safety concerns with the arrangement because South Korea has a system for regulating safety that, on paper, appeared adequate. However, in this case—and possibly in far too many other cases—there appears to be little correlation between FAA assessment of the foreign regulatory system and the actual safety performance of a carrier.

That observation is not meant to fault FAA for its efforts to assess the aviation regulatory systems of foreign governments. The FAA's assessment does provide valuable information about the structure and capabilities of a particular country's civil aviation authority; it does not provide specifics about a particular foreign code-share partner, when the changing nature of international aviation demands such an assessment.

This legislation will respond to the challenge of increasing the safety margin for the American traveling public by establishing a process for making meaningful safety judgments about foreign airlines.

I urge my colleagues to join me in cosponsoring this legislation.

HON. THOMAS W. EWING
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. EWING. Mr. Speaker, I rise today to honor the Mennonite College of Nursing in Bloomington, Illinois on the occasion of their 80th year. Not only is this an historic marker on the College's time line, but on July 1, 1999, this fine institution will combine with Illinois State University, ensuring that its fine traditions and quality educational programs continue far into the next century.

The Mennonite College of Nursing was founded in 1919, as the Mennonite Sanitarium Training School, with the purpose of providing a Christian ministry through the operation of a hospital and a diploma school of nursing. Since its founding, the school has provided cutting edge training for its students. In the early 1980's and to meet the changes nursing education needed by changing health care delivery systems, the Board of Directors decided to transition Mennonite Hospital School of
Nursing into Mennonite College of Nursing, awarding a four-year baccalaureate degree, the Bachelor of Science in Nursing degree.

The North Central Association awarded Mennonite College of Nursing institutional accreditation in 1986. Mennonite College of Nursing made nursing history as the first independent, single purpose institution of nursing education in the U.S. to receive accreditation from the National League for Nursing.

In 1995, Mennonite implemented the Graduate program, with its first educational track for Family Nurse Practitioner. And in 1998, the Master of Science in Nursing degree program was awarded initial accreditation by the National League for Nursing.

The mission of the Mennonite College of Nursing is to educate beginning and advanced practitioners of nursing to go beyond academia and serve the citizens of central Illinois and the world. In keeping with the traditions of its roots, this fine institution has placed a particular focus on addressing the health care needs of both urban and rural populations, including those who are most vulnerable and under served.

In reviewing the work of the College’s many graduates, it is clear they have been successful in not only teaching the technical skills of the nursing profession, but in instilling a whole philosophy of ministering to the sick. Unlike other schools, at the core of its curriculum, the Mennonite College of Nursing promotes four key values. They are: the affirmation of the dignity and worth of all persons; the recognition of the wholeness of life; the responsible use of nature; and the promotion of a life of peace.

Mr. Speaker, I am greatly honored to have this fine professional school in my district. With 83% of its graduates remaining in Central Illinois, I can affirm the fact that the quality of life in our communities has benefited greatly the Mennonite College of Nursing.

Mr. Speaker, the important work of the Mennonite College of Nursing needs to be recognized by this Congress, so that the school is accredited by this Congress, so that the school is respected and not forgotten and I know that he will be greatly missed by many. When a man retires who has dedicated so much of his life to improving the lives of others, we all must strive to keep up the good work of that man and not forget the ideals and values which guided him. Mr. Speaker, I invite all of my colleagues to honor Richard Reynolds and to not only wish him the best in his retirement but also God’s speed.

Mr. PHELPS. Mr. Speaker, I rise today to pay tribute to my long time friend, Monsignor John C. Masakowski, who celebrated the 50th anniversary of his Ordination on June 4, 1999. It is my pleasure to have been invited to participate in this milestone celebration.

Monsignor Masakowski, or Father John as he is affectionately known to his parishioners, is the son of the late John and Stasia Gorney Masakowski. He was born in his hometown of Nanticoke in 1924 and educated in our local schools. Father John left the area to receive his degree in philosophy at St. Mary’s College in Orchard Lake, Michigan and his degree in the nursing profession, but in instilling a whole philosophy of ministering to the sick. Unlike other schools, at the core of its curriculum, the Mennonite College of Nursing promotes four key values. They are: the affirmation of the dignity and worth of all persons; the recognition of the wholeness of life; the responsible use of nature; and the promotion of a life of peace.

Mr. Speaker, we ask our colleagues to join me today in paying tribute to Monsignor John C. Masakowski, who celebrated the 50th anniversary of his Ordination on June 4, 1999.

Mr. Speaker, we ask our colleagues to join me today in paying tribute to Monsignor John C. Masakowski, who celebrated the 50th anniversary of his Ordination on June 4, 1999.
Mr. MCGOVERN. Mr. Speaker, I rise today in recognition of C. William Howland, Principal of Rice Elementary & Chaflins Elementary Schools in Holden, Massachusetts.

Mr. Howland has served the parents and children of Holden from 1961 until today. He will be enjoying a well-deserved retirement upon the completion of this school year. The career of this talented and respected teacher and administrator began with graduation from North Brookfield High School in 1957. He earned a Bachelor of Science in Education from Worcester State College in June 1961. And in the Fall of 1961 until 1966 he taught Grade 5 at the Rice Elementary School. During this period he received a Master of Education Degree from Worcester State College in August 1964.

In 1966, Mr. Howland was appointed Assistant Principal of the Dawson Elementary School where he served until 1969. He returned to Rice Elementary as Principal in 1969 where he remained until 1997. In 1997, he was appointed Principal of the Rice Elementary and Chaflins Elementary Schools.

It will be my privilege to visit the Rice Elementary School on June 1, 1999, to highlight the importance of summer reading. And with great pleasure I will honor Mr. Howland for his dedication to the children past and present who have profited from his commitment to education. I wish him all the very best in his future endeavors.

Mr. MCGOVERN. Mr. Speaker, I rise today in recognition of C. William Howland, Principal of Rice Elementary & Chaflins Elementary Schools in Holden, Massachusetts.

Mr. Howland has served the parents and children of Holden from 1961 until today. He will be enjoying a well-deserved retirement upon the completion of this school year. The career of this talented and respected teacher and administrator began with graduation from North Brookfield High School in 1957. He earned a Bachelor of Science in Education from Worcester State College in June 1961. And in the Fall of 1961 until 1966 he taught Grade 5 at the Rice Elementary School. During this period he received a Master of Education Degree from Worcester State College in August 1964.

In 1966, Mr. Howland was appointed Assistant Principal of the Dawson Elementary School where he served until 1969. He returned to Rice Elementary as Principal in 1969 where he remained until 1997. In 1997, he was appointed Principal of the Rice Elementary and Chaflins Elementary Schools.

It will be my privilege to visit the Rice Elementary School on June 1, 1999, to highlight the importance of summer reading. And with great pleasure I will honor Mr. Howland for his dedication to the children past and present who have profited from his commitment to education. I wish him all the very best in his future endeavors.

HONORING ELAINE AND DAVID GILL

IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to my friends, Elaine and David Gill, who are being honored this year by The Brandeis-Bardin Institute. The Brandeis-Bardin Institute opened in 1947; Elaine and David began their involvement in the mid-1950s, when they were students at UCLA. More than 40 years later, the Gills remain devoted to the institute. They have done much during that time to help Brandeis-Bardin in its quest to build a strong Jewish community for the present and the future.

The Gills’ ties to Brandeis-Bardin are social, professional, and familial. In 1959, the year before they were married, Elaine and David worked at the Institute as head counselors. Elaine has subsequently served as a member of the Board, chair of the Women of Brandeis-Bardin, and co-chair of the Brandeis-Bardin Associates. David is currently a member of the Board and the Executive Committee.

The Gill children have in this case emulated their parents. Elaine and David have four sons; two of them, Michael and Larry, married women they met at Brandeis-Bardin’s Camp Alonim. During a 23-year span, at least one and sometimes all four of Elaine and David’s sons (the others are Daniel and Lawrence) were involved as campers or camp directors at Alonim. In addition, Larry currently serves on the Board of Directors.

I don’t know of any husband/wife team more active in promoting Jewish causes and Judaism than the Gills. David has for many years served on the Board and Executive Committee of the Jewish Federation and is active in United Jewish Fund. He also served as Los Angeles Chair of the United Jewish Appeal’s Young Leadership Cabinet.

Elaine was chair of the Young Women’s Division of the Federation, a member of the Board of Jewish Family Services, and is now a museum docent at Skirball Cultural Center. Elaine and David have together led many missions to Israel.

Both of them are active at Valley Beth Shalom, where they served as pararabbinic counselors and assisted in creating its Havurat program. Elaine is currently Vice President of Religion at Valley Beth Shalom.

This extraordinary partnership also includes a passion for music. Elaine and David have each been vocal accompanists for musical performances at Brandeis-Bardin.

I ask my colleagues to join me in saluting Elaine and David Gill, whose selflessness and devotion to our community is inspiring. I am proud to be their friend.
clearly: Where do we go from here? What next? I think from the general feel of things, the atmosphere that I found in Belgrade, the sort of sotot voce conversations I had with various people, and from what I read in the New York Times and the Washington Post, something is happening, something is about to happen. You won't have the opportunity of activity without something coming out of it. What it will be is yet to be seen.

Our talks in Belgrade, beyond those of just getting the soldiers released, were a worthy mission in itself, though some people criticized us very severely for trying and told us quite confidently that we'd never succeed. Well, we did succeed. They told us it was risky and our lives would be in danger, the U.S. government could do nothing to protect us. Of course, we went there with the expectation that something would come back. But we had the opportunity to explore ideas among people within the leadership of this Milosevic government. We sampled public opinion from talking to a variety of people there, and I simply want to share with you a few of those impressions.

Trying to read Mr. Milosevic's mind is an arcane kind of skill that I think none of us have or are likely to acquire. But he's not a stupid man. He's a highly intelligent man, he's a very attractive man, and he has done terrible things and is capable of doing more terrible things. But I think it is perfectly clear that there is going to be a willingness on his part to see the issues can be dealt with and how to involve the international community. The Dayton agreement was, I think, enormously complicated and lengthy which outlined a constitution for a state and all the rest of it. We gave it to them and said: "Now go ahead and implement it." The Dayton agreement has flaws but it really isn't as bad as its application has turned out to be. We didn't really enforce it and we didn't carry it out in all kinds of ways.

Then we thought we had a step by step process. What we were in motion in which specialists can come forth with proposals of how these issues can be dealt with and how to involve all of the parties who must be a part of the final framing of that agreement and signing it. The idea that you can make peace by a dictate is not a viable concept of international diplomacy, it simply won't work. That is not real diplomacy nor will it produce peace and stability in the region.

The final thing is that we've got to go back and in our policy and in our actions the return of the refugees to their homes. Our talks in Belgrade, beyond those of just getting the soldiers released, were a worthy mission in itself, though some people criticized us very severely for trying and told us quite confidently that we'd never succeed. Well, we did succeed. They told us it was risky and our lives would be in danger, the U.S. government could do nothing to protect us. Of course, we went there with the expectation that something would come back. But we had the opportunity to explore ideas among people within the leadership of this Milosevic government. We sampled public opinion from talking to a variety of people there, and I simply want to share with you a few of those impressions.

Trying to read Mr. Milosevic's mind is an arcane kind of skill that I think none of us have or are likely to acquire. But he's not a stupid man. He's a highly intelligent man, he's a very attractive man, and he has done terrible things and is capable of doing more terrible things. But I think it is perfectly clear that there is going to be a willingness on his part to see the issues can be dealt with and how to involve the international community. The Dayton agreement was, I think, enormously complicated and lengthy which outlined a constitution for a state and all the rest of it. We gave it to them and said: "Now go ahead and implementing it." The Dayton agreement has flaws but it really isn't as bad as its application has turned out to be. We didn't really enforce it and we didn't carry it out in all kinds of ways.

Then we thought we had a step by step process. What we were in motion in which specialists can come forth with proposals of how these issues can be dealt with and how to involve all of the parties who must be a part of the final framing of that agreement and signing it. The idea that you can make peace by a dictate is not a viable concept of international diplomacy, it simply won't work. That is not real diplomacy nor will it produce peace and stability in the region.

The final thing is that we've got to go back and in our policy and in our actions the return of the refugees to their homes. This is the heart of the problem. It is the heart of the problem if we cannot deliver on this obligation to enable people to go back to where they came from. It is a question as to what thing else is what they want. Don't let anybody tell you, Henry Kissinger or anyone else, that the refugees don't want to go back. What they can't deal with is the heart of the problem, that we are bankrupt in terms of creative diplomatic ideas, and we expose our posturing of power as a hollow, hollow thing.
HONORING MS. ESTHER KRAUS
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. MORAN of Kansas. Mr. Speaker, today I would like to recognize the dedication of Mrs. Esther Kraus to the young people of Kansas. She has served with distinction for ten years as the coordinator of the We the People . . . Program for Kansas' First Congressional District.

Mrs. Kraus' superior efforts on behalf of this program have far exceeded the normal duties of a district coordinator. She has tirelessly promoted the program, identifying local people who are interested in civics and government and finding ways for them to contribute to the goals of We the People . . . Mrs. Kraus has also provided materials and support to high school government teachers who are interested in entering their classes in the competitive Citizen and the Constitution hearings. My district has been proud to be represented for the past two years on the national level in this prestigious competition. Mrs. Kraus has also been a dedicated participant in state and national coordinators' meetings related to We the People . . . She has never missed a single state or national meeting.

Esther Kraus has performed a remarkable and valuable service to Kansas' First District. She has tirelessly promoted for young citizens an understanding of the United States Constitution. Through her efforts, the youth of the First District have become aware of this document and its power which it holds. On her tenth anniversary as a district coordinator for the We the People . . . Program, I would like to recognize and commend her for her excellent job promoting education and patriotism among the youth of Kansas.

