The CHAIRMAN pro tempore. The Committee will rise informally.

The SPEAKER pro tempore (Mr. VITTER) assumed the Chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. McDevett, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

The Committee resumed its sitting.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). It is now in order to consider amendment No. 13 printed in House Report 106–621.

AMENDMENT NO. 13 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. STEARNS:

At the end of title VII (page 247, after line 9), insert the following new section:

SEC. 7___. STUDY ON COMPARABILITY OF COVERAGE FOR PHYSICAL, SPEECH, AND OCCUPATIONAL THERAPIES.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study comparing coverage and reimbursement for covered beneficiaries under chapter 55 of title 10, United States Code, for physical, speech, and occupational therapies under the TRICARE program and the Civilian Health and Medical Program of the Uniformed Services to coverage and reimbursement for such therapies by insurers under medicare and the Federal Employees Health Benefits Program. The study shall examine the following:

(1) Types of services covered.

(2) Whether prior authorization is required to receive such services.

(3) Reimbursement limits for services covered.

(4) Whether services are covered on both an inpatient and outpatient basis.

(b) REPORT.—Not later than March 31, 2001, the Secretary shall submit a report on the findings of the study conducted under this section to the Committees on Armed Services of the Senate and the House of Representatives.

The CHAIRMAN pro tempore. Pursuant to House Resolution 503, the gentleman from Florida (Mr. STEARNS) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, every now and then in a debate we need an amendment that everybody agrees on and everybody is happy about, and this is just such an amendment. And I think it is appropriate that we have this one after our previous debate. In addition, this amendment has been worked out with the Committee on Armed Services.

The purpose of my amendment is to request that the Secretary of Defense conduct a study comparing the coverage and reimbursement for physical, speech, and occupational therapies for covered beneficiaries under the TRICARE program to coverage and reimbursement for such same therapies under Medicare and the Federal Employee Health Benefits Program. So we are comparing what is provided under TRICARE with what is provided under Medicare and the Federal Employee Health Benefits Program.

This study examines the following: The type of services covered; whether prior authorization is required to receive such services; reimbursement limits for services covered; and, fourthly, whether services are covered on both an inpatient and outpatient basis.

Mr. SKELTON. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, we see nothing wrong with the gentleman's amendment. As far as we are concerned, we accept it.

Mr. STEARNS. Reclaiming my time, Mr. Chairman, I thank the gentleman. I will just finish my presentation for the good of the House, and I thank the chairman for his kind acceptance.

The Secretary shall submit a report on the findings of the study conducted to the House and Senate Committees on Armed Services no later than March 31, 2001. So, Mr. Chairman, I offer this amendment because it has been brought to my attention that acceptance of TRICARE patients presents a variety of problems, business concerns, to rehab providers. Because of these concerns, rehab practices are reluctant to accept TRICARE patients, and that is wrong.

For example, most patients with a diagnosis of a stroke, for example, require two and sometimes three rehab disciplines, depending upon the severity of the stroke. Therefore, the stroke patient may require physical and occupational therapy and possibly speech therapy, if the speech centers of the brain are involved. The concern here is that only the physical therapy services are covered as reimbursable service without prior written authorization, while speech therapy services require prior written authorization.

Confusing? That is what this study will determine, the proper way to go.

Occupational therapy would not be covered, as it can only be covered in an institutional facility. In most cases this creates a significant inconvenience for patients who now must receive their physical and speech therapy in one facility and have to travel to a separate institutional facility for occupational therapy services.

Another good example, Mr. Chairman, concerns patients who are referred with a diagnosis of, let us say, a head trauma or upper extremity trauma. They would have similar rehab needs as stroke patients and, most likely, experience similar inconveniences.

Providers are also concerned about the potential for interpretation of fraud by utilizing a physical therapy assistant in the treatment of TRICARE patients. That should not occur. In hospitals, skilled nursing facilities, and outpatient rehab facilities it is common for the therapy staff to be comprised of physical therapists and physical therapy assistants. When the rehab staffing is compromised due to sickness, educational leave, vacation, et cetera, the rehab provider is limited to the staff who can treat TRICARE patients. These TRICARE patient appointments may need be canceled and the therapy interrupted due to the compromised staffing pattern.

This situation does not occur in treating traditional Medicare patients. Neither does it occur with Federal Employee Health Benefits. The requirement for utilizing only registered physical therapists serves to create a more expensive model in which to deliver rehab services.

In Florida, for example, physical therapy assistants, by their practice, can perform all of the therapy services rendered by a registered physical therapist, with the exception of performing a patient evaluation, changing a patient's plan of care or treatment, or discharging a patient. The risks associated with a TRICARE patient accidentally being treated by a physical therapy assistant presents a significant concern to all these rehab providers.

So, Mr. Chairman, I think this study will try to determine how these problems can be resolved. My district has many active duty and retired military and their dependents who rely on this program for their health care. By having DOD conduct such a study, we would be provided with the necessary information to make a fair assessment about coverage of the rehab therapies by TRICARE. I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. Does any Member claim time in opposition to the amendment?

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 503, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

AMENDMENTS EN BLOC, AS MODIFIED, OFFERED BY MR. SPENCE

Mr. SPENCE. Mr. Chairman, pursuant to section 3 of House Resolution 503, I offer en bloc amendments consisting of the following amendments, printed in House Report 106–621: Amendment No. 5, as modified; amendments 6, 7, 8 and 9; amendment No. 11,

as modified; amendments 12, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, and 35.

The CHAIRMAN pro tempore. The Clerk will designate the amendments en bloc and report the modifications.

The Clerk designated the amendments en bloc and proceeding to report the modifications.

AMENDMENT NO. 5 AS MODIFIED

OFFERED BY MR. HUNTER OF CALIFORNIA

The amendment as modified is as follows:

At the end of subtitle C of title I (page 27, after line 24), insert the following new section:

SEC. 125. ECONOMIC ANALYSIS OF CERTAIN SHIPBUILDING PROGRAMS.

(a) ECONOMIC ANALYSIS.—The Secretary of Defense, in consultation with the Secretary of the Navy, shall conduct an economic analysis on the potential benefits and costs associated with full funding, and with alternative funding mechanisms, for the procurement of large aviation-capable naval vessels beginning in fiscal year 2002.

(b) COVERED VESSEL CLASSES.—For purposes of this section, the term ''large aviation-capable naval vessel'' means the following classes of vessel:

(1) The CVN(X) class aircraft carrier.

(2) The LHD and LHA replacement class amphibious assault ships.

(c) REPORT.—The Secretary shall submit to the congressional defense committees a report detailing the results of the economic analysis under subsection (a). The report shall be submitted concurrently with the submission of the President's Budget for fiscal year 2002, but in no event later than February 5, 2001. The report shall include the following:

(1) A detailed description of the funding mechanisms considered.

(2) The potential savings or costs associated with each such funding mechanism.

(3) The year-to-year effect of each such funding mechanism on production stability of other shipbuilding programs funded within the Shipbuilding and Conversion, Navy, account, given the current acquisition plan of the Navy for the large aviation-capable ships and other shipbuilding programs through fiscal year 2010.

(4) A description and discussion of any statutory or regulatory restrictions that would preclude the use of any of the funding mechanisms considered.

AMENDMENT NO. 6

OFFERED BY MR. UNDERWOOD OF GUAM

Page 40, line 14, strike ''50 States'' and insert ''United States''.

Page 41, after line 15, insert the following:

(c) DEFINITION.—For purposes of this section, the term ''United States'', when used in a geographic sense, means the 50 States, the District of Columbia, and any Commonwealth, territory, or possession of the United States.

AMENDMENT NO. 7

OFFERED BY MR. HANSEN OF UTAH

Page 51, line 13, strike the period at the end and insert the following: ''for such special use airspace and the use of such special use airspace established in such environmental impact statements.''.

Page 51, lines 14 and 15, strike ''OF NETWORK'' and insert ''FOR LOW-LEVEL FLIGHT TRAINING''.

AMENDMENT NO. 8

OFFERED BY MR. MCKEON OF CALIFORNIA

At the end of subtitle B of title III (page 53, after line 12), insert the following new section:

SEC. ___. FINDINGS AND SENSE OF CONGRESS REGARDING ENVIRONMENTAL RESTORATION OF FORMER DEFENSE MANUFACTURING SITE, SANTA CLARITA, CALIFORNIA.

(a) FINDINGS.—The Congress finds the following:

(1) A former private sector munitions plant may have demonstratively impacted the environment of a 1,000-acre site in Santa Clarita, California.

(2) Munitions and rocket propellant manufactured at this site for over 60 years may have contributed to various contaminants including, but not limited to, perchlorates and various volatile organic compounds.

(3) The munitions plant used materials and production methods in support of purchase orders from the Department of Defense to meet the national security interests of the United States at the time.

(4) The Santa Clarita site serves a unique role in the future of the community and is the cornerstone to many public benefits, including reduction in transportation congestion, access to much-needed schools, future local government centers, assurance of quality drinking water, more than 400 acres of public space, and affordable housing.

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

(1) every effort should be made to apply all known public and private sector innovative technologies to restore the Santa Clarita site to productive use; and

(2) the experience gained from this site by the private and public sector partnerships has the potential to pay dividends many times over.

AMENDMENT NO. 9

OFFERED BY MRS. FOWLER OF FLORIDA

Page 80, line 14, insert ''only'' after ''may be delegated''.

