CONGRESSIONAL RECORD—SENATE

June 7, 1999

11632

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

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

S. 1059

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2000”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

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TITLE XXXIV—PANAMA CANAL COMMISSION

Sec. 3401. Short title.

Sec. 3401. Authorization of expenditures.

Sec. 3403. Purchase of vehicles.

Sec. 3404. Expenditures only in accordance with appropriations.

Sec. 3405. Office of Transition Administration.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES—AUTHORITY FOR AH-1 Cobra Programs.

For purposes of this Act, the term “congressional defense committee” means—

(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

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

(1) For aircraft, $1,496,188,000.

(2) For missiles, $1,411,104,000.

(3) For weapons and tracked combat vehicles, $3,878,965,000.

(4) For ammunition, $1,209,816,000.

(5) For other procurement, $3,647,370,000.

SEC. 102. NAVY AND MARINE CORPS.

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

(1) For aircraft, $8,927,255,000.

(2) For weapons, including missiles and torpedoes, $1,359,100,000.

(3) For shipbuilding and conversion, $7,016,454,000.

(4) For other procurement, $1,417,793,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Marine Corps in the amount of $2,268,570,000.

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

SEC. 103. AIR FORCE.

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

(1) For aircraft, $9,704,866,000.

(2) For missiles, $2,389,208,000.

(3) For ammunition, $1,141,837,000.

(4) For other procurement, $7,142,177,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2000 for Defense-wide procurement in the amount of $2,283,417,000.

SEC. 105. DEFENSE INSPECTOR GENERAL.

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

SEC. 106. CHEMICAL DEMILITARIZATION PROGRAM.

There is hereby authorized to be appropriated for fiscal year 2000 the amount of $1,164,500,000 for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1996 (10 U.S.C. 1521); and

(2) the destruction of chemical warfare material of the United States that is not covered by section 1412 of such Act.

SEC. 107. DEFENSE HEALTH PROGRAMS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the Department of Defense for procurement for carrying out health care programs, projects, and activities of the Department of Defense in the total amount of $356,970,000.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORIZATION FOR AH-1 COBRA PROGRAMS.

Beginning with the fiscal year 2000 program year, the Secretary of the Army may, in accordance with section 2306b of title 10, United States Code, enter into multiyear contracts for procurement of the following:

(1) The M270A1 launcher.

(2) The Family of Medium Tactical Vehicles, except that the period of a multiyear contract may not exceed four years.

(3) The Command Launch Unit for the Javelin Advanced Anti-tank Weapon System-Medium.

(4) The missile for the Javelin Advanced Anti-tank Weapon System-Medium, except that the period of a multiyear contract may not exceed four years.

(5) The AH-64D Longbow Apache aircraft.

(6) The Wolverine heavy assault bridge.

(7) The system enhancement program for the M1A2 Abrams tank assembly.

(8) The Second Generation Forward Looking Infrared system for the M1A2 Abrams tank.

(9) The C2V Command and Control Vehicle, except that the period of a multiyear contract may not exceed four years.

(10) The Second Generation Forward Looking Infrared system for the Bradley A3 fighting vehicle, except that the period of a multiyear contract may not exceed four years.

(11) The Improved Bradley acquisition system for the Bradley A3 fighting vehicle, except that the period of a multiyear contract may not exceed four years.

(12) The Bradley A3 fighting vehicle, except that the period of a multiyear contract may not exceed four years.

SEC. 112. CLOSE COMBAT TACTICAL TRAINER PROGRAM.

None of the funds authorized to be appropriated under section 101(5) may be used for the procurement of the close combat tactical trainers configured to mobile or fixed sites for the Army, except that the period of a multiyear contract may not exceed four years.

(10) The Secretary of the Army has submitted to the congressional defense committees a report containing—

(A) a discussion of the actions taken to correct the deficiencies in such trainers that have been identified by the Director of Operations Test and Evaluation of the Department of Defense before the date of the report; and

(B) the Secretary’s certification that the close combat tactical trainers satisfy the reliability requirements established for the trainers under the program; and

(2) thirty days have elapsed since the date of the submittal of the report.

SEC. 113. ARMY AVIATION MODERNIZATION.

(a) MODERNIZATION PLAN.—The Secretary of the Army shall submit to the congressional defense committees a comprehensive plan for the modernization of the Army’s helicopter forces. The plan shall include provisions for the following:

(1) For the AH-64D Apache Longbow program:

(A) Restoration of the original procurement objective of the program to the procurement of 747 aircraft and 227 fire control radars.

