(1) designates June 6, 1999, as ''National Child's Day''; and

(2) requests the President to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

## SENATE RESOLUTION 112—TO DESIGNATE JUNE 5, 1999, AS ''SAFE NIGHT USA''

Mr. FEINGOLD submitted the following resolution; which was considered and agreed to:

S. RES. 112

Whereas over 1,500,000 people, 220,000 of them juveniles, were arrested last year for drug abuse;

Whereas over 1,000,000 juveniles were victims of violent crimes last year;

Whereas local community prevention efforts are vital to reducing these alarming trends;

Whereas Safe Night began with 4,000 juvenile participants in Milwaukee during 1994 in response to a 300 percent increase in violent death and injury in that city between 1983 and 1993;

Whereas Safe Night involved over 10,000 Wisconsin participants and included over 100 individual Safe Nights throughout Wisconsin in 1996;

Whereas Safe Night has been credited as a factor in reducing the teenage homicide rate in Milwaukee by 60 percent in just the first 3 years of the program;

Whereas Wisconsin Public Television, the Public Broadcasting Service, Black Entertainment Television, the National Latino Children's Institute, the National Civics League, 100 Black Men of America, the Resolving Conflict Creatively Center and Educators for Social Responsibility, the Boys and Girls Club of America, the Community Anti-Drug Coalitions of America, the National 4–H Youth Council, Public Television Outreach, and the American Academy of Pediatrics have joined with Safe Night USA to lead this major violence prevention initiative;

Whereas community leaders, including parents, teachers, doctors, religious officials, and business leaders, will enter into partnership with youth to foster a drug-free and violence-free environment on June 5, 1999;

Whereas this partnership combines stress and anger management programs with dances, talent shows, sporting events, and other recreational activities, operating on only 3 basic rules: no weapons, no alcohol, and no arguments;

Whereas Safe Night USA helps youth avoid the most common factors that precede acts of violence, provides children with the tools to resolve conflict and manage anger without violence, encourages communities to work together to identify key issues affecting teenagers, and creates local partnerships with youth that will continue beyond the expiration of the project; and

Whereas June 5, 1999, will witness over 10,000 local Safe Night activities joined together in one nationwide effort to combat youth violence and substance abuse: Now, therefore, be it

*Resolved,*

**SECTION 1. DESIGNATION.**

The Senate—

(1) designates June 5, 1999 as ''Safe Night USA''; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

**SEC. 2. TRANSMITTAL OF RESOLUTION.**

The Senate directs the Secretary of the Senate to transmit an enrolled copy of this resolution to Safe Night USA.

## AMENDMENTS SUBMITTED

## NATIONAL DEFENSE AUTHORIZATION ACT OF FISCAL YEAR 2000

### WARNER (AND OTHERS) AMENDMENT NO. 411

Mr. WARNER (for himself, Mr. ROBB, Mr. INHOFE, and Mr. LEVIN) proposed an amendment to the bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 428, after line 19, insert the following new section:

**SEC. . ENHANCEMENT OF PENTAGON RENOVATION ACTIVITIES.**

The Secretary of Defense in conjunction with the Pentagon Renovation Program is authorized to design and construct secure secretarial office and support facilities and security-related changes to the METRO entrance at the Pentagon Reservation. The Secretary shall, not later than January 15, 2000, submit to the congressional defense committees the estimated cost for the planning, design, construction, and installation of equipment for these enhancements, together with the revised estimate for the total cost of the renovation of the Pentagon.

### WARNER (AND LEVIN) AMENDMENT NO. 412

Mr. WARNER (for himself and Mr. LEVIN) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 98, line 15, strike ''$71,693,093,000.'' and insert in lieu thereof the following: ''$71,693,093,000, and in addition funds in the total amount of $1,838,426,000 are authorized to be appropriated as emergency appropriations to the Department of Defense for fiscal year 2000 for military personnel, as appropriated in section 2012 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31).''

### ALLARD (AND CLELAND) AMENDMENT NO. 413

Mr. WARNER (for Mr. ALLARD, for himself and Mr. WARNER) proposed an amendment to the bill, S. 1059, supra; as follows:

In title VII, at the end of subtitle B, add the following:

**SEC. 717. ENHANCEMENT OF DENTAL BENEFITS FOR RETIREES.**

Subsection (d) of section 1076c of title 10, United States Code, is amended to read as follows:

''(d) BENEFITS AVAILABLE UNDER THE PLAN.—The dental insurance plan established under subsection (a) shall provide benefits for dental care and treatment which may be comparable to the benefits authorized under section 1076a of this title for plans established under that section and shall include diagnostic services, preventative services, endodontics and other basic restorative services, surgical services, and emergency services.''.

### MACK (AND GRAHAM) AMENDMENT NO. 414

Mr. WARNER (for Mr. MACK, for himself and Mr. GRAHAM) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 29, line 12, increase the amount by $6,000,000.

On page 29, line 14, decrease the amount by $6,000,000.

### WARNER AMENDMENT NO. 415

Mr. WARNER proposed an amendment to the bill, S. 1059, supra; as follows:

In title III, at the end of subtitle D, add the following:

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

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

### TORRICELLI AMENDMENT NO. 416

Mr. LEVIN (for Mr. TORRICELLI) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 357, between lines 11 and 12, insert the following:

**SEC. 1032. REVIEW OF INCIDENCE OF STATE MOTOR VEHICLE VIOLATIONS BY ARMY PERSONNEL.**

(a) REVIEW AND REPORT REQUIRED.—The Secretary of the Army shall review the incidence of violations of State and local motor vehicle laws applicable to the operation and parking of Army motor vehicles by Army personnel during fiscal year 1999, and, not later than March 31, 2000, submit a report on the results of the review to Congress.

(b) CONTENT OF REPORT.—The report under subsection (a) shall include the following:

(1) A quantitative description of the extent of the violations described in subsection (a).

(2) An estimate of the total amount of the fines that are associated with citations issued for the violations.

(3) Any recommendations that the Inspector General considers appropriate to curtail the incidence of the violations.

### CRAPO (AND LOTT) AMENDMENT NO. 417

Mr. WARNER (for Mr. CRAPO, for himself and Mr. LOTT) proposed an amendment to the bill, S. 1059, supra; as follows:

Strike section 654, and insert the following:

**SEC. 654. REPEAL OF REDUCTION IN RETIRED PAY FOR CIVILIAN EMPLOYEES.**

(a) REPEAL.—(1) Section 5532 of title 5, United States Code, is repealed.

(2) The chapter analysis at the beginning of chapter 55 of such title is amended by striking the item relating to section 5532.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

### SNOWE AMENDMENT NO. 418

Mr. WARNER (for Ms. SNOWE) proposed an amendment to the bill, S. 1059, supra; as follows:

In title X, at the end of subtitle D, add the following:

**SEC. 1061. MULTINATIONAL ECONOMIC EMBARGOES AGAINST GOVERNMENTS IN ARMED CONFLICT WITH THE UNITED STATES.**

(a) POLICY ON THE ESTABLISHMENT OF EMBARGOES.—

(1) IN GENERAL.—It is the policy of the United States, that upon the use of the Armed Forces of the United States to engage in hostilities against any foreign country, the President shall as appropriate—

(A) seek the establishment of a multinational economic embargo against such country; and

(B) seek the seizure of its foreign financial assets.

(b) REPORTS.—Not later than 20 days, or earlier than 14 days, after the first day of the engagement of the United States in any armed conflict described in subsection (a), the President shall, if the armed conflict continues, submit a report to Congress setting forth—

(1) the specific steps the United States has taken and will continue to take to institute the embargo and financial asset seizures pursuant to subsection (a); and

(2) any foreign sources of trade of revenue that directly or indirectly support the ability of the adversarial government to sustain a military conflict against the Armed Forces of the United States.

## HATCH AMENDMENT NO. 419

Mr. WARNER (for Mr. HATCH) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 54, after line 24, insert the following:

**Subtitle E—Other Matters**

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

(a) REQUIREMENT.—The Secretary of the Air Force shall submit to Congress, not later than January 31, 2000, a report on the Air Force Distributed Mission Training program.

(b) CONTENT OF REPORT.—The report shall include a discussion of the following:

(1) The progress that the Air Force has made to demonstrate and prove the Air Force Distributed Mission Training concept of linking geographically separated, high-fidelity simulators to provide a mission rehearsal capability for Air Force units, and any units of any of the other Armed Forces as may be necessary, to train together from their home stations.

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

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

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

## REED (AND CHAFEE) AMENDMENT NO. 420

Mr. LEVIN (for Mr. REED, for himself and Mr. CHAFEE) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 48, line 5, after ''laboratory'', insert the following: '', and the director of one test and evaluation laboratory,''.

On page 48, between lines 11 and 12, insert the following:

(B) To develop or expand innovative methods of operation that provide more defense research for each dollar of cost, including to carry out such initiatives as focusing on the performance of core functions and adopting more business-like practices.

On page 48, line 12, strike ''(B)'' and insert ''(C)''.

On page 48, beginning on line 14, strike ''subparagraph (A)'' and insert ''subparagraphs (A) and (B)''.

## GRAMS AMENDMENT NO. 421

Mr. WARNER (for Mr. GRAMS) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 453, between lines 10 and 11, insert the following:

**SEC. 2832. LAND CONVEYANCES, TWIN CITIES ARMY AMMUNITION PLANT, MINNESOTA.**

(a) CONVEYANCE TO CITY AUTHORIZED.—The Secretary of the Army may convey to the City of Arden Hills, Minnesota (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4 acres at the Twin Cities Army Ammunition Plant, for the purpose of permitting the City to construct a city hall complex on the parcel.

(b) CONVEYANCE TO COUNTY AUTHORIZED.—The Secretary of the Army may convey to Ramsey County, Minnesota (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 35 acres at the Twin Cities Army Ammunition Plant, for the purpose of permitting the County to construct a maintenance facility on the parcel.

(c) CONSIDERATION.—As a consideration for the conveyances under this section, the City shall make the city hall complex available for use by the Minnesota National Guard for public meetings, and the County shall make the maintenance facility available for use by the Minnesota National Guard, as detailed in agreements entered into between the City, County, and the Commanding General of the Minnesota National Guard. Use of the city hall complex and maintenance facility by the Minnesota National Guard shall be without cost to the Minnesota National Guard.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under this section shall be determined by surveys satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the real property.

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

## GRAHAM (AND MACK) AMENDMENT NO. 422

Mr. LEVIN (for Mr. GRAHAM, for himself and Mr. MACK) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 459, between lines 17 and 18, insert the following:

**SEC. 2844. LAND CONVEYANCE, NAVAL TRAINING CENTER, ORLANDO, FLORIDA.**

(a) CONVEYANCE REQUIRED.—The Secretary of the Navy shall convey all right, title, and interest of the United States in and to the land comprising the main base portion of the Naval Training Center and the McCoy Annex Areas, Orlando, Florida, to the City of Orlando, Florida, in accordance with the terms and conditions set forth in the Memorandum of Agreement by and between the United States of America and the City of Orlando for the Economic Development Conveyance of Property on the Main Base and McCoy Annex Areas of the Naval Training Center, Orlando, executed by the Parties on December 9, 1997, as amended.

## SESSIONS AMENDMENT NO. 423

Mr. WARNER (for Mr. SESSIONS) proposed an amendment to the bill, S. 1059, supra; as follows:

In title X, at the end of subtitle D, add the following:

**SEC. 1061. CONDITIONS FOR LENDING OBSOLETE OR CONDEMNED RIFLES FOR FUNERAL CEREMONIES.**

Section 4683(a)(2) of title 10, United States Code, is amended to read as follows:

''(2) issue and deliver those rifles, together with blank ammunition, to those units without charge if the rifles and ammunition are to be used for ceremonies and funerals in honor of veterans at national or other cemeteries.''.

## SNOWE AMENDMENT NO. 424

Mr. WARNER (for Ms. SNOWE) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 25, between lines 17 and 18, insert the following:

(c) OTHER FUNDS FOR ADVANCE PROCUREMENT.—Notwithstanding any other provision of this Act, of the funds authorized to be appropriated under section 102(a) for procurement programs, projects, and activities of the Navy, up to $190,000,000 may be made available, as the Secretary of the Navy may direct, for advance procurement for the Arleigh Burke class destroyer program. Authority to make transfers under this subsection is in addition to the transfer authority provided in section 1001.

## SHELBY (AND SESSIONS) AMENDMENT NO. 425

Mr. WARNER (for Mr. SHELBY, for himself and Mr. SESSIONS) proposed an amendment to the bill, S. 1059, supra; as follows:

In title I, at the end of subtitle B, add the following:

**SEC. 114. MULTIPLE LAUNCH ROCKET SYSTEM.**

Of the funds authorized to be appropriated under section 101(2), $500,000 may be made available to complete the development of reuse and demilitarization tools and technologies for use in the disposition of Army MLRS inventory.

## GRAMM AMENDMENT NO. 426

Mr. WARNER (for Mr. GRAMM, for himself and Mrs. HUTCHISON) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 440, between lines 6 and 7, insert the following:

**SEC. 2807. EXPANSION OF ENTITIES ELIGIBLE TO PARTICIPATE IN ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.**

(a) DEFINITION OF ELIGIBLE ENTITY.—Section 2871 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8) respectively; and

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

''(5) The term 'eligible entity' means any individual, corporation, firm, partnership, company, State or local government, or housing authority of a State or local government.''.

(b) GENERAL AUTHORITY.—Section 2872 of such title is amended by striking ''private persons'' and inserting ''eligible entities''.

(c) DIRECT LOANS AND LOAN GUARANTEES.—Section 2873 of such title is amended—

(1) in subsection (a)(1)—

(A) by striking ''persons in private sector'' and inserting ''an eligible entity''; and

(B) by striking ''such persons'' and inserting ''the eligible entity''; and

(2) in subsection (b)(1)—

(A) by striking ''any person in the private sector'' and inserting ''an eligible entity''; and

(B) by striking ''the person'' and inserting ''the eligible entity''.

(d) INVESTMENTS.—Section 2875 of such title is amended—

(1) in subsection (a), by striking ''nongovernmental entities'' and inserting ''an eligible entity'';

(2) in subsection (c)—

(A) by striking ''a nongovernmental entity'' both places it appears and inserting ''an eligible entity''; and

(B) by striking ''the entity'' each place it appears and inserting ''the eligible entity'';

(3) in subsection (d), by striking ''nongovernmental'' and inserting ''eligible''; and

(4) in subsection (e), by striking ''a nongovernmental entity'' and inserting ''an eligible entity''.

(e) RENTAL GUARANTEES.—Section 2876 of such title is amended by striking ''private persons'' and inserting ''eligible entities''.

(f) DIFFERENTIAL LEASE PAYMENTS.—Section 2877 of such title is amended by striking ''private''.

(g) CONVEYANCE OR LEASE OF EXISTING PROPERTY AND FACILITIES.—Section 2878(a) of such title is amended by striking ''private persons'' and inserting ''eligible entities''.

(h) CLERICAL AMENDMENTS.—(1) The heading of section 2875 of such title is amended to read as follows:

**''§ 2875. Investments''.**

(2) The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended by striking the item relating to section 2875 and inserting the following new item:

''2875. Investments.''.