Page 81, line 15, insert before the period the following: ''or to an official in the Office of the Secretary of Defense senior to that Deputy Under Secretary''.

AMENDMENT NO. 11, AS MODIFIED

OFFERED BY MR. BUYER OF INDIANA

The amendment as modified is as follows:

Page 83, line 23, strike ''350,526'' and insert ''350,706''.

Page 85, line 11, strike ''22,974'' and insert ''23,154''.

Page 86, line 2, strike ''23,129'' and insert ''23,392''.

At the end of subtitle D of title I (page 30, after line 2), insert the following new section:

SEC. 132. KC–135E REENGINING KITS.

Of the amount provided in section 103(1) for procurement of aircraft for the Air Force, the amount of $52,000,000 provided for two reengining kits for KC–135E modifications shall be available for the Air Force Reserve Command.

AMENDMENT NO. 12

OFFERED BY MR. CAMP OF MICHIGAN

At the end of subtitle D of title VI (page 199, after line 10), insert the following new section:

SEC. 643. EFFECTIVE DATE OF DISABILITY RETIREMENT FOR MEMBERS DYING IN CIVILIAN MEDICAL FACILITIES.

(a) IN GENERAL.—(1) Chapter 61 of title 10, United States Code, is amended by inserting after section 1219 the following new section:

''§ 1220. Members dying in civilian medical facilities: authority for determination of later time of death to allow disability retirement

''(a) AUTHORITY FOR LATER TIME-OF-DEATH DETERMINATION TO ALLOW DISABILITY RETIREMENT.—In the case of a member of the armed forces who dies in a civilian medical facility in a State, the Secretary concerned may, solely for the purpose of allowing retirement of the member under section 1201 or 1204 of this title and subject to subsection (b), specify a date and time of death of the member later than the date and time of death determined by the attending physician in that civilian medical facility.

''(b) LIMITATIONS.—A date and time of death may be determined by the Secretary concerned under subsection (a) only if that date and time—

''(1) are consistent with the date and time of death that reasonably could have been determined by an attending physician in a military medical facility if the member had died in a military medical facility in the same State as the civilian medical facility; and

''(2) are not more than 48 hours later than the date and time of death determined by the attending physician in the civilian medical facility.

''(c) STATE DEFINED.—In this section, the term 'State' includes the District of Columbia and any Commonwealth or possession of the United States.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1219 the following new item:

''1220. Members dying in civilian medical facilities: authority for determination of later time of death to allow disability retirement.''.

(b) EFFECTIVE DATE.—(1) Section 1220 of title 10, United States Code, as added by subsection (a), shall apply with respect to any member of the Armed Forces dying in a civilian medical facility on or after January 1, 1998.

(2) In the case of any such member dying on or after such date and before the date of the enactment of this Act, any specification by the Secretary concerned under such section with respect to the date and time of death of such member shall be made not later than 180 days after the date of the enactment of this Act.

AMENDMENT NO. 14

OFFERED BY MR. STENHOLM OF TEXAS

At the end of title VII (page 247, after line 9), insert the following new section:

SEC. 7___. IMPROVEMENT OF ACCESS TO HEALTH CARE UNDER THE TRICARE PROGRAM.

(a) WAIVER OF NONAVAILABILITY STATEMENT OR PREAUTHORIZATION.—In the case of a covered beneficiary under chapter 55 of title 10, United States Code, who is enrolled in TRICARE Standard, the Secretary of Defense may not require with regard to authorized health care services (other than mental health services) under any new contract for the provision of health care services under such chapter that the beneficiary—

(1) obtain a nonavailability statement or preauthorization from a military medical treatment facility in order to receive the services from a civilian provider; or

(2) obtain a nonavailability statement for care in specialized treatment facilities outside the 200-mile radius of a military medical treatment facility.

(b) NOTICE.—The Secretary may require that the covered beneficiary inform the primary care manager of the beneficiary of any health care received from a civilian provider or in a specialized treatment facility.

(c) EXCEPTIONS.—Subsection (a) shall not apply if—

(1) the Secretary demonstrates significant cost avoidance for specific procedures at the affected military medical treatment facilities;

(2) the Secretary determines that a specific procedure must be maintained at the affected military medical treatment facility to

ensure the proficiency levels of the practitioners at the facility; or

(3) the lack of nonavailability statement data would significantly interfere with TRICARE contract administration.

(d) EFFECTIVE DATE—This section shall take effect on October 1, 2001.

AMENDMENT NO. 15

OFFERED BY MS. VELAZQUEZ OF NEW YORK

At the end of title VIII (page 263, after line 2), insert the following new section:

SEC. 8___. REQUIREMENT TO CONDUCT STUDY ON CONTRACT BUNDLING.

(a) IN GENERAL.—The Secretary of Defense shall conduct a comprehensive study on the practice known as ''contract bundling'' by the Department of Defense, and the effects of such practice on small business concerns, economically and socially disadvantaged small business concerns, and small business concerns owned and controlled by women (as such terms are used in the Small Business Act (15 U.S.C. 632 et seq.)).

(b) DEADLINE.—The Secretary shall submit the results of the study to the Committees on Armed Services and Small Business of the Senate and the House of Representatives before submission of the budget request of the Department of Defense for fiscal year 2002.

(c) DATABASE.—For purposes of conducting the study required by this section, the Secretary shall develop, in consultation with the General Accounting Office, and maintain a database on all contracts of the Department of Defense (excluding contracts for the procurement of weapons systems) for which requirements have been bundled.

AMENDMENT NO. 16

OFFERED BY MR. TRAFICANT OF OHIO

At the end of title VIII (page 263, after line 2), insert the following new section:

SEC. 8___. COMPLIANCE WITH BUY AMERICAN ACT.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds authorized by this Act may be expended by an entity of the Department of Defense unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a et seq.).

(b) SENSE OF CONGRESS REGARDING PURCHASE OF AMERICAN–MADE EQUIPMENT AND PRODUCTS.—It is the sense of Congress that any entity of the Department of Defense, in expending funds authorized by this Act for the purchase of equipment or products, should purchase only American-made equipment and products.

(c) DEBARMENT OF PERSONS CONVICTED OF FRAUDULENT USE OF ''MADE IN AMERICA'' LABELS.—If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription, or another inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

AMENDMENT NO. 17

OFFERED BY MR. BEREUTER OF NEBRASKA

Page 292, line 5, strike the closing quotation marks and second period.

Page 292, after line 5, insert the following:

''(f) PROVISIONS RELATING SPECIFICALLY TO ASIA-PACIFIC CENTER.—The Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign nations if the Secretary determines that attendance by such personnel without reimbursement is in the national security interest of the United States. Costs for which reimbursement is waived pursuant to this subsection shall be paid from appropriations available for the Asia-Pacific Center.''.

AMENDMENT NO. 18

OFFERED BY MR. COBURN OF OKLAHOMA

At the end of subtitle A of title X (page 302, after line 11), insert the following new section:

SEC. 10___. REQUIREMENT FOR PLAN TO ENSURE COMPLIANCE WITH FINANCIAL MANAGEMENT REQUIREMENTS.

(a) IN GENERAL.—(1) The Secretary of Defense shall develop a comprehensive plan to ensure compliance by the Department of Defense, not later than October l, 2001, with all statutory and regulatory financial management requirements applicable to the Department. In developing such plan, the Secretary shall give the same priority to achieving compliance with statutory and regulatory financial management requirements as the priority given to ensuring that the computer systems of the Department would be fully functional in the year 2000.

(2) Not later than January 1, 2001, the Secretary shall submit the plan required by this subsection to the Committees on Armed Services, the Committees on the Budget, and the Committees on Appropriations of the Senate and the House of Representatives, and the Comptroller General.

(b) COMPTROLLER GENERAL REPORT.—Not later than March 1, 2001, the Comptroller General shall submit to the Committees on Armed Services and the Committees on the Budget of the Senate and the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives, a report on the adequacy of the plan developed under subsection (a).

AMENDMENT NO. 19

OFFERED BY MR. GILCHREST OF MARYLAND

At the end of title X (page 324, after line 11), insert the following new section:

SEC. 1038. ADDITIONAL WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.

During fiscal year 2001, the Secretary of Defense may establish up to five additional teams designated as Weapons of Mass Destruction Civil Support Teams (for a total of 32 such teams), to the extent that sources of funding for such additional teams are identified.

AMENDMENT TO NO. 21

OFFERED BY MR. WELDON OF FLORIDA

At the end of title X (page 324, after line 11), insert the following new section:

SEC. ___. COMMISSION ON THE FUTURE OF THE UNITED STATES AEROSPACE INDUSTRY.

(a) ESTABLISHMENT.—Not later than March 1, 2001, the President shall establish a commission to be known as the ''Commission on the Future of the United States Aerospace Industry'' (in this section referred to as the ''Commission'').

(b) DUTIES.—The Commission shall have the following duties:

(1) To study the issues relevant to the future of the United States aerospace industry with respect to the economic and national security of the United States.

(2) To assess the future importance of the United States aerospace industry to the economic and national security of the United States.

(3) To evaluate the effect on the United States aerospace industry of the laws, regulations, policies, and procedures of the Federal Government with respect to—

(A) the budget;

(B) research and development;

(C) acquisition, including financing and payment of contracts;

(D) operation and maintenance;

(E) international trade and export of technology;

(F) taxation; and

(G) science and engineering education.