(B) Qualification and training of reserve component pilots as augmentation crews to ensure 24-hour warfighting capability in deployed attack helicopter units.

(C) Fielding of a sufficient number of aircraft in reserve component aviation units to implement the provisions of the plan required under subparagraph (B).

(2) For AH-1 Cobra helicopters, retirement of all AH-1 Cobra helicopters remaining in the fleet.
For that purpose.

Advance construction of components for the Arleigh Burke class destroyers that are to be constructed under contracts entered into after fiscal year 2001 under section 122(b) of Public Law 104–201, as amended by subsection (a)(1).

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

The aggregate amount of the contracts entered into under paragraph (1) may not exceed $371,000,000.

Other Funds for Advance Procurement. Notwithstanding any other provision of law, 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 directed by the Secretary of the Navy may, for advance procurement for the Arleigh Burke class destroyer program. Authority to make transfers under this subsection is in addition to the transfer authority provided in section 1001.

SEC. 123. REPEAL OF REQUIREMENT FOR ANNUAL REPORT FROM SHIPBUILDERS UNDER CERTAIN NUCLEAR ATTACK SUBMARINE PROGRAM.

(a) REPEAL.—Paragraph (3) of section 121(g) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 244) is repealed.

(b) CONFORMING AMENDMENT.—Paragraph (5) of such section is amended by striking “reports referred to in paragraphs (3) and (4)” and inserting “report referred to in paragraph (4)”.

SEC. 124. COOPERATIVE ENGAGEMENT CAPABILITY PROGRAM.

(a) LIMITATION.—Cooperative engagement equipment procured under the Cooperative Engagement Equipment Program of the Navy may not be installed into a commissioned vessel until the completion of operational test and evaluation of the shipboard cooperative engagement system.

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

SEC. 125. F/A–18E/F AIRCRAFT PROGRAM.

(a) AUTHORITY.—Beginning with the fiscal year 2000 program year, the Secretary of the Navy may, in accordance with section 230b of title 10, United States Code, enter into a multiyear procurement contract for the procurement of F/A–18E/F aircraft.

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

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

(2) the Secretary of Defense determines that the results of operational test and evaluation demonstrate that the version of the F/A–18E/F aircraft to be procured under the multiyear contract in the higher quantity than the other version satisfies all key performance parameters appropriate to that version of the F/A–18E/F program.}

Subtitle D—Air Force Programs

SEC. 131. F–22 AIRCRAFT PROGRAM.

Before awarding the contract for low-rate initial production under this F–22 aircraft program, the Secretary of Defense shall certify to the congressional defense committees that—

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

(2) the engineering and manufacturing development program and the production program can each be executed within the limits of the total cost applicable to that program under subsection (a) or (b), respectively, of section 217 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1660).

Subtitle E—Other Matters

SEC. 141. EXTENSION OF AUTHORITY TO CARRY OUT ARMAMENT RETOOLLING AND MANUFACTURING SUPPORT INITIATIVE.


SEC. 142. EXTENSION OF PILOT PROGRAM ON SALES OF MANUFACTURED ARTICLES AND SERVICES OF CERTAIN ARMED INDUSTRIAL FACILITIES WITHOUT REGARD TO AVAILABILITY FROM DOMESTIC SOURCES.

(a) EXTENSION OF PROGRAM.—Section 141 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1652; 10 U.S.C. 4543 note) is amended by striking “July 1, 2000” and inserting “July 1, 2009”.

SEC. 143. D–5 MISSILE PROGRAM.

(a) REPORT.—Not later than October 31, 1999, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the D–5 missile program.

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

(1) An inventory management plan for the D–5 missile program covering the life of the program, including—

(A) the location of D–5 missiles during the fueling of submarines;

(B) the rotation of inventory; and

(C) the expected attrition rate due to flight testing, loss, damage, or termination of service life.

(2) The cost of terminating procurement of D–5 missiles for each fiscal year prior to the current plan.

(3) An assessment of the capability of the Navy of meeting strategic requirements with a total procurement of D–5 missiles, including an assessment of the consequences of—
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A loading Trident submarines with fewer than 24 D-5 missiles, and
(b) reducing the flight test rate for D-5 missiles.

(4) An assessment of the optimal commencement date for the development and deployment of replacement systems for the current land-based and sea-based missile forces.

(f) The Secretary’s plan for maintaining D-5 missiles and Trident submarines under START II and proposed START III, and whether requirements for such missiles and submarines would be reduced under such treaties.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $4,595,594,000.
(2) For the Navy, $6,307,615,000.
(3) For the Air Force, $15,373,008,000.
(4) For Defense-wide activities, $9,389,000,000.