H. J. RES. 55, THE MAILBOX PRIVACY PROTECTION ACT
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. PAUL. Mr. Speaker, because this is small business appreciation week I would like to remind my colleagues of the importance of enacting HJ Res 55, the Mailbox Privacy Protection Act. HJ Res 55 repeals recently enacted Post Office regulations requiring Commercial Mail Receiving Agencies (CMRAs) to collect personal information about their customers, such as their name, address, social security number, and photograph. These regulations not only force small businesses to intrude into their customer's privacy, they could impose costs as high as $1 billion on small businesses during the initial six-month compliance period. The long term costs of this rule are incalculable, but could conceivably reach several billion dollars in the first few years. Some small businesses may even be forced into bankruptcy.

Businesses like Mailboxes, etc., must turn the collected information over to the Post Office. Mr. Speaker, what business in America would not leap at the chance to force their competitors to provide them with their customers' names, addresses, social security numbers, and photographs? The Post Office could even mail advertisements to those who use private mail boxes explaining how their privacy would not be invaded if they used a government box.

It is ironic that this regulation comes at a time when the Post Office is getting into an ever increasing number of enterprises not directly related to mail delivery. So, while the Postal Service uses its monopoly on first-class mail to compete with the private sector, it works to make life more difficult for its competitors in the field of mail delivery. Mr. Speaker, Congress must do more than talk about how it appreciates small business, it must work to lift the burden of big government from America's job-creating small businesses. Passing HJ Res 55 and protecting Commercial Mail Receiving Agencies from the Post Offices' costly and anti-competitive regulations would be a great place to start.

CONGRATULATING ALEXANDER GRAHAM BELL ELEMENTARY FOR RECEIVING THE BLUE RIBBON SCHOOL DESIGNATION
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. INSLE. Mr. Speaker, Alexander Graham Bell Elementary is an outstanding elementary school in the First Congressional District of the State of Washington. The students and staff of Alexander Graham Bell Elementary recently received the Blue Ribbon School designation awarded by the U.S. Department of Education.

The Blue Ribbon School designation is a very prestigious award. It is given to schools who are especially effective in meeting local, state and national education goals. Blue Ribbon Schools, such as Alexander Graham Bell Elementary, serve as models for other schools seeking to improve the quality of education for their students. The staff, students and parents at Alexander Graham Bell Elementary are committed to achieving high academic standards. Over 75% of their fourth graders met the state standard on the Washington Assessment of Student Learning in reading this year. Their math scores also doubled from last year's results. Clearly these remarkable achievements do not occur by chance. More than 100 parents volunteer at Alexander Graham Bell Elementary. These dedicated parents mentor students, serve as "lunch buddies" and assist teachers. Education at Alexander Graham Bell Elementary is a community priority, and its teachers, parents and staff should be commended for the commitment they have made to our children.

PERSONAL EXPLANATION
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Ms. CARSON. Mr. Speaker, I was unavoidably absent for one vote on Thursday, May 27, 1999, missing rollcall 166 on approving the Journal. Had I been present, I would have voted "yes."

A TRIBUTE TO WILLIAM E. RAPFOGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. LOWEY. Mr. Speaker, I rise today to express my great admiration for William E. Rapfogel, a remarkable leader and citizen who this year receives the Distinguished Community Service Award at the Centennial Anniversary National Dinner of the Orthodox Union. A man of high principle, piercing intelligence, and extraordinary skill, Mr. Rapfogel has touched countless lives in the New York area through a variety of professional and civic activities.

For seven years, Mr. Rapfogel has been the Executive Director of the Metropolitan New York Coordinating Council on Jewish Poverty, one of New York City's largest not-for-profits. Through the Met Council, Mr. Rapfogel has been instrumental in expanding home care, housing, and employment opportunities, while also providing crisis intervention and other services to deserving recipients.

Mr. Rapfogel's commitment to social progress is matched by a life-long devotion to the Jewish community. He has been the Executive Director of the Institute for Public Affairs of the Orthodox Union and of the American Jewish Congress Metropolitan Region.

In addition, Mr. Rapfogel contributed his time and energy to all New Yorkers by serving as an able and effective Assistant Comptroller of New York City.

We are a stronger community thanks to William Rapfogel's vision and leadership. I am confident that Mr. Rapfogel's exceptional example will remain a source of guidance and inspiration to his colleagues and admirers for many years to come.

IN HONOR OF THE 25TH ANNIVERSARY OF THE OHIO BOYCHOIR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the 25th Anniversary of the Ohio Boychoir, a community choir rich with talent, passion for music and community pride. Established in 1974, the Ohio Boychoir is a very distinguished non-profit organization open for all boys from third grade to voice change regardless of race, creed or economic status. The major goals of the Ohio Boychoir are to develop appreciation for music and vocal quality. One of Ohio's most prized cultural assets, the Ohio Boychoir is supported by contributions and grants from individuals, corporations foundations and other organizations.

Over the past 25 years the Boychoir has been invited to give concerts at many prestigious venues. In 1982, the choir sang at the Kennedy Center. Based on their incredible performance in the past, the choir was invited to
sing at a High Mass at Notre Dame Cathedral in Paris, France and at the Franciscan Church in Salzburg, Austria in 1984. They have also sung at the Air Force Academy Cadet Chapel in Colorado Springs.

In addition to the many tours and concerts, the Ohio Boychoir has been recognized with a very unique international award. The Ohio Boychoir was selected to be presented with the Gold Award at the Munich International Music Festival.

The Boychoir of Ohio has brought countless hours of entertainment across the world. They have filled the hearts of thousands with joy and excitement through their music.

My fellow colleagues, please join me in honoring the Ohio Boychoir on the 25th Anniversary and wish them luck on future performances.

PERSONAL EXPLANATION

HON. JAMES P. McGOVERN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. McGOVERN. Mr. Speaker, because of weather-related travel difficulties, I was unfortunately detained in Massachusetts on Monday, May 24, 1999 and missed votes as a result. Had I been here, I would have voted in the following way: I would have voted “yea” on rollover votes 145 and 146.

CENTRAL NEW JERSEY BENEFITS FROM THE CONTRIBUTIONS OF BARRY FISHER

HON. RUSH D. HOL
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. HOLT. Mr. Speaker, I rise today in recognition of the accomplishments of Barry Fisher and his contributions to our central New Jersey community. Mr. Fisher has been active in his community for many years and continues to give his time and efforts.

Mr. Fisher was recognized by the Marlboro Jewish Community Center at a ceremony on June 5, 1999. Barry Fisher has been active and involved in many civic organizations. He is on the board of the Federation of Greater Monmouth County and the Western Monmouth Advisory Board. He is vice president of the Freehold Hebrew Benefits Society, vice president of the New Jersey branch of the United Synagogues of Conservative Judaism, and he is on the board of trustees of the Western Monmouth Jewish Community Center. He held the position of president of the Marlboro Jewish Center and served on the board of directors of the Freehold Center Partnership.

Mr. Fisher also maintains his business, Ace Aluminum, which his family opened when they moved to Monmouth County in 1953. He and his wife Rose have raised four children, including twins.

Barry Fisher’s work over the years has contributed to the growth and well being of the central New Jersey community as a whole. I urge all my colleagues to join me in recognizing Barry Fisher and his accomplishments.

IN HONOR OF DANIEL J. BADER OF MILWAUKEE

HON. THOMAS M. BARRETT
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. BARRETT of Wisconsin. Mr. Speaker, on June 2, 1999, the American Jewish Committee, Milwaukee Chapter, will host a dinner in honor of one of Milwaukee’s kindest and most generous citizens, Mr. Daniel J. Bader.

Dan is the President of the Helen Bader Foundation, a charitable foundation named for his mother, Helen Bader, a true philanthropist who passed away in 1989. After her death, Dan and his family sought to create a lasting way to fulfill her dream of making Milwaukee and the world better places for human growth and development. Since the inception of the foundation in 1992, more than $50 million in grants have been awarded with the expressed intention of advancing the well-being of people and promoting successful relationships with their families and communities.

As President, Dan spearheads the foundation’s everyday interaction with projects and programs here in the United States, mainly in Wisconsin, and around the world. He also holds a seat on the seven-member Board of Directors, which evaluates grant proposals and provides strategic oversight of the foundation’s grant programs, mainly in the areas of Alzheimer’s disease and dementia, early childhood development in Israel, economic development, education, Jewish life and learning, and supportive programs for central city children and youth.

Dan Bader’s commitment to education, the strengthening of our communities, and the improvement of life in Israel and in Wisconsin make him a bright light of opportunity to disadvantaged families in Wisconsin and in Israel. In fact, the American Jewish Committee considers his work to be a complement to its own vital human relations agenda. And that is why the AJC is honoring Dan Bader on June 2.

Dan Bader is a successful businessman and family man. His decision to maintain his family’s commitment to their fellow man speaks volumes about his character. Thousands of people in Wisconsin and around the world have benefitted from his work and generosity. We in Milwaukee are proud to call him colleague, neighbor, and friend. I congratulate him on his accomplishments and I join with the American Jewish Committee of Milwaukee in thanking him.

HONORING THE BEACON HOUSE ASSOCIATION OF SAN PEDRO

HON. STEVEN T. KUYKENDALL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. KUYKENDALL. Mr. Speaker, I rise today to recognize the Beacon House Association of San Pedro, a licensed, nonprofit alcohol and drug recovery program located within my district. This month, the Association is celebrating its 25th year in operation. It is a distinguished program that has assisted over 3,000 individuals seeking help for substance abuse problems.

For 25 years, the Beacon House Association has provided residential services to newly recovering alcoholics and addicts. The facility has been so successful due to its culture that one must do “whatever it takes” to complete the rigorous program. The success rate for the individuals of the Beacon House is exceptional, with nearly 70% of those treated remaining substance free following the program.

The Beacon House Association is also very active within the San Pedro community. The individuals undergoing treatment devote nearly 20,000 hours each year to volunteer community service. They are actively involved in tutoring local students, removing graffiti from the community, and staffing local festivals and functions, among other things.

Drug and alcohol abuse is a serious problem affecting our society, but programs like the Beacon House Association provide the appropriate rehabilitative care to those individuals with the greatest need for help, ultimately returning them to the community as fully productive citizens.

I commend the Beacon House Association of San Pedro for an outstanding twenty-five years and I wish them continued success.

PERSONAL EXPLANATION

HON. MICHAEL G. OXLEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. OXLEY. Mr. Speaker, I was unavoidably absent from the House Chamber for four rollcall votes held on Wednesday, May 26. Had I been present, I would have voted “nay” on rollover votes 158, 159, 160, and 161.

IN HONOR OF REV. JAMES M. LYNCH’S 25TH ANNIVERSARY OF ORDINATION

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Reverend James M. Lynch for 25 years of Ordination.

Reverend Lynch was born in Cleveland, Ohio and attended St. Edward High School. He went on to study at Borromeo College and St. Mary’s Seminary. Throughout his career Reverend Lynch has worked hard to serve his community. By going on many international missions he has also helped less fortunate people around the world. Recently, he took a permanent oath in the Maryknoll Missionaries and is unfortunately no longer a priest of the diocese of Cleveland.

Since 1911, thousands of concerned Catholics across the United States have responded to the worldwide cry of the poor by becoming Maryknoll Missionaries. Today, world renowned Maryknollers help many people overseas build communities of faith. Some work in war zones with refugees, others minister to the sick, the elderly, orphans or people with nitty gritty service. They are actively involved in tutoring local students, removing graffiti from the community, and staffing local festivals and functions, among other things.

Reverend Lynch is currently helping people in need as a Maryknoll Missionary in Puno, Peru.
Reverend Lynch is a wonderful example of being a man for others. Through his dedication and work Reverend Lynch has changed hundreds of lives for the better. His example is truly something to be recognized and praised.

My fellow colleagues, please join me in honoring this man for twenty-five years of dedicated service.

THE SPIRIT OF STONEWALL

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mrs. MALONEY of New York. Mr. Speaker, I rise to commemorate the thirtieth anniversary of the modern gay rights movement. On Friday, June 27, 1969, the New York City Police Department raided and attempted to close the Stonewall Inn for the perceived crime of operating a dance bar that catered to homosexuals.

Recall, that in 1969 New York it was illegal for men to dance with men, although, oddly, it was legal for women to dance with women.

In New York City and almost everywhere, police raids on gay bars were routine. Usually, the patrons scurried, fearful of the repercussions of being caught in a gay bar. On this night, brave young men and women stood up to the police. They were no longer willing to accept daily harassment and the abridgement of their civil rights.

The Police operated in their customary fashion, hurling a string of homophobic comments, as they evicted the bar patrons one by one. As patrons and onlookers gathered outside, the crowd grew. A parking meter was uprooted and used to barricade the door. Thirteen gay people were arrested that first night.

This was the beginning of a number of nights of demonstrations that drew national attention. Moreover, it demonstrated to the gay community that there was an alternative to continued oppression. It also showed the community at large that gays were no longer willing to be silent in the face of injustice. After that night the movement to protect the rights of gays, lesbians, bisexuals and the transgendered gained strength and respectability.

In the last thirty years, much has changed. Gay bars can be found in almost every town—from Anchorage, Alaska to Wheeling, West Virginia. More important, bookstores, hotlines and support groups have appeared in smaller communities to ease the isolation previously felt by many gays. The legacy of Stonewall can be seen in the lives of hundreds of thousands of men and women who are able to live their lives honestly and out of the closet. The Stonewall Revolution inspired men and women to “come out” and showed young gays and lesbians that they are not alone.