(4) To study in particular detail the adequacy of projected budgets of Federal agencies for—

(A) aerospace research and development and procurement;

(B) maintaining the national space launch infrastructure; and

(C) supporting aerospace science and engineering efforts at institutions of higher education.

(5) To consider and recommend feasible actions by the Federal Government to support the ability of the United States aerospace industry to remain robust into the future.

(c) COMPOSITION.—(1) The Commission shall be composed of not less than 10 and not more than 17 members appointed by the President.

(2) Each member shall be an individual with extensive experience and a national reputation with respect to one or more of the following:

(A) Aerospace manufacturing.

(B) Labor organizations associated with aerospace manufacturing.

(C) Economics or finance.

(D) National security.

(E) International trade or foreign policy.

(3) Members shall serve without pay by reason of their work on the Commission.

(4) Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(5) The Chairperson of the Commission shall be designated by the President at the time of the appointment.

(d) POWERS.—(1) A number not less than 50 percent of the total number of members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(2) The Commission shall meet at the call of the Chairperson.

(3) The Commission may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(4) Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(5) The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this section. Upon request of the Chairperson of the Commission, the head of that department or agency shall furnish that information to the Commission.

(6) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(7) Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this section.

(e) DIRECTOR AND STAFF.—(1) The Chairperson shall appoint and fix the pay of a Director.

(2) The Chairperson may appoint and fix the pay of additional personnel as the Chairperson considers appropriate.

(3) The Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter

III of chapter 53 of that title relating to classification and General Schedule pay rates.

(4) With the approval of the Commission, the Chairperson may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(5) Upon request of the Chairperson, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this section.

(f) REPORT.—Not later than March 1, 2002, the Commission shall transmit a report to the Congress. The report shall contain a detailed statement of the findings and conclusions of the Commission, the recommendations of the Commission for legislation or administrative action, and such other information as the Commission considers appropriate.

(g) TERMINATION.—The Commission shall terminate 30 days after submitting its report pursuant to subsection (f).

(h) FUNDING.—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. Upon receipt of a written certification from the Chairperson 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.

AMENDMENT NO. 22

OFFERED BY MR. GARY MILLER OF CALIFORNIA

At the end of title X (page 324, after line 11), insert the following new section:

SEC. ___. SENSE OF CONGRESS REGARDING INFORMATION TECHNOLOGY SYSTEMS.

It is the sense of Congress that—

(1) the Department of Defense must focus on upgrading information technology systems to allow seamless and interoperable communications; and

(2) each Secretary of a military department must demonstrate an unwavering commitment to achieving this goal and must ensure that communications systems within the active, reserve, and National Guard component of that military department receive equal attention and funding for information technology.

AMENDMENT NO. 23

OFFERED BY MR. HALL OF OHIO

At the end of title XI (page 334, after line 17), insert the following new section:

SEC. 11___. TEMPORARY AUTHORITY REGARDING VOLUNTARY SEPARATION INCENTIVES AND EARLY RETIREMENT FOR EMPLOYEES OF THE DEPARTMENT OF THE AIR FORCE.

(a) SEPARATION PAY.—Section 5597 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(i)(1) In this subsection:

''(A) the term 'agency' means the Department of the Air Force;

''(B) the term 'employee' means an employee (as defined by section 2105) who is employed by the agency, is serving under an appointment without time limitation, and has been currently employed for a continuous period of at least 3 years, but does not include—

''(i) a reemployed annuitant under subchapter III of chapter 83 or chapter 84, or another retirement system for employees of the agency;

''(ii) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under subchapter III of chapter 83 or chapter 84, or another retirement system for employees of the agency;

''(iii) an employee who is in receipt of a specific notice of involuntary separation for misconduct or unacceptable performance;

''(iv) an employee who has previously received any voluntary separation incentive payment by the Federal Government under this section or any other authority and has not repaid such payment;

''(v) an employee covered by statutory reemployment rights who is on transfer to another organization; or

''(vi) any employee who, during the 24-month period preceding the date of separation, has received a recruitment or relocation bonus under section 5753 or who, within the 12-month period preceding the date of separation, received a retention allowance under section 5754.

''(2)(A) A voluntary separation incentive payment may be paid under this section by the agency to any employee to maintain continuity of skills among the agency's employees or to adapt the skills of the agency's workforce to the emerging technologies critical to the agency's needs and goals.

''(B) A voluntary separation incentive payment under this subsection—

''(i) shall be paid in a lump sum after the employee's separation;

''(ii) shall be paid from appropriations or funds available for the payment of the basic pay of the employees;

''(iii) shall be equal to the lesser of—

''(I) an amount equal to the amount the employee would be entitled to receive under section 5595(c); or

''(II) an amount determined by the agency head not to exceed $25,000;

''(iv) may not be made except in the case of any qualifying employee who voluntarily separates (whether by retirement or resignation) before December 31, 2003;

''(v) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit; and

''(vi) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 based on any other separation.

''(3)(A) The head of the agency, prior to obligating any resources for voluntary separation incentive payments under this subsection, shall submit to the House and Senate Committees on Armed Services and the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives a strategic plan outlining the intended use of such incentive payments and a proposed organizational chart for the agency once such incentive payments have been completed.

''(B) The agency's plan shall include—

''(i) any positions and functions to be reduced or eliminated, identified by organizational unit, geographic location, occupational category and grade level;

''(ii) the number and amounts of voluntary separation incentive payments to be offered;

''(iii) the steps to be taken to maintain continuity of skills among the agency's employees or to adapt the skills of the agency's workforce to the emerging technologies critical to the agency's needs and goals; and

''(iv) a description of how the agency will operate without the eliminated positions and functions.

''(4) In addition to any other payments which it is required to make under subchapter III of chapter 83 the agency shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to be determined in accordance with paragraph (5).

''(5)(A) The amount remitted to the Treasury shall be the sum determined as follows. First, apply the following percentages to the final basic pay of each employee who is covered under subchapter III of chapter 83 or chapter 84 to whom a voluntary separation incentive has been paid under this section and who retires on an early retirement or an immediate annuity:

''(i) 19 percent in the case of an employee covered under subchapter III of chapter 83 who takes an early retirement; or

''(ii) 58 percent in the case of an employee covered under subchapter III of chapter 83 who takes an immediate annuity.

''(B) Second, the sum of the amounts determined under clauses (i) and (ii) of subparagraph (A) shall be reduced, but not below zero, by the sum determined by applying the following percentages to the final basic pay of each employee who is covered under chapter 84 to whom a voluntary separation incentive has been paid under this section and who resigns or retires on an early retirement or immediate annuity, or an employee covered under subchapter III of chapter 83 to whom a voluntary separation incentive has been paid under this section and who resigns:

''(i) 419 percent in the case of an employee covered under subchapter III of chapter 83 who resigns;

''(ii) 17 percent in the case of an employee covered under chapter 84 who takes an early retirement;

''(iii) 8 percent in the case of an employee covered under chapter 84 who retires on an immediate annuity; and

''(iv) 211 percent in the case of an employee covered under chapter 84 who resigns.

''(6) Under regulations prescribed by the Office of Personnel Management, the agency may elect to make the remittances required under paragraph (4) in installments over a period not to exceed 3 years. In such case, the percentages to be applied under paragraph (5) shall be those determined by the Office as are necessary to equalize the net present value of retirement benefits payable to employees who retire or resign with a separation incentive under this subsection and the net present value of retirement benefits those employees would have received if they had continued to work and then retired or resigned at the standard rates observed for the workforce.''.

(b) RETIREMENT UNDER CIVIL SERVICE RETIREMENT SYSTEM.—Section 8336 of such title is amended by adding at the end the following new subsection:

''(o)(1) An employee of the Department of the Air Force who is separated from the service voluntarily as a result of a determination described in paragraph (2) after completing 25 years of service or after becoming 50 years of age and completing 20 years of service is entitled to an annuity.

''(2) A determination under this paragraph is a determination by the Secretary of the Air Force that the separation described in paragraph (1) is necessary for the purpose of maintaining continuity of skills among employees of the Department of the Air Force and adapting the skills of the workforce of the Department to emerging technologies critical to the needs and goals of the Department.''.

(c) RETIREMENT UNDER FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8414 of such title is amended by adding at the end the following new subsection:

''(d)(1) An employee of the Department of the Air Force who is separated from the service voluntarily as a result of a determination described in paragraph (2) after completing 25 years of service or after becoming 50 years of age and completing 20 years of service is entitled to an annuity.

''(2) A determination under this paragraph is a determination by the Secretary of the Air Force that the separation described in paragraph (1) is necessary for the purpose of

maintaining continuity of skills among employees of the Department of the Air Force and adapting the skills of the workforce of the Department to emerging technologies critical to the needs and goals of the Department.''.

(d) REPORTS.—The Secretary of the Air Force shall submit annual reports to the House and Senate Committees on Armed Services and the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives describing the use of the authority provided in the amendments made by this section and the bases for using such authority with respect to the employees chosen.

(e) LIMITATION OF APPLICABILITY.—The authority to provide separation pay and retirement benefits under the amendments made by this section—

(1) may be exercised with respect to not more than 1000 civilian employees of the Department of the Air Force during each calendar year; and

(2) shall expire on December 31, 2003.

AMENDMENT NO. 24

OFFERED BY MR. HUNTER OF CALIFORNIA

At the end of the title XII (page 338, after line 13), insert the following new section:

SEC. 1205. NATO FAIR BURDENSHARING.