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## CLELAND AMENDMENT NO. 427

Mr. LEVIN (for Mr. CLELAND) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 272, between lines 8 and 9, insert the following:

**SEC. 717. MEDICAL AND DENTAL CARE FOR CERTAIN MEMBERS INCURRING INJURIES ON INACTIVE-DUTY TRAINING.**

(a) ORDER TO ACTIVE DUTY AUTHORIZED.—(1) Chapter 1209 of title 10, United States Code, is amended by adding at the end the following:

**''§ 12322. Active duty for health care**

''A member of a uniformed service described in paragraph (1)(B) or (2)(B) of section 1074a(a) of this title may be ordered to active duty, and a member of a uniformed service described in paragraph (1)(A) or (2)(A) of such section may be continued on active duty, for a period of more than 30 days while the member is being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty as described in such paragraph.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

''12322. Active duty for health care.''.

(b) MEDICAL AND DENTAL CARE FOR MEMBERS.—Subsection (e) of section 1074a of such title is amended to read as follows:

''(e)(1) A member of a uniformed service on active duty for health care or recuperation reasons, as described in paragraph (2), is entitled to medical and dental care on the same basis and to the same extent as members covered by section 1074(a) of this title while the member remains on active duty.

''(2) Paragraph (1) applies to a member described in paragraph (1) or (2) of subsection (a) who, while being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty, is continued on active duty pursuant to a modification or extension of orders, or is ordered to active duty, so as to result in active duty for a period of more than 30 days.''.

(c) MEDICAL AND DENTAL CARE FOR DEPENDENTS.—Subparagraph (D) of section 1076(a)(2) of such title is amended to read as follows:

''(D) A member on active duty who is entitled to benefits under subsection (e) of section 1074a of this title by reason of paragraph (1), (2), or (3) of subsection (a) of such section.''.

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## THOMPSON (AND OTHERS) AMENDMENT NO. 428

Mr. WARNER (for Mr. THOMPSON for himself, Mr. LIEBERMAN, Mr. WARNER, and Mr. LEVIN) proposed an amendment to the bill, S. 1059, supra; as follows:

At the end of title VIII, add the following:

**SEC. 807. STREAMLINED APPLICABILITY OF COST ACCOUNTING STANDARDS.**

(a) APPLICABILITY.—Paragraph (2) of section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)(2)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) by striking subparagraph (B) and inserting the following:

''(B) The cost accounting standards shall not apply to a contractor or subcontractor for a fiscal year (or other one-year period used for cost accounting by the contractor or subcontractor) if the total value of all of the contracts and subcontracts covered by the cost accounting standards that were entered into by the contractor or subcontractor, respectively, in the previous or current fiscal year (or other one-year cost accounting period) was less than $50,000,000.

''(C) Subparagraph (A) does not apply to the following contracts or subcontracts for the purpose of determining whether the contractor or subcontractor is subject to the cost accounting standards:

''(i) Contracts or subcontracts for the acquisition of commercial items.

''(ii) Contracts or subcontracts where the price negotiated is based on prices set by law or regulation.

''(iii) Firm, fixed-price contracts or subcontracts awarded on the basis of adequate price competition without submission of certified cost or pricing data.

''(iv) Contracts or subcontracts with a value that is less than $5,000,000.''.

(b) WAIVER.—Such section is further amended by adding at the end the following:

''(5)(A) The head of an executive agency may waive the applicability of cost accounting standards for a contract or subcontract with a value less than $10,000,000 if that official determines in writing that—

''(i) the contractor or subcontractor is primarily engaged in the sale of commercial items; and

''(ii) the contractor or subcontractor would not otherwise be subject to the cost accounting standards.

''(B) The head of an executive agency may also waive the applicability of cost accounting standards for a contract or subcontract under extraordinary circumstances when necessary to meet the needs of the agency. A determination to waive the applicability of cost accounting standards under this subparagraph shall be set forth in writing and shall include a statement of the circumstances justifying the waiver.

''(C) The head of an executive agency may not delegate the authority under subparagraph (A) or (B) to any official in the executive agency below the senior policymaking level in the executive agency.

''(D) The Federal Acquisition Regulation shall include the following:

''(i) Criteria for selecting an official to be delegated authority to grant waivers under subparagraph (A) or (B).

''(ii) The specific circumstances under which such a waiver may be granted.

''(E) The head of each executive agency shall report the waivers granted under subparagraphs (A) and (B) for that agency to the Board on an annual basis.''.

(c) CONSTRUCTION REGARDING CERTAIN NOT-FOR-PROFIT ENTITIES.—The amendments made by this section shall not be construed as modifying or superseding, nor as intended to impair or restrict, the applicability of the cost accounting standards to—

(1) any educational institution or federally funded research and development center that is associated with an educational institution in accordance with Office of Management and Budget Circular A–21, as in effect on January 1, 1999; or

(2) any contract with a nonprofit entity that provides research and development and related products or services to the Department of Defense.

**SEC. 808. GUIDANCE ON USE OF TASK ORDER AND DELIVERY ORDER CONTRACTS.**

(a) GUIDANCE IN THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act shall be revised to provide guidance to agencies on the appropriate use of task order and delivery order contracts in accordance with sections 2304a through 2304d of title 10, United States Code, and sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k).

(b) CONTENT OF GUIDANCE.—The regulations issued pursuant to subsection (a) shall, at a minimum, provide the following:

(1) Specific guidance on the appropriate use of government-wide and other multi-agency contracts entered in accordance with the provisions of law referred to in that subsection.

(2) Specific guidance on steps that agencies should take in entering and administering multiple award task order and delivery order contracts to ensure compliance with—

(A) the requirement in section 5122 of the Clinger-Cohen Act (40 U.S.C. 1422) for capital planning and investment control in purchases of information technology products and services;

(B) the requirement in section 2304c(b) of title 10, United States Code, and section 303J(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b)) to ensure that all contractors are afforded a fair opportunity to be considered for the award of task orders and delivery orders; and

(C) the requirement in section 2304c(c) of title 10, United States Code, and section 303J(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(c))

for a statement of work in each task order or delivery order issued that clearly specifies all tasks to be performed or property to be delivery under the order.

(c) GSA FEDERAL SUPPLY SCHEDULES PROGRAM.—The Administrator for Federal Procurement Policy shall consult with the Administrator of General Services to assess the effectiveness of the multiple awards schedule program of the General Services Administration referred to in section 309(b)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(b)(3)) that is administered as the Federal Supply Schedules program. The assessment shall include examination of the following:

(1) The administration of the program by the Administrator of General Services.

(2) The ordering and program practices followed by Federal customer agencies in using schedules established under the program.

(d) GAO REPORT.—Not later than one year after the date on which the regulations required by subsection (a) are published in the Federal Register, the Comptroller General shall submit to Congress an evaluation of executive agency compliance with the regulations, together with any recommendations that the Comptroller General considers appropriate.

**SEC. 809. CLARIFICATION OF DEFINITION OF COMMERCIAL ITEMS WITH RESPECT TO ASSOCIATED SERVICES.**

Section 4(12) (E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(E)) is amended to read as follows:

''(E) Installation services, maintenance services, repair services, training services, and other services if—

''(i) the services are procured for support of an item referred to in subparagraph (A), (B), (C), or (D), regardless of whether such services are provided by the same source or at the same time as the item; and

''(ii) the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government.''.

**SEC. 810. USE OF SPECIAL SIMPLIFIED PROCEDURES FOR PURCHASES OF COMMERCIAL ITEMS IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD.**

(a) EXTENSION OF AUTHORITY.—Section 4202(e) of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106; 110 Stat. 654; 10 U.S.C. 2304 note) is amended by striking ''three years after the date on which such amendments take effect pursuant to section 4401(b)'' and inserting ''January 1, 2002''.

(b) GAO REPORT.—Not later than March 1, 2001, the Comptroller General shall submit to Congress an evaluation of the test program authorized by section 4204 of the Clinger-Cohen Act of 1996, together with any recommendations that the Comptroller General considers appropriate regarding the test program or the use of special simplified procedures for purchases of commercial items in excess of the simplified acquisition threshold.

**SEC. 811. EXTENSION OF INTERIM REPORTING RULE FOR CERTAIN PROCUREMENTS LESS THAN $100,000.**

Section 31(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(e)) is amended by striking ''October 1, 1999'' and inserting ''October 1, 2004''.

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## LIEBERMAN (AND SANTORUM) AMENDMENT NO. 429

Mr. LEVIN (for Mr. LIEBERMAN, for himself and Mr. SANTORUM) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 17, line 1, strike ''$3,669,070,000'' and insert ''$3,647,370,000''.

On page 29, line 10, strike ''$4,671,194,000'' and insert ''$4,692,894,000''.

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## GRASSLEY (AND DOMENICI) AMENDMENT NO. 430

Mr. WARNER (for Mr. GRASSLEY, for himself and Mr. DOMENICI) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 321, line 18, strike out ''and''.

On page 321, after line 24, insert the following:

(iv) obligations and expenditures are recorded contemporaneously with each transaction;

(v) organizational and functional duties are performed separately at each step in the cycles of transactions (including, in the case of a contract, the specification of requirements, the formation of the contract, the certification of contract performance, receiving and warehousing, accounting, and disbursing); and

(vi) use of progress payment allocation systems results in posting of payments to appropriation accounts consistent with section 1301 of title 31, United States Code.

On page 322, line 4, insert before the semicolon the following: ''that, at a minimum, uses double-entry bookkeeping and complies with the United States Government Standard General Ledger at the transaction level as required under section 803(a) of the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note)''.

On page 322, between lines 17 and 18, insert the following:

(5) An internal controls checklist which, consistent with the authority in sections 3511 and 3512 of title 31, United States Code, the Comptroller General shall prescribe as the standards for use throughout the Department of Defense, together with a statement of the Department of Defense policy on use of the checklist throughout the department.

On page 323, line 14, before the period insert ''or the certified date of receipt of the items''.

On page 324, between the matter following line 20 and the matter on line 21, insert the following:

(c) STUDY AND REPORT ON DEPARTMENT OF DEFENSE ELECTRONIC FUND TRANSFERS.—(1) Subject to paragraph (3), the Secretary of Defense shall conduct a feasibility study to determine—

(A) whether all electronic payments issued by the Department of Defense should be routed through the Regional Finance Centers of the Department of the Treasury for verification and reconciliation;

(B) whether all electronic payments made by the Department of Defense should be subjected to the same level of reconciliation as United States Treasury checks, including matching each payment issued with each corresponding deposit at financial institutions;

(C) whether the appropriate computer security controls are in place in order to ensure the integrity of electronic payments;

(D) the estimated costs of implementing the processes and controls described in subparagraphs (A), (B), (C); and

(E) the period that would be required to implement the processes and controls.

(2) Not later than March 1, 2000, the Secretary of Defense shall submit a report to Congress containing the results of the study required by paragraph (1).

(3) In this subsection, the term ''electronic payment'' means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, or computer or magnetic tape so as to order, instruct, or authorize a debit or credit to a financial account.

On page 329, after line 25, insert the following:

**SEC. 1009. RESPONSIBILITIES AND ACCOUNTABILITY FOR FINANCIAL MANAGEMENT.**

(a) UNDER SECRETARY OF DEFENSE (COMPTROLLER).—(1) Section 135 of title 10, United States Code, is amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (c) the following:

''(d)(1) The Under Secretary is responsible for ensuring that the financial statements of the Department of Defense are in a condition to receive an unqualified audit opinion and that such an opinion is obtained for the statements.

''(2) If the Under Secretary delegates the authority to perform a duty, including any duty relating to disbursement or accounting, to another officer, employee, or entity of the United States, the Under Secretary continues after the delegation to be responsible and accountable for the activity, operation, or performance of a system covered by the delegated authority.''.

(2) Subsection (c)(1) of such section is amended by inserting ''and to ensure accountability to the citizens of the United States, Congress, the President, and managers within the Department of Defense'' before the semicolon at the end.

(b) MANAGEMENT OF CREDIT CARDS.—(1) The Under Secretary of Defense (Comptroller) shall prescribe regulations governing the use and control of all credit cards and convenience checks that are issued to Department of Defense personnel for official use. The regulations shall be consistent with regulations that apply government-wide regarding use of credit cards by Federal Government personnel for official purposes.

(2) The regulations shall include safeguards and internal controls to ensure the following:

(A) There is a record of all credited card holders that is annotated with the limitations on amounts that are applicable to the use of each card by each credit card holder.

(B) The credit card holders and authorizing officials are responsible for reconciling the charges appearing on each statement of account with receipts and other supporting documentation and for forwarding reconciled statements to the designated disbursing office in a timely manner.

(C) Disputes and discrepancies are resolved in the manner prescribed in the applicable Governmentwide credit card contracts entered into by the Administrator of General Services.

(D) Credit card payments are made promptly within prescribed deadlines to avoid interest penalties.

(E) Rebates and refunds based on prompt payment on credit card accounts are properly recorded in the books of account.

(F) Records of a credit card transaction (including records on associated contracts, reports, accounts, and invoices) are retained in accordance with standard Federal Government policies on the disposition of records.

(c) REMITTANCE ADDRESSES.—The Under Secretary of Defense (Comptroller) shall prescribe regulations setting forth controls on alteration of remittance addresses. The regulations shall ensure that—

(1) a remittance address for a disbursement that is provided by an officer or employee of the Department of Defense authorizing or requesting the disbursement is not altered by any officer or employee of the department authorized to prepare the disbursement; and

(2) a remittance address for a disbursement is altered only if the alteration is—

(A) requested by the person to whom the disbursement is authorized to be remitted; and

(B) made by an officer or employee authorized to do so who is not an officer or employee referred to in paragraph (1).

## REID AMENDMENT NO. 431

Mr. WARNER (for Mr. REID) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 18, line 13, strike ''$1,169,000,000'' and insert ''$1,164,500,000''.

On page 29, line 14, strike ''$9,400,081,000'' and insert ''$9,404,581,000''.

## COCHRAN AMENDMENT NO. 432

Mr. WARNER (for Mr. COCHRAN) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 29, line 11, increase the amount by $3,500,000.

On page 29, line 14, decrease the amount by $3,500,000.

## ALLARD AMENDMENT NO. 433

Mr. WARNER (for Mr. ALLARD) proposed an amendment to the bill, S. 1059, supra; as follows:

At the end of title XI, add the following:

**SEC. 1107. EXTENSION OF CERTAIN TEMPORARY AUTHORITIES TO PROVIDE BENEFITS FOR EMPLOYEES IN CONNECTION WITH DEFENSE WORKFORCE REDUCTIONS AND RESTRUCTURING.**

(a) LUMP-SUM PAYMENT OF SEVERANCE PAY.—Section 5595(i)(4) of title 5, United States Code, is amended by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 1996 and before October 1, 1999'' and inserting ''February 10, 1996, and before October 1, 2003''.

(b) VOLUNTARY SEPARATION INCENTIVE.—Section 5597(e) of such title is amended by striking ''September 30, 2001'' and inserting ''September 30, 2003''.

(c) CONTINUATION OF FEHBP ELIGIBILITY.—Section 8905a(d)(4)(B) of such title is amended by striking clauses (i) and (ii) and inserting the following:

''(i) October 1, 2003; or

''(ii) February 1, 2004, if specific notice of such separation was given to such individual before October 1, 2003.''.

## LANDRIEU AMENDMENT NO. 434

Mr. LEVIN (for Ms. LANDRIEU) proposed an amendment to the bill, S. 1059, supra; as follows:

In title V, at the end of subtitle F, add the following:

**SEC. 582. EXIT SURVEY FOR SEPARATING MEMBERS.**

(a) REQUIREMENT.—The Secretary of Defense shall develop and carry out a survey on attitudes toward military service to be completed by members of the Armed Forces who voluntarily separate from the Armed Forces or transfer from a regular component to a reserve component during the period beginning on January 1, 2000, and ending on June 30, 2000, or such later date as the Secretary determines necessary in order to obtain enough survey responses to provide a sufficient basis for meaningful analysis of survey results. Completion of the survey shall be required of such personnel as part of outprocessing activities. The Secretary of each military department shall suspend exit surveys and interviews of that department during the period described in the first sentence.