Today, an openly gay person is no longer automatically disqualified from holding public office or other positions of trust. Now, numerous communities have embraced the post-Stonewall reality by passing laws specifically protecting against discrimination based on real or perceived sexual preference.

I am proud to represent thousands of gay and lesbians, in Manhattan and Queens and I am proud of my close relationships with an support of the Stonewall Veterans Association, a group of those actually present on that fateful night.

As we celebrate the anniversary of the modern gay rights movement, we recognize the expansion of freedom has not been uniform and much remains to be done. So we celebrate the important, but incomplete, steps toward equality for those previously banished to the closet. Much more remains to be done to eliminate irrational prejudice against those who are different. And we must recommit ourselves to the fight against all types of bigotry whether based on race, religion, national origin, sex or perceived sexual preference.

IN HONOR OF BETTY BAUMAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. DEUTSCH. Mr. Speaker, I rise today to honor Betty Bauman, soon to be named Woman of the Year by the American Sportfishing Association (ASA). Ms. Bauman’s extraordinary vision and enthusiasm has made her an exemplary contributor to the sportfishing community, and I congratulate her on this well deserved award.

Betty Bauman has become a fishing guru to thousands of women through her “Ladies, Let’s Go Fishing!” weekend saltwater fishing seminars in Florida. Ms. Bauman’s “no-yelling school of fishing” features a non-intimidating environment, hands-on training, a real fishing expedition, and a fish filleting and cooking class. Held in conjunction with the Florida Department of Environmental Protection, Division of Marine Fisheries, the program is in its third year and now attracts more than 600 women annually.

Betty Bauman’s success in attracting women to her fishing weekends demonstrates her intense dedication to increasing the overall participation in sportfishing, a fundamental goal of the ASA. Furthermore, her life-long enthusiasm for the sport is reflected in her notoriety within the fishing community. Through her efforts she has successfully cultivated a love of sportfishing within new participants, introducing a broader cross-section of society to the complete fishing experience.

Mr. Speaker, through her unique vision and entrepreneurial spirit, Betty Bauman has contributed a great deal to the sportfishing community, making her especially deserving of this award. I wish to convey my heartfelt congratulations to Betty and her family for this honor, as well as many thanks to her for working to enrich the lives of the entire South Florida community.

IN HONOR OF MR. AND MRS. ABRAM ZUCKERMAN ON THE 50TH ANNIVERSARY OF THEIR ARRIVAL TO THE UNITED STATES

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Mr. Abraham Zuckerman and his wife, Mina, as they prepare to celebrate the 50th Anniversary of their emigration to the United States.

Fifty years ago, Mr. and Mrs. Zuckerman left behind the degradation of the Nazi regime and the loneliness and disdain of the displacement camps and headed to America to start a new life—one without bitterness and without hatred.

The Zuckerman’s relocated to New Jersey and raised their family, which has now grown to three children, eight grandchildren, and one great-granddaughter. The Zuckerman’s flourished in their new homeland but they have continued to bear witness to the horrors they endured during the Holocaust.

Mr. Zuckerman’s commitment to bearing witness to the honest and truthful portrayal of the Holocaust has spanned a lifetime. He has made it his quest to educate people about both the atrocities and the heroism of the era. Mr. Zuckerman has been dedicated to honoring the memories of the 6 million Jews who perished in the Holocaust, including countless friends and relatives, as well as honoring the memory of the man to whom he says he owes his life—Oskar Schindler.

Well before Oskar Schindler was a household name, Mr. Zuckerman had been personally responsible for the renaming of more than 20 streets in the State of New Jersey after the German industrialist and remarkable humani- tarian. In fact, Mr. Zuckerman committed his tory to prose in a truly extraordinary and captivating book, “A Voice in the Chorus: Memo- ries of a Teenage Saved by Schindler.”

In addition, Mr. Zuckerman is a founding member of the United States Holocaust Memorial Museum in Washington, D.C., a member of the Executive Committee of the Holocaust Research Center at Kean College in New Jersey, and is the President of the Jewish Edu- cation Center of Elizabeth, New Jersey.

Mr. and Mrs. Zuckerman have overcome unimaginable obstacles and they have done it with love, compassion, understanding, and, most importantly, hope. For these tremendous accomplishments, I ask that you all join me in honoring Mr. and Mrs. Zuckerman on this momentous occasion.
Ruth is a Life Member of B’nai Brith and has received awards from many organizations, including the Jewish Federation Women’s Campaign. The Jewish Federation selected her as “Lay Leader of the Year.”

In addition to her community work, Ruth Hyman worked for four decades on her own clothing business. The quality of her merchandise and her concern for each of her customers helped her gain a loyal base of customers, many of whom became her close friends.

Ruth Hyman has demonstrated dedication to our community. I hope that all of my colleagues will join me in recognition of her work.

IN RECOGNITION OF ALICIA DENIHAN

HON. DENNIS J. KUCINICH
OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to congratulate an outstanding young woman, Miss Alicia Denihan, on her graduation from Valley Forge High School in Parkma, Ohio.

Her graduation is an achievement that took tremendous strength and determination. In December 1997, she was walking home from a friend’s house, Alicia was struck by a drunk driver, leaving her with multiple and critical injuries. She was in critical condition for days and suffered severe head trauma and injuries which included a broken hip, cheekbone and lacerated liver. Once involved in numerous athletic activities such as ballet, karate, ice skating, gymnastics and volleyball, Alicia lay comatose for two months.

Initially her prognosis was not promising. Doctors did not expect she would ever wake up, walk, talk, read or write. However, Miss Denihan far exceeded those expectations. After months of hard work in speech and physical therapy Alicia was able to return to school by April of 1996. This miracle young person used only a walker as an aid.

As a result of Alicia’s courage and the support of her family members, teachers, doctors, and therapists, Alicia will attend her high school graduation ceremony on June 8. She plans to attend Cuyahoga Community college where she will major in creative marketing.

Mr. Speaker, I ask that my fellow colleagues join me in congratulating this remarkable young woman on her accomplishments. I wish her continued success in her recovery and future endeavors.

THE NEED FOR EARLY DETECTION OF PROSTATE CANCER

HON. JOHN P. MURTHA
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. MURTHA. Mr. Speaker, there has been a lot of discussion about the benefits versus risks of the Prostate Specific Antigen (PSA) test in the early detection of prostate cancer. Some have opposed regular PSA testing for the general male population that falls outside of any high-risk category because they argue it will find many slow-growing cancers that should not be treated. They say this is because the risk of serious side effects such as impotency or decrease in urinary function that may result from treatment is greater than the risk of dying of the cancer if it is slow-growing.

I recently raised this question with a good friend of mine, Arnold Palmer, who has been an advocate of increased education and awareness of the issue of prostate cancer due to his own personal experience. I would not that he strongly believes the early detection of prostate cancer due to a PSA test saved his life.

I would like to share with you his as well as his doctor’s response to the question of whether to promote regular PSA testing. Their response supports what I have argued in promoting Medicare coverage of regular PSA testing: because it detects cancer early, it saves lives. I think that has to be the bottom line.

THANKS TO "FRAU" JANE EMPEY-THEEP

HON. THOMAS M. BARRETT
OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. BARRETT of Wisconsin. Mr. Speaker, I appreciate this opportunity to share with my colleagues my appreciation for the dedicated service of Ms. Jane Empey-Theep. On June 8th, her family, friends and colleagues are gathering in Milwaukee to celebrate her career and wish "Frau" Empey-Theep well as she retires as Principal of the Milwaukee German Immersion School.

Milwaukee German Immersion School (MGIS) is one of several schools in the Milwaukee Public Schools system offering total language immersion programs that attract children from all over the city. Its success directly reflects the determination and ingenuity of Principal Jane Empey-Theep.
Ms. Empey-Theep began her career with Milwaukee Public Schools over 20 years ago, and when she became MGIS' Principal in 1998, she brought a wealth of experience to the job. She knew that, to truly excel, MGIS needed to involve and empower students and their parents. Under her direction, that is exactly what MGIS has done. Last year, the Milwaukee PTA chose an MGIS teacher as Teacher of the Year and an MGIS parent as Parent of the Year. The school also won recognition from Redbook Magazine and several other districts, including what is perhaps the highest honor: designation by U.S. Department of Education as a Blue Ribbon School.

Jane Empey-Theep has been actively and personally involved in leading MGIS toward excellence. She hasn't spent her time firmly seated behind her desk. She has been out interacting with the students and the staff, meeting with parents and educators and students. She has worked not only to execute troubleshooting, but also to identify and implement strategies for improvement, and she has empowered the educators, staff, parents and students of MGIS to do the same.

Now, after over two decades of service to Milwaukee Public Schools and 10 years as Principal, Jane Empey-Theep is hanging up her hall passes. Along with many others in our community, I commend her for the work she has done to push the boundaries of educational excellence and admire her efforts to cultivate the talents of the students at MGIS.

As the parent of two MGIS students, I thank Jane Empey-Theep for making school a place where all kids can learn, grow and excel, and a place where they look forward to going. I am proud to join her friends and admirers in expressing appreciation for her career of dedicated service to our community, to our schools, and to our children.

HON. ROB PORTMAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. PORTMAN. Mr. Speaker, I rise to recognize the achievements of a distinguished constituent and friend, Thomas L. Conlan, Jr. Tom is retiring as co-founder, President and CEO of Student Loan Funding Resources, Inc., which is headquartered in Cincinnati, Ohio. Tom has helped to open the doors of college opportunity to hundreds of thousands of young people throughout Ohio and the nation during his nearly two decades of dedicated service in education.

In so many areas of his life, Tom's commitment has been to access and opportunity. He has played an important role in the development of the National Underground Railroad Freedom Center in Cincinnati. A newly-created Ohio foundation, named for his father, Thomas L. Conlan, Jr., has helped to support and advance the Freedom Center's educational programs for both students and educators. The grant funds will be used to help develop a curriculum for school children focusing on the Underground Railroad, as well as highlighting struggles for freedom across the globe.

In the 1970s, prior to founding SLFR, Tom was Executive Director of the Ohio Energy Ad-

HONORING THE FUTURES ACADEMY OF BENTON HARBOR AREA SCHOOLS

HON. FRED UPTON
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. UPTON. Mr. Speaker, it is a great pleasure for me to rise today to honor the Futures Academy of the Benton Harbor Area Schools in Benton Harbor, Michigan. This organization is dedicated to providing education, guidance and new opportunities for students in my hometown.

Now, more than ever, acts of violence in our schools terrorize our schools. We must look to our communities for creative ways to keep kids on the right path, giving them a hopeful, bright future.

For two years now, this highly successful program has given students a chance to learn many of life's essential lessons that cannot always be taught in the classroom. In weekly discussions, they meet to discuss morality, values, and responsibility. They learn respect for each other, respect for the community, and respect for themselves. In short, the skills and lessons they will need for the future. If the future is in the hands of these young adults, I think we are all in good hands.

They are visiting Washington, D.C. this week to learn more about their government and civic responsibilities.

Mr. Speaker, I urge my colleagues here in the House to take notice of this great organization. By working together, Benton Harbor has put in place a successful program that is helping children grow from students into responsible, motivated young adults. It is a formula that I would encourage my colleagues to promote in their own districts and communities.

These are really terrific kids. I am so impressed to see how they have dedicated themselves and agreed to work hard toward some very important goals. Again, Mr. Speaker, please join me in celebrating the Futures Academy of Benton Harbor.

INTERNATIONAL TAX SIMPLIFICATION FOR AMERICAN COMPETITIVENESS ACT

HON. SANDER M. LEVIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. LEVIN. Mr. Speaker, today I introduce along with my colleagues Representatives HOUGHTON, MATSUI, SAM JOHNSON, HERGER, ENGLISH, and CRANE to introduce our bill, "The International Tax Simplification for American Competitiveness Act of 1999." There has been general agreement that the current U.S. rules for taxing international income are unduly complex. This legislation addresses these problems by rationalizing and simplifying the international tax provisions of the U.S. tax laws by simplifying foreign tax credits; encouraging exports; providing incentives for performance of research and developing in the United States; enhancing U.S. competitiveness in other industrialized countries; and minimizing revenue loss.
Our current tax policies are out of sync with our trade policies and the realities of the global marketplace. In the early 1960s, U.S. companies focused their manufacturing and marketing strategies in the United States, which at the time was the largest consumer market in the world. U.S. companies generally could have access to scale and rapid growth-selling exclusively into the domestic market. In the early 1960s, foreign competition in U.S. markets generally was inconsequential. The picture today is completely different. First, U.S. companies now face strong competition at home. Since 1980, foreign direct investment in the United States has increased by a factor of six (from $216 billion to $752 billion in 1997), and imports have tripled as a share of GDP from an average of 3.2 percent in the 1960s to an average of over 9.6 percent over the 1990-97 period.

Second, foreign markets are more attractive today than they were in the past. For example, from 1986 to 1997, foreign sales of S&P 500 companies grew 10 percent a year, compared to domestic sales growth of just 3 percent annually. Firms also afford more increasingly attractive investment opportunities.

From the perspective of the 1960s, there was little apparent reason for U.S. companies to direct resources to penetrating foreign markets, since U.S. companies should achieve growth and profit levels that were the envy of their competitors with minimal foreign operations. By contrast, in today’s economy, competitive success requires U.S. companies to execute global marketing and manufacturing strategies with the result that provisions of our tax system designed when foreign operations were viewed as presumptively tax-motivated have become increasingly outmoded.

It is because of the great changes in global trade that we involved ourselves in this issue. The current rules guiding our international tax policies were written at a time when the focus was on preventing tax avoidance, not on promoting international competitiveness. Our main goal this year is to build on the successes that we had in the 105th Congress. This will be our fourth bill in this area, and our main goal this year is to build on the successes that we had in the 105th Congress. This will be our fourth bill in this area, and our main goal this year is to build on the successes that we had in the 105th Congress. This will be our fourth bill in this area, and our main goal this year is to build on the successes that we had in the 105th Congress.