(a) REPORT ON COSTS OF OPERATION ALLIED FORCE.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the costs to the United States of the 78-day air campaign known as Operation Allied Force conducted against the Federal Republic of Yugoslavia during the period from March 24 through June 9, 1999. The report shall include the following:

(1) The costs of ordnance expended, fuel consumed, and personnel.

(2) The estimated cost of the reduced service life of United States aircraft and other systems participating in the operation.

(3) Whether and how the United States is being compensated by other North Atlantic Treaty Organization member nations for the costs of Operation Allied Force, including a detailed accounting of the estimated monetary value of peacekeeping and reconstruction activities undertaken by those member nations to partially or wholly compensate the United States for the costs of such operation.

(b) REPORT ON COST SHARING OF FUTURE NATO OPERATIONS.—Whenever the North Atlantic Treaty Organization undertakes a military operation with the participation of the United States, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report describing—

(1) how the costs of that operation are to be equitably distributed among the North Atlantic Treaty Organization member nations; or

(2) if the costs of the operation are not equitably distributed, but are to be borne disproportionately by the United States, how the United States is to be compensated by other North Atlantic Treaty Organization member nations.

(c) TIME FOR SUBMISSION OF REPORT.—A report under subsection (b) shall be submitted not later than 30 days after the beginning of the military operation, except that the Secretary of Defense may submit the report at a later time if the Secretary determines that such a delay is necessary to avoid an undue burden to ongoing operations.

(d) APPLICABILITY.—Subsection (b) shall apply only with respect to military operations begun after the date of the enactment of this Act.

AMENDMENT NO. 25

OFFERED BY MR. SKELTON OF MISSOURI

At the end of title XII (page 338, after line 13), insert the following new section:

SEC. 1205. GAO STUDY ON VALUE OF UNITED STATES MILITARY ENGAGEMENT IN EUROPE.

(a) COMPTROLLER GENERAL STUDY.—The Comptroller General shall conduct a study assessing the value to the United States and its national security interests gained from the engagement of United States forces in Europe and from military strategies used to shape the international security environment in Europe.

(b) MATTERS TO BE INCLUDED.—The study shall include an assessment of the following matters:

(1) The value to United States security interests from having forces stationed in Europe and assigned to areas of regional conflict such as Bosnia and Kosovo.

(2) The value in sharing the risks, responsibilities, and costs of deploying United States forces with the forces of European allies.

(3) The costs associated with stationing United States forces in Europe and with assigning them to areas of regional conflict.

(4) The value of the following kinds of contributions made by European allies:

(A) Financial contributions.

(B) Contributions of military personnel and units.

(C) Contributions of nonmilitary personnel, such as medical personnel, police officers, judicial officers, and other civic officials.

(D) Contributions in kind that may be used for infrastructure building or activities that contribute to regional stability, whether in lieu of or in addition to military-related contributions.

(5) The value of a forward United States military presence in compensating for existing shortfalls of air and sea lift capability in the event of further regional conflict in Europe or the Middle East.

(6) The value of humanitarian and reconstruction assistance provided by European countries and by the United States in maintaining or improving regional stability.

(c) REPORT.—The Comptroller General shall submit a report on the results of the study to the Committees on Armed Services of the Senate and House of Representatives not later than March 1, 2001.

AMENDMENT NO. 26

OFFERED BY MRS. FOWLER OF FLORIDA

At the end of title XII (page 338, after line 13), insert the following new section:

SEC. 1205. SENSE OF CONGRESS REGARDING NONCOMPLIANCE WITH LAW REGARDING OVERSIGHT OF COMMUNIST CHINESE MILITARY COMPANIES OPERATING IN THE UNITED STATES.

It is the sense of Congress that the Secretary of Defense has not complied with the requirements of section 1237(b) of the Strom Thurmond National Defense Authorization for Fiscal Year 1999 (50 U.S.C. 1701 note) to publish and update a list of Communist Chinese military companies operating in the United States. Congress expects that the Secretary, working with such other executive branch officials as necessary to comply fully with such section, will immediately comply with the provisions of that section. Furthermore, Congress notes that any requirement to assess information within the purview of other Federal departments and agencies in order to comply with that section was expressly anticipated by the requirement for interagency consultation provided in paragraph (3) of that section and that such consultation process ought to have been completed well before the mid-January 1999 deadline specified for the initial publication under that section.

AMENDMENT NO. 28

OFFERED BY MR. RYUN OF KANSAS

At the end of part I of subtitle C of title XXVIII (page 412, after line 24), insert the following new section:

SEC. ___. LAND CONVEYANCE, FORT RILEY MILITARY RESERVATION, KANSAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the State of Kansas, all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 70 acres at Fort Riley Military Reservation, Fort Riley, Kansas. The preferred site is adjacent to the Fort Riley Military Reservation boundary, along the north side of Huebner Road across from the First Territorial Capitol of Kansas Historical Site Museum.

(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 of the Army and the Director of the Kansas Commission on Veterans Affairs.

(c) EXCEPTION FROM SCREENING REQUIREMENT.—The Secretary may make the conveyance required by subsection (a) without regard to the requirement under section 2696 of title 10, United States Code, that the property be screened for further Federal use in accordance with the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(d) CONDITIONS OF CONVEYANCE.—The conveyance required by subsection (a) shall be subject to the conditions that—

(1) the State of Kansas use the property conveyed solely for purposes of establishing and maintaining a State-operated veterans cemetery; and

(2) all costs associated with the conveyance, including the cost of relocating water and electric utilities should such relocation be determined necessary based on the survey described in subsection (b), shall be borne by the State of Kansas.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance required by subsection (a) as the Secretary of the Army determines appropriate to protect the interests of the United States.

AMENDMENT NO. 29

OFFERED BY MR. BAIRD OF WASHINGTON

At the end of subtitle A of title XXVIII (page 412, after line 24), insert the following new section:

SEC. 2840. LAND CONVEYANCES, FORT VANCOUVER BARRACKS, VANCOUVER, WASHINGTON.

(a) CONVEYANCE OF WEST BARRACKS.—The Secretary of the Army may convey, without consideration, to the City of Vancouver, Washington (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 encompassing 19 structures at Vancouver Barracks, Washington, which are identified by the Army using numbers between 602 and 676 and are known as the west barracks.

(b) CONVEYANCE OF EAST BARRACKS.—Upon vacation, or agreement to vacate, by the Army Reserve and the Army National Guard of the parcel of real property at Vancouver Barracks encompassing 10 structures, which are identified by the Army using numbers between 704 and 786 and the numbers 987, 989, 991, and 993, and are known as the east barracks, the Secretary may convey, without

(2) The Secretary may convey, without consideration, to the City the reversionary interest referred to in paragraph (1), modified as provided by such paragraph. Upon conveyance, the Secretary shall execute and file in the appropriate office an amended deed or other appropriate instrument effectuating the modification and conveyance of the reversionary interest.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property authorized to be conveyed under subsections (a) and (b) shall be determined by surveys satisfactory to the Secretary of the Army. The cost of any such survey shall be borne by the City.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 30

OFFERED BY MR. HEFLEY OF COLORADO

At the end of part III of subtitle C of title XXVIII (page 430, after line 15), insert the following new section:

SEC. ___. LAND CONVEYANCE, LOWRY AIR FORCE BASE, COLORADO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, or lease upon such terms as the Secretary considers appropriate, to the Lowry Redevelopment Authority (in this section referred to as the ''Authority'') all right, title, and interest of the United States in and to seven parcels of real property, including improvements thereon, consisting of approximately 23 acres at the former Lowry Air Force Base, Colorado, for the purpose of permitting the Authority to use the property in furtherance of economic development and other public purposes.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of real property to be conveyed or leased under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Authority.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance or lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 31

OFFERED BY MR. HASTINGS OF WASHINGTON

In section 3131 of the bill (page 462, lines 4 through 6), amend the heading of such section to read as follows:

SEC. 3131. FUNDING FOR TERMINATION COSTS FOR RIVER PROTECTION PROJECT, RICHLAND, WASHINGTON.

In section 3131 of the bill (page 462, lines 9 through 11), strike ''relating to'' and all that follows through ''Richland, Washington'' and insert the following: ''relating to the River Protection Project, Richland, Washington (as designated by section 3135)''.

At the end of title XXXI (page 467, after line 11), insert the following new section:

SEC. 3135. DESIGNATION OF RIVER PROTECTION PROJECT, RICHLAND, WASHINGTON.

The tank waste remediation system environmental project, Richland, Washington, shall be known and designated as the ''River Protection Project''. Any reference to that project in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the River Protection Project.

AMENDMENT NO. 32

OFFERED BY MR. HAYES OF NORTH CAROLINA

At the end of title XXXI (page 467, after line 12), insert the following new section:

SEC. 3135. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS FOR POST-SHIPMENT VERIFICATION REPORTS ON ADVANCED SUPERCOMPUTERS SALES TO CERTAIN FOREIGN NATIONS.

Section 3157 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended by adding at the end the following new subsection:

''(e) ADJUSTMENT OF PERFORMANCE LEVELS.—Whenever a new composite theoretical performance level is established under section 1211(d), that level shall apply for the purposes of subsection (a) of this section in lieu of the level set forth in subsection (a).''.

AMENDMENT NO. 33

OFFERED BY MR. UDALL OF COLORADO

At the end of title XXXI (page 467, after line 11), insert the following new section:

SEC. ___. EMPLOYEE INCENTIVES FOR EMPLOYEES AT CLOSURE PROJECT FACILITIES.