(b) SURVEY CONTENT.—The survey shall, at a minimum, cover the following subjects:

(1) Reasons for leaving military service.

(2) Plans for activities after separation (such as enrollment in school, use of Montgomery GI Bill benefits, and work).

(3) Affiliation with a Reserve component, together with the reasons for affiliating or not affiliating, as the case may be.

(4) Attitude toward pay and benefits for service in the Armed Forces.

(5) Extent of job satisfaction during service as a member of the Armed Forces.

(6) Such other matters as the Secretary determines appropriate to the survey concerning reasons for choosing to separate from the Armed Forces.

(c) REPORT.—Not later than February 1, 2001, the Secretary shall submit to Congress a report containing the results of the surveys. The report shall include an analysis of the reasons why military personnel voluntarily separate from the Armed Forces and the post-separation plans of those personnel. The Secretary shall utilize the report's findings in crafting future responses to declining retention and recruitment.

## WARNER (AND LEVIN) AMENDMENT NO. 435

Mr. WARNER (for himself and Mr. LEVIN) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 574, strike lines 1 through 24 and insert the following:

**SEC. 3175. USE OF AMOUNTS FOR AWARD FEES FOR DEPARTMENT OF ENERGY CLOSURE PROJECTS FOR ADDITIONAL CLEANUP PROJECTS AT CLOSURE PROJECT SITES.**

(a) AUTHORITY TO USE AMOUNTS.—The Secretary of Energy may use an amount authorized to be appropriated for the payment of award fees for a Department of Energy closure project for purposes of conducting additional cleanup activities at the closure project site if the Secretary—

(1) anticipates that such amount will not be obligated for payment of award fees in the fiscal year in which such amount is authorized to be appropriated; and

(2) determines the use will not result in a deferral of the payment of the award fees for more than 12 months.

(b) REPORT ON USE OF AUTHORITY.—Not later than 30 days after each exercise of the authority in subsection (a), the Secretary shall submit to the congressional defense committees a report the exercise of the authority.

## ABRAHAM (AND THURMOND) AMENDMENT NO. 436

Mr. WARNER (for Mr. ABRAHAM, for himself and Mr. THURMOND) proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place in the bill, insert the following new section:

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

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Army, the President may award the Medal of Honor under section 3741 of that title to Alfred Rascon, of Laurel, Maryland, for the acts of valor described in subsection (b).

(b) ACTION DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Alfred Rascon on March 16, 1966, as an Army medic, serving in the grade of Specialist Four in the Republic of Vietnam with the Reconnaissance Platoon, Headquarters Company, 1st Battalion, 50rd Infantry, 173rd Airborne Brigade (Separate), during a combat operation known as Silver City.

## THOMAS (AND ENZI) AMENDMENT NO. 437

Mr. WARNER (for Mr. THOMAS, for himself and Mr. ENZI) proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place in the bill, insert the following new section and renumber the remaining sections accordingly:

**SEC. . PROHIBITION ON THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN NATIONS WITHOUT SPECIFIC AUTHORIZATION IN LAW.**

(a) PROHIBITION.—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term ''entity controlled by a foreign government'' has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term ''veterans memorial object'' means any object, including a physical structure or portion thereof, that—

(A) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.

## WARNER (AND LEVIN) AMENDMENT NO. 438

Mr. WARNER (for himself and Mr. LEVIN) proposed an amendment to the bill, S. 1059, supra; as follows:

In title X, at the end of subtitle A, add the following:

**SEC. 1009. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999.**

Amounts authorized to be appropriated to the Department of Defense for fiscal year 1999 in the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization were increased (by a supplemental appropriation) or decreased (by a rescission), or both, in the 1999 Emergency Supplemental Appropriations Act.

## WARNER AMENDMENT NO. 439

Mr. WARNER proposed an amendment to the bill, S. 1059, supra; as follows:

On page 371, at the end of line 13, add the following: ''The preceding sentence does not

apply to the operation, by a non-Department of Defense entity, of a communication system, device, or apparatus on any portion of the frequency spectrum that is reserved for exclusively non-government use.''.

On page 372, line 3, insert ''fielded'' after ''apparatus''.

(d) This section does not apply to any upgrades, modifications, or system redesign to a Department of Defense communication system made after the date of enactment of this act where that modification, upgrade or redesign would result in interference with or receiving interference from a non-Department of Defense system.

## BOND (AND KERRY) AMENDMENT NO. 440

Mr. WARNER (for Mr. BOND, for himself, and Mr. KERRY) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 281, line 13, after ''Government.'' insert the following: ''These items shall not be considered commercial items for purposes of Section 4202(e) of the Clinger-Cohen Act (10 U.S.C. 2304 note).''.

On page 282, line 19, after ''concerns,'' insert the following: ''HUBZone small business concerns,''.

On page 283, line 19, strike ''(A)'' and insert ''(1)''.

On page 283, line 23, strike ''(B)'' and insert ''(2)''.

On page 284, line 3, strike ''(C)'' and insert ''(3)''.

On page 284, between lines 6 and 7, insert the following:

(4) The term ''HUBZone small business concern'' has the meaning given the term in section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3)).

## ROBERTS (AND OTHERS) AMENDMENT NO. 441

Mr. WARNER (for Mr. ROBERTS, for himself, Mr. BINGAMAN, Mr. WARNER, and Mr. LEVIN) proposed an amendment to the bill, S. 1059, supra; as follows:

In title X, at the end of subtitle D, add the following:

**SEC. 1061. MILITARY ASSISTANCE TO CIVIL AUTHORITIES FOR RESPONDING TO TERRORISM.**

(a) AUTHORITY.—During fiscal year 2000, the Secretary of Defense, upon the request of the Attorney General, may provide assistance to civil authorities in responding to an act or threat of an act of terrorism, including an act of terrorism or threat of an act of terrorism that involves a weapon of mass destruction, within the United States if the Secretary of Defense determines that—

(1) special capabilities and expertise of the Department of Defense are necessary and critical to respond to the act or threat; and

(2) the provision of such assistance will not adversely affect the military preparedness of the armed forces.

(b) NATURE OF ASSISTANCE.—Assistance provided under subsection (a) may include the deployment of Department of Defense personnel and the use of any Department of Defense resources to the extent and for such period as the Secretary of Defense determines necessary to prepare for, prevent, or respond to an act or threat described in that subsection. Actions taken to provide the assistance may include the prepositioning of Department of Defense personnel, equipment, and supplies.

(c) REIMBURSEMENT.—(1) Assistance provided under this section shall normally be provided on a reimbursable basis. Notwithstanding any other provision of law, the amounts of reimbursement shall be limited to the amounts of the incremental costs of providing the assistance. In extraordinary circumstances, the Secretary of Defense may waive reimbursement upon determining that a waiver of the reimbursement is in the national security interests of the United States and submitting to Congress a notification of the determination.

(2) If funds are appropriated for the Department of Justice to cover the costs of responding to an act or threat for which assistance is provided under subsection (a), the Department of Defense shall be reimbursed out of such funds for the costs incurred by the department in providing the assistance without regard to whether the assistance was provided on a nonreimbursable basis.

(d) LIMITATION ON FUNDING.—Not more than $10,000,000 may be obligated to provide assistance pursuant to subsection (a) in a fiscal year.

(e) PERSONNEL RESTRICTIONS.—In carrying out this section, a member of the Army, Navy, Air Force, or Marine Corps may not, unless authorized by another provision of law—

(1) directly participate in a search, seizure, arrest, or other similar activity; or

(2) collect intelligence for law enforcement purposes.

(f) NONDELEGABILITY OF AUTHORITY.—(1) The Secretary of Defense may not delegate to any other official authority to make determinations and to authorize assistance under this section.

(2) The Attorney General may not delegate to any other official authority to make a request for assistance under subsection (a).

(h) RELATIONSHIP TO OTHER AUTHORITY.—(1) The authority provided in this section is in addition to any other authority available to the Secretary of Defense.

(2) Nothing in this section shall be construed to restrict any authority regarding use of members of the armed forces or equipment of the Department of Defense that was in effect before the date of enactment of this Act.

(i) DEFINITIONS.—In this section:

(1) The term ''threat of an act of terrorism'' includes any circumstance providing a basis for reasonably anticipating an act of terrorism, as determined by the Secretary of Defense in consultation with the Attorney General and the Secretary of the Treasury.

(2) The term ''weapon of mass destruction'' has the meaning given the term in section 1403 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302(1)).

## KENNEDY (AND OTHERS) AMENDMENT NO. 442

Mr. KENNEDY (for himself, Mr. LAUTENBERG, Mr. BROWNBACK, Mr. SMITH of Oregon, Mr. MOYNIHAN, Mr. SCHUMER, Mr. TORRICELLI, Ms. MIKULSKI, and Mr. KYL) proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place in the bill, insert the following:

**SEC. ___. SENSE OF THE CONGRESS REGARDING THE CONTINUATION OF SANCTIONS AGAINST LIBYA.**

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

(1) On December 21, 1988, 270 people, including 189 United States citizens, were killed in a terrorist bombing on Pan Am 103 Flight over Lockerbie, Scotland.

(2) Britain and the United States indicted two Libyan intelligence agents, Abd al-Baset Ali al-Megrahi and Al-Amin Khalifah Fhimah, in 1991 and sought their extradition from Libya to the United States or the United Kingdom to stand trial for this heinous terrorist act.

(3) The United Nations Security Council called for the extradition of the suspects in Security Council Resolution 731 and imposed sanctions on Libya in Security Council Resolutions 748 and 883 because Libyan leader Colonel Muammar Qadhafi refused to transfer the suspects to either the United States or the United Kingdom to stand trial.

(4) The United Nations Security Council Resolutions 731, 748, and 883 demand that Libya cease all support for terrorism, turn over the two suspects, cooperate with the investigation and the trial, and address the issue of appropriate compensation.

(5) The sanctions in United Nations Security Council Resolutions 748 and 883 include—

(A) a worldwide ban on Libya's national airline;

(B) a ban on flights into and out of Libya by other nations' airlines; and

(C) a prohibition on supplying arms, airplane parts, and certain oil equipment to Libya, and a blocking of Libyan Government funds in other countries.

(6) Colonel Muammar Qadhafi for many years refused to extradite the suspects to either the United States or the United Kingdom and had insisted that he would only transfer the suspects to a third and neutral country to stand trial.

(7) On August 24, 1998, the United States and the United Kingdom agreed to the proposal that Colonel Qadhafi transfer the suspects to The Netherlands, where they would stand trial under a Scottish court, under Scottish law, and with a panel of Scottish judges.

(8) The United Nations Security Council endorsed the United States-United Kingdom proposal on August 27, 1998 in United Nations Security Council Resolution 1192.

(9) The United States, consistent with United Nations Security Council resolutions, called on Libya to ensure the production of evidence, including the presence of witnesses before the court, and to comply fully with all the requirements of the United Nations Security Council resolutions.

(10) After years of intensive diplomacy, Colonel Qadhafi finally transferred the two Libyan suspects to The Netherlands on April 5, 1999, and the United Nations Security Council, in turn, suspended its sanctions against Libya that same day.

(11) Libya has only fulfilled one of four conditions (the transfer of the two suspects accused in the Lockerbie bombing) set forth in United Nations Security Council Resolutions 731, 748, and 883 that would justify the lifting of United Nations Security Council sanctions against Libya.

(12) Libya has not fulfilled the other three conditions (cooperation with the Lockerbie investigation and trial; renunciation of and ending support for terrorism; and payment of appropriate compensation) necessary to lift the United Nations Security Council sanctions.

(13) The United Nations Secretary General is expected to issue a report to the Security Council on or before July 5, 1999, on the issue of Libya's compliance with the remaining conditions.

(14) Any member of the United Nations Security Council has the right to introduce a resolution to lift the sanctions against Libya after the United Nations Secretary General's report has been issued.

(15) The United States Government considers Libya a state sponsor of terrorism and the State Department Report, ''Patterns of Global Terrorism; 1998'', stated that Colonel Qadhafi ''continued publicly and privately to

support Palestinian terrorist groups, including the PIJ and the PFLP–GC''.

(16) United States Government sanctions (other than sanctions on food or medicine) should be maintained on Libya, and in accordance with U.S. law, the Secretary of State should kept Libya on the list of countries the governments of which have repeatedly provided support for acts of international terrorism under section 6(j) of the Export Administration Act of 1979 in light of Libya's ongoing support for terrorist groups.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should use all diplomatic means necessary, including the use of the United States veto at the United Nations Security Council, to prevent the Security Council from lifting sanctions against Libya until Libya fulfills all of the conditions set forth in United Nations Security Council Resolutions 731, 748, and 883.

## FEINGOLD AMENDMENTS NOS. 443–444

Mr. FEINGOLD proposed two amendments to the bill, S. 1059, supra; as follows:

AMENDMENT NO. 443

On page 26, after line 25, insert the following:

(c) LIMITATION ON TOTAL COST.—(1) For the fiscal years 2000 through 2004, the total amount obligated or expended for production of airframes, contractor furnished equipment, and engines under the F/A–18E/F aircraft program may not exceed $8,840,795,000.

(2) The Secretary of the Navy shall adjust the amount of the limitation under paragraph (1) by the following amounts:

(A) The amounts of increases or decreases in costs attributable to economic inflation occurring since September 30, 1999.

(B) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 1999.

(C) The amounts of increases or decreases in costs resulting from aircraft quantity changes within the scope of the multiyear contract.

(3) The Secretary of the Navy shall annually submit to Congress, at the same time the budget is submitted under section 1105(a) of title 31, United States Code, written notice of any change in the amount set forth in paragraph (1) during the preceding fiscal year that the Secretary has determined to be associated with a cost referred to in paragraph (2).

AMENDMENT NO. 444

On page 26, strike lines 20 through 25, and insert the following:

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) to enter into a multiyear contract for the procurement of F/A–18E/F aircraft or authorize entry of the F/A–18E/F aircraft program into full-rate production until—

(1) the Secretary of Defense certifies to the Committees on Armed Services of the Senate and House of Representatives that the F/A–18E/F aircraft has successfully completed initial operational test and evaluation;

(2) the Secretary of the Navy—

(A) determines that the results of operational test and evaluation demonstrate that the version of the aircraft to be procured under the multiyear contract in the higher quantity than the other version satisfies all key performance parameters in the operational requirements document for the F/A–18E/F program, as submitted on April 1, 1997; and

(B) certifies those results of operational test and evaluation; and

(3) the Comptroller General reviews those results of operational test and evaluation and transmits to the Secretary of the Navy the Comptroller General's concurrence with the Secretary's certification.

## COCHRAN AMENDMENT NO. 445

Mr. COCHRAN proposed an amendment to the bill, S. 1059, supra; as follows:

In title X, at the end of subtitle B, insert the following:

**SEC. 1013. TRANSFER OF NAVAL VESSEL TO FOREIGN COUNTRY.**

(a) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the CYCLONE class coastal patrol craft CYCLONE (PC1) or a craft with a similar hull. The transfer shall be made on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) COSTS.—Any expense incurred by the United States in connection with the transfer authorized under subsection (a) shall be charged to the Government of Thailand.