The first order of business is to simplify the international tax regime to ensure American competitiveness both at home and abroad. The tax provisions that we are introducing today will significantly affect the national welfare and will enhance the participation of the United States in the global economy of the 21st century. I look forward to working with my House and Senate colleagues to pass this important piece of legislation.

\---

\textbf{The Association House of Chicago Celebrates 100 Years}

\textbf{HON. LUIS V. GUTIERREZ OF ILLINOIS IN THE HOUSE OF REPRESENTATIVES} Monday, June 7, 1999

Mr. GUTIERREZ. Mr. Speaker, I rise to pay tribute to the Association House of Chicago as it celebrates its 100th anniversary on June 8, 1999. Association House has been serving the community I represent since before the turn of the century. It was founded by more than one hundred women and served as a settlement house and social service agency for immigrants arriving in Chicago.

Association House has continued to provide vital services, programs and assistance to families, children, seniors and immigrants throughout our community. Each year Association House assists nearly 20,000 individuals and families throughout the Chicago area, providing services ranging from the most basic necessities to managing larger government contracts. The expansion of Association House’s services during the past two decades led the agency to buy a second facility last year. This growth helps immigrants take naturalization classes, learn English and master trades.

In addition to the programs Association House offers in education, citizenship and job readiness training, Association House offers after-school programs and activities for children. The agency also provides foster care and adoption services, addiction recovery programs and provides emergency food and clothing. The staff of Association House is truly dedicated to their programs and the people they benefit.

Mr. Speaker, I commend the Association House of Chicago for building a strong tradition of service toward others. The work that Association House has accomplished since its first days cannot be measured. For one hundred years, Association House has been assisting, teaching and counseling people of all ages, races, cultures and ethnic backgrounds.

From preparing people to enter the workforce to teaching them to speak English to caring for at-risk children, Association House has served as a shining beacon of hope in Chicago. I am honored to commend Association House on a century of unequalled service to the people of our city.

\textbf{International Tax Simplification for American Competitiveness Act of 1999}

\textbf{HON. AMO HOUGHTON OF NEW YORK IN THE HOUSE OF REPRESENTATIVES} Monday, June 7, 1999

Mr. HOUGHTON. Mr. Speaker, today I am joined by my colleagues Messrs. LEVIN, SAM JOHNSON, ASSEMLAGE CHANCE, and ENGLISH in introducing our bill, “International Tax Simplification for American Competitiveness Act of 1999.” The world economy is globalizing at a pace unforeseen only a few years ago. Our trade laws and practices have changed dramatically since the 1960s, as world trade interests abroad, but our tax policy lags decades behind—indeed, in many cases, our international tax policy seems to promote consequences that are contrary to the national interest.

In the 1960s, the United States accounted for more than 50 percent of cross-border direct investment. By the mid-1990s, that share had dropped to about 25 percent. Similarly, of the world’s 20 largest corporations (ranked by sales), 18 were U.S.-headquartered in 1960. By the mid-1990s, that number had dropped to eight. The 21,000 foreign affiliates of U.S. multinationals now compete with about 260,000 foreign affiliates of multinationals headquartered in other nations. The declining market share of U.S. multinationals is dramatically illustrated by the recent acquisitions of Amoco by British Petroleum, the acquisition of Chrysler by Daimler-Benz, the acquisition of Bankers Trust by Deutsche Bank, and the acquisition of Case New Holland. These mergers underscore the effect of converting U.S. multinationals to foreign-headquartered companies.

Ironically, despite the decline of U.S. dominance of world markets, the U.S. economy is far more dependent on foreign direct investment than ever before. In the 1960s, foreign operations averaged just 7.5 percent of U.S. corporate net income. By contrast, over the 1990-97 period, foreign earnings represented 17.7 percent of all U.S. corporate net income. In today’s highly integrated global economy, foreign subsidiaries of U.S. companies play a critical role in boosting U.S. exports—by marketing, distributing, and finishing U.S. products in foreign markets. U.S. Commerce Department data show that in 1996 U.S. manufacturers sold 65 percent of all U.S. merchandise export sales. In the 1960s, the foreign operations of U.S. companies were sometimes viewed as disconnected from the U.S. economy or, worse, as competing with domestic production and jobs. In today’s highly integrated global economy, economic evidence points to a positive correlation between U.S. investment abroad and U.S. exports.

At the end of the 20th century, we confront a world in which U.S. multinationals face far greater competition in global markets, yet rely on these markets for a much larger share of profits and sales, than was the case even a few years ago. In light of these changed circumstances, the effects of tax policy on the competitiveness of U.S. companies operating abroad is potentially of far greater consequence today than was formerly the case.

As we begin the process of re-examining in fundamental ways our income tax system, we believe it imperative to address the area of international taxation. In an Internal Revenue Code stuffed with eye-glazing complexity, there is probably no area that contains as many difficult and complicated rules as international taxation. Further, I cannot stress enough the importance of continued discussions with the Treasury Department of the Century of Simplifying our international tax laws; and in making more substantial progress in regard to eliminating particular anomalies such as with the allocation of interest expense between domestic and foreign source income for computation of the foreign tax credit or in regard to how our antiquated tax rules deal with new integrated trade areas such as the European Union.
None of us is under any illusion that the measure which we introduced removes all complexity or breaks bold new conceptual ground. We believe, however, that the enactment of this legislation would be a significant step in the right direction. The legislation would ensure the ability of America to continue to be the paramount economic force in the world. If our economy is to continue to create jobs for its citizens, we must ensure that the foreign provisions of the United States income tax law do not stand in the way.

There are many aspects of the current system that should be reformed and greatly improved. These reforms would significantly lower the cost of capital, the cost of administration, and therefore the cost of doing business for U.S.-based firms. This bill addresses a number of such problems, including significant anomalies and provisions whose administrative effects burden both the taxpayers and the government.

The focus of the legislation is to put some rationalization to the international tax area. In general, the bill seeks in modest but important ways to: (1) simplify this overly complex area, especially in subpart F of the Code and the foreign tax credit mechanisms; (2) encourage exports; (3) enhance U.S. competitiveness in other industrialized countries.

The bill would, among other necessary and important amendments, make permanent the provision regarding the subpart F exception for active financial services income, modify other provisions that apply subpart F of the Code in inappropriate ways, eliminate double taxation by extending the periods to which excess foreign tax credits may be carried, restore symmetry to the treatment of domestic and foreign losses, and make needed adjustments to the so-called “10/50 company” provisions that burden the joint venture relationships that many of our companies form in their international business relations.

In summary, the law as now constituted frustrates the legitimate goals and objective of American business and erects artificial and unnecessary barriers to U.S. competitiveness. Neither the largest U.S. based multinational companies nor the Internal Revenue Service is in a position to administer and interpret the mine numbing complexity of many of the foreign provisions. Why not then move toward creating a set of international tax rules which taxpayers can understand, and the government can administer? Therefore the proposed changes we believe represent a creditable framework in the international tax area. We urge our colleagues to join us in cosponsoring this important legislation.

TRIBUTE TO RETIRED COLONEL ALICE GRTISAVAGE

HON. CLIFF STEARNS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. STEARNS. Mr. Speaker, I rise to take notice of a special citizen, Retired Colonel Alice Gritsavage. She is one of a kind person that should be recognized.

Ms. Gritsavage resides in my hometown of Ocala, Florida and she has had a remarkable life. Ms. Gritsavage served our nation as a nurse in both World War II and the Korean War. In fact, her outstanding record as an executive Army nurse in World War II influenced General Douglas MacArthur to request that she be named to his staff as Chief Nurse of the Far East Command at the start of the Korean conflict.

I would like to quote from the congratulatory letter Col. Gritsavage received on the date of her departure from the Korean Command on May 28, 1953 from General Mark Clark, Commander in Chief of the United States Army at that time.

General Clark wrote:

You had been in the theatre only a short time when the Communist aggressors threatened world peace by their uncompromised invasion of South Korea. This event required a tremendous build up of medical and hospital facilities, both in Japan and Korea, to care for the wounded of the United Nations. Since that time the standards of the Army Nurse Corps in the Command have reached a level unparalleled in the Corps. Your untiring efforts, outstanding leadership and devotion to duty have set an example that everyone can follow.

The Presidential Teaching Awards program recognizes a special group of elementary and secondary teachers for their commitment and dedication to nurturing student interest in science and mathematics. Ms. Lewis and Ms. Klamar are indeed very devoted teachers and are well deserving of these prestigious awards.

They have set an example for all teachers across the nation to follow. We need more teachers like Ms. Lewis and Ms. Klamar to help our kids strive for excellence in the classroom. The students of these two schools should be honored and proud to have these people as their teachers and role models. Both teachers are excellent representatives of their schools because of their considerable accomplishments.

Ms. Lewis and Ms. Klamar are indeed very devoted teachers and are well deserving of these prestigious awards.

In honor of Ms. FEN LEWIS and MS. LOIS KLAMAR for receiving presidential awards

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Ms. Fen Lewis of Strongsville High School and Lois Klamar of Jamison Computech Center for receiving presidential teaching awards. Ms. Lewis and Ms. Klamar will receive their awards at a White House ceremony the week of June 7, 1999.

The Presidential Teaching Awards program recognizes a special group of elementary and secondary teachers for their commitment and dedication to nurturing student interest in science and mathematics. Ms. Lewis and Ms. Klamar are indeed very devoted teachers and are well deserving of these prestigious awards.

This is the sixth report of the Task Force on the Hong Kong Transition. It follows the first report dated October 1, 1997, the second report dated February 25, 1998, the third report dated May 22, 1998, the fourth report dated July 23, 1998, and the fifth report dated February 2, 1999. This report focuses on events and development relevant to United States interests in the Hong Kong Special Administrative Region (HK SAR) between October 1, 1998 and March 31, 1999, and incorporates findings drawn from the Task Force Chairman’s visit to Hong Kong in January, 1999.

Hong Kong’s ongoing economic recession marked the six months covered by this report as the consequences of the Asian Financial Crisis continued to be felt. Hong Kong’s gross domestic product (GDP) declined by 5.1 percent in real terms in 1998, its first annual contraction on record. Unemployment and gross domestic product (GDP) declined by 5.1 percent in real terms in 1998, its first annual contraction on record. Unemployment and
practical consequences of the court decision, which could permit a large number of persons now in China to claim the right to reside in Hong Kong, had not yet been dealt with as of March. The Hong Kong Government’s obvious displeasure with the ruling, combined with public fears of the consequences of renewed mass immigration, led to a delay in announcing the move. The Government also benefited from Beijing’s assistance in rolling back the decision in a manner that would undermine Hong Kong’s judicial independence and the rule of law.

ECONOMIC DEVELOPMENTS

Hong Kong continued to suffer the negative effects of the Asian Financial Crisis, posting its fourth consecutive quarter of negative growth. Its first recovery thirteen years showed no sign of coming to a quick end. Preliminary estimates showed GDP dropped 5.7 percent in real terms in the fourth quarter of 1998 following a decline of 6.9 percent in the third quarter. For 1998 as a whole, Hong Kong’s GDP fell by 5.1 percent, the first annual economic contraction in Hong Kong since such statistics have been calculated. Spending for private consumption continued to fall steeply, declining 9.3 percent in the fourth quarter of 1998, as concerns of recession grew. Unemployment and stagnating personal income. Weak demand and dropping asset values brought about significant deflation, with consumer prices falling at their highest rate in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn during the last quarter of 1999. Many view the official Hong Kong government’s forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.

The government’s budget for the 1999-2000 fiscal year that began April 1, 1999, projects a budget deficit of HK $36.3 billion (US $4.7 billion). This comes on top of an estimated deficit of HK $32 billion (US $4.1 billion) in fiscal 1998-99, bringing the government’s external debt to its highest level recorded in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn during the last quarter of 1999. Many view the official Hong Kong government’s forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.

The government’s budget for the 1999-2000 fiscal year that began April 1, 1999, projects a budget deficit of HK $36.3 billion (US $4.7 billion). This comes on top of an estimated deficit of HK $32 billion (US $4.1 billion) in fiscal 1998-99, bringing the government’s external debt to its highest level recorded in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn during the last quarter of 1999. Many view the official Hong Kong government’s forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.

The government’s budget for the 1999-2000 fiscal year that began April 1, 1999, projects a budget deficit of HK $36.3 billion (US $4.7 billion). This comes on top of an estimated deficit of HK $32 billion (US $4.1 billion) in fiscal 1998-99, bringing the government’s external debt to its highest level recorded in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn during the last quarter of 1999. Many view the official Hong Kong government’s forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.

The government’s budget for the 1999-2000 fiscal year that began April 1, 1999, projects a budget deficit of HK $36.3 billion (US $4.7 billion). This comes on top of an estimated deficit of HK $32 billion (US $4.1 billion) in fiscal 1998-99, bringing the government’s external debt to its highest level recorded in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn during the last quarter of 1999. Many view the official Hong Kong government’s forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.

The government’s budget for the 1999-2000 fiscal year that began April 1, 1999, projects a budget deficit of HK $36.3 billion (US $4.7 billion). This comes on top of an estimated deficit of HK $32 billion (US $4.1 billion) in fiscal 1998-99, bringing the government’s external debt to its highest level recorded in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn during the last quarter of 1999. Many view the official Hong Kong government’s forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.

The government’s budget for the 1999-2000 fiscal year that began April 1, 1999, projects a budget deficit of HK $36.3 billion (US $4.7 billion). This comes on top of an estimated deficit of HK $32 billion (US $4.1 billion) in fiscal 1998-99, bringing the government’s external debt to its highest level recorded in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn during the last quarter of 1999. Many view the official Hong Kong government’s forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.