(a) AUTHORITY TO PROVIDE INCENTIVES.—Notwithstanding any other provision of law, the Secretary of Energy may provide to any eligible employee of the Department of Energy one or more of the incentives described in subsection (d).

(b) ELIGIBLE EMPLOYEES.—An individual is an eligible employee of the Department of Energy for purposes of this section if the individual—

(1) has worked continuously at a closure facility for at least two years;

(2) is an employee (as that term is defined in section 2105(a) of title 5, United States Code);

(3) has a fully satisfactory or equivalent performance rating during the most recent performance period and is not subject to an adverse notice regarding conduct; and

(4) meets any other requirement or condition under subsection (d) for the incentive which is provided the employee under this section.

(c) CLOSURE FACILITY DEFINED.—For purposes of this section, the term ''closure facility'' means a Department of Energy facility at which the Secretary is carrying out a closure project selected under section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (42 U.S.C. 7274n).

(d) INCENTIVES.—The incentives that the Secretary may provide under this section are the following:

(1) The right to accumulate annual leave provided by section 6303 of title 5, United States Code, for use in succeeding years until it totals not more than 90 days, or not more than 720 hours based on a standard work week, at the beginning of the first full biweekly pay period, or corresponding period for an employee who is not paid on the basis of biweekly pay periods, occurring in a year, except that—

(A) any annual leave that remains unused when an employee transfers to a position in a department or agency of the Federal Government shall be liquidated upon the transfer by payment to the employee of a lump sum for leave in excess of 30 days, or in excess of 240 hours based on a standard work week; and

(B) upon separation from service, annual leave accumulated under this paragraph shall be treated as any other accumulated annual leave is treated.

(2) The right to be paid a retention allowance in a lump sum in compliance with paragraphs (1) and (2) of section 5754(b) of title 5, United States Code, if the employee meets the requirements of section 5754(a) of that title, except that the retention allowance may exceed 25 percent, but may not be more than 30 percent, of the employee's rate of basic pay.

(e) AGREEMENT.—An eligible employee of the Department of Energy provided an incentive under this section shall enter into an agreement with the Secretary to remain employed at the closure facility at which the employee is employed as of the date of the agreement until a specific date or for a specific period of time.

(f) VIOLATION OF AGREEMENT.—(1) Except as provided under paragraph (3), an eligible employee of the Department of Energy who violates an agreement under subsection (e), or is dismissed for cause, shall forfeit eligibility for any incentives under this section as of the date of the violation or dismissal, as the case may be.

(2) Except as provided under paragraph (3), an eligible employee of the Department of Energy who is paid a retention allowance under subsection (d)(2) and who violates an agreement under subsection (e), or is dismissed for cause, before the end of the period or date of employment agreed upon under such agreement shall refund to the United States an amount that bears the same ratio to the aggregate amount so paid to or received by the employee as the unserved part of such employment bears to the total period of employment agreed upon under such agreement.

(3) The Secretary may waive the applicability of paragraph (1) or (2) to an employee otherwise covered by such paragraph if the Secretary determines that there is good and sufficient reason for the waiver.

(g) REPORT.—The Secretary shall include in each report on a closure project under section 3143(h) of the National Defense Authorization Act for Fiscal Year 1997 a report on the incentives, if any, provided under this section with respect to the project for the period covered by such report.

(h) AUTHORITY WITH RESPECT TO HEALTH COVERAGE.—Section 8905a(d)(5)(A) of title 5, United States Code (as added by section 1106 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 113 Stat. 1598)), is amended by inserting after ''readjustment'' the following: '', or a voluntary or involuntary separation from a Department of Energy position at a Department of Energy facility at which the Secretary is carrying out a closure project selected under section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (42 U.S.C. 7274n)''.

(i) AUTHORITY WITH RESPECT TO VOLUNTARY SEPARATIONS.—(1) The Secretary of Energy may—

(A) separate from service any employee at a Department of Energy facility at which the Secretary is carrying out a closure project selected under section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (42 U.S.C. 7274n) who volunteers to be separated under this subparagraph even though the employee is not otherwise subject to separation due to a reduction in force; and

(B) for each employee voluntarily separated under subparagraph (A), retain an employee in a similar position who would otherwise be separated due to a reduction in force.

(2) The separation of an employee under paragraph (1)(A) shall be treated as an involuntary separation due to a reduction in force.

(3) An employee with critical knowledge and skills (as defined by the Secretary) may

not participate in a voluntary separation under paragraph (1)(A) if the Secretary determines that such participation would impair the performance of the mission of the Department of Energy.

AMENDMENT NO. 34

OFFERED BY MR. LAMPSON OF TEXAS

At the end of title XXXIV (page 474, after line 8), add the following new section:

SEC. 3404. AUTHORITY TO CONVEY OFFSHORE DRILL RIG OCEAN STAR.

(a) AUTHORITY TO CONVEY.—

(1) IN GENERAL.—The Secretary of Transportation (referred to in this section as the ''Secretary'') may, without consideration, convey all right, title, and interest of the United States Government in and to the offshore drill rig OCEAN STAR, to the Offshore Rig Museum, Inc., a nonprofit corporation established under the laws of the State of Texas and doing business as the Offshore Energy Center (in this section referred to as ''the recipient'').

(2) RELEASE OF ASSOCIATED INTERESTS.—As part of the conveyance, the Secretary shall release any encumbrance and forgive any promissory note or loan held by the United States with respect to the drill rig.

(b) CONDITIONS.—Any conveyance, release, or forgiveness under subsection (a) shall be subject to the following conditions:

(1) The recipient must have at least 3 consecutive years experience in operating a drill rig as a nonprofit museum.

(2) Before the effective date of the conveyance, release, and forgiveness, the recipient must agree—

(A) to continue to use the drill rig as part of a museum to demonstrate to the public the recovery of offshore energy resources;

(B) to make the drill rig available to the Government if the Secretary requires use of the drill rig for a national emergency;

(C) that if the recipient no longer requires the drill rig for use as a museum dedicated to demonstrating to the public the recovery of offshore energy resources, the recipient shall, at the discretion of the Secretary, convey the drill rig to the Government; and

(D) to any other conditions the Secretary considers appropriate.

(3) The drill rig may not be used for commercial transportation or commercial drilling and production of offshore energy resources.

AMENDMENT NO. 35

OFFERED BY MR. BRYANT OF TENNESSEE

Strike section 554 (page 148, line 20, and all that follows through page 149, line 12) and insert the following:

SEC. 554. CLARIFICATION AND REAFFIRMATION OF THE INTENT OF CONGRESS REGARDING THE COURT-MARTIAL SENTENCE OF CONFINEMENT FOR LIFE WITHOUT ELIGIBILITY FOR PAROLE.

(a) CLARIFICATION OF EFFECT OF SENTENCE.—(1) Section 856a(b) of title 10, United States Code (article 56a of the Uniform Code of Military Justice), is amended—

(1) by striking ''unless—'' and inserting ''unless the sentence (or a portion of the sentence including that part of the sentence providing for confinement for life without eligibility for parole)—'';

(2) by striking paragraph (1) and inserting the following:

''(1) is set aside or otherwise modified as a result of—

''(A) action taken under section 860 of this title (article 60) by the convening authority or another person authorized to act under that section; or

''(B) any other action taken during post-trial procedure and review under any other provision of subchapter IX;

(3) in paragraph (2), by striking ''the sentence''; and

(4) by striking paragraph (3) and inserting the following:

''(3) a reprieve or pardon by the President.''.

(b) OFFICERS SENTENCED TO DISMISSAL.—Subsection (b) of section 871 of such title (article 71) is amended by inserting after the second sentence the following new sentence: ''However, if the sentence extends to confinement for life without eligibility for parole, that part of the sentence providing for confinement for life without eligibility for parole may not be commuted, remitted, or suspended.''.

(c) ACTION BY CONVENING AUTHORITY AFTER SENTENCE ORDERED EXECUTED.—Subsection (d) of that section is amended by adding at the end the following new sentence: ''In the case of a sentence that extends to confinement for life without eligibility for parole, that part of the sentence extending to confinement for life without eligibility for parole may not be suspended after it is ordered executed.''.

(d) SECRETARIAL AUTHORITY TO REMIT OR SUSPEND SENTENCE.—Section 874(a) of such title (article 74(a)) is amended by inserting before the period at the end the following: ''or, in the case of a sentence that extends to confinement for life without eligibility for parole, that part of the sentence that extends to confinement for life without eligibility for parole''.

(e) PAROLE.—Section 952 of that title is amended by adding at the end the following new subsection:

''(c) Parole may not be granted for an offender serving a sentence of confinement for life without eligibility for parole.''.

(f) REMISSION OR SUSPENSION OF SENTENCE.—Section 953 of such title is amended by inserting in paragraph (1) after ''selected offenders'' the following: ''other than offenders serving a sentence of confinement for life without eligibility for parole''.

Mr. SPENCE (during the reading). Mr. Chairman, I ask unanimous consent that the modifications be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to House Resolution 503, the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. SPENCE).

Mr. SPENCE. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. VITTER) for the purposes of a colloquy.

Mr. VITTER. Mr. Chairman, I would like to discuss with the gentleman from Virginia (Mr. BATEMAN) whether the committee was able to consider the issue of the Information Technology Center located in New Orleans, Louisiana.

Mr. BATEMAN. Mr. Chairman, will the gentleman yield?