(c) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the Secretary of the Navy shall require, as a condition of the transfer of the vessel to the Government of Thailand under this section, that the Government of Thailand have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a United States Naval shipyard or other shipyard located in the United States.

(d) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under subsection (a) shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

## KYL (AND OTHERS) AMENDMENT NO. 446

Mr. KYL (for himself, Mr. DOMENICI, Mr. MURKOWSKI, Mr. SHELBY, Mr. HUTCHINSON, Mr. HELMS, and Mr. COVERDELL) proposed an amendment to the bill, S. 1059, supra; as follows:

Strike Section 3158 and insert the following:

**"SEC. 3158(a). ORGANIZATION OF DEPARTMENT OF ENERGY COUNTERINTELLIGENCE, INTELLIGENCE, AND NUCLEAR SECURITY PROGRAMS AND ACTIVITIES.**

''(1) OFFICE OF COUNTERINTELLIGENCE.—Title II of the Department of Energy Organization Act (42 U.S.C. 7131 et seq.) is amended by adding at the end the following:

'''OFFICE OF COUNTERINTELLIGENCE

'''SEC. 213. (a) There is within the Department an Office of Counterintelligence.

'''(b)(1) The head of the Office shall be the Director of the Office of Counterintelligence.

'''(2) The Secretary shall, with the concurrence of the Director of the Federal Bureau of Investigation, designate the head of the office from among senior executive service employees of the Federal Bureau of Investigation who have expertise in matters relating to counterintelligence.

'''(3) The Director of the Federal Bureau of Investigation may detail, on a reimbursable basis, any employee of the Bureau to the Department for service as Director of the Office. The service of an employee within the Bureau as Director of the Office shall not result in any loss of status, right, or privilege by the employee within the Bureau.

'''(4) The Director of the Office of Counterintelligence shall report directly to the Secretary.

'''(c)(1) The Director of the Office of Counterintelligence shall develop and ensure the implementation of security and counterintelligence programs and activities at Department facilities in order to reduce the threat of disclosure or loss of classified and other sensitive information at such facilities.

'''(2) The Director of the Office of Counterintelligence shall be responsible for the administration of the personnel assurance programs of the Department.

'''(3) The Director of the Office of Counterintelligence shall inform the Secretary, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation on a regular basis, and upon specific request by any such official, regarding the status and effectiveness of the security and counterintelligence programs and activities at Department facilities.

'''(4) The Director of the Office of Counterintelligence shall report immediately to the President of the United States, the Senate and the House of Representatives any actual or potential significant threat to, or loss of, national security information.

'''(5) The Director of the Office of Counterintelligence shall not be required to obtain the approval of any officer or employee of the Department of Energy for the preparation or delivery to Congress of any report required by this section; nor shall any officer or employee of the Department of Energy or any other Federal agency or department delay, deny, obstruct or otherwise interfere with the preparation of or delivery to Congress of any report required by this section.

'''(d)(1) Not later than March 1 each year, the Director of the Office of Counterintelligence shall submit to the Secretary, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation and to the Committees on Armed Services of the Senate and House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Commerce of the House of Representatives, and the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, a report on the status and effectiveness of the security and counterintelligence programs and activities at Department facilities during the preceding year.

'''(2) Each report shall include for the year covered by the report the following:

'''(A) A description of the status and effectiveness of the security and counterintelligence programs and activities at Department facilities.

'''(B) The adequacy of the Department of Energy's procedures and policies for protecting national security information, making such recommendations to Congress as may be appropriate.

'''(C) Whether each Department of Energy national laboratory is in full compliance with all Departmental security requirements, and if not what measures are being taken to bring such laboratory into compliance.

'''(D) A description of any violation of law or other requirement relating to intelligence, counterintelligence, or security at such facilities, including—

'''(i) the number of violations that were investigated; and

'''(ii) the number of violations that remain unresolved.

'''(E) A description of the number of foreign visitors to Department facilities, including the locations of the visits of such visitors.

'''(3) Each report submitted under this subsection to the committees referred to in paragraph (1) shall be submitted in unclassified form, but may include a classified annex.''

'''(e) Every officer or employee of the Department of Energy, every officer or employee of a Department of Energy national

laboratory, and every officer or employee of a Department of Energy contractor, who has reason to believe that there is an actual or potential significant threat to, or loss of, national security information shall immediately report such information to the Director of the Office of Counterintelligence.

'''(f) Thirty days prior to the report required by subsection d(2)(C), the Director of each Department of Energy national laboratory shall certify in writing to the Director of the Office of Counterintelligence whether that laboratory is in full compliance with all Departmental national security information protection requirements. If the laboratory is not in full compliance, the Director of the laboratory shall report on why it is not in compliance, what measures are being taken to bring it into compliance, and when it will be in compliance.

'''(g) Within 180 days of the date of enactment of this Act, the Secretary of Energy shall report to the Senate and the House of Representatives on the adequacy of the Department of Energy's procedures and policies for protecting national security information, including national security information at the Department's laboratories, making such recommendations to Congress as may be appropriate.

'''OFFICE OF INTELLIGENCE.—

'''SEC. 214. (a) There is within the Department an Office of Intelligence.

'''(b)(1) The head of the Office shall be the Director of the Office of Intelligence.

'''(2) The Director of the Office shall be a senior executive service employee of the Department.

'''(3) The Director of the Office of Intelligence shall report directly to the Secretary.

'''(c) The Director of the Office of Intelligence shall be responsible for the programs and activities of the Department relating to the analysis of intelligence with respect to nuclear weapons and materials, other nuclear matters, and energy security.''

'''NUCLEAR SECURITY ADMINISTRATION

'''SEC. 215. (a) There shall be within the Department an agency to be known as the Nuclear Security Administration, to be headed by an Administrator, who shall report directly to, and shall be accountable directly to, the Secretary. The Secretary may not delegate to any Department official the duty to supervise the Administrator.

'''(b)(1) The Assistant Secretary assigned the functions under section 203(a)(5) shall serve as the Administrator.

'''(2) The Administrator shall be responsible for the executive and administrative operation of the functions assigned to the Administration, including functions with respect to (A) the selection, appointment, (B) the supervision of personnel employed by or assigned to the Administration, (C) the distribution of business among personnel and among administrative units of the Administration, and (D) the procurement of services of experts and consultants in accordance with section 3109 of title 5, United States Code. The Secretary shall provide to the Administrator such support and facilities as the Administrator determines is needed to carry out the functions of the Administration.

'''(c)(1) The personnel of the Administration, in carrying out any function assigned to the Administrator, shall be responsible to, and subject to the supervision and direction of, the Administrator, and shall not be responsible to, or subject to the supervision or direction of, any officer, employee, or agent of any other part of the Department of Energy.

'''(2) For purposes of this subsection, the term ''personnel of the Administration'' means each officer or employee within the Department of Energy, and each officer or employee of any contractor of the Department, whose—

'''(A) responsibilities include carrying out a function assigned to the Administrator; or

'''(B) employment is funded under the Weapons Activities budget function of the Department.

'''(d) The Secretary shall assign to the Administrator direct authority over, and responsibility for, the nuclear weapons production facilities and the national laboratories. The functions assigned to the Administrator with respect to the nuclear weapons production facilities and the national laboratories shall include, but not be limited to, authority over, and responsibility for, the following:

'''(1) Strategic management.

'''(2) Policy development and guidance.

'''(3) Budget formulation and guidance.

'''(4) Resource requirements determination and allocation.

'''(5) Program direction.

'''(6) Safeguard and security operations.

'''(7) Emergency management.

'''(8) Integrated safety management.

'''(9) Environment, safety, and health operations.

'''(10) Administration of contracts to manage and operate the nuclear weapons production facilities and the national laboratories.

'''(11) Oversight.

'''(12) Relationships within the Department of Energy and with other Federal agencies, the Congress, State, tribal, and local governments, and the public.

'''(13) Each of the functions described in subsection (f).

'''(e) The head of each nuclear weapons production facility and of each national laboratory shall report directly to, and be accountable directly to, the Administrator.

'''(f) The Administrator may delegate functions assigned under subsection (d) only within the headquarters office of the Administrator, except that the Administrator may delegate to the head of a specified operations office functions including, but not limited to, providing or supporting the following activities at a nuclear weapons production facility or a national laboratory:

'''(1) Operational activities.

'''(2) Program execution.

'''(3) Personnel.

'''(4) Contracting and procurement.

'''(5) Facility operations oversight.

'''(6) Integration of production and research and development activities.

'''(7) Interaction with other Federal agencies, State, tribal, and local governments, and the public.

'''(g) The head of a specified operations office, in carrying out any function delegated under subsection (f) to that head of that specified operations office, shall report directly to, and be accountable directly to, the Administrator.

'''(h) In each annual authorization and appropriations request under this Act, the Secretary shall identify the portion thereof intended for the support of the Administration and include a statement by the Administrator showing (1) the amount requested by the Administrator in the budgetary presentation to the Secretary and the Office of Management and Budget, and (2) an assessment of the budgetary needs of the Administration. Whenever the Administrator submits to the Secretary, the President, or the Office of Management and Budget any legislative recommendation or testimony, or comments on legislation prepared for submission to the Congress, the Administrator shall concurrently transmit a copy thereof to the appropriate committees of the Congress.

'''(i) As used in this section:

'''(1) The term 'nuclear weapons production facility' means any of the following facilities:

'''(A) The Kansas City Plant, Kansas City, Missouri.

'''(B) The Pantex Plant, Amarillo, Texas.

'''(C) The Y–12 Plant, Oak Ridge, Tennessee.

'''(D) The tritium operations facilities at the Savannah River Site, Aiken, South Carolina.

'''(E) The Nevada Test Site, Nevada.

'''(2) The term 'national laboratory' means any of the following laboratories:

'''(A) The Los Alamos National Laboratory, Los Alamos, New Mexico.

'''(B) The Lawrence Livermore National Laboratory, Livermore, California.

'''(C) The Sandia National Laboratories, Albuquerque, New Mexico, and Livermore, California.

'''(3) The term 'specified operations office' means any of the following operations offices of the Department of Energy:

'''(A) Albuquerque Operations Office, Albuquerque, New Mexico.

'''(B) Oak Ridge Operations Office, Oak Ridge, Tennessee.

'''(C) Oakland Operations Office, Oakland, California.

'''(D) Nevada Operations Office, Nevada Test Site, Las Vegas, Nevada.

'''(E) Savannah River Operations Office, Savannah River Site, Aiken, South Carolina.

''(b) IN GENERAL.—Section 203 of such Act (42 U.S.C. 7133) is amended by adding at the end of the following new subsection:

'''(c) The Assistant Secretary assigned the functions under section (a)(5) shall be a person who, by reason of professional background and experience, is specially qualified—

'''(1) to manage a program designed to ensure the safety and reliability of the nuclear weapons stockpile;

'''(2) to manage the nuclear weapons production facilities and the national laboratories;

'''(3) protect national security information; and

'''(4) to carry out the other functions of the Administrator of the Nuclear Security Administration.

''(c) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 212 the following items:

'''213. Office of Counterintelligence.

'''214. Office of Intelligence.

'''215. Nuclear Security Administration.'''

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## GRAHAM AMENDMENT NO. 447

Mr. GRAHAM proposed an amendment to the bill, S. 1059, supra; as follows:

On page 404, below line 22, add the following:

**TITLE XIII—COMMISSION ON COUNTERINTELLIGENCE CAPABILITIES OF THE UNITED STATES**

**SEC. 1301. ESTABLISHMENT.**

There is established a commission to be known as the Commission on the Counterintelligence Capabilities of the United States Intelligence Community (in this title referred to as the ''Commission'').

**SEC. 1302. COMPOSITION AND QUALIFICATIONS.**

(a) MEMBERSHIP.—(1) The Commission shall be composed of 17 members, as follows:

(A) Nine members shall be appointed by the President from private life, no more than four of whom shall have previously held senior leadership positions in the intelligence community and no more than five of whom shall be members of the same political party.

(B) Two members shall be appointed by the majority leader of the Senate, of whom one

shall be a Member of the Senate and one shall be from private life.

(C) Two members shall be appointed by the minority leader of the Senate, of whom one shall be a Member of the Senate and one shall be from private life.

(D) Two members shall be appointed by the Speaker of the House of Representatives, of whom one shall be a Member of the House and one shall be from private life.

(E) Two members shall be appointed by the Minority Leader of the House of Representatives, of whom one shall be a Member of the House and one shall be from private life.

(2) The members of the Commission appointed from private life under paragraph (1) shall be persons of demonstrated ability and accomplishment in government, business, law, academy, journalism, or other profession, who have a substantial background in national security matters.

(b) CHAIRMAN AND VICE CHAIRMAN.—The President shall designate two of the members appointed from private life to serve as Chairman and Vice Chairman, respectively, of the Commission.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner as the original appointment.

(d) DEADLINE FOR APPOINTMENTS.—The appointments required by subsection (a) shall be made within 45 days after the date of the enactment of this Act.

(e) MEETINGS.—(1) The Commission shall meet at the call of the Chairman.

(2) The Commission shall hold its first meeting not later than four months after the date of the enactment of this Act.

(f) QUORUM.—Nine members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings, take testimony, or receive evidence.

(g) SECURITY CLEARANCES.—Appropriate security clearances shall be required for members of the Commission who are private United States citizens. Such clearances shall be processed and completed on an expedited basis by appropriate elements of the executive branch of Government and shall, in any case, be completed within 90 days of the date such members are appointed.

(h) APPLICATION OF CERTAIN PROVISIONS OF LAW.—(1) In light of the extraordinary and sensitive nature of its deliberations, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.), and the regulations prescribed by the Administrator of General Services pursuant to that Act, shall not apply to the Commission.

(2) The provisions of section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''), shall not apply to the Commission. However, records of the Commission shall be subject to the Federal Records Act and, when transferred to the National Archives and Records Administration, shall no longer be exempt from the provisions of such section 552.

**SEC. 1303. DUTIES OF THE COMMISSION.**

(a) IN GENERAL.—It shall be the duty of the Commission—

(1) to review the efficacy and appropriateness of the counterintelligence capabilities the United States; and

(2) to prepare and transmit the reports described in section 1304.

(b) IMPLEMENTATION.—In carrying out subsection (a), the Commission shall specifically consider the following:

(1) Whether there should be established within the Federal Government a single entity responsible for the centralized oversight and coordination of government-wide counterintelligence policies and practices.

(2) Whether current personnel levels and training are adequate to meet the counterintelligence requirements of the United States.

(3) Whether current funding is adequate to meet the counterintelligence requirements of the United States.

(4) Whether current oversight of the counterintelligence activities of the United States by the executive branch and legislative branch is adequate, and, if not, what changes to such oversight are necessary.

(5) Whether current coordination of counterintelligence activities and issues among the departments and agencies of the Federal Government is adequate to meet the counterintelligence requirements of the United States.

(6) Whether current laws governing counterintelligence activities are appropriate for the counterintelligence requirements of the United States.

(7) Whether current investigative techniques (including the use of polygraph examinations, background investigations, and financial disclosure) are adequate for counterintelligence purposes.

(8) Whether and how a vigorous counterintelligence capability can coexist with the work which requires the exchange of scientists.

(9) Whether the current assessment of the counterintelligence threat to the United States is accurate, and if not, how the assessment might be modified in order to improve its accuracy.