The government’s budget for the 1999-2000 fiscal year that began April 1, 1999, projects a budget deficit of HK $36.3 billion (US $4.7 billion). This comes on top of an estimated deficit of HK $32 billion (US $4.1 billion) in fiscal 1998-99, bringing the government’s external debt to its highest level recorded in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn during the last quarter of 1999. Many view the official Hong Kong government’s forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.

The government’s budget for the 1999-2000 fiscal year that began April 1, 1999, projects a budget deficit of HK $36.3 billion (US $4.7 billion). This comes on top of an estimated deficit of HK $32 billion (US $4.1 billion) in fiscal 1998-99, bringing the government’s external debt to its highest level recorded in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn during the last quarter of 1999. Many view the official Hong Kong government’s forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.
The Government also continued to receive for criticism for moving to reduce the opportunity for Hong Kong residents to choose their own representatives at lower public administrative levels. For exposing its plan to eliminate the two systems’ principle. The Hong Kong government, in turn, reacted to the expressions of Chinese displeasure by dispatching the Justice Secretary to Beijing for urgent consultations. Subsequently, on February 24, the CFA received a petition by Chinese persons who were seeking to request the CFA for a “clarification” of the portion of the ruling which touched upon the CFA’s authority to review acts of the National People’s Congress and its Standing Committee. Two days later, on February 26, the CFA compiled, issued a short statement of clarification in light of the ongoing concern.

The clarification did not address the substance of the original January 29 ruling, but rather addressed the question of whether the court’s own authority. The clarification stated that the court accepts that it cannot question the authority of the NPC or the Standing Committee to do any act which is in accordance with the provisions of the Basic Law and the procedural therein.

The Hong Kong Government’s decision to request the clarification caused considerable criticism from some legal experts and from opposition party leaders, who charged that it served to undermine the autonomy of the courts, to interpret the Basic Law, critics charge it would be improper for the NPC Standing Committee to do any act which is in accordance with the provisions of the Basic Law and the procedural therein.

Another emerging area of concern is that of the prosecution of individuals in China for crimes committed in Hong Kong. The Hong Kong government does not return suspected criminals wanted in China, largely due to public concern about China’s application of the death penalty. (There is no death penalty in Hong Kong.) In contrast, Chinese officials have consistently shown strong public opposition to the prosecution of Chinese citizens for crimes committed in Hong Kong, as long as they were not subject to criminal proceedings in China. Negotiations on a formal agreement on the rendition of criminal suspects between China and Hong Kong are said to be underway, but prospects for a successful conclusion are not clear.

Elsewhere in the legal and judicial area, the people of Hong Kong continued to enjoy broad freedom of speech. Hong Kong’s media all the range of views, including those critical of the Hong Kong and Chinese governments, without overt interference from the authorities in Hong Kong. Opposition party leaders, who charged that it reflected disrespect for the authority of the courts. The Hong Kong government has proposed laws on treason, secession, sedition, and subversion, all of which are required under the Basic Law. In a legal case where the CFA ordered the closure of a Hong Kong government newspaper in March, a number of well known exiled Chinese dissidents applied for Hong Kong visas on April 21. An immigration official reportedly assigned Hong Kong prior to the reversion, it was unclear if the Government would approve the visas on April 21.

TRAde and Export Control issues

Final 1998 trade statistics showed across the board drops in Hong Kong’s imports (11.5 percent), domestic exports (10.9 percent), and re-exports (3.1 percent). While much of this is a result of the Asian Financial Crisis, domestic exports are subject to a longer-term downward trend, having now fallen for three straight years over five years out of the last six. The broader regional crisis has thus served to underscore Hong Kong’s continuing dependence on exports. While the United States and Hong Kong’s trade relationship, and helps explain the nervousness with which Hong Kong officials view political or economic tensions between Beijing and Washington. The country has become a major center of piracy of movie, audio, and software compact discs and trademark goods remains the most serious bilateral trade issue between the United States and Hong Kong. In July, the Department of Trade and Industry informed the Task Force Chairman that the
number of customs officers monitoring Intellectual Property Rights (IPR) enforcement had doubled since June 1997. A significant increase in raids, seizures and prosecutions at all levels, with the passage of more effective Prevention of Copyright Piracy ordinance, led the U.S. Trade Representative to remove Hong Kong from its Special 301 report list in April 1998. This was the first time in 10 years that Hong Kong had been removed from the list.

Hong Kong's trade regime is strictly enforced, as evidenced by the significant number of raids and seizures conducted by customs officials. In 1997, Hong Kong's customs agency conducted over 10,000 raids, resulting in the seizure of over 1 million units of counterfeit goods. The effectiveness of Hong Kong's trade regime is further enhanced by the cooperation between the customs agency and other government agencies, which allows for a comprehensive approach to combat intellectual property piracy.

In conclusion, while Hong Kong's trade regime continues to be effective, there are still challenges that need to be addressed, such as the potential for intellectual property piracy to increase in the future. However, with the continued efforts of the customs agency and other government agencies, Hong Kong is well positioned to maintain its position as a leader in the area of intellectual property protection.

---

**MACAU**

Preparations continue for the reversion of Macau to China on December 20, 1999, after 442 years as a colony of Portugal. While the transfer of sovereignty to China on December 20, 1999, has been successful, there are still concerns regarding the future of Macau, particularly with regards to the enforcement of laws and regulations.

Macau SAR is governed by a Chief Executive, who is appointed by the President of China. The Chief Executive is responsible for the overall management of the SAR, with the approval of the President of China. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

Constitutional and civil laws apply in Macau, with local laws and regulations being enacted by the SAR government. The SAR government is responsible for the administration of local laws and regulations, with the approval of the President of China.

The SAR has its own police force and judicial system, with the SAR government being responsible for the administration of justice in the SAR. The SAR government is responsible for the administration of justice in the SAR, with the approval of the President of China.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.

The SAR is divided into 18 districts, each of which is administered by a District Committee. The SAR is divided into 18 districts, each of which is administered by a District Committee.
Representatives Ben Cardin, Ben Gilman, and I am pleased to introduce on May 27th, along with Democrat Members of Congress the Export Enhancement Act of 1999.

We are all concerned about the recent anemic export performance of the United States and the ballooning U.S. trade deficit. While this legislation is not a cure-all for this problem, it provides one tool in the effort to promote U.S. exports abroad.

This legislation would reauthorize most commercial export promotion programs of the U.S. government, including the Overseas Private Investment Corporation (OPIC), the Trade and Development Agency (TDA), and the export promotion functions of the International Trade Administration (ITA) at the Department of Commerce.

First, the legislation re-authorizes OPIC for four years and does not raise OPIC’s liability ceiling. For 27 years, OPIC has been the U.S. government agency providing political risk insurance for projects that allow companies to compete in markets where America could not otherwise do business because of foreign governments’ intervention.

Second, the legislation reaffirms the importance of the Trade Development Agency (TDA) and the export promotion functions of the International Trade Administration (ITA). OPIC is estimated to bring in $204 million in revenue to the U.S. Treasury next year. TDA’s political risk insurance covers three main areas where the government has a propitious role to influence—expropriation (loss of an investment due to nationalization or confiscation by a foreign government), currency inconvertibility (inability to remit profits from local currency to U.S. dollars); and political violence (loss of assets or income due to war, revolution or politically-motivated civil strife, terrorism or sabotage).

Since 1971, OPIC supported projects have generated $58 billion in U.S. exports and created more than 237,000 American jobs. Over the last five years, OPIC supported projects will buy about $1 billion worth of goods and services from Illinois suppliers, half of which are small firms, which will create over 3,100 jobs. Companies in the 16th District of Illinois like Colicraft Inc. of Cary; Oak Industries of Crystal Lake; ESI Limited, the Nyliint Corporation, the Barber-Coleman Company; and the Clinton Electronics Corporation of Rockford have all used and benefited from OPIC services in the past. And, unlike most government programs, OPIC operates totally on a user-fee basis, meaning domestic taxpayers do not have to make a direct investment to achieve OPIC’s economic impact.

In response to Congressional input, OPIC has undertaken a series of initiatives since its last reauthorization. These include new initiatives in Africa, Central America, the Caribbean, and the Caspian Basin. In addition, OPIC has stepped up efforts to help small businesses enter the global economy.

As Chairman of the Small Business Exports Subcommittee, I held a hearing last month examining the new small business outreach efforts by OPIC. OPIC is particularly important for small business exporters because unlike large companies, small business exporters cannot pack up their bags and relocate operations overseas to take advantage of foreign equivalents to OPIC. There are 36 nations that have export credit insurance programs like OPIC. Just like OPIC, most of these nations have local content requirements. If forced to, larger U.S. multinational corporations can pick and choose from one of these other foreign export credit insurance programs. But the work and the jobs, then, are transferred overseas. Small business exporters do not have this luxury. OPIC is needed to maintain the competitive edge of these small business exporters in the United States.

Mr. Speaker, let me give you one concrete example from the hearing last month. Jane Dauffenbach, President of Aquarius Systems, located in North Prairie, Wisconsin, testified how foreign governments constantly try to undermine her small company’s export prospects, even to the point of competing against free donations of similar equipment. Aquarius Systems manufactures aquatic weed harvesters. In Asia, Aquarius Systems lost a large equipment sale when the Canadian government gave a “free” aquatic weed harvester to the monarch of the country. In Kenya, Ms. Dauffenbach also told how the Japanese and the Israeli governments almost snatched another huge export sale from her company to clear water hyacinths clogging Lake Victoria. It was only because she had a World Bank contract, backed by OPIC political risk insurance, that she was able to complete the sale. She said, “(s)imply put, Aquarius Systems is not competing with foreign companies. We are competing with foreign governments . . . . It is imperative that the financing and insurance programs from OPIC are the same, so that small exporters have the necessary tools available to accomplish our goals.”

Second, the legislation reaffirms the importance of the Trade Development Agency (TDA). This small 43 person agency, which develops feasibility studies designing in American specifications so that U.S. exporters can win major infrastructure projects in developing countries and emerging economies later down the road, has generated $12.3 billion in exports since its inception in 1981. Every $1 in spending for TDA projects has led to the export of $32 in U.S. goods and services overseas. The Export Enhancement Act requires, to the maximum extent possible, the imposition of “success fees” on companies who win export deals thanks to the groundwork laid by a feasibility study conducted by the TDA.

Third, the bill examines the three export promotion arms of International Trade Administration (ITA) at the Commerce Department—the U.S. & Foreign Commercial Service, Mr. Speaker, and support the continued generous funding of the Service through this appropriations process.

A TRIBUTE TO THE BLACK CUBAN FOUNDATION

HON. ILEANA ROS-LEHTINEN
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to take this opportunity to commend the Black Cuban Foundation for its decade of service to the Afro-Cuban community in exile. Over the past ten years, it has pursued a goal of improving relations between Afro-Cubans and our common community.

The Black Cuban Foundation was founded on July 30th, 1989 and promptly began to promote its important and unique role in
HONORING RETIRING FENTON HIGH SCHOOL PRINCIPAL DR. KEN WENSEL

HON. DEBBIE STABENOW
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Ms. STABENOW. Mr. Speaker, this week Principal Ken Wensel will retire after a 30-year career at Fenton High School. During those years, Dr. Wensel touched the lives of countless young people—encouraging, advising, inspiring and serving as a role model. I would like to thank Dr. Wensel personally for his commitment to young people and education. Today I join Fenton Area Public Schools in declaring June 12, 1999 Ken Wensel Day. In addition, I would like to read the following resolution into the CONGRESSIONAL RECORD on behalf of the Fenton Area Public Schools:

Whereas Dr. Wensel served the Fenton Area Public Schools with distinction and honor for 30 years;

Whereas Dr. Wensel has served in the positions of community education director, athletic director, assistant principal and, for 12 years as principal of Fenton High School;

Whereas Dr. Wensel has been an unwavering advocate for young men and women throughout this tenure as an administrator and;

Whereas Dr. Wensel has been a constant supporter of high school journalism and was named the Michigan Interscholastic Press Association Administrator of the Year for 1989 and;

Whereas Dr. Wensel has been recognized for his high level of commitment and drive to make Fenton High School the best it could be and;

Whereas Fenton High School’s achievements are in large measure a result of Ken Wensel’s talent and commitment and are a source of pride to the community of Fenton;

Therefore, the Congress of this United States hereby declares June 12, 1999, as Dr. Kenneth Wensel Day in the community, state and nation.
GOOD LUCK AND CONGRATULATIONS TO MAJOR GENERAL MORRIS J. BOYD

HON. CHET EDWARDS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. EDWARDS. Mr. Speaker, I rise to congratulate a great Army officer and soldier—Major General Morris J. “Morrie” Boyd—and thank him for his contributions to the Army and the country.

General Morrie Boyd will retire in June after a long and distinguished career. He is a consummate professional whose performance in over three decades of service, in peace and war, has personified those traits of courage, competency and commitment that our nation has come to expect from its Army officers.

Morrie entered service on the 6th of April 1965. He was selected to attend Officer Candidate School and was commissioned as a second lieutenant in 1966. He served as an artillery officer in Vietnam from October 1966 to June 1968 and again from April 1970 to March 1971. While deployed to Vietnam, he served on the firing platform commander, executive officer of a battery, commanded a howitzer battery, commanded a platoon from the 21st Aviation Company, and was the Intelligence and Security Officer for the 212th Aviation Battalion.

Morrie was again deployed for combat during Operation Desert Shield术Desert Storm. From December 1990 to May 1991, he served as the commander of the 42nd Field Artillery Brigade in Saudi Arabia.