Mr. VITTER. I yield to the gentleman from Virginia.

Mr. BATEMAN. Mr. Chairman, the mission of the Information Technology Center has recently been brought to my attention. This Center plays an important role in the development of information technology systems for the Navy and for the Department of Defense. For the last several years, the committee has been urging the Department of Defense to move away from military service specific, or stovepipe computer systems. The Information Technology Center, or ITC, is an example of new and innovative thinking on the part of the Navy.

Currently, ITC is examining military personnel information technology systems and is bringing an enterprise-wide approach to the development of Navy Systems Integrated Personnel Systems as well as the Defense Integrated Military Human Resources Systems. These major undertakings require innovative acquisition techniques, modular contracting, commercial off-the-shelf technology, as well as the consolidation and integration of existing manpower and personnel information systems.

I understand that to assist the Navy in proceeding with this worthwhile project additional funding is required. Unfortunately, no funds were authorized in the bill before us. It is my understanding that the other body has recognized the importance of ITC and has included additional funding.

I would say to the gentleman from Louisiana that I will do everything I can to ensure that the conference committee on this bill endorses this important program.

Mr. VITTER. Reclaiming my time, Mr. Chairman, I thank the gentleman very much, and I also want to pass along the thanks of the gentleman from Louisiana (Mr. TAUZIN) and that of the gentleman from Louisiana (Mr. JEFFERSON). We all appreciate the gentleman's speaking on behalf of the Information Technology Center and pledging his support, and we all look forward to working with him and other members of the committee.

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Mr. SKELTON. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Ms. VELAZQUEZ).

(Ms. VELAZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELAZQUEZ. Mr. Chairman, I rise today to offer an amendment in cooperation with the gentleman from Missouri (Chairman TALENT) to protect and support our Nation's small businesses.

Mr. Chairman, we all talk about what a strong economy we have; and no one disputes the fact that small businesses are, in large part, responsible for this. It is almost cliche to say that small businesses are the backbone not just of our economy, but they also help to form the foundation of the cities and towns we call home.

America looks to small businesses to be the innovators and problem solvers everywhere, everywhere except in the case of the Federal Government. We are currently seeing a disturbing downward trend in the number of Federal prime contracts awarded to small businesses.

As an example, from fiscal year 1997 through fiscal year 1999 the number of prime contracts awarded to small businesses by the Department of Defense has decreased by over 34 percent; the number of contracts awarded to minority-owned firms has decreased by over 25 percent; and most dramatically, the number of contracts awarded to woman-owned businesses have decreased by over 38 percent.

These trends have been so alarming that the gentleman from Missouri (Chairman TALENT) and I have held two hearings on this issue in the first half of this Congress alone. During these hearings, we have found that the move by the Federal Government to streamline and reduce costs has resulted not in saving money, but in the unintended consequence of harming small businesses.

There is no truth, as far as businesses are concerned, that bigger is necessarily better. The Department of Defense, the largest purchaser of goods and services in the entire U.S. Government, has increasingly relied on the practice of contract bundling to the exclusion of small businesses. It has struggled with the dual roles of supporting the war fighter and awarding prime contracts to small businesses.

To solve this problem, the Velazquez-Talent amendment will direct the Secretary to conduct a comprehensive study of contract bundling and its effect on small businesses. To assist in this study, the Secretary, working with the General Accounting Office, is to develop a database containing information on all bundled contracts.

In a hearing before the Committee on Small Business in November of last year, the Department agreed to commission a study of contract bundling. Within 2 months it became evident that the Department has no data to conduct an accurate and comprehensive bundling study. This amendment helps the Department keep its promise.

Mr. Chairman, we are all aware that Federal agencies are operating in a do-more-with-less environment. We must ensure that the Federal marketplace is efficient. However, we must also provide for a Federal marketplace that includes the small business community. This amendment will go a long way to begin to level the playing field for small businesses.

I would like to thank the gentleman from South Carolina (Chairman SPENCE) and the gentleman from Missouri (Mr. SKELTON), the ranking Democratic member, for their support of this amendment and our Nation's small businesses.

Mr. SKELTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to speak very briefly on an amendment that is en bloc that I have offered, No. 25, which requests a GAO study of the value of the United States' military engagement in Europe.

Mr. Chairman, much has been said about burdensharing. Much has been said about American interests and troops being stationed in Europe. In an effort to understand where we are today, were we to look back in history, and had American and allied forces formed together as we have today in the NATO alliance, the Second World War would never have come to pass.

I think that a full study explaining the definitions and all the ramifications and include our Armed Forces and our strategies and the attempt to shape the international environment, a study such as this should be included.

I urge the adoption of the en block, which, of course, includes No. 25.

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

Mr. SPENCE. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. BUYER) for the purposes of a colloquy.

Mr. BUYER. Mr. Chairman, I speak in reference to Amendment No. 11 that makes technical corrections regarding the Army National Guard Selective Reserve, the Active Guard and Reserve, which are referred to as the AGR and the dual status military technicians regarding the end strengths for fiscal year 2001. Those technical corrections will be made.

I would like to enter into a colloquy with the gentleman from California (Mr. HUNTER), chairman of the Subcommittee on Military Procurement.

As co-chair of the Guard and Reserve Caucus, along with the gentleman from Mississippi (Mr. TAYLOR), the chairman of the committee, along with the ranking member and the gentleman from California (Mr. HUNTER) it permits the caucus to work with Members to put together their concerns regarding funding the Reserve excepts along with the Guard. They permit us to put together these packages and then deliver to their committee.

We extend to our colleagues great compliments for accepting the first $250 million of the NGRE list. NGRE stands for the National Guard Reserve Equipment List. We worked very hard this year, working with the committee, to address the proportionality questions.

In this amendment, we have a technical correction with regard to what came out of the full committee regarding some of the funding, whether it was $52 million that goes directly to the Air Guard or was that really meant for the Army Reserve.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. BUYER. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman, first for working with us here on the floor, but, secondly, for chairing this caucus, along with the gentleman from Mississippi (Mr. TAYLOR), who have put in a lot of long hours working with the Guard and the Reserve trying to develop requirements and ultimately coming up with recommendations for the Subcommittee for Military Procurement.

Let me tell my colleagues what we worked for this year. We worked for parity. We did not have a lot of money. We had right at $300 million to spend on Guard and Reserve elements. The request we got from the gentleman and lots of our colleagues was let us have parity, let us have an even distribution of this money between the Guard and the Reserve, let us not have it all for the Guard or the Reserve.

I agreed to do that. I gave my word on it. And the gentleman put together, along with the gentleman from Mississippi (Mr. TAYLOR), a package of $250 million. We added the $50 million that we had available to that. So we came to a total of about $300 million.

We split it down the middle. In fact, we gave a little bit more to the Guard, about $158 million to the Guard, $153 million to the Reserve, but right down the middle between the two.

When we were putting the elements together in putting our bill together, our office made a mistake and we put the KC–135 reengining kits on the Guard side even though we had them in the reserve side when we put the bill together. That would have made the bill very lopsided for the Guard. It would have then gone to $218 million for the Guard, only $93 million to the Reserve.

I represented to the committee and to the subcommittee and to the gentleman that we were doing an even split. I gave him my word. And, of course, when we tell somebody that we are going to do something and we have a very thick bill, the gentleman from Indiana (Mr. BUYER) relied on my giving him that representation.

So, in this technical amendment, we are moving that item, the KC–135 reengining, the $52 million, back into the air reserve account, which is where we started out.

Mr. BUYER. Mr. Chairman, reclaiming my time, as I understand, that is two KC–135 engine kits at $52 million.

Mr. HUNTER. Mr. Chairman, if the gentleman will continue to yield, that is right. It is two KC–135 reengining kits. So if some folks that thought they were going to get those and not are not going to get them, give me a phone call. Our office made a mistake on that. We put the items in the wrong column. But we fixed it now.

For people who are proponents of both the Guard and Reserve, what we did again this year was try to give parity. We tried to give an even split on the few dollars that we have. We have lots more requirements. We are going to have to wait for another budget to get to those.

Mr. BUYER. Mr. Chairman, reclaiming my time, I want to thank the gentleman from California (Mr. HUNTER) again for working with us. He is absolutely correct with regard to parity. We have enjoyed our working relationship with the Guard and Reserve components. I look forward to working with the gentleman in conference.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. HILL).

(Mr. HILL of Indiana asked and was given permission to revise and extend his remarks.)

Mr. HILL of Indiana. Mr. Chairman, I rise in support of this en block package and urge my colleagues to support it as well.

This package includes a couple of amendments that will help free up money for economic development in towns with old military installations. All communities should be able to use closed facilities as engines of economic growth. This is simply a matter of fairness.

I, too, have a closed military installation in my district. It is called the Indiana Army Ammunition Plant.

Unfortunately, under current law, some communities that lose military installations are treated differently than others.

Yesterday, I testified before the Committee on Rules about an amendment that I believe levels the playing field. My amendment would authorize the Secretary of Defense to convey former military installations in property communities free of charge. Of course, I hope that my amendment will be made in order. But I am pleased that we are helping the communities in this bill, and I urge my colleagues to support it.

Mr. SKELTON. Mr. Chairman, I yield back the balance of my time.

Mr. SPENCE. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS) for the purpose of a colloquy.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Chairman, I want to thank the chairman for including my amendment regarding the Office of River Protection in the en bloc amendment.

Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPENCE) for yielding me the time.