**SEC. 1304. REPORTS.**

(a) INITIAL REPORT.—Not later than two months after the first meeting of the Commission, the Commission shall transmit to the congressional intelligence committees a report setting forth its plan for the work of the Commission.

(b) INTERIM REPORTS.—Prior to the submission of the report required by subsection (c), the Commission may issue such interim reports as it finds necessary and desirable.

(c) FINAL REPORT.—No later than January 15, 2001, the Commission shall submit to the President and to the congressional defense and intelligence committees a report setting forth the activities, findings, and recommendations of the Commission, including any recommendations for the enactment of legislation that the Commission considers advisable. To the extent feasible, such report shall be unclassified and made available to the public. Such report shall be supplemented as necessary by a classified report or annex, which shall be provided separately to the President and the congressional defense and intelligence committees.

**SEC. 1305. POWERS.**

(a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this title, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any intelligence agency or from any other Federal department or agency any information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this title. Upon request of the Chairman of the Commission, the head of any such department or agency shall furnish such information expeditiously to the Commission.

(c) POSTAL, PRINTING AND BINDING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) SUBCOMMITTEES.—The Commission may establish panels composed of less than the full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(e) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this title.

**SEC. 1306. PERSONNEL MATTERS.**

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is a private United States citizen shall be paid, if requested, at a rate equal to the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission. All members of the Commission who are Members of Congress shall serve without compensation in addition to that received for their services as Members of Congress.

(b) TRAVEL EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The staff director of the Commission shall be appointed from private life, and such appointment shall be subject to the approval of the Commission as a whole. No member of the professional staff may be a current officer or employee of an intelligence agency, except that up to three current employees of intelligence agencies who are on rotational assignment to the Executive Office of the President may serve on the Commission staff, subject to the approval of the Commission as a whole.

(2) COMPENSATION.—The Chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS–15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the Chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its administrative and clerical functions.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable

for level V of the Executive Schedule under section 5316 of such title.

(f) ADMINISTRATIVE AND SUPPORT SERVICES.—The Director of Central Intelligence shall furnish the Commission, on a non-reimbursable basis, any administrative and support services requested by the Commission consistent with this title.

**SEC. 1307. PAYMENT OF COMMISSION EXPENSES.**

The compensation, travel expenses, per diem allowances of members and employees of the Commission, and other expenses of the Commission shall be paid out of funds available to the Director of Central Intelligence for the payment of compensation, travel allowances, and per diem allowances, respectively, of employees of the Central Intelligence Agency.

**SEC. 1308. TERMINATION OF THE COMMISSION.**

The Commission shall terminate one month after the date of the submission of the report required by section 1304(c).

**SEC. 1309. DEFINITIONS.**

In this title:

(1) The term ''intelligence agency'' means any agency, office, or element of the intelligence community.

(2) The term ''intelligence community'' shall have the same meaning as set forth in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(3) The term ''congressional intelligence committees'' refers to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

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## REID AMENDMENT NO. 448

Mr. LEVIN (for Mr. REID) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 387, below line 24, add the following:

**SEC. 1061. DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS HOSPITAL BED REPLACEMENT BUILDING IN RENO, NEVADA.**

The hospital bed replacement building under construction at the Ioannis A. Lougaris Department of Veterans Affairs Medical Center in Reno, Nevada, is hereby designated as the ''Jack Streeter Building''. Any reference to that building in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Jack Streeter Building.

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## BRYAN (AND REID) AMENDMENT NO. 449

Mr. LEVIN (for Mr. BRYAN, for himself and Mr. REID) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 416, in the table following line 13, insert after the item relating to Nellis Air Force Base, Nevada, the following new item:

| | |
|---|---|
| Nellis Air Force Base | $11,600,000 |

On page 417, in the table preceding line 1, strike ''$628,133,000'' in the amount column of the item relating to the total and insert ''$639,733,000''.

On page 419, line 15, strike ''$1,917,191,000'' and insert ''$1,928,791,000''.

On page 419, line 19, strike ''$628,133,000'' and insert ''$639,733,000''.

On page 420, line 17, strike ''$628,133,000'' and insert ''$639,733,000''.

## HARKIN (AND BOXER) AMENDMENT NO. 450

Mr. LEVIN (for Mr. HARKIN, for himself and Mrs. BOXER) proposed an amendment to the bill, S. 1059, supra; as follows:

In title VI, at the end of subtitle E, add the following:

**SEC. 676. IMPLEMENTATION OF THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM.**

(a) CLARIFICATION OF BENEFITS RESPONSIBILITY.—Subsection (a) of section 1060a of title 10, United States Code, is amended by striking ''may carry out a program to provide special supplemental food benefits'' and inserting ''shall carry out a program to provide supplemental foods and nutrition education''.

(b) FUNDING.—Subsection (b) of such section is amended to read as follows:

''(b) FEDERAL PAYMENTS.—The Secretary of Defense shall use funds available for the Department of Defense to provide supplemental foods and nutrition education and to pay for costs for nutrition services and administration under the program required under subsection (a).''.

(c) PROGRAM ADMINISTRATION.—Subsection (c)(1)(A) of such section is amended by adding at the end the following: ''In the determining of eligibility for the program benefits, a person already certified for participation in the special supplemental nutrition program for women, infants, and children under section 17 of the Child Nutrition Act of 1996 (42 U.S.C. 1786) shall be considered eligible for the duration of the certification period under that program.''.

(d) NUTRITIONAL RISK STANDARDS.—Subsection (c)(1)(B) of such section is amended by inserting ''and nutritional risk standards'' after ''income eligibility standards''.

(e) DEFINITIONS.—Subsection (f) of such section is amended by adding at the end the following:

''(4) The terms 'costs for nutrition services and administration', 'nutrition education' and 'supplemental foods' have the meanings given the terms in paragraphs (4), (7), and (14), respectively, of section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)).''.

On page 17, line 6, reduce the amount by $18,000,000.

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## LEAHY AMENDMENT NO. 451

Mr. LEVIN (for Mr. LEAHY) proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place in the bill, insert the following:

**SEC. . TRAINING AND OTHER PROGRAMS.**

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that a member of such unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) MONITORING.—Not more than 90 days after enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall establish procedures to ensure that prior to a decision to conduct any training program referred to in paragraph (a), full consideration is given to all information available to the Department of State relating to human rights violations by foreign security forces.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in paragraph (a) if he determines that such waiver is required by extraordinary circumstances.

(d) REPORT.—Not more than 15 days after the exercise of any waiver under paragraph (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

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## CONRAD AMENDMENTS NOS. 452–454

Mr. LEVIN (for Mr. CONRAD) proposed three amendments to the bill, S. 1059, supra; as follows:

AMENDMENT NO. 452

In title II, at the end of subtitle C, add the following:

**SEC. 225. REPORT ON NATIONAL MISSILE DEFENSE.**

Not later than March 15, 2000, the Secretary of Defense shall submit to Congress the Secretary's assessment of the advantages of a two-site deployment of a ground-based National Missile Defense system, with special reference to considerations of defensive coverage, redundancy and survivability, and economies of scale.

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AMENDMENT NO. 453

In title X, at the end of subtitle D, add the following:

**SEC. 1061. RUSSIAN NONSTRATEGIC NUCLEAR ARMS.**

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

(1) it is in the interest of Russia to fully implement the Presidential Nuclear Initiatives announced in 1991 and 1992 by then-President of the Soviet Union Gorbachev and then-President of Russia Yeltsin;

(2) the President of the United States should call on Russia to match the unilateral reductions in the United States inventory of tactical nuclear weapons, which have reduced the inventory by nearly 90 percent; and

(3) if the certification under section 1044 is made, the President should emphasize the continued interest of the United States in working cooperatively with Russia to reduce the dangers associated with Russia's tactical nuclear arsenal.

(b) ANNUAL REPORTING REQUIREMENT.—(1) Each annual report on accounting for United States assistance under Cooperative Threat Reduction programs that is submitted to Congress under section 1206 of Public Law 104–106 (110 Stat. 471; 22 U.S.C. 5955 note) after fiscal year 1999 shall include, regarding Russia's arsenal of tactical nuclear warheads, the following:

(A) Estimates regarding current types, numbers, yields, viability, locations, and deployment status of the warheads.

(B) An assessment of the strategic relevance of the warheads.

(C) An assessment of the current and projected threat of theft, sale, or unauthorized use of the warheads.

(D) A summary of past, current, and planned United States efforts to work cooperatively with Russia to account for, secure, and reduce Russia's stockpile of tactical nuclear warheads and associated fissile material.

(2) The Secretary shall include in the annual report, with the matters included under paragraph (1), the views of the Director of Central Intelligence and the views of the Commander in Chief of the United States Strategic Command regarding those matters.

(c) VIEWS OF THE DIRECTOR OF CENTRAL INTELLIGENCE.—The Director of Central Intelligence shall submit to the Secretary of Defense, for inclusion in the annual report under subsection (b), the Director's views on the matters described in paragraph (1) of that subsection regarding Russia's tactical nuclear weapons.

AMENDMENT NO. 454

In title II, at the end of subtitle C, add the following:

**SEC. 225. OPTIONS FOR AIR FORCE CRUISE MISSILES.**

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

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

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

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

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

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

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

(b) REPORT.—The report shall include a statement of how the Secretary intends to meet the requirements referred to in subsection (a)(1) in a timely manner as described in that subsection.

## LAUTENBERG AMENDMENT NO. 455

Mr. LEVIN (for Mr. LAUTENBERG) proposed an amendment to the bill S. 1059, supra; as follows:

In title X, at the end of subtitle D, add the following:

**SEC. 1061. CONVEYANCE OF FIREFIGHTING EQUIPMENT AT MILITARY OCEAN TERMINAL, BAYONNE, NEW JERSEY.**

(a) PURPOSE.—The purpose of this section is to provide means for the City of Bayonne, New Jersey, to furnish fire protection through the City's municipal fire department for the tenants, including the Coast Guard, and property at Military Ocean Terminal, New Jersey, thereby enhancing the City's capability for furnishing safety services that is a fundamental capability necessary for encouraging the economic development of Military Ocean Terminal.

(b) AUTHORITY TO CONVEY.—The Secretary of the Army shall, notwithstanding title II of the Federal Property and Administrative Services Act of 1949, convey without consideration to the Bayonne Local Redevelopment Authority, Bayonne, New Jersey, and to the City of Bayonne, New Jersey, jointly, all right, title, and interest of the United States in and to the firefighting equipment described in subsection (c).

(c) EQUIPMENT TO BE CONVEYED.—The equipment to be conveyed under subsection (a) is firefighting equipment at Military Ocean Terminal, Bayonne, New Jersey, as follows:

(1) Pierce Dash 2000 Gpm Pumper, manufactured September 1995, Pierce Job #E–9378, VIN#4PICt02D9SA000653.

(2) Pierce Arrow 100-foot Tower Ladder, manufactured February 1994, Pierce Job #E–8032, VIN#PICA0262RA000245.

(3) Pierce, manufactured 1993, Pierce Job #E–7509, VIN#1FDRYR82AONVA36015.

(4) Ford E–350, manufactured 1992, Plate #G3112693, VIN#1FDKE3OM6NHB37026.

(5) Ford E–302, manufactured 1990, Plate #G3112452, VIN#1FDKE3OM9MHA35749.

(6) Bauer Compressor, Bauer–UN 12–E#5000psi, manufactured November 1989.

(d) OTHER COSTS.—The conveyance and delivery of the property shall be at no cost to the United States.

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

## LAUTENBERG AMENDMENT NO. 456

Mr. LEVIN (for Mr. LAUTENBERG) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 453, between lines 10 and 11, insert the following:

**SEC. 2832. LAND CONVEYANCE, NIKE BATTERY 80 FAMILY HOUSING SITE, EAST HANOVER TOWNSHIP, NEW JERSEY.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Township Council of East Hanover, New Jersey (in this section referred to as the ''Township''), all right, title, and interest of the United States in and to a parcel of real property, including improvement thereon, consisting of approximately 13.88 acres located near the unincorporated area of Hanover Neck in East Hanover, New Jersey, the former family housing site for Nike Battery 80. The purpose of the conveyance is to permit the Township to develop the parcel for affordable housing and for recreational purposes.

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

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

## SARBANES AMENDMENT NO. 457

Mr. LEVIN (for Mr. SARBANES) proposed an amendment to the bill, S. 1059, supra; as follows:

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

**SEC. . ONE-YEAR DELAY IN DEMOLITION OF RADIO TRANSMITTING FACILITY TOWERS AT NAVAL STATION, ANNAPOLIS, MARYLAND, TO FACILITATE TRANSFER OF TOWERS.**

(a) ONE-YEAR DELAY.—The Secretary of the Navy may not obligate or expand any funds for the demolition of the naval radio transmitting towers described in subsection (b) during the one-year period beginning on the date of the enactment of this Act.

(b) COVERED TOWERS.—The naval radio transmitting towers described in this subsection are the three southeastern most naval radio transmitting towers located at Naval Station, Annapolis, Maryland that are scheduled for demolition as of the date of enactment of this Act.

(c) TRANSFER OF TOWERS.—The Secretary may transfer to the State of Maryland, or the County of Anne Arundel, Maryland, all right, title, and interest (including maintenance responsibility) of the United States in and to the towers described in subsection (b) if the State of Maryland or the County of Anne Arundel, Maryland, as the case may be, agrees to accept such right, title, and interest (including accrued maintenance responsibility) during the one-year period referred to in subsection (a).

## SPECTER AMENDMENT NO. 458

Mr. WARNER (for Mr. SPECTER) proposed an amendment to the bill, S. 1059, supra; as follows:

In title X, at the end of subtitle D, add the following:

**SEC. 1061. PROHIBITION ON NEGOTIATIONS WITH INDICTED WAR CRIMINALS.**

(a) IN GENERAL.—The United States, as a member of NATO, may not negotiate with Slobodan Milosevic, an indicted war criminal, with respect to reaching an end to the conflict in the Federal Republic of Yugoslavia.

(b) YUGOSLAVIA DEFINED.—In this section, the term ''Federal Republic of Yugoslavia'' means the Federal Republic of Yugoslavia (Serbia and Montenegro).

## BINGAMAN AMENDMENT NO. 459

Mr. LEVIN (for Mr. BINGAMAN) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 476, line 13, through page 502, line 3, strike title XXIX in its entirety and insert in lieu thereof the following:

''TITLE XXIX—RENEWAL OF MILITARY LAND WITHDRAWALS.

**''SEC. 2901. FINDINGS.**

''The Congress finds that—

''(1) Public Law 99–606 authorized public land withdrawals for several military installations, including the Barry M. Goldwater Air Force Range in Arizona, the McGregor Range in New Mexico, and Fort Wainwright and Fort Greely in Alaska, collectively comprising over 4 million acres of public land;

''(2) these military ranges provide important military training opportunities and serve a critical role in the national security of the United States and their use for these purposes should be continued;

''(3) in addition to their use for military purposes, these ranges contain significant natural and cultural resources, and provide important wildlife habitat;

''(4) the future use of these ranges is important not only for the affected military branches, but also for local residents and other public land users;

''(5) the public land withdrawals authorized in 1986 under Public Law 99–606 were for a period of 15 years, and expire in November, 2001; and

''(6) it is important that the renewal of these public land withdrawals be completed in a timely manner, consistent with the process established in Public Law 99–606 and other applicable laws, including the completion of appropriate environmental impact studies and opportunities for public comment and review.