He came to Washington in the mid-90s as the Chief, Army Legislative Liaison from June 1995 to June 1997. From June 1995 to June 1997, he ably assisted the Army’s senior leadership in dealing with Members of Congress and their staffs. He was very focused on helping elected officials and their staffs understand the needs of the Army as it transformed itself from a forward deployed force to a power projection force.

Morrie most recently served as the Deputy Commanding General for III Corps and Fort Hood. Throughout his career, he focused his talent and energy to improve the areas of Warlighting, Training, Modernization, Mobilization, and Quality of Life for soldiers and their families.

On a personal note, I am pleased to call Morrie a close, personal friend. He is a role model for all of us: a man of integrity, decency and compassion.

Let me also say that every accolade to Morrie must also be considered a tribute to his family, his wife of 30 years, Maddie and his son, Rye. As a wife and a mother Maddie has been a true partner in all of his accomplishments.

General Boyd’s career has reflected a deep commitment to our nation, which has been characterized by dedicated selfless service, love for soldiers, and a commitment to excellence. I ask Members to join me and offer our heartfelt appreciation for a job well done over the past thirty years and best wishes for continued success, to a great soldier and friend of Congress—General Morris J. Boyd.
Bob Anderson's most memorable achievement is the establishment of PALCARE, San Mateo County's community based, flexibly scheduled childcare center which opened in 1993. For twelve years Bob was undeterred in his determination to establish this affordable, high-quality, around-the-clock childcare for working parents at San Francisco International Airport and other worksites where employees must work non-traditional hours. Mr. Anderson leaves an enduring legacy through his establishment of this safe, happy haven for the children of those who contribute to San Mateo's thriving economy.

Mr. Speaker, Mr. Anderson will be honored at the 20th Annual Banquet of the Committee on Political Education on Saturday, June 12, 1999. I join with those who commend his lifelong, selfless quest to better the lives of his fellow working men and women, and I extend my most enthusiastic wishes for a blissful and happy retirement as he embarks on this new chapter in his life.

TRIBUTE TO ROBERT ANDERSON, PRESIDENT OF THE SAN MATEO COUNTY CENTRAL LABOR COUNCIL

HON. TOM SAWYER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. SAWYER. Mr. Speaker, I rise to commend the Boston Mills/Brandywine Resort, located in my district, just north of Akron, Ohio. The Boston Mills/Brandywine Resort is being honored this week for excellence in energy conservation.

This is remarkable for two reasons, one obvious and one not so obvious. First, Ohio is not the location many would imagine when thinking of award-winning ski areas. But to my colleagues from the higher elevation, I highly recommend Ohio to you. It is actually possible, in Ohio's 14th District, to work all day in downtown Akron and ski in the evening. Moreover, the twin resorts at Boston Mills and Brandywine are located within the boundaries of the Cuyahoga Valley National Recreation Area, and are one of its important amenities.

But it is surprising that Boston Mills was singled out because of its size. Being a small ski area makes it hard to compete against larger operations like Vail and Aspen. But Boston Mills won the energy conservation award over both of these sites.

Boston Mills found that its energy needs were causing problems for its neighbors. Neighbors actually found their lights got dim when snowmaking equipment was turned on full force. Responding to these and other energy related problems, Boston Mills developed a new technology that has not yet been incorporated into the national coding process. HCFA has proposed eliminating these useful codes, but this bill would require HCFA to maintain this effective local system.

5. Establish an advisory committee on Medicare coding and payment to ensure that HCFA's coding and payment systems are open, prompt and functioning properly. This panel will complement HCFA's newly formed Medicare Coverage Advisory Committee.

Mr. Speaker, this bill will correct a number of complex but significant problems that currently plague HCFA's coverage, coding and payment systems. Most importantly, it will help ensure that Medicare beneficiaries have timely access to life-enhancing and life-saving medical advances.

Mr. Speaker, I urge my colleagues to support this important legislation.

HON. LANTOS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to Mr. Robert Anderson, who is retiring after two distinguished decades as President of the San Mateo County Central Labor Council. During his remarkable tenure as San Mateo's most dedicated advocate for working people, innumerable working men and women have benefited enormously from Mr. Anderson's dedication to improving working and living conditions for families in San Mateo County and for employees of the airline industry nationwide.

Bob Anderson, a member of the International Association of Machinists, Local Lodge 1781, is a former United Airlines Mechanic, and currently he serves as ground safety coordinator for IAM District 141. His outstanding career as a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition. He has also been a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition. He has also been a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition. He has also been a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition. He has also been a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition. He has also been a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition. He has also been a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition. He has also been a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition. He has also been a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition. He has also been a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Air-Port Health and Safety Coalition.

Mr. Speaker, the labor movement's involvement and effectiveness in our community has been greatly strengthened through Bob Anderson's dedication and service on the Central Labor Council's Committee on Political Action, which supports local, state and national officeholders who share labor's progressive social values. He worked tirelessly against the passage of Proposition 226, the anti-working family initiative which was rightly rejected by California voters in June of 1998.

Mr. Speaker, I urge my colleagues to support this important legislation.

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 7, 1999

Mr. TOWNS. Mr. Speaker, I rise today to salute the contributions of the Tony Modica Pizza Dance Foundation and One World-One Heart, Inc., organizations which exemplifies our nation's direction of unity and cultural exchange through inter-generational activities and programs.

Tony Modica came to this country as an immigrant and became successful in the pizza industry. This Foundation is a means for him to give back to the community through a program that benefits the elderly and the youth. Pizza is a favorite food of both young and old and its incorporation into a program which features song, dance and pizza makes for an enjoyable experience for all involved. Modica uses the pizza as an international symbol of unity. The Foundation has created programs that promote unity; and encourages children to stay "in school and improve their grades". After his lectures, the students and seniors are treated to pizza and a lesson in the Foundation's original Pizza Dance—a step choreographed to mimic the art of pizza making. The Pizza is used as a symbol because of its varied toppings and delectable enjoyment that is recognized by all cultures and ethnic groups. The positive messages are enhanced through dance and the enjoyable feast and taste of pizza!

One World-One Heart, Inc. serves to provide access to educational; recreational; cultural and intergenerational programs for participants from all ethnic, religious, economic and cultural backgrounds. The founders, Catherine Laporte and Steven Kaplansky have over 30 years of experience of providing non-profit; social and recreational services to communities at large.

One World-One Heart, Inc. has joined with The Tony Modica Pizza Dance Foundation to promote unity and cultural appreciation through free public activities and have mobilized others to support a unified message of respect and appreciation of all people. The combined efforts are a great model of how government, not-for-profits; religious and private sectors can work together for the good of the public.

Pizza is undoubtedly the world's most popular food. The positive messages are enhanced through song, dance and an enjoyable feast of Pizza. The Mayor and City Council have recognized the organization's efforts in New York. By taking this program to a national level with it's fun spirited message. The Tony Modica Pizza Dance Foundation and One World-One Heart, Inc. are positive examples of how private citizens and not-for-profit organizations can make a difference in the community with the support of business and government.

I implore my colleagues on both sides of the aisle to join me in recognizing the "Pizza"; "The Tony Modica Pizza Dance Foundation"; and One World-One Heart, Inc. and in proclaiming June National "Taste of Pizza" Month.
Mr. SCHAEFFER. Mr. Speaker, I rise today to pay tribute to Mr. and Mrs. Christine and Stan Penton, founders of a remarkable program for disabled individuals. The Pegasus Program helps people overcome disabilities through hippotherapy (therapy through horses). They recently held a ground breaking for a new facility at Normandy Farms and Stables in Littleton, Colorado. I was heartened to learn about the new home for the Pegasus Program for handicapped riders, particularly after working hard to pass a law which directs a study on ways to improve disabled access to outdoor recreation on public lands.

The Pegasus Program is indeed intriguing. I commend Mr. and Mrs. Penton for their creativity and for their innovative approach to bettering the lives of the disabled. The Pegasus Program, however, benefits more than just the disabled. They use wild horses trained by inmates at the Canon City correctional facility. Because wild horses have no natural predators, they tend to overpopulate and overgraze public lands. Sadly, these symbols of the American West out-compete wildlife, and eventually themselves. What a unique opportunity through the Pegasus Program to help wild horses, give prison inmates constructive and rewarding work, and help the disabled overcome their physical limitations. With heartfelt pride, I thank Mr. and Mrs. Penton for their work.
SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 8, 1999 may be found in the Daily Digest of today's Record.

MEETINGS SCHEDULED

JUNE 9

9:30 a.m.
Environment and Public Works
Transportation and Infrastructure Subcommittee
To resume hearings on the implementation of the Transportation Equity Act for the 21st century.
SD-406

9:30 a.m.
Small Business
Business meeting to markup S. 918, to authorize the Small Business Administration to provide financial and business development assistance to military reservists’ small business.
SR-428A

9:30 a.m.
Indian Affairs
To hold oversight hearings on internet gambling.
SR-485

9:30 a.m.
Appropriations
District of Columbia Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2000 for the government of the District of Columbia.
SD-102

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings on S. 837, to enable drivers to choose a more affordable form of auto insurance that also provides for more adequate and timely compensation for accident victims.
SR-253

9:30 a.m.
Year 2000 Technology Problem
To hold hearings to examine Y2K compliance issues within the health care industry.
SD-138

10 a.m.
Finance
To hold oversight hearings to examine risk adjustment methodology and other implementation issues relating to Medicare+Choice.
SD-215

10 a.m.
Foreign Relations
To hold hearings on the nomination of Donald Keith Bandler, of Pennsylvania, to be Ambassador to the Republic of Cyprus; the nomination of M. Michael Einik, of Virginia, to be Ambassador to The Former Yugoslav Republic of Macedonia; the nomination of Donald W. Keyser, of Virginia, for Rank of Ambassador during tenure of service as Special Representative of the Secretary of State for Nagorno-Karabakh and New Independent States Regional Conflicts; the nomination of Joseph Liprighth, of Virginia, to be Ambassador to the Republic of Albania; the nomination of Richard L. Morningstar, of Massachusetts, to be the Representative of the United States of America to the European Union; the nomination of Larry C. Napper, of Texas, for Rank of Ambassador during tenure of service as Coordinator of the Support for East European Democracy (SEED) Program; and the nomination of Thomas J. Miller, of Virginia, to be Ambassador to Bosnia and Herzegovina.
SD-562

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings on issues relating to financial privacy.
SD-538

Governmental Affairs
To resume closed oversight hearings on the national security methods and processes relating to the Wen-Ho Lee espionage investigation.
SD-407 Capitol

2 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold oversight hearings on the process to determine the future of the four lower Snake River dams and conduct oversight on the Northwest Power Planning Council’s Framework Process.
SD-366

3 p.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
Business meeting to markup proposed legislation making appropriations for the Departments of Commerce, Justice and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999.
SD-146 Capitol

3 p.m.
Foreign Relations
To hold hearings on the nomination of Gwen C. Clare, of South Carolina, to be Ambassador to the Republic of Ecuador; the nomination of Oliver P. Garza, of Texas, to be Ambassador to the Republic of Nicaragua; the nomination of Frank Almaguer, of Virginia, to be Ambassador to the Republic of Honduras; the nomination of John R. Hamiliton, of Virginia, to be Ambassador to the Republic of Peru; and the nomination of Prudence Bushnell, of Virginia, to be Ambassador to the Republic of Guatemala.
SD-562

JUNE 10

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings on S. 798, to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security.
SR-253

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the report of the National Recreation Lakes Study Commission.
SD-366

10 a.m.
Judiciary
Business meeting to markup S. 467, to restate and improve section 7A of the Clayton Act; the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Ker-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation); S. 692, to prohibit Internet gambling; S. Res. 98, designating the week beginning October 17, 1999, and the week beginning October 25, 2000, as “National Character Counts Week”; and S.J. Res. 21, to designate September 29, 1999, as “Veterans of Foreign Wars of the United States Day”.
SD-226

Finance
To hold hearings on the impact of the Balanced Budget Act provisions on the Medicare Fee-for-Service program.
SD-215

Health, Education, Labor, and Pensions
To resume hearings on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, focusing on serving special populations.
SD-628

Foreign Relations
Near Eastern and South Asian Affairs Subcommittee
To hold hearings to examine the United States policy towards Iraq.
SD-562

Governmental Affairs
To hold hearings on dual use and munitions list export control processes and implementation at the Department of Energy.
SD-342

Banking, Housing, and Urban Affairs
To hold oversight hearings on export control issues in the Cox Report.
SD-538

2 p.m.
Judiciary
Antitrust, Business Rights, and Competition Subcommittee
To hold hearings on the competitive implications of the proposed Goodrich/Coltec merger.
SD-226

Governmental Affairs
Investigations Subcommittee
To hold hearings to examine the impact of the new Medicare Interim Payment System on certain home health agencies.
SD-342

3 p.m.
Appropriations
Business meeting to markup proposed legislation making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, proposed legislation making appropriations for the Legislative Branch for the fiscal year ending September 30, 1999, and proposed legislation making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year ending September 30, 1999.
SD-106

JUNE 14

9:30 a.m.
Joint Economic Committee
To hold hearings on issues relating to the High-Technology National Summit.
SH-216

9:30 a.m.
Joint Economic Committee
To continue hearings on issues relating to the High-Technology National Summit.
SH-216
Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–628

2:30 p.m.

Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold oversight hearings on issues related to vacating the record of decision and denial of a plan of operations for the Crown Jewel Mine in Okanogan County, Washington.

JUNE 16
Time to be announced

Indian Affairs
Business meeting to consider pending calendar business; to be followed by hearings on S. 944, to amend Public Law 105–188 to provide for the mineral leasing of certain Indian lands in Oklahoma; and S. 438, to provide for the settlement of the water rights claims of the Chippewa Cree Tribe of the Rocky Boy’s Reservation.