Mr. Chairman, as the gentleman from California (Mr. HUNTER) is aware, the Office of River Protection at the Hanford site in my district is currently engaged in the world's largest and most pressing environmental cleanup project.

I would like to first thank the gentleman for his leadership on this project through the creation of the Office of River Protection in the Fiscal Year 1999 National Defense Authorization Act.

As the gentleman is aware, the Office of River Protection was created to manage the retrieval and treatment of waste at Hanford by removing the many layers of bureaucracy that impede cleanup and transfer authority back to the site. This model has proven itself to be an effective initiative because local experts have the knowledge and the authority to ensure the timely treatment of this waste.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, the gentleman is correct to point out the very excellent model that was created by his amendment to transfer authority back to the site. Since its inception, the Office of River Protection has effectively managed the complex problems without layers of bureaucracy that very often stymie what we are looking for, and that is cleanup.

I am committed to the success of the Office of River Protection and congressional intent that the manager of the Office report directly to the Assistant Secretary for Environmental Management.

I would also like to commend the gentleman from Washington (Mr. HASTINGS) on his tireless efforts on behalf of his constituents impacted by the Hanford site. The committee values his input on how best to proceed with this cleanup project.

If I might, also, I just want to thank the chairman of the full committee, too, for his support in passing the football off to us and letting us run with it and put together the best program we could. That is kind of the trademark of the gentleman from South Carolina (Mr. SPENCE), whose quiet strength has led us through this markup and floor process. But I thank the gentleman for everything he has done.

There has been a lot of confusion at Hanford with the contractor that is now leaving rather abruptly from this project. There is some confusion in the Department of Energy. But there is one guy whose steady hand on the helm of this ship has been moving it steadily forward and will continue to move the Hanford site forward to successful cleanup, and that is the gentleman from Washington (Mr. HASTINGS). I thank the gentleman for what he is doing.

Mr. HASTINGS of Washington. Mr. Chairman, I, too, want to thank the chairman for his work on this.

Mr. Chairman, as my colleagues know, under the President's fiscal year 2000 budget request, the privatization account that we were alluding to at Hanford would receive $450 million. However, due to the recent developments that the gentleman mentioned with the lead contractor, privatization, unfortunately, is no longer a viable option at this time.

In light of these developments, the Department of Energy has identified a new path forward to ensure the timely cleanup of the waste. As a result of this new path forward, the Department identified and updated funding requirement of $370 million for fiscal year 2001 to fully fund the necessary design and long-lead procurement to keep the project on schedule.

Mr. Chairman, I ask the gentleman from California (Chairman HUNTER) whether he concurs with this.

Mr. HUNTER. Mr. Chairman, if the gentleman would continue to yield, yes. Over the last 2 weeks, largely as a result of his leadership, the Department of Energy has identified a need of $370 million in required work to keep the project on schedule in fiscal year 2001.

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What the gentleman from Washington basically asked us to do was to keep this thing going and make sure that the design and engineering work continued, that the procurement that was necessary was allowed to take place and that we had a contingency fund available so that we could keep the project moving forward and keep the commitments that the Federal Government has made to Washington State. As a result of the gentleman's leadership and direction, we put those numbers together and indeed did come up with the $370 million requirement that is going to be needed to keep the project going for the next 12 months.

Mr. HASTINGS of Washington. I thank the gentleman for his remarks. This issue is not confined just to my district in central Washington. In fact it is the whole Pacific Northwest. I would like to ask the gentleman if he will continue to work on the fiscal year 2001 funding level when we go to conference with the other body for the necessary $370 million of design and long-lead procurement needs for this project.

Mr. HUNTER. If the gentleman will continue to yield, absolutely we will continue to press for that figure, make sure that that amount of money is available. As the gentleman knows, there is money that is in the first $491 million that was a tranche of money that was approved initially for the BNFL contractor and that contract is now no longer with us. So there is some question in DOE as to how much is carryover and how much is not carryover, but we do agree because of the gentleman's leadership that $370 million is needed. I will work in the conference to make sure that we get that.

As the gentleman knows, the Department is currently unable to give us a firm funding requirement for 2001 due to the fact that they have ongoing contract negotiations right now that resulted from this new path that they are taking. I just want to assure the gentleman I will continue to work with him in conference and we will make sure that we fully fund that $370 million required for this work. So under the steady leadership of the gentleman from Washington, these other problems notwithstanding, we are going to continue to move the Hanford cleanup forward.

Mr. HASTINGS of Washington. I thank the gentleman for that commitment.

Finally, Mr. Chairman, section 3131 of the legislation provides a waiver of the requirement to accumulate a reserve for termination liability funding. Will the gentleman work with my office and with the Department of Energy in conference to assure that this

section is clarified to meet the needs that we are talking about within the River Protection Project in the future?

Mr. HUNTER. I will be very happy to work with the gentleman on this issue and make sure the section is carried out as intended. Again, the gentleman from Washington's guidance and advice is very important to our committee and our subcommittee. We thank him for his leadership on this issue.

Mr. HASTINGS of Washington. I thank the gentleman very much for his commitment. I thank the chairman for his commitment, also, on that. Their assurances to my constituents in central Washington and to all of us in the Pacific Northwest that the final legislation will contain full funding that has been identified for the work required this year is appreciated.

Mr. SPENCE. Mr. Chairman, I yield myself such time as I may consume.

For the benefit of those who do not understand the purpose of the en bloc amendments, I might briefly explain that we had about 101 amendments offered to our bill. Many of these were noncontroversial, did not require a vote, and so we put them into the en bloc category. Others, we offered some suggestions as to how they could amend their amendment and they were accepted and we were able then to accept these without controversy and without vote, all of this with consultation with our ranking member the gentleman from Missouri. This has been agreed upon by both sides.

Mr. HINOJOSA. Mr. Chairman, I am in strong support of the amendment to H.R. 4205 offered by the Ranking Minority Member on the Committee on Small Business, NYDIA VELAZQUEZ. It has come to my attention, as a member of the Committee on Small Business, that the Department of Defense, to the exclusion of the growing number of small business owners in our nation, has relied on the practice of contract bundling. Furthermore, the Department has no objective criteria to justify the use of this mechanism. The result of this bundling is nothing less than devastating to small business, and additionally translates into higher costs to taxpayers due to the decreased competition.

The amendment offered by Ms. VELAZQUEZ expands the contract bundling study proposed in H.R. 4205 to require a Department-wide study on contract bundling. It further requires the Department to develop with GAO a database to monitor the effects of contract bundling. I am confident that this amendment will assist small business in combating the many problems relating to contract bundling.

Mr. BEREUTER. Mr. Chairman, this Member rises in strong support of the enbloc amendment to H.R. 4205, and in particular thanks to the Chairman for incorporating this Member's amendment addressing the Asia-Pacific Center for Security Studies.

H.R. 4205 authorizes the Secretary of Defense to operate regional centers for security studies. Among those centers are the Marshall Center in Garmish, Germany, and the Asia-Pacific Center in Hawaii.

H.R. 4205 provides the Marshall Center with a waiver authority for reimbursement of the costs of conferences, seminars, courses or instruction, or similar educational activities for certain military officers and civilian officials within the European theater. It does not provide such a waiver authority for military officers and civilian officials in the Asia-Pacific region.

Countries in the Asia-Pacific region, even perhaps more than those in Europe, represent the entire economic spectrum. Many countries in the Asia-Pacific region that would greatly benefit from such education can not afford to send their officers or civilian officials. Bangladesh comes to mind, a country that provides peacekeepers as a major source of revenue can not afford to send their military officers or civilian officials to the Center where they would be exposed to our way of integrated security. We lose a national security objective by not being able to interact with these officers or civilian officials in an educational open forum. It is important that all our allies, regardless of their economic ability to do so, can attend and interact with not only our own forces, but with our other allies and friendly countries.

This Member would observe there is no mandated additional costs associated with this amendment. While the Secretary has the authority to waive these costs, as such, the costs must be absorbed within the Centers' budget. It provides for a management decision by the Secretary, not a budgetary burden on the American taxpayers.

It is important to stress here that countries that are prohibited by statute from receiving assistance funds will not be allowed to attend the Asia-Pacific Center. Military personnel of Cambodia and Burma, for instance, where direct government-to-government assistance of any kind is prohibited, would not be allowed to attend, much less receive any such waiver. Military personnel of the People's Republic of China, under the Tiananmen sanctions would not be allowed to attend. There are real safeguards in place to ensure such countries do not have the opportunity to attend the Center.

Mr. Chairman, this Member urges adoption of the Managers En Bloc amendment.

Mr. HALL of Ohio. Mr. Chairman, I rise in support of the Hall-Hobson amendment offered as part of the Chairman's en bloc amendment. The amendment creates a 3-year program permitting the Air Force to offer early outs and retirement incentives of up to $25,000 for as many as 1,000 civilian employees each year for the purpose of maintaining continuity of skills among employees and to hire workers with critically needed technical skills. The early out and retirement incentive authority established in this amendment is similar to the authority already in the law for personnel reductions.

As The Washington Post pointed out in a week-long series last week, the Federal work force faces a crises. In the next five years, more than 50 percent of civil servants will be eligible to retire. The situation is even worse in the Department of Defense, where that figure is almost 60 percent. Unless personnel practices are changed, the Pentagon will lurch from a predominantly senior work force to one that is largely inexperienced.

At the same time, rapid advances in defense-related technology make it more critical now than ever before to maintain a defense work force with cutting edge technological skills.