**''SEC. 2902. SENSE OF THE SENATE.**

''It is the Sense of the Senate that the Secretary of Defense and the Secretary of the Interior, consistent with their responsibilities and requirements under applicable laws, should jointly prepare a comprehensive legislative proposal to renew the public land withdrawals for the four ranges referenced in section 2901 and transmit such proposal to the Congress no later than July 1, 1999.''

## WARNER AMENDMENT NO. 460

Mr. WARNER proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place, insert:

**SEC. . ARMY RESERVE RELOCATION FROM FORT DOUGLAS, UTAH.**

With regard to the conveyance of a portion of Fort Douglas, Utah to the University of Utah and the resulting relocation of Army Reserve activities to temporary and permanent relocation facilities, the Secretary of the Army may accept the funds paid by the University of Utah or State of Utah to pay costs associated with the conveyance and relocation. Fund received under this section shall be credited to the appropriation, fund or account from which the expenses are ordinarily paid. Amounts so credited shall be available until expended.

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## ROBB AMENDMENT NO. 461

Mr. LEVIN (for Mr. ROBB) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 93, between lines 2 and 3, insert the following:

SEC. 349. (a) AUTHORITY TO MAKE PAYMENTS.—Subject to the provisions of this section, the Secretary of Defense is authorized to make payments for the settlement of the claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence.

(b) DEADLINE FOR EXERCISE OF AUTHORITY.—The Secretary shall make the decision to exercise the authority in subsection (a) not later than 90 days after the date of enactment of this Act.

(c) SOURCE OF PAYMENTS.—Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available for the Department of Navy for operation and maintenance for fiscal year 2000 or other unexpended balances from prior years, the Secretary shall make available $40 million only for emergency and extraordinary expenses associated with the settlement of the claims arising from the accident and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (a).

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

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

(f) CONSTRUCTION.—The payment of an amount under this section may not be considered to constitute a statement of legal liability on the part of the United States or otherwise as evidence of any material fact in any judicial proceeding or investigation arising from the accident described in subsection (a).

(g) [Placeholder for Thurmond language].

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## LINCOLN AMENDMENT NO. 462

Mr. LEVIN (for Mrs. LINCOLN) proposed an amendment to the bill, S. 1059, supra; as follows:

Amend the tables in section 2301 to include $7.8 million for C130 squadron operations/AMU facility at the Little Rock Air Force Base in Little Rock, Arkansas. Further amend Section 2304 to so include the adjustments.

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## SMITH AMENDMENT NO. 463

Mr. WARNER (for Mr. SMITH of New Hampshire) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 429, line 5, strike out ''$172,472,000'' and insert in lieu thereof ''$156,340,000''

On page 411, in the table below, insert after item related Mississippi Naval Construction Battalion Center, Gulfport following new item:

New Hampshire NSY Portsmouth $3,850,000

On page 412, in the table line Total strike out ''$744,140,000'' and insert ''$747,990,000.''

On page 414, line 6, strike out ''$2,078,015,000'' and insert in lieu thereof ''$2,081,865,000''.

On page 414, line 9, strike out ''$673,960,000'' and insert in lieu thereof ''$677,810,000''.

On page 414, line 18, strike out ''$66,299,000'' and insert in lieu thereof ''$66,581,000''.

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## HELMS AMENDMENT NO 464

Mr. WARNER (for Mr. HELMS) proposed an amendment to the bill, S. 1059, supra; as follows:

Insert at the appropriate place in the bill:

**SEC. . DISPOSITION OF WEAPONS-GRADE MATERIAL**

(a) REPORT ON REDUCTION OF THE STOCKPILE.—Not later than 120 days after signing an agreement between the United States and Russia for the disposition of excess weapons plutonium, the Secretary of Energy, with the concurrence of the Secretary of Defense, shall submit a report to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and to the Speaker of the House of Representatives—

(1) detailing plans for United States implementation of such agreement;

(2) identifying the number of United States warhead ''pits'' of each type deemed ''excess'' for the purpose of dismantlement or disposition; and

(3) describing any implications this may have for the Stockpile Stewardship and Management Program.

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## SESSIONS AMENDMENT NO. 465

Mr. WARNER (for Mr. SESSIONS) proposed an amendment to the bill S. 1059, supra; as follows:

In title V, at the end of subtitle B, add the following:

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

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

(b) GRADE OF CHIEF OF NAVAL RESERVE.—Section 5143(c)(2) of such title is amended by striking ''rear admiral (lower half)'' and inserting ''rear admiral''.

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

(d) GRADE OF CHIEF OF AIR FORCE RESERVE.—Section 8038(c) of such title is amended by striking ''major general'' and inserting ''lieutenant general''.

(e) THE ADDITIONAL GENERAL OFFICERS FOR THE NATIONAL GUARD BUREAU.—Subparagraphs (A) and (B) of section 10506(a)(1) of such title are each amended by striking ''major general'' and inserting ''lieutenant general''.

(f) EXCLUSION FROM LIMITATION ON GENERAL AND FLAG OFFICERS.—Section 526(d) of such title is amended to read as follows:

''(d) EXCLUSION OF CERTAIN RESERVE COMPONENT OFFICERS.—The limitations of this section do not apply to the following reserve component general or flag officers:

''(1) An officer on active duty for training.

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

''(3) The Chief of Army Reserve, the Chief of Naval Reserve, the Chief of Air Force Reserve, the Commander, Marine Forces Reserve, and the additional general officers assigned to the National Guard Bureau under section 10506(a)(1) of this title.''.

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

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## DEWINE (AND COVERDELL) AMENDMENT NO. 466

Mr. WARNER (for Mr. DEWINE, for himself and Mr. COVERDELL) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 62, between lines 19 and 20, insert the following:

**SEC. 314. ADDITIONAL AMOUNTS FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.**

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

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

(1) $6,000,000 shall be available for Operation Caper Focus.

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

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

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

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

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

(c) OFFSET.—Of the amounts authorized to be appropriated by this Act, the total amount available for _____.

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## VOINOVICH (AND DEWINE) AMENDMENT NO. 467

Mr. WARNER (for Mr. VOINOVICH, for himself and Mr. DEWINE), proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place, insert the following new section:

**SEC. . ORDNANCE MITIGATION STUDY.**

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

(b) The Secretary shall report to the congressional defense committees and the Senate Environment and Public Works on long-term solutions and costs related to the removal of ordnance in the Toussaint River,

Ohio. The Secretary shall also evaluate any ongoing use of Lake Erie as an ordnance firing range and justify the need to continue such activities by the Department of Defense or its contractors. The Secretary shall report not later than April 1, 2000.

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

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

## McCAIN AMENDMENT NO. 486

Mr. WARNER (for Mr. MCCAIN) proposed an amendment to the bill, S. 1059, supra; as follows:

In section 2902, strike subsection (a).

In section 2902, redesignate subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively.

In section 2903(c), strike paragraphs (4) and (7).

In section 2903(c), redesignate paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

In section 2904(a)(1)(A), strike ''(except those lands within a unit of the National Wildlife Refuge System)''.

In section 2904(a)(1), strike subparagraph (B).

In section 2904, strike subsection (g).

Strike section 2905.

Strike section 2906.

Redesignate sections 2907 through 2914 as sections 2905 through 2912, respectively.

In section 2907(h), as so redesignated, strike ''section 2902(c) or 2902(d)'' and insert ''section 2902(b) or 2902(c)''.

In section 2908(b), as so redesignated, strike ''section 2909(g)'' and insert ''section 2907(g)''.

In section 2910, as so redesignated, strike '', except that hunting,'' and all that follows and insert a period.

In section 2911(a)(1), as so redesignated, strike ''subsections (b), (c), and (d)'' and insert ''subsections (a), (b), and (c)''.

In section 2911(a)(2), as so redesignated, strike '', except that lands'' and all that follows and insert a period.

At the end, add the following:

**SEC. 2912. SENSE OF SENATE REGARDING WITHDRAWALS OF CERTAIN LANDS IN ARIZONA.**

It is the sense of the Senate that—

(1) it is vital to the national interest that the withdrawal of the lands withdrawn by section 1(c) of the Military Lands Withdrawal Act of 1986 (Public Law 99–606), relating to Barry M. Goldwater Air Force Range and the Cabeza Prieta National Wildlife Refuge, which would otherwise expire in 2001, be renewed in 1999;

(2) the renewed withdrawal of such lands is critical to meet the military training requirements of the Armed Forces and to provide the Armed Forces with experience necessary to defend the national interests;

(3) the Armed Forces currently carry out environmental stewardship of such lands in a comprehensive and focused manner; and

(4) a continuation in high-quality management of United States natural and cultural resources is required if the United States is to preserve its national heritage.

## HELMS (AND BIDEN) AMENDMENT NO. 469

Mr. WARNER (for Mr. HELMS, for himself and Mr. BIDEN) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 153, line 18, strike ''the United States'' and insert ''such''.

On page 356, line 7, insert after ''Secretary of Defense'' the following: '', in consultation with the Secretary of State,''.

On page 356, beginning on line 8, strike ''the Committees on Armed Services of the Senate and House of Representatives'' and insert ''the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and International Relations of the House of Representatives''.

On page 358, strike line 21 and all that follows through page 359, line 7.

On page 359, line 8, strike ''(c)'' and insert ''(b)''.

On page 359, line 16, strike ''(d)'' and insert ''(c)''.

## BOND (AND KERRY) AMENDMENT NO. 470

Mr. WARNER (for Mr. BOND, for himself and Mr. KERRY) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 281, at the end of line 13, add the following: ''However, the commercial services so designated by the Secretary shall not be treated under the pilot program as being commercial items for purposes of the special simplified procedures included in the Federal Acquisition Regulation pursuant to the section 2304(g)(1)(B) of title 10, United States Code, section 303(g)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(B)), and section 31(a)(2) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(2)).''.

On page 282, line 19, after ''concerns,'' insert the following: ''HUBZone small business concerns,''.

On page 283, line 19, strike ''(A)'' and insert ''(1)''.

On page 283, line 23, strike ''(B)'' and insert ''(2)''.

On page 284, line 3, strike ''(C)'' and insert ''(3)''.

On page 284, between lines 6 and 7, insert the following:

(4) The term ''HUBZone small business concern'' has the meaning given the term in section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3)).

## McCAIN AMENDMENT NO. 471

Mr. LEVIN (for Mr. MCCAIN) proposed an amendment to the bill, S. 1059, supra; as follows:

In title III, at the end of subtitle A, add the following:

**SEC. 305. PROCUREMENT TECHNICAL ASSISTANCE PROGRAMS.**

Of the amount authorized to be appropriated under section 301(5) for carrying out the provisions of chapter 142 of title 10, United States Code, $600,000 is authorized for fiscal year 2000 for the purpose of carrying out programs sponsored by eligible entities referred to in subparagraph (D) of section 2411(1) of title 10, United States Code, that provide procurement technical assistance in distressed areas referred to in subparagraph (B) of section 2411(2) of such title. If there is an insufficient number of satisfactory proposals for cooperative agreements in such distressed areas to allow effective use of the funds made available in accordance with this subsection in such areas, the funds shall be allocated among the Defense Contract Administration Services regions in accordance with section 2415 of such title.

## HATCH AMENDMENT NO. 472

Mr. LEVIN (for Mr. HATCH) proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place, insert the following new section:

**SEC. . AUTHORITY FOR PUBLIC BENEFIT TRANSFER TO CERTAIN TAX-SUPPORTED EDUCATIONAL INSTITUTIONS OF SURPLUS PROPERTY UNDER THE BASE CLOSURE LAWS.**

(a) IN GENERAL.—(1) Notwithstanding any provision of the applicable base closure law or any provision of the Federal Property and Administrative Services Act of 1949, the Administrator of General Services may transfer to institutions described in subsection (b) the facilities described in subsection (c). Any such transfer shall be without consideration to the United States.

(2) A transfer under paragraph (1) may include real property associated with the facility concerned.

(3) An institution seeking a transfer under paragraph (1) shall submit to the Administrator an application for the transfer. The application shall include such information as the Administrator shall specify.

(b) COVERED INSTITUTIONS.—An institution eligible for the transfer of a facility under subsection (a) is any tax-supported educational institution that agrees to use the facility for—

(1) student instruction;

(2) the provision of services to individual with disabilities;

(3) the health and welfare of students;

(4) the storage of instructional materials or other materials directly related to the administration of student instruction; or

(5) other educational purposes.

(c) AVAILABLE FACILITIES.—A facility available for transfer under subsection (a) is any facility that—

(1) is located at a military installation approved for closure or realignment under a base closure law;

(2) has been determined to be surplus property under that base closure law; and

(3) is available for disposal as of the date of the enactment of this Act.

(d) DEFINITIONS.—In this section:

(1) The term ''base closure laws'' means the following:

(A) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(2) The term ''tax-supported educational institution'' means any tax-supported educational institution covered by section 203(k)(1)(A) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)(1)(A)).

## EDWARDS AMENDMENT NO. 473

Mr. LEVIN (for Mr. EDWARDS) proposed an amendment to the bill, S. 1059, supra; as follows:

In title VI, at the end of subtitle B, add the following:

**SEC. 629. SENSE OF THE SENATE REGARDING TAX TREATMENT OF MEMBERS RECEIVING SPECIAL PAY.**

It is the sense of the Senate that members of the Armed Forces who receive special pay for duty subject to hostile fire or imminent danger (37 U.S.C. 310) should receive the same tax treatment as members serving in combat zones.

## GRAMM AMENDMENT NO. 474

Mr. WARNER (for Mr. GRAMM, for himself, Mr. ASHCROFT, Mr. COVERDELL, Mr. LOTT, and Mrs. HUTCHISON) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 387, below line 24, add the following:

**SEC. 1061. COMMEMORATION OF THE VICTORY OF FREEDOM IN THE COLD WAR.**

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

(1) The Cold War between the United States and the former Union of Soviet Socialist Republics was the longest and most costly struggle for democracy and freedom in the history of mankind.

(2) Whether millions of people all over the world would live in freedom hinged on the outcome of the Cold War.

(3) Democratic countries bore the burden of the struggle and paid the costs in order to preserve and promote democracy and freedom.

(4) The Armed Forces and the taxpayers of the United States bore the greatest portion of such a burden and struggle in order to protect such principles.

(5) Tens of thousands of United States soldiers, sailors, Marines, and airmen paid the ultimate price during the Cold War in order to preserve the freedoms and liberties enjoyed in democratic countries.

(6) The Berlin Wall erected in Berlin, Germany, epitomized the totalitarianism that the United States struggled to eradicate during the Cold War.

(7) The fall of the Berlin Wall on November 9, 1989, marked the beginning of the end for Soviet totalitarianism, and thus the end of the Cold War.

(8) November 9, 1999, is the 10th anniversary of the fall of the Berlin Wall.

(b) DESIGNATION OF VICTORY IN THE COLD WAR DAY.—Congress hereby—

(1) designates November 9, 1999, as ''Victory in the Cold War Day''; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe that week with appropriate ceremonies and activities.

(c) COLD WAR VICTORY MEDAL.—Chapter 57 of Title 10, United States Code, is amended by adding at the end the following:

**''§ 1133. Cold War medal: award; issue**

''(a) There is hereby authorized an award of an appropriate decoration, as provided for under subsection (b), to all individuals who served honorably in the United States Armed Forces during the Cold War in order to recognize the contributions of such individuals to United States victory in the Cold War.''

''(b) DESIGN.—The Joint Chiefs of Staff shall, under regulations prescribed by the President, design for purposes of this section a decoration called the 'Reagan–Truman Victory in the Cold War Medal'. The decoration shall be of appropriate design, with ribbons and appurtenances.