SR–485

9:30 a.m.
Joint Economic Committee
To continue hearings on issues relating to the High-Technology National Summit.
SH–216

Energy and Natural Resources
To hold hearings on pending calendar business.

JUNE 17
9:30 a.m.

Environment and Public Works
To hold hearings on S. 533, to amend the Solid Waste Disposal Act to authorize local governments and Governors to restrict receipt of out-of-State municipal solid waste; and S. 872, to impose certain limits on the receipt of out-of-State municipal solid waste, to authorize State and local controls over the flow of municipal solid waste.

SD–366

10 a.m.

Health, Education, Labor, and Pensions
To hold joint hearings with the House Committee on Education and Work Force on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, focusing on research and evaluation.

SD–106

JUNE 23
9:30 a.m.

Indian Affairs
To hold oversight hearings on General Accounting Office report on Interior Department’s trust funds management.

SR–485

POSTPONEMENTS

JUNE 17
9:30 a.m.

Commerce, Science, and Transportation
To hold hearings on mergers and consolidations in the communications industry.

SR–253

energy and Natural Resources
To hold hearings on S. 1049, to improve the administration of oil and gas leases on Federal land.

SD–366
Monday, June 7, 1999

Daily Digest

HIGHLIGHTS
See Résumé of Congressional Activity.

Senate

Chamber Action
Routine Proceedings, pages S6455-S6644

Measures Introduced: Two bills and three resolutions were introduced, as follows: Introduced on June 2, 1999: S. 1186; Introduced today: S. 1187, S.J. Res. 27-28, and S. Con. Res. 37.

Measures Reported: Reports were made as follows:

Reported on Wednesday, June 2, during the adjournment:
S. 1186, making appropriations for energy and water development for the fiscal year ending September 30, 2000. (S. Rept. No. 106-58)
S. 415, to protect the permanent trust funds of the State of Arizona from erosion due to inflation and modify the basis on which distributions are made from those funds. (S. Rept. No. 106-59)
S. 416, to direct the Secretary of Agriculture to convey the city of Sisters, Oregon, a certain parcel of land for use in connection with a sewage treatment facility, without recommendation, with amendments. (S. Rept. No. 106-60)
S. 744, to provide for the continuation of higher education through the conveyance of certain public lands in the State of Alaska to the University of Alaska, with an amendment. (S. Rept. No. 106-61)

Reported today:
S. 109, to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia, with amendments. (S. Rept. No. 106-62)
S. 441, to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system, with amendments. (S. Rept. No. 106-63)

S. 548, to establish the Fallen Timbers Battlefield and Fort Miamis National Historical Site in the State of Ohio, with an amendment in the nature of a substitute. (S. Rept. No. 106-64)
S. 700, to amend the National Trails System Act to designate the Ala Kahakai Trail as a National Historic Trail, with amendments. (S. Rept. No. 106-65)
S. 776, to authorize the National Park Service to conduct a feasibility study for the preservation of the Loess Hills in western Iowa, with amendments. (S. Rept. No. 106-66)
H.R. 154, to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units, with an amendment in the nature of a substitute. (S. Rept. No. 106-67)
H.R. 449, to authorize the Gateway Visitor Center at Independence National Historical Park. (S. Rept. No. 106-68)

Department of Defense Appropriations, 2000:
Senate began consideration of S. 1122, making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, taking action on the following amendment proposed thereto:

Pending:
Stevens (for Grassley) Amendment No. 540, to reduce to $500,000 the threshold amount for the applicability of the requirement for advance matching of Department of Defense disbursements to particular obligations.

A unanimous-consent agreement was reached providing for further consideration of the bill, the pending amendment, and amendments to be proposed thereto, on Tuesday, June 8, 1999, with a vote to occur on the pending amendment at 9:45 a.m.
Y2K Act—Cloture Motion Filed: A motion was entered to close further debate on the motion to proceed to the consideration of S. 96, to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year's date and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Wednesday, June 9, 1999.

Subsequently, the motion to proceed was withdrawn.

Nominations Received: Senate received the following nominations:

Armando Falcon, Jr., of Texas, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development, for a term of five years.

Robert Z. Lawrence, of Massachusetts, to be a Member of the Council of Economic Advisers.

Lawrence H. Summers, of Maryland, to be Secretary of the Treasury.

David H. Kuepper, of the District of Columbia, to be Ambassador to the Republic of Congo.

Michael D. Metelits, of California, to be Ambassador to the Republic of Cape Verde.

Christopher C. Gallagher, of New Hampshire, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2003.

Routine lists in the Army, Marine Corps, Navy.

Communications:

Statements on Introduced Bills:

Additional Cosponsors:

Amendments Submitted:

Notices of Hearings:

Additional Statements:

Text of S. 704 and S. 1059-1062, as previously passed:

Recess: Senate convened at 12 noon, and recessed at 4:52 p.m., until 9:30 a.m., on Tuesday, June 8, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6642.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Reports Filed: Reports were filed as follows:

H.R. 1000, to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, with an amendment (H. Rept. 106-167 Pt. 1);

H.R. 1074, to provide governmentwide accounting of regulatory costs and benefits, amended (H. Rept. 106-168);

H.R. 206, to provide for greater access to child care services for Federal employees (H. Rept. 106-169);

Making the Federal Government Accountable: enforcing the Mandate for Effective Financial Management (H. Rept. 106-170);

H. Con. Res. 91, Authorizing the use of the Capitol Grounds for a clinic to be conducted by the United States Luge Association (H. Rept. 106-171);

H. Con. Res. 105, Authorizing the Law Enforcement Torch Run for the 1999 Special Olympics World Games to be run through the Capitol Grounds (H. Rept. 106-172); and

H.R. 898, Designating certain land in the San Isabel National Forest in the State of Colorado as the 'Spanish Peaks Wilderness' (H. Rept. 106-173).

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Miller of Florida to act as Speaker pro tem for today.

Journal Vote: Agreed to the Speaker's approval of the Journal of Thursday, May 27, by a yea and nay vote of 325 yeas to 42 nays with 3 voting "present", Roll No. 167.

Recess: The House recessed at 12:42 p.m. and reconvened at 2:00 p.m.

Canada-United States Interparliamentary Group: The Chair announced the Speaker's appointment of Representative Gilman as Vice Chairman, and Representatives Oberstar, Shaw, Lipinski, Slaughter, Upton, Stearns, Peterson of Minnesota, Danner, Manzullo, and English to the Canada-United States Interparliamentary Group.
Twenty-First Century Workforce Commission: The Chair announced the Speaker's appointment, upon the recommendation of the Minority Leader, of Mr. David L. Stewart of St. Louis, Missouri to the Twenty-First Century Workforce Commission.

Recess: The House recessed at 2:35 p.m. and reconvened at 6:02 p.m.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Miscellaneous Trade and Technical Corrections Act: Agreed to the Senate amendment to H.R. 435, to make miscellaneous and technical changes to various trade laws (agreed to by a yea and nay vote of 375 yeas to 1 nay, Roll No. 168)—clearing the measure for the President; and

Jennifer's Law: H.R. 1915, to provide grants to the States to improve the reporting of unidentified and missing persons (passed by a yea and nay vote of 370 yeas to 4 nays, Roll No. 169).

Regents of the Smithsonian Institution: The Chair announced the Speaker's appointment of Representative Matsui to the Board of Regents of the Smithsonian Institution.

Senate Messages: Messages received from the Senate today and on June 1 appear on page H 3713.

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H 3765-66.

Referrals: S. 704 was referred to the Committee on the Judiciary.

Quorum Calls—Votes: Three yea and nay votes developed during the proceedings of the House today and appear on pages H 3740, H 3740-41, and H 3741-42. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:32 p.m.

Committee Meetings
No Committee meetings were held.

NEW PUBLIC LAWS
(For last listing of Public Laws, see DAILY DIGEST, p. D586)

H.R. 1034, to declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of the United States for purposes of title 46, United States Code, and the other maritime laws of the United States. Signed June 1, 1999. (P.L. 106-32)

CONGRESSIONAL PROGRAM AHEAD
Week of June 8 through June 12, 1999

Senate Chamber
On Tuesday, Senate will continue consideration of S. 1122, Department of Defense Appropriations, 2000.

On Wednesday, Senate will vote on a motion to close further debate on the motion to proceed to the consideration of S. 96, Y2K Act.

During the balance of the week, Senate expects to complete consideration of S. 1122, Department of Defense Appropriations, and to consider the proposed Lock-Box legislation, and any other cleared legislative and executive business.

(On Tuesday, Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences.)

Senate Committees
(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: June 9, Subcommittee on District of Columbia, to hold hearings on proposed budget estimates for fiscal year 2000 for the government of the District of Columbia, 9:30 a.m., SD-192.

June 9, Subcommittee on Commerce, Justice, State, and the Judiciary, business meeting to mark up proposed legislation making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, 2 p.m., S-146, Capitol.

June 10, Full Committee, business meeting to mark up proposed legislation making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, proposed legislation making appropriations for the Legislative Branch for the fiscal year ending September 30, 1999, and proposed legislation making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year ending September 30, 1999, 3 p.m., SD-106.

Committee on Armed Services: June 8, to hold hearings on the nominations of General Eric K. Shinseki, USA, for reappointment to the grade and for appointment as Chief of Staff, United States Army, and Lieutenant General James L. Jones, Jr., USMC, to be general and for appointment as Commandant of the Marine Corps, 10 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs: June 9, to hold hearings on issues relating to financial privacy, 10 a.m., SD-538.

June 10, Full Committee, to hold oversight hearings on export control issues in the Cox Report, 10 a.m., SD-538.

Committee on Commerce, Science, and Transportation: June 9, to hold hearings on S. 837, to enable drivers to choose a more affordable form of auto insurance that also provides for more adequate and timely compensation for accident victims, 9:30 a.m., SR-253.
June 10, Full Committee, to hold hearings on S. 798, to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security, 9:30 a.m., SR-253.

Committee on Energy and Natural Resources: June 9, Subcommittee on Water and Power, to hold oversight hearings on the process to determine the future of the four lower Snake River dams and conduct oversight on the Northwest Power Planning Council’s Framework Process, 2 p.m., SD-366.

June 10, Full Committee, to hold oversight hearings on the report of the National Recreation Lakes Study Commission, 9:30 a.m., SD-366.

Committee on Environment and Public Works: June 9, Subcommittee on Transportation and Infrastructure, to resume hearings on the implementation of the Transportation Equity Act for the 21st century, 9:30 a.m., SD-406.

Committee on Finance: June 9, to hold oversight hearings to examine risk adjustment methodology and other implementation issues relating to Medicare+Choice, 10 a.m., SD-215.

June 10, Full Committee, to hold hearings on the impact of the Balanced Budget Act provisions on the Medicare Fee-for-Service program, 10 a.m., SD-215.

Committee on Foreign Relations: June 8, Subcommittee on African Affairs, to hold hearings to examine the Central African Wars and the future of United States-Africa policy, 2:15 p.m., SD-562.

June 9, Full Committee, to hold hearings on the nomination of Donald Keith Bandler, of Pennsylvania, to be Ambassador to the Republic of Cyprus; the nomination of M. Michael Einik, of Virginia, to be Ambassador to the Former Yugoslav Republic of Macedonia; the nomination of Donald W. Keyser, of Virginia, to be Ambassador to Afghanistan; the nomination of Frank Almaguer, of Virginia, to be Ambassador to Honduras; the nomination of John R. Hamilton, of Virginia, to be Ambassador to the Republic of Peru; and the nomination of Prudence Bushnell, of Virginia, to be Ambassador to the Republic of Guatemala, 3 p.m., SD-562.

June 10, Subcommittee on Near Eastern and South Asian Affairs, to hold hearings to examine the United States policy towards Iraq, 10 a.m., SD-562.

Committee on Governmental Affairs: June 9, to resume closed oversight hearings on the national security methods and processes relating to the Wen-Ho Lee espionage investigation, 10 a.m., S-407, Capitol.

June 10, Full Committee, to hold hearings on dual use and munitions list export control processes and implementation at the Department of Energy, 10 a.m., SD-342.

June 10, Permanent Subcommittee on Investigations, to hold hearings to examine the impact of the new Medicare Interim Payment System on certain home health agencies, 2 p.m., SD-342.

June 10, Full Committee, business meeting to mark up S. 467, to restate and improve section 7A of the Clayton Act; S. 606, for the relief of Global Exploration and Development Corporation, Kerr-Mcgee Corporation, and Kerr-Mcgee Chemical, LLC (successor to Kerr-Mcgee Chemical Corporation); S. 692, to prohibit Internet gambling; S. Res. 98, designating the week beginning October 17, 1999, and the week beginning October 15, 2000, as “National Character Counts Week”; and S.J. Res. 21, to designate September 29, 1999, as “Veterans of Foreign Wars of the United States Day”, 10 a.m., SD-407, Capitol.

June 10, Full Committee, business meeting to mark up S. 918, to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small business, 9:30 a.m., SR-428A.

Committee on Veterans Affairs: June 8, to hold hearings on the nomination of Kenneth W. Kizer, of California, to be Under Secretary of Health of the Department of Veterans Affairs; and the nomination of John T. Hanson, of Virginia, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs), 2:15 p.m., SR-418.

Special Committee on the Year 2000 Technology Problem: June 9, to hold hearings to examine Y2K compliance issues within the health care industry, 9:30 a.m., SD-138.

House Committees

Committee on Agriculture: June 8, Subcommittee on Risk Management, Research, and Specialty Crops, to continue
hearings on the Commodity Futures Trading Commission Reauthorization, 1 p.m., 1300 Longworth.