Unfortunately, existing personnel laws do not give Defense Department managers the flexibility they need to keep up with rapidly changing personnel needs, especially in the scientific and technical fields. After more than ten years of much needed draw down and virtually no new hiring, the military services have been stymied in their efforts to acquire such personnel.

This problem is particularly acute for the Air Force because of its historically heavy reliance on science and technology. The preservation and advancement of our Air Force's high tech advantage is particularly important as new and uncertain threats to our country develop. Solving this problem is the Air Force's top civilian work force priority.

Moreover, this experimental pilot program will provide valuable information that can be used to address similar work force problems in the other services and non-defense federal agencies.

The amendment I seek to offer is similar to an amendment Mr. HOBSON offered last year to the National Defense Authorization Act which was adopted by the House, but which was not accepted in conference.

It is my intention that the Air Force will use the personnel slots created under the authority of this amendment to hire new workers and that the authority will not be used to reduce overall levels of civilian employment.

I thank the Chairman of the Armed Services Committee, Mr. SPENCE, and the ranking minority member, Mr. SKELTON, for their support of my amendment. I also thank Mr. SCARBOROUGH, chairman of the Subcommittee on Civil Service, and Mr. CUMMINGS, the ranking minority member, as well as their staffs, for their assistance.

And finally, I offer a special thanks to the amendment's cosponsor, Mr. HOBSON, and to his staff, for their critical help.

Mr. RYUN of Kansas. Mr. Chairman, I rise today in support of H.R. 4205, the Fiscal Year 2001 National Defense Authorization Act.

I would like to thank Chairman SPENCE and Chairman HEFLEY for including my amendment as part of the en bloc amendments, scheduled for discussion and vote later today.

Mr. Chairman, over one thousand World War II veterans die every day. A final honor bestowed upon these veterans and their families is burial at a military or veterans cemetery.

My amendment will enable the Secretary of the Army and the Kansas Commission on Veterans Affairs to agree to a transfer of property at Fort Riley, Kansas for the purpose of establishing a State-constructed, operated and maintained veterans cemetery.

Mr. Chairman, Congress is here to work for the people of the United States. The veterans organizations of the 2nd District of Kansas have worked hard to establish support both within the state and here in Washington, D.C. to support veterans that have sacrificed for our freedoms.

I ask my colleagues to support the passage of the en bloc amendments and continued support for final passage of H.R. 4205.

Mr. GILCHREST. Mr. Chairman, I rise in support of my amendment to the H.R. 4205, The National Defense Authorization Act.

This amendment is designed to urge the Secretary of Defense to add five additional Weapons of Mass Destruction Civil Support Team (WMD–CST) to the fiscal year 2001 defense bill.

At the direction of Congress, the Department of Defense recently expanded this program to embrace a total of 27 teams, known as WMD Civil Support Teams.

The WMD Civil Support Teams were established to deploy rapidly to assist a local incident commander in determining the nature and extent of an attack or incident; provide expert technical advice on WMD response operations; and help identify and support the arrival of follow-on state and federal military response assets. Each team consists of 22 highly-skilled, full-time members of the Army and Air National Guard.

The first 10 teams have completed their individual and unit collective training and are in the process of receiving highly sophisticated equipment. Each team has two large pieces of equipment: a mobile analytical laboratory for field analysis of chemical or biological agents and a unified command suite that has the ability to provide communications interoperability among the various responders who may be on scene. The first 10 teams will be certified as fully mission-capable later this spring, with the remaining 17 expected to come on line in early 2001.

The first 10 teams are based in Colorado, Georgia, Illinois, California, Massachusetts, Missouri, New York, Pennsylvania, Texas and Washington. The remaining 17 teams, announced in January, will be based in Alaska, Arizona, Arkansas, California, Florida, Hawaii, Idaho, Iowa, Kentucky, Louisiana, Maine, Minnesota, New Mexico, Ohio, Oklahoma, South Carolina and Virginia.

Surprisingly, our Nation's capital does not currently have a National Guard civil support team. The closest team is in rural Virginia or the center of Pennsylvania. These locations are too far away to provide comfort that my state, Maryland, will have adequate protection and civil support in the event a terrorist uses poison gas or germs in the Washington, DC or Maryland area.

Having a team available to deploy rapidly, assess the situation, and coordinate assistance with local first-responders is extremely important.

The WMD Civil Support Teams are unique because of their federal-state relationship. They are federally resourced, federally trained and federally evaluated, and they operate under federal doctrine. But they will perform their mission primarily under the command and control of the governors of the states in which they are located.

They will be, first and foremost, state assets.

Operationally, they fall under the command and control of the adjutant generals of those states. As a result, they will be available to respond to an incident as part of a state response, well before federal response assets would be called upon to provide assistance.

If the situation were to evolve into an event that overwhelmed state and local response assets, the governor could request the president to issue a declaration of national disaster and to provide federal assistance. At that point, the team would continue to support local officials in their state status, but would also assist in channeling additional military and other federal assets in support of the local commander.

It is essential to note that these teams are in no way connected with counter-terrorism activities. They are involved exclusively in consequence management activities. The civil support teams will link with the consequence managers in their jurisdictions. The WMD–CST will have robust planning and command and control capabilities and the ability to mobilize a military task force quickly in support of FEMA requests. It will also have rapid access to military forces and quick reach-back capability to subject matter experts, labs and medical support.

If terrorists release bacteria, chemicals or viruses to harm Americans, we must have the ability to identify the pathogens or substances with speed and certainty. The technology to accomplish that is still evolving, and current technology is very expensive, technically challenging to maintain, and largely unaffordable to most states and localities.

In this regard, my goal is to support America's fire, police and emergency medical personnel as rapidly as possible with capabilities and tools that complement and enhance their response, not duplicate it.

It is better to have these teams be funded, fielded and idle than to have no team at all. Every Governor should, and must, have the flexibility to call on a WMD–CST Team if the situation warrants.

My amendment to this year's defense bill will increase the number of WMD–CSTs to 32, providing greater coverage to the American population.

I support the efforts Congress and the Defense Department have made to establish state-controlled WMD Civil Support Teams, which leverage the best military technology and expertise available, to achieve that goal.

I thank you for the opportunity.

Mr. HAYES. Mr. Chairman, my amendment is very simple. I offer it to ensure that Section 3157 of the National Defense Authorization Act of FY'98 is consistent with Section 1211 of that same Act. In 1998, the Congress adopted to its defense authorization legislation provisions to establish export control thresholds for computer technology to tier III countries. We established those provisions in two places of the '98 legislation, Section 1211 and Section 3157. Since then, Congress has revisited Sec. 1211 and updated the threshold level to better reflect technological advancements. In modernizing the law, however, a slight oversight has been made.

While Congress made adjustments to Section 1211 to raise export control thresholds, it did not make the same necessary adjustments to Section 3157. My amendment ensures the MTOP level (millions of theoretical operations per second) included in Section 1211 is consistent with the levels included in Section 3157.

By no means do I intend to reopen the debate on MTOP levels and verification requirements. In fact, the gentlemen from California, the Chairman of the Rules Committee has ably engaged that very policy debate in this chamber today. Instead, I only wish to correct an inconsistency in our legislation that calls for two different standards.

Mr. BRYANT. Mr. Chairman, as many of my colleagues may recall, the FY98–99 Defense Authorization bill included my provision establishing a life without parole sentencing option in the Uniform Code of Military Justice.

What prompted me to push for a life without parole sentence involved the case of Sgt. Michael Teeter. Sgt. Teeter was sentenced to life in prison on June 10, 1980, by a military court for the brutal rape and murder of Eva Hicks-Ransom. The murder occurred in my district in Clarksville, Tennessee. After serving only 15 years of his life sentence, Teeter was granted parole.

Because the only alternative to a life sentence was the death penalty, I felt a new, life without parole sentence would provide a jury with a broader range of options depending on the severity of the crime. In cases where the death penalty was too harsh, but the possibility of an offender eventually re-entering society was unconscionable, life without parole would give the jury a reasonable alternative.

Since the creation of the life without parole sentence, however, the Department of Defense has issued an Instruction which states that a person sentenced to life without parole will still be eligible for clemency. Under clemency, a prisoner sentenced to life without parole can see his sentence reduced for good behavior and/or successful treatment after only 10 years. In theory, a person sentenced to life without parole could be released after serving just 15 years.

Mr. Chairman, Section 544 of H.R. 4205 does attempt to address my concerns about clemency by increasing the time before clemency can be considered from 10 to 20 years. While I appreciate the lengths to which full committee Chairman SPENCE and subcommittee Chairman BUYER have gone to address this issue, it was always my intent that a person sentenced to life without parole would spend the rest of their life in prison unless they were pardoned by the President. Clemency was not meant to apply. I strongly believe that the Defense Department misinterpreted the language establishing a life without parole sentence, and my amendment would replace the language in Section 544 with language which would clarify and reaffirm the intent of Congress that life without parole means life and that clemency does not apply.

I urge my colleagues to support this clarifying amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The question is on the amendments en bloc, as modified, offered by the gentleman from South Carolina (Mr. SPENCE).

The amendments en bloc, as modified, were agreed to.

Mr. SPENCE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HAYES) having assumed the chair, Mr. GUTKNECHT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes, had come to no resolution thereon.

PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO SUDAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–237)

The SPEAKER pro tempore (Mr. GUTKNECHT) laid before the House the following message from the President