''(c) PERIOD OF COLD WAR.—For purposes of subsection (a), the term 'Cold War' shall mean the period beginning on August 14, 1945, and ending on November 9, 1989.''.

(B) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1133. Cold War medal: award; issue.''.

(d) PARTICIPATION OF ARMED FORCES IN CELEBRATION OF ANNIVERSARY OF END OF COLD WAR.—(1) Subject to paragraphs (2) and (3), amounts authorized to be appropriated by section 301(1) shall be available for the purpose of covering the costs of the Armed Forces in participating in a celebration of the 10th anniversary of the end of the Cold War to be held in Washington, District of Columbia, on November 9, 1999.

(2) The total amount of funds available under paragraph (1) for the purpose set forth in that paragraph may not exceed $15,000,000.

(3)(A) The Secretary of Defense may accept contributions from the private sector for the purpose of reducing the costs of the Armed Forces described in paragraph (1).

(B) The amount of funds available under paragraph (1) for the purpose set forth in that paragraph shall be reduced by an amount equal to the amount of contributions accepted by the Secretary under subparagraph (A).

(e) COMMISSION ON VICTORY IN THE COLD WAR.—(1) There is hereby established a commission to be known as the ''Commission on Victory in the Cold War'' (in this subsection to be referred to as the ''Commission'').

(2) The Commission shall be composed of seven individuals, as follows:

(A) Three shall be appointed by the President, in consultation with the Minority Leader of the Senate and the Minority Leader of the House of Representatives.

(B) Two shall be appointed by the Majority Leader of the Senate.

(C) Two shall be appointed by the Speaker of the House of Representatives.

(3) The Commission shall have as its duty the review and approval of the expenditure of funds by the Armed Forces under subsection (d) prior to the participation of the Armed Forces in the celebration referred to in paragraph (1) of that subsection, whether such funds are derived from funds of the United States or from amounts contributed by the private sector under paragraph (3)(A) of that subsection.

(4) In addition to the duties provided for under paragraph (3), the Commission shall also have the authority to design and award medals and decorations to current and former public officials and other individuals whose efforts were vital to United States victory in the Cold War.

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## SMITH AMENDMENT NO. 475

Mr. WARNER (for Mr. SMITH of New Hampshire) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 357, between lines 11 and 12, insert the following:

**SEC. 1032. REPORT ON MILITARY-TO-MILITARY CONTACTS WITH THE PEOPLE'S REPUBLIC OF CHINA.**

(a) REPORT.—The Secretary of Defense shall submit to Congress a report on military-to-military contacts between the United States and the People's Republic of China.

(b) REPORT ELEMENTS.—The report shall include the following:

(1) A list of the general and flag grade officers of the People's Liberation Army who have visited United States military installations since January 1, 1993.

(2) The itinerary of the visits referred to in paragraph (2), including the installations visited, the duration of the visits, and the activities conducted during the visits.

(3) The involvement, if any, of the general and flag officers referred to in paragraph (2) in the Tiananmen Square massacre of June 1989.

(4) A list of facilities in the People's Republic of China that United States military officers have visited as a result of any military-to-military contact program between the United States and the People's Republic of China since January 1, 1993.

(5) A list of facilities in the People's Republic of China that have been the subject of a requested visit by the Department of Defense which has been denied by People's Republic of China authorities.

(6) A list of facilities in the United States that have been the subject of a requested visit by the People's Liberation Army which has been denied by the United States.

(7) Any official documentation, such as memoranda for the record, after-action reports, and final itineraries, and any receipts for expenses over $1,000, concerning military-to-military contacts or exchanges between the United States and the People's Republic of China in 1999.

(8) An assessment regarding whether or not any People's Republic of China military officials have been shown classified material as a result of military-to-military contacts or exchanges between the United States and the People's Republic of China.

(9) The report shall be submitted no later than March 31, 2000 and shall be unclassified but may contain a classified annex.

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## THOMAS AMENDMENT NO. 476

Mr. WARNER (for Mr. THOMAS) proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place in the bill, insert the following new section and renumber any following sections accordingly:

**SEC. . IMPLEMENTATION OF THE FEDERAL ACTIVITIES INVENTORY REFORM ACT.**

The Federal Activities Inventory Reform Act of 1998 (P.L. 105–270) shall be implemented by an Executive Order issued by the President.

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## HUTCHISON AMENDMENT NO. 477

Mr. WARNER (for Mrs. HUTCHISON) proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . (a): Congress makes the following findings:

(1) It is the National Security Strategy of the United States to ''deter and defeat large-scale, cross-border aggression in two distant theaters in overlapping time frames;''

(2) The deterrence of Iraq and Iran in Southwest Asia and the deterrence of North Korea in Northeast Asia represent two such potential large-scale, cross-border theater requirements;

(3) The United States has 120,000 troops permanently assigned to those theaters;

(4) The United States has an additional 70,000 forces assigned to non-NATO/non-Pacific threat foreign countries;

(5) The United States has more than 6,000 troops in Bosnia-Herzegovina on indefinite assignment;

(6) The United States has diverted permanently assigned resources from other theaters to support operations in the Balkans;

(7) The United States provides military forces to seven active United Nations peacekeeping operations, including some missions that have continued for decades;

(8) Between 1986 and 1998, the number of American military deployments per year has nearly tripled at the same time the Department of Defense budget has been reduced in real terms by 38 percent;

(9) The Army has 10 active-duty divisions today, down from 18 in 1991, while on an average day in FY98, 28,000 U.S. Army soldiers were deployed to more than 70 countries for over 300 separate missions;

(10) Active Air Force fighter wings have gone from 22 to 13 since 1991, while 70 percent of air sorties in Operation Allied Force over the Balkans are U.S.-flown and the Air Force continues to enforce northern and southern no-fly zones in Iraq. In response, the Air Force has initiated a ''stop loss'' program to block normal retirements and separations.

(11) The United States Navy has been reduced in size to 339 ships, its lowest level since 1938, necessitating the redeployment of the only overseas homeported aircraft carrier from the Western Pacific to the Mediterranean to support Operation Allied Force;

(12) In 1998 just 10 percent of eligible carrier naval aviators—27 out of 261—accepted

continuation bonuses and remained in service;

(13) In 1998 48 percent of Air Force pilots eligible for continuation opted to leave the service.

(14) The Army could fall 6,000 below Congressionally authorized troop strength by the end of 1999.

(b) Sense of Congress:

(1) It is the sense of Congress that—

(A) The readiness of U.S. military forces to execute the National Security Strategy of the United States is being eroded from a combination of declining defense budgets and expanded missions;

(B) There may be missions to which the United States is contributing Armed Forces from which the United States can begin disengaging.

(c) Report Requirement.

(1) Not later than March 1, 2000, the President shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives, and to the Committees on Appropriations in both Houses, a report prioritizing the ongoing global missions to which the United States is contributing troops. The President shall include in the report a feasibility analysis of how the United States can:

(1) shift resources from low priority missions in support of higher priority missions;

(2) consolidate or reduce U.S. troop commitments worldwide;

(3) end low priority missions.

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## SMITH (AND WYDEN) AMENDMENT NO. 478

Mr. WARNER (for Mr. SMITH of Oregon, for himself and Mr. WYDEN) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 404, below line 22, add the following:

### TITLE XIII—CHEMICAL DEMILITARIZATION ACTIVITIES

**SEC. 1301. SHORT TITLE.**

This title may be cited as the ''Community-Army Cooperation Act of 1999''.

**SEC. 1302. FINDINGS AND PURPOSE.**

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

(1) Between 1945 and 1989, the national security interests of the United States required the construction, and later, the deployment and storage of weapons of mass destruction throughout the geographical United States.

(2) The United States is a party to international commitments and treaties which require the decommissioning or destruction of certain of these weapons.

(3) The United States has ratified the Chemical Weapons Convention which requires the destruction of the United States chemical weapons stockpile by April 29, 2007.

(4) Section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) provides that the Department of the Army shall be the executive agent for the destruction of the chemical weapons stockpile.

(5) In 1988, the Department of the Army determined that on-site incineration of chemical weapons at the eight chemical weapons storage locations in the continental United States would provide the safest and most efficient means for the destruction of the chemical weapons stockpile.

(6) The communities in the vicinity of such locations have expressed concern over the safety of the process to be used for the incineration of the chemical weapons stockpile.

(7) Sections 174 and 175 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484) and section 8065 of the Department of Defense Appropriations Act, 1997 (Public Law 104–208) require that the Department of the Army explore methods other than incineration for the destruction of the chemical weapons stockpile.

(8) Compliance with the 2007 deadline for the destruction of the United States chemical weapons stockpile in accordance with the Chemical Weapons Convention will require an accelerated decommissioning and transporting of United States chemical weapons.

(9) The decommissioning or transporting of such weapons has caused, or will cause, environmental, economic, and social disruptions.

(10) It is appropriate for the United States to mitigate such disruptions.

(b) PURPOSE.—It is the purpose of this title to provide for the mitigation of the environmental, economic, and social disruptions to communities and Indian tribes resulting from the onsite decommissioning of chemical agents and munitions, and related materials, at chemical demilitarization facilities in the United States.

**SEC. 1303. SENSE OF CONGRESS.**

It is the sense of Congress that the Secretary of Defense and the Secretary of the Army should streamline the administrative structure of the Department of Defense and the Department of the Army, respectively, in order that the officials within such departments with immediate responsibility for the demilitarization of chemical agents and munitions, and related materials, have authority—

(1) to meet the April 29, 2007, deadline for the destruction of United States chemical weapon stockpile as required by the Chemical Weapons Convention; and

(2) to employ sound management principles, including the negotiation and implementation of contract incentives, to—

(A) accelerate the decommissioning of chemical agents and munitions, and related materials; and

(B) enforce budget discipline on the chemical demilitarization program of the United States while mitigating the disruption to communities and Indian tribes resulting from the onsite decommissioning of the chemical weapons stockpile at chemical demilitarization facilities in the United States.

**SEC. 1304. DECOMMISSIONING OF UNITED STATES CHEMICAL WEAPONS STOCKPILE.**

(a) IN GENERAL.—As executive agent for the chemical demilitarization program of the United States, the Department of the Army shall facilitate, expedite, and accelerate the decommissioning of the United States chemical weapons stockpile so as to complete the decommissioning of that stockpile by April 29, 2007, as required by the Chemical Weapons Convention.

**SEC. 1305. ECONOMIC ASSISTANCE PAYMENTS.**

(a) IN GENERAL.—Upon the direction of the Secretary of the Army, the Comptroller of the Army shall make economic assistance payments to communities and Indian tribes directly affected by the decommissioning of chemical agents and munitions, and related materials, at chemical demilitarization facilities in the United States.

(b) SOURCE OF PAYMENTS.—Amounts for payments under this section shall be derived from appropriations available to the Department of the Army for chemical demilitarization activities.

(c) TOTAL AMOUNT OF PAYMENTS.—(1) Subject to paragraph (2), the aggregate amount of payments under this section with respect to a chemical demilitarization facility during the period beginning on the date of the enactment of this Act and ending on April 29, 2007, may not be less than $50,000,000 or more than $60,000,000.

(2) Payments under this section shall cease with respect to a facility upon the transfer of the facility to a State-chartered municipal corporation pursuant to an agreement referred to in section 1412(c)(2)(B) of the Department of Defense Authorization Act, 1986, as amended by section 1306 of this Act.

(d) DATE OF PAYMENT.—(1) Payments under this section with respect to a chemical demilitarization facility shall be made on March 1 and September 2 each year if the decommissioning of chemical agents and munitions, and related materials, occurs at the facility during the applicable payment period with respect to such date.

(2) For purposes of this section, the term ''applicable payment period'' means—

(A) in the case of a payment to be made on March 1 of a year, the period beginning on July 1 and ending on December 31 of the preceding year; and

(B) in the case of a payment to be made on September 2 of a year, the period beginning on January 1 and ending on June 30 of the year.

(e) ALLOCATION OF PAYMENT—(1) Except as provided in paragraph (2), each payment under this section with respect to a chemical demilitarization facility shall be allocated equally among the communities and Indian tribes that are located within the positive action zone of the facility, as determined by population.

(2) The amount of an allocation under this subsection to a community or Indian tribe shall be reduced by the amount of any tax or fee imposed or assessed by the community or Indian tribe during the applicable payment period against the value of the facility concerned or with respect to the storage or decommissioning of chemical agents and munitions, or related materials, at the facility.

(f) COMPUTATION OF PAYMENT.—(1) Except as provided in paragraph (2), the amount of each payment under this section with respect to a chemical demilitarization facility shall be the amount equal to $10,000 multiplied by the number of tons of chemical agents and munitions, and related materials, decommissioned at the facility during the applicable payment period.

(2)(A) If at the conclusion of the decommissioning of chemical agents and munitions, and related materials, at a facility the aggregate amount of payments made with respect to the facility is less than the minimum amount required by subsection (c)(1), unless payments have ceased with respect to the facility under subsection (c)(2), the amount of the final payment under this section shall be the amount equal to the difference between such aggregate amount and the minimum amount required by subsection (c)(1).

(B) This paragraph shall not apply with respect to a facility if the decommissioning of chemical agents and munitions, and related materials, continues at the facility after April 29, 2007.

(g) INTEREST ON UNTIMELY PAYMENTS.—(1) Any payment that is made under this section for an applicable payment period after the date specified for that period in subsection (d) shall include, in addition to the payment amount otherwise provided for under this section, interest at the rate of 1.5 percent per month.

(2) Amounts for payments of interest under this paragraph shall be derived from amounts available for the Department of Defense, other than amounts available for chemical demilitarization activities.

(h) USE OF PAYMENTS.—A community or Indian tribe receiving a payment under this section may utilize amounts of the payment for such purposes as the community or Indian tribe, as the case may be, considers appropriate in its sole discretion.

**SEC. 1306. ENVIRONMENTAL PROTECTION AND USE OF FACILITIES.**

Paragraph (2) of section 1412(c) of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521(c)) is amended to read as follows:

''(2)(A) Facilities constructed to carry out this section may not be used for any other purpose than the destruction of the following:

''(i) The United States stockpile of lethal chemical agents and munitions that exist on November 8, 1985.

''(ii) Any items designated by the Secretary of Defense after that date to be lethal chemical agents and munitions, or related materials.

''(B) Facilities constructed to carry out this section shall, when no longer needed for the purposes for which they were constructed, be disposed of in accordance with agreements between the office designated or established under section 1304(b) of the National Defense Authorization Act for Fiscal Year 2000 and the chief executive officer of the State in which the facilities are located.

''(C) An agreement referred to in subparagraph (B) that provides for the transfer of facilities from the United States to a State-chartered municipal corporation shall include provisions as follows:

''(i) That any profits generated by the corporation from the use of such facilities shall be used exclusively for the benefit of communities and Indian tribes located within the positive action zone of such facilities, as determined by population.

''(ii) That any profits referred to in clause (i) shall be apportioned among the communities and Indian tribes concerned on the basis of population, as determined by the most recent decennial census.

''(iii) That the transfer of such facilities shall include any lands extending 50 feet in all directions from such facilities.

''(iv) That the transfer of such facilities include any easements necessary for reasonable access to such facilities.

''(D) An agreement referred to in subparagraph (B) may not take effect if executed after December 31, 2000.''.

**SEC. 1307. ACTIONS REGARDING ACTIVITIES AT CHEMICAL DEMILITARIZATION FACILITIES.**

(a) LIMITATION ON JURISDICTION.—(1) An action seeking the cessation of the construction, operation, or demolition of a chemical demilitarization facility in the United States may be commenced only in a district court of the United States.