June 9, full Committee, hearing to review economic sanctions and the effect on U.S. agriculture, 10 a.m., 1300 Longworth.

Committee on Appropriations, June 8, to mark up the Transportation appropriations for fiscal year 2000, 10 a.m., 2359 Rayburn.

Committee on Banking and Financial Services, June 10, hearing on Russia Economic Turmoil, 10 a.m., 2128 Rayburn.

Committee on the Budget, June 8, Social Security Task Force, hearing on the Social Security Trust Fund: Myth and Reality, 12 p.m., 210 Cannon.

Committee on Commerce, June 8, Subcommittee on Energy and Power, hearing on the Kansas Ad Valorem Tax Refund, 10 a.m., 2322 Rayburn.

June 9, Subcommittee on Health and Environment, hearing on Battling Drug Addiction: Barriers to Medical Treatments, 1 p.m., 2322 Rayburn.

June 9, Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on H.R. 1714, Electronic Signatures in Global and National Commerce Act, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, June 9, Subcommittee on Early Childhood, Youth, and Families, hearing on Academic Accountability, 10:30 a.m., 2175 Rayburn.

June 10, full Committee, hearing on Key Issues in the Authorization of Title I of the Elementary and Secondary Education Act, 9:30 a.m., 2175 Rayburn.

June 11, Subcommittee on Employer-Employee Relations, hearing on the Relationship Between Health Care Costs and America's Uninsured, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform, June 9, Subcommittee on Census, hearing on Oversight of the 2000 Census: Examining the Bureau's Policy to Count Prisoners, Military Personnel, and Americans Residing Overseas, 10 a.m., 2247 Rayburn.

June 9, Subcommittee on Government Management, Information, and Technology, hearing on Geographical Information Systems Policies and Programs, 1 p.m., 2154 Rayburn.

June 9, Subcommittee on National Security, Veterans Affairs, and International Relations, hearing on Outreach to Veterans at Risk for Hepatitis C Infection, 10 a.m., 2203 Rayburn.

June 10, full Committee, hearing on the Role of Early Detection and Complementary and Alternative Medicine in Women’s Cancers, 10:30 a.m., 2154 Rayburn.

Committee on International Relations, June 8, hearing on Developments in the Middle East, 10 a.m., 2172 Rayburn.

June 9, hearing on Assisting Russia: What Have We Achieved After Seven Years? 10 a.m., 2172 Rayburn.

June 7, 1999

joint hearing on K-12 Math and Science Education-Finding, Training and Keeping Good Teacher, 1:30 p.m., 2318 Rayburn.

June 10, Subcommittee on Space and Aeronautics, hearing on Barriers to Commercial Space Launch, 10 a.m., 2360 Rayburn.

Committee on Small Business, June 9, hearing on Fair and Simple Tax Relief for Small Business, reviewing the Small Employer Tax Relief Act of 1999 (SETRA), 10 a.m., 2360 Rayburn.

June 10, hearing on Association Health Plans: Giving Small Businesses the Benefits They Need, 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, June 9, Subcommittee on Aviation, hearing on preservation and promotion of General Aviation Airports, 10 a.m., 2167 Rayburn.

June 9, Subcommittee on Oversight, Investigations, and Emergency Management, hearing on Preparedness Against Terrorist Attacks, 2 p.m., 2253 Rayburn.

June 10, Subcommittee on Water Resources and Environment, to mark up H.R. 1300, Recycle America's Land Act of 1999, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, June 9, Subcommittee on Health, to mark up the Veterans’ Millennium Health Care Act, 10 a.m., 334 Cannon.

June 10, Subcommittee on Benefits, hearing on the following bills: H.R. 605, Court of Appeals For Veterans Claims Act of 1999; H.R. 690, to amend title 38, United States Code, to add bronchiolo-alveolar carcinoma to the list of diseases presumed to be service-connected for certain radiation-exposed veterans; H.R. 708, to amend title 38, United States Code, to provide for reinstatement of certain benefits administered by the Secretary of Veterans Affairs for remarried surviving spouses of veterans upon termination of their remarriage; H.R. 784, to amend title 38, United States Code, to authorize the payment of dependency and indemnity compensation to the surviving spouses of certain former prisoners of war dying with a service-connected disability rated totally disabling at the time of death; H.R. 1214, Veterans’ Claims Adjudication Improvement Act of 1999; and H.R. 1765, Veterans’ Compensation Cost-of-Living Adjustment Act of 1999, 10 a.m., 334 Cannon.

Committee on Ways and Means, June 8, Subcommittee on Trade, hearing on United States-China trade relations and the possible accession of China to the World Trade Organization, 1 p.m., 1100 Longworth.

June 9 and 10, full Committee, hearings on proposals to strengthen Social Security, 10 a.m., 1100 Longworth.

June 10, to mark up the following bills: H.R. 984, Caribbean and Central America Relief and Economic Stabilization Act; and H.R. 434, African Growth and Opportunity Act, 3 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, June 8, executive, briefing on Encryption Issues, 11 a.m., H-405 Capitol.

June 8, executive, hearing on FBI Handling of Counterintelligence Matters at the Los Alamos National Laboratory, 1 p.m., H-405 Capitol.

June 9, hearing on Encryption legislation, 1 p.m., 2212 Rayburn.

June 10, executive, briefing on pending Intelligence issues, 12 p.m., H-405 Capitol.

Joint Meetings

Commission on Security and Cooperation in Europe June 8, to hold hearings to examine religious freedom issues in Western Europe, focusing on religious minorities and growing government intolerance, 10 a.m., 2212, Rayburn Building.
Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED SIXTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY
January 6 through May 31, 1999

<table>
<thead>
<tr>
<th></th>
<th>Senate</th>
<th>House</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days in session</td>
<td>78</td>
<td>58</td>
<td>..</td>
</tr>
<tr>
<td>Time in session</td>
<td>485 hrs, 28′</td>
<td>390 hrs, 20′</td>
<td>..</td>
</tr>
<tr>
<td>Congressional Record:</td>
<td></td>
<td></td>
<td>..</td>
</tr>
<tr>
<td>Pages of proceedings</td>
<td>6,453</td>
<td>3,711</td>
<td>..</td>
</tr>
<tr>
<td>Extensions of Remarks</td>
<td>..</td>
<td>1,135</td>
<td>..</td>
</tr>
<tr>
<td>Public bills enacted into law</td>
<td>7</td>
<td>24</td>
<td>..</td>
</tr>
<tr>
<td>Private bills enacted into law</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Bills in conference</td>
<td>3</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Measures passed, total</td>
<td>171</td>
<td>222</td>
<td>393</td>
</tr>
<tr>
<td>Senate bills</td>
<td>41</td>
<td>8</td>
<td>..</td>
</tr>
<tr>
<td>House bills</td>
<td>30</td>
<td>94</td>
<td>..</td>
</tr>
<tr>
<td>Senate joint resolutions</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>House joint resolutions</td>
<td>3</td>
<td>4</td>
<td>..</td>
</tr>
<tr>
<td>Senate concurrent resolutions</td>
<td>9</td>
<td>4</td>
<td>..</td>
</tr>
<tr>
<td>House concurrent resolutions</td>
<td>15</td>
<td>27</td>
<td>..</td>
</tr>
<tr>
<td>Simple resolutions</td>
<td>73</td>
<td>85</td>
<td>..</td>
</tr>
<tr>
<td>Measures reported, total</td>
<td>*88</td>
<td>*159</td>
<td>247</td>
</tr>
<tr>
<td>Senate bills</td>
<td>64</td>
<td>2</td>
<td>..</td>
</tr>
<tr>
<td>House bills</td>
<td>10</td>
<td>102</td>
<td>..</td>
</tr>
<tr>
<td>Senate joint resolutions</td>
<td>2</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>House joint resolutions</td>
<td>..</td>
<td>2</td>
<td>..</td>
</tr>
<tr>
<td>Senate concurrent resolutions</td>
<td>2</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>House concurrent resolutions</td>
<td>..</td>
<td>8</td>
<td>..</td>
</tr>
<tr>
<td>Simple resolutions</td>
<td>10</td>
<td>45</td>
<td>..</td>
</tr>
<tr>
<td>Special reports</td>
<td>7</td>
<td>5</td>
<td>..</td>
</tr>
<tr>
<td>Conference reports</td>
<td>..</td>
<td>3</td>
<td>..</td>
</tr>
<tr>
<td>Measures pending on calendar</td>
<td>63</td>
<td>23</td>
<td>..</td>
</tr>
<tr>
<td>Measures introduced, total</td>
<td>1,352</td>
<td>2,381</td>
<td>3,733</td>
</tr>
<tr>
<td>Bills</td>
<td>1,184</td>
<td>2,004</td>
<td>..</td>
</tr>
<tr>
<td>Joint resolutions</td>
<td>26</td>
<td>55</td>
<td>..</td>
</tr>
<tr>
<td>Concurrent resolutions</td>
<td>36</td>
<td>124</td>
<td>..</td>
</tr>
<tr>
<td>Simple resolutions</td>
<td>106</td>
<td>198</td>
<td>..</td>
</tr>
<tr>
<td>Quorum calls</td>
<td>6</td>
<td>2</td>
<td>..</td>
</tr>
<tr>
<td>Yeas-and-nay votes</td>
<td>154</td>
<td>103</td>
<td>..</td>
</tr>
<tr>
<td>Recorded votes</td>
<td>..</td>
<td>61</td>
<td>..</td>
</tr>
<tr>
<td>Bills vetoed</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Vetoes overridden</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
</tbody>
</table>

DISPOSITION OF EXECUTIVE NOMINATIONS
January 6 through May 31, 1999

Civilian nominations, totaling 200, disposed of as follows:
- Confirmed ........................................... 42
- Unconfirmed ........................................ 156
- Withdrawn .......................................... 2

Other civilian nominations, totaling 1,238, disposed of as follows:
- Confirmed ........................................... 779
- Unconfirmed ........................................ 459

Air Force nominations, totaling 3,959, disposed of as follows:
- Confirmed ........................................... 1,674
- Unconfirmed ........................................ 2,285

Army nominations, totaling 1,651, disposed of as follows:
- Confirmed ........................................... 1,565
- Unconfirmed ........................................ 86

Navy nominations, totaling 2,164, disposed of as follows:
- Confirmed ........................................... 759
- Unconfirmed ........................................ 1,405

Marine Corps nominations, totaling 1,319, disposed of as follows:
- Confirmed ........................................... 1,317
- Unconfirmed ........................................ 2

Summary
- Total Nominations received this Session .................. 10,531
- Total Confirmed ........................................ 6,136
- Total Unconfirmed ..................................... 4,393
- Total Withdrawn ....................................... 2
Next Meeting of the SENATE
9:30 a.m., Tuesday, June 8

Senate Chamber
Program for Tuesday: Senate will continue consideration of S. 1122, Department of Defense Appropriations, 2000, with a vote on Amendment No. 540 to occur at 9:45 a.m.
(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
9 a.m., Tuesday, June 8

House Chamber
Program for Tuesday: Consideration of 1 suspension, H.R. 1882, Small Business Review Panel Technical Amendments; and Consideration of H.R. 150, Education Land Grant Act (open rule, one hour of general debate).

Extensions of Remarks, as inserted in this issue

HOUSE
Barrett, Thomas M., Wisc., E1143, E1145
Bercuter, Doug, Neb., E1140
Berman, Howard L., Calif., E1140
Brady, Robert A., Pa., E1153
Brown, George E., j.r., Calif., E1137, E1139
Carson, Julia, Ind., E1141, E1142
Deutsch, Peter, Fla., E1144
Edwards, Chet, Tex., E1154
Etheridge, Bob, N.C., E1153
Ewing, Thomas W., Ill., E1137, E1138
Holt, Russ D., N.J., E1140, E1143, E1144
Houghton, Amo, N.Y., E1147

Hoyer, Steny H., Md., E1137
Institute, Jay, Wash., E1142
Kanjorski, Paul E., Pa., E1139
Kucinich, Dennis J., Ohio, E1138, E1140, E1142, E1143, E1145, E1148
Kuykendall, Steven T., Calif., E1143
Lantos, Tom, Calif., E1155
Levin, Sander M., Mich., E1146
Lowey, Nita M., N.Y., E1141, E1142
Mcdonald, James P., Mass., E1140, E1143
Maloney, Carolyn B., N.Y., E1144
Manzullo, Donald A., Ill., E1152
Menendez, Robert N., J., E1144
Moran, Jerry, Kans., E1142
Morello, Constance A., Md., E1137

Murtha, J. ohn P., Pa., E1145
Oberstar, James L., Minn., E1138
Oxley, Michael G., Ohio, E1143
Paul, Ron, Tex., E1142
Phelps, David D., Ill., E1137, E1139
Portman, Rob, Ohio, E1146
Ramstad, Jim, Minn., E1154
Ros-Lehtinen, Ileana, Fla., E1152
Sawyer, Tom, Ohio, E1155
Schaffer, Bob, Colo., E1145, E1156
Stabenow, Debbie, Mich., E1153
Stearns, Cliff, Fla., E1148
Townsend, Edolphus, N.Y., E1155
Upton, Fred, Mich., E1146
Watts, J. C., J., Okla., E1152

CONGRESSIONAL RECORD — DAILY DIGEST  June 7, 1999

The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. Public access to the Congressional Record is available online through GPO Access, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512-1661; type swais, then login as guest (no password required). For general information about GPO Access, contact the GPO Access User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, by calling Toll Free 1-888-293-6498 or (202) 512-1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices; paper edition, $165.00 for six months, $325.00 per year, or purchased for $2.75 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, or phone orders to (202) 512-1800, or fax to (202) 512-2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, or GPO Deposit Account. Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.