(2) No administrative office exercising quasi-judicial powers, and no court of any State, may order the cessation of the construction, operation, or demolition of a chemical demilitarization facility in the United States.

(b) LIMITATIONS ON STANDING.—(1)(A) Except as provided in paragraph (2), as of a date specified in subparagraph (B), no person shall have standing to bring an action against the United States relating to the decomissioning of chemical agents and munitions, and related materials, at a chemical demilitarization facility except—

(i) the State in which the facility is located; or

(ii) a community or Indian tribe located within the positive action zone of the facility.

(B) A date referred to in this subparagraph for a chemical demilitarization facility is the earlier of—

(i) the date on which the first payment is made with respect to the facility under section 1305; or

(ii) the date on which an agreement referred to in section 1412(c)(2)(B) of the Department of Defense Authorization Act, 1986, as amended by section 1306 of this Act, becomes effective for the facility in accordance with the provisions of such section 1412(c)(2)(B).

(2) Paragraph (1) shall not apply in the case of an action by a State, community, or Indian tribe to determine whether the State, community, or Indian tribe, as the case may be, has a legal or equitable interest in the facility concerned.

(c) INTERIM RELIEF.—(1) During the pendency of an action referred to in subsection (a), a district court of the United States may issue a temporary restraining order against the ongoing construction, operation, or demolition of a chemical demilitarization facility if the petitioner proves by clear and convincing evidence that the construction, operation, or demolition of the facility, as the case may be, is will cause demonstrable harm to the public, the environment, or the personnel who are employed at the facility.

(2) The Secretary of Defense or the Secretary of the Army may appeal immediately any temporary restraining order issued under paragraph (1) to the court of appeals of the United States.

(d) STANDARDS TO BE EMPLOYED IN ACTIONS.—In considering an action under this section, including an appeal from an order under subsection (c), the courts of the United States shall—

(1) treat as an irrebuttable presumption the presumption that any activities at a chemical demilitarization facility that are undertaken in compliance with standards of the Department of Health and Human Services, the Department of Transportation, or the Environmental Protection Agency relating to the safety of the public, the environment, and personnel at the facility will provide maximum safety to the public, environment, and such personnel; and

(2) in the case of an action seeking the cessation of construction or operation of a facility, compare the benefit to be gained by granting the specific relief sought by the petitioner against with the increased risk, if any, to the public, environment, or personnel at the facility that would result from deterioration of chemical agents and munitions, or related materials, during the cessation of the construction or operation.

(e) PARTICIPATION IN ACTIONS AS BAR TO PAYMENTS.—(1) No community or Indian tribe which participates in any action the result of which is to defer, delay, or otherwise impede the decommissioning of chemical agents and munitions, or related materials, in a chemical demilitarization facility may receive any payment or portion thereof made with respect to the facility under section 1305 while so participating in such action.

(f) IMPLEADING OF CONTRACTORS.—(1) The Department of the Army may, in an action with respect to a chemical demilitarization facility, implead a nongovernmental entity having contractual responsibility for the decommissioning of chemical agents and munitions, or related materials, at the facility for purposes of determining the responsibility of the entity for any matters raised by the action.

(2)(A) A court of the United States may assess damages against a nongovernmental entity impleaded under paragraph (1) for acts of commission or omission of the entity that contribute to the failure of the United States to decommission chemical agents and munitions, and related materials, at the facility concerned by April 29, 2007, in accordance with the Chemical Weapons Convention.

(B) The damages assessed under subparagraph (A) may include the imposition of liability on an entity for any payments that would otherwise be required of the United States under section 1305 with respect to the facility concerned.

**SEC. 1308. DEFINITIONS.**

In this title:

(1) CHEMICAL AGENT AND MUNITION.—The term ''chemical agent and munition'' has the meaning given that term in section 1412(j)(1) of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521(j)(1)).

(2) CHEMICAL WEAPONS CONVENTION.—The term ''Chemical Weapons Convention'' means the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction, opened for signature on January 13, 1993.

(3) COMMUNITY.—The term ''community'' means a country, parish, or other unit of local government.

(4) DECOMMISSION.—The term ''decommission'', with respect to a chemical agent and munition, or related material, means the destruction, dismantlement, demilitarization, or other physical act done to the chemical agent and munition, or related material, in compliance with the Chemical Weapons Convention or the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521).

(5) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

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## THURMOND AMENDMENT NO. 479

Mr. WARNER (for Mr. THURMOND) proposed an amendment to the bill, S. 1059, supra; as follows:

At the appropriate place insert the following:

**SEC. . SENSE OF SENATE REGARDING SETTLEMENT OF CLAIMS OF AMERICAN SERVICEMEN'S FAMILIES REGARDING DEATHS RESULTING FROM THE ACCIDENT OFF THE COAST OF NAMIBIA ON SEPTEMBER 13, 1997.**

(a) FINDINGS.—The Senate makes the following findings:

(1) On September 13, 1997, a German Luftwaffe Tupelov TU–154M aircraft collided with a United States Air Force C–141 Starlifter aircraft off the coast of Namibia.

(2) As a result of that collision nine members of the United States Air Force were killed, namely Staff Sergeant Stacey D. Bryant, 32, loadmaster, Providence, Rhode Island; Staff Sergeant Gary A. Bucknam, 25, flight engineer, Oakland, Maine; Captain Gregory M. Cindrich, 28, pilot, Byrans Road, Maryland; Airman 1st Class Justin R. Drager, 19, loadmaster, Colorado Springs, Colorado; Staff Sergeant Robert K. Evans, 31, flight engineer, Garrison, Kentucky; Captain Jason S. Ramsey, 27, pilot, South Boston, Virginia; Staff Sergeant Scott N. Roberts, 27, flight engineer, Library, Pennsylvania; Captain Peter C. Vallejo, 34, aircraft commander, Crestwood, New York; and Senior Airman Frankie L. Walker, 23, crew chief, Windber, Pennsylvania.

(3) The Final Report of the Ministry of Defense of the Defense Committee of the German Bundestag states unequivocally that, following an investigation, the Directorate of Flight Safety of the German Federal Armed Forces assigned responsibility for the collision to the Aircraft Commander/Commandant of the Luftwaffe Tupelov TU–154M aircraft for flying at a flight level that did not conform to international flight rules.

(4) The United States Air Force accident investigation report concluded that the primary cause of the collision was the Luftwaffe Tupelov TU–154M aircraft flying at an incorrect cruise altitude.

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

(6) The families of the members of the United States Air Force killed in the collision have filed claims against the Government of Germany.

(7) The Senate has adopted an amendment authorizing the payment to citizens of Germany of a supplemental settlement of claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy.

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

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

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

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## DOMENICI AMENDMENT NO. 480

Mr. WARNER (for Mr. DOMENICI) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 429, line 5, strike out ''$172,472,000'' and insert in lieu thereof ''$168,340,000''

On page 411, in the table below, insert after item related Mississippi Naval Construction Battalion Center, Gulfport following new item:

New Hampshire NSY Portsmouth $3,850,000

On page 412, in the table line Total strike out ''$744,140,000'' and insert ''$747,990,000.''

On page 414, line 6, strike out ''$2,078,015,000'' and insert in lieu thereof ''$2,081,865,000''.

On page 414, line 9, strike out ''$673,960,000'' and insert in lieu thereof ''$677,810,000''.

On page 414, line 18, strike out ''$66,299,000'' and insert in lieu thereof ''$66,581,000''.

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# A BILL TO MAKE MISCELLANEOUS AND TECHNICAL CHANGES TO VARIOUS TRADE LAWS, AND FOR OTHER PURPOSES

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## ROTH AMENDMENT NO. 481

Ms. SNOWE (for Mr. ROTH) proposed an amendment to the bill (H.R. 435) to make miscellaneous and technical changes to various trade laws, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Miscellaneous Trade and Technical Corrections Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:


Sec. 1. Short title.

TITLE I—MISCELLANEOUS TRADE CORRECTIONS

Sec. 1001. Clerical amendments.
Sec. 1002. Obsolete references to GATT.
Sec. 1003. Tariff classification of 13-inch televisions.

TITLE II—TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS; OTHER TRADE PROVISIONS

Subtitle A—Temporary Duty Suspensions and Reductions

CHAPTER 1—REFERENCE

Sec. 2001. Reference.

CHAPTER 2—DUTY SUSPENSIONS AND REDUCTIONS

Sec. 2101. Diiodomethyl-*p*-tolylsulfone.
Sec. 2102. Racemic dl-menthol.
Sec. 2103. 2,4-Dichloro-5-hydrazinophenol monohydrochloride.
Sec. 2104. ACM.
Sec. 2105. Certain snowboard boots.
Sec. 2106. Ethofumesate singularly or in mixture with application adjuvants.
Sec. 2107. 3-Methoxycarbonylaminophenyl-3′-methylcarbanilate (phenmedipham).
Sec. 2108. 3-Ethoxycarbonylaminophenyl-N-phenylcarbamate (desmedipham).
Sec. 2109. 2-Amino-4-(4-aminobenzoylamino)benzenesulfonic acid, sodium salt.
Sec. 2110. 5-Amino-N-(2-hydroxyethyl)-2,3-xylenesulfonamide.
Sec. 2111. 3-Amino-2′-(sulfatoethylsulfonyl) ethyl benzamide.
Sec. 2112. 4-Chloro-3-nitrobenzenesulfonic acid, monopotassium salt.
Sec. 2113. 2-Amino-5-nitrothiazole.
Sec. 2114. 4-Chloro-3-nitrobenzenesulfonic acid.
Sec. 2115. 6-Amino-1,3-naphthalenedisulfonic acid.
Sec. 2116. 4-Chloro-3-nitrobenzenesulfonic acid, monosodium salt.
Sec. 2117. 2-Methyl-5-nitrobenzenesulfonic acid.
Sec. 2118. 6-Amino-1,3-naphthalenedisulfonic acid, disodium salt.
Sec. 2119. 2-Amino-p-cresol.
Sec. 2120. 6-Bromo-2,4-dinitroaniline.
Sec. 2121. 7-Acetylamino-4-hydroxy-2-naphthalenesulfonic acid, monosodium salt.
Sec. 2122. Tannic acid.
Sec. 2123. 2-Amino-5-nitrobenzenesulfonic acid, monosodium salt.
Sec. 2124. 2-Amino-5-nitrobenzenesulfonic acid, monoammonium salt.
Sec. 2125. 2-Amino-5-nitrobenzenesulfonic acid.
Sec. 2126. 3-(4,5-Dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)benzenesulfonic acid.
Sec. 2127. 4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid.
Sec. 2128. 4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid, monosodium salt.
Sec. 2129. Pigment Yellow 154.
Sec. 2130. Pigment Yellow 175.
Sec. 2131. Pigment Red 187.
Sec. 2132. 2,6-Dimethyl-m-dioxan-4-ol acetate.
Sec. 2133. β-Bromo-β-nitrostyrene.
Sec. 2134. Textile machinery.
Sec. 2135. Deltamethrin.
Sec. 2136. Diclofop-methyl.
Sec. 2137. Resmethrin.
Sec. 2138. N-phenyl-N′-1,2,3-thiadiazol-5-ylurea.
Sec. 2139. (1R,3S)3[(1′RS)(1′,2′,2′,2′,-Tetrabromoethyl)]-2,2-dimethylcyclopropanecarboxylic acid, (S)-α-cyano-3-phenoxybenzyl ester.
Sec. 2140. Pigment Red 177.
Sec. 2141. Textile printing machinery.
Sec. 2142. Substrates of synthetic quartz or synthetic fused silica.
Sec. 2143. 2-Methyl-4,6-bis[(octylthio)methyl]phenol.
Sec. 2144. 2-Methyl-4,6-bis[(octylthio)methyl]phenol; epoxidized triglyceride.
Sec. 2145. 4-[[4,6-Bis(octylthio)-1,3,5-triazin-2-yl]amino]-2,6-bis(1,1-dimethylethyl)phenol.
Sec. 2146. (2-Benzothiazolylthio)butanedioic acid.
Sec. 2147. Calcium bis[monoethyl(3,5-di-tert-butyl-4-hydroxybenzyl) phosphonate].
Sec. 2148. 4-Methyl-γ-oxo-benzenebutanoic acid compounded with 4-ethylmorpholine (2:1).
Sec. 2149. Weaving machines.
Sec. 2150. Certain weaving machines.
Sec. 2151. DEMT.
Sec. 2152. Benzenepropanal, 4-(1,1-dimethylethyl)-alpha-methyl-.
Sec. 2153. 2H–3,1-Benzoxazin-2-one, 6-chloro-4-(cyclopropylethynyl)-1,4-dihydro-4-(trifluoromethyl)-.
Sec. 2154. Tebufenozide.
Sec. 2155. Halofenozide.
Sec. 2156. Certain organic pigments and dyes.
Sec. 2157. 4-Hexylresorcinol.
Sec. 2158. Certain sensitizing dyes.
Sec. 2159. Skating boots for use in the manufacture of in-line roller skates.
Sec. 2160. Dibutylnaphthalenesulfonic acid, sodium salt.
Sec. 2161. O-(6-Chloro-3-phenyl-4-pyridazinyl)-S-octylcarbonothioate.
Sec. 2162. 4-Cyclopropyl-6-methyl-2-phenylaminopyrimidine.
Sec. 2163. O,O-Dimethyl-S-[5-methoxy-2-oxo-1,3,4-thiadiazol-3(2H)-yl-methyl]-dithiophosphate.
Sec. 2164. Ethyl [2-(4-phenoxyphenoxy)ethyl]carbamate.
Sec. 2165. [(2S,4R)/(2R,4S)]/[(2R,4R)/(2S,4S)]-1-[2-[4-(4-chlorophenoxy)-2-chlorophenyl]-4-methyl-1,3-dioxolan-2-ylmethyl]-1H-1,2,4-triazole.
Sec. 2166. 2,4-Dichloro-3,5-dinitrobenzotrifluoride.
Sec. 2167. 2-Chloro-N-[2,6-dinitro-4-(trifluoromethyl)phenyl]-N-ethyl-6-fluorobenzenemethanamine.
Sec. 2168. Chloroacetone.
Sec. 2169. Acetic acid, [(5-chloro-8-quinolinyl)oxy]-, 1-methylhexyl ester.
Sec. 2170. Propanoic acid, 2-[4-[(5-chloro-3-fluoro-2-pyridinyl)oxy]phenoxy]-, 2-propynyl ester.
Sec. 2171. Mucochloric acid.
Sec. 2172. Certain rocket engines.
Sec. 2173. Pigment Red 144.
Sec. 2174. (S)-N-[[5-[2-(2-Amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b] [1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-l-glutamic acid, diethyl ester.
Sec. 2175. 4-Chloropyridine hydrochloride.
Sec. 2176. 4-Phenoxypyridine.
Sec. 2177. (3S)-2,2-Dimethyl-3-thiomorpholine carboxylic acid.
Sec. 2178. 2-Amino-5-bromo-6-methyl-4-(1H)-quinazolinone.
Sec. 2179. 2-Amino-6-methyl-5-(4-pyridinylthio)-4(1H)-quinazolinone.
Sec. 2180. (S)-N-[[5-[2-(2-amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-l-glutamic acid.
Sec. 2181. 2-Amino-6-methyl-5-(4-pyridinylthio)-4-(1H)-quinazolinone dihydrochloride.