(a) $25,437,000 is authorized for the activities of the Director, Test and Evaluation; and
(b) $24,343,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR BASIC AND APPLIED RESEARCH.

(a) FISCAL YEAR 2000.—Of the amounts authorized to be appropriated by section 201, $1,156,812,000 shall be available for basic research and applied research projects.

(b) APPLIED RESEARCH DEFINED.—For purposes of this section, the term “basic research and applied research” means work funded in program elements for defense research and development under Department of Defense category 6.1 or 6.2.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. NATO COMMON-FUNDED CIVIL BUDGET.

Of the amount authorized to be appropriated by section 201(1), $750,000 shall be available for contributions for the common-funded category 6.1 or 6.2.

SEC. 212. MICRO-SATELLITE TECHNOLOGY DEVELOPMENT PROGRAM.

(a) FUNDING.—Of the funds authorized to be appropriated under section 201(3), $25,000,000 shall be available for continued implementation of the micro-satellite technology program established pursuant to section 215 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1659).

(b) MICRO-SATELLITE TECHNOLOGY DEVELOPMENT PLAN.—The Secretary of Defense shall develop a space control technology development plan to guide technology investment decisions and prioritize technology demonstration activities.

(c) REPORT.—Not later than April 15, 1999, the Secretary shall submit to the congressional defense committees a report regarding the plan developed under subsection (b).

SEC. 213. SPACE CONTROL TECHNOLOGY.

(a) FUNDS AVAILABLE FOR ARMY EXCUTION.—Of the funds authorized to be appropriated under section 201(3), $19,822,000 shall be available for control technology development pursuant to the Department of Defense Space Control Technology Plan of 1997.

(b) FUNDS AVAILABLE FOR ARMY EXCUTION.—Of the funds authorized to be appropriated under section 201(3), $14,000,000 shall be available for space control technology development in accordance with the preceding sentence, the Commanding General of the United States Army Space and Missile Defense Command may utilize such amounts as are necessary for any or all of the following activities:

1. Continued development of the kinetic energy anti-satellite technology program necessary to obtain an option or conducting a flight test within two years of any decision to do so.
2. Technology development associated with the micro-satellite program for the low-orbit vehicle to temporarily disrupt satellite functions.

SEC. 214. SPACE MANEUVER VEHICLE.

(a) FUNDING.—Of the funds authorized to be appropriated under section 201(3), $35,000,000 shall be available for the space maneuver vehicle program.

(b) ACQUISITION OF SECOND FLIGHT TEST ARTICLE.—The amount available for the space maneuver vehicle program under subsection (a) may be used only to acquire a second flight test article for the joint Air Force and Navy Theater Wide Area Defense System.

SEC. 215. MANUFACTURING TECHNOLOGY PROGRAM.

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

(1) by striking paragraph (4);
(2) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4) respectively; and
(3) by inserting after “program—” the following new paragraph (1):

“(1) to focus Department of Defense support for advanced manufacturing technologies on high-risk projects for the development and application of technologies for use to satisfy requirements essential to the national defense, as well as for use in repair and remanufacturing in support of the operations of systems command, combat support, logistics, air logistics centers, and shipyards;”;

(b) EXECUTION.—Subsection (c) of such section is amended—

(1) by redesignating paragraph (2) as paragraph (4); and
(2) by inserting after paragraph (1) the following:

“(2) The Secretary shall require that manufacturing technology projects proposed to be carried out under the program be selected principally on the basis of the extent to which the projects satisfy the purpose set forth in subsection (b)(1), as determined by a panel established to review the proposed projects and to make the selections.

(3) A goal of launching the experiment by 1999.

(c) CONSIDERATION OF COST-SHARING PROPOSALS.—Subsection (d) of such section is amended—

(1) by striking paragraphs (2) and (3);
(2) by striking “(A)” following “(d) Complementary End Cost Sharing”;
(3) by striking “(B) Each for” and all that follows through “competitive procedures.”; and
(4) by adding at the end the following:

“(D) The Secretary shall require that such proposals agree, or other transaction for a project shall be considered the evaluation of a proposal for a grant, contract, cooperative agreement, or other transaction for a project for which the prospective recipient to share in defraying the costs of the project.”.

SEC. 216. TESTING OF AIRBLAST AND IMPROVED EXPLOSIVES.

Of the amount authorized to be appropriated under section 201(4)—

(1) $1,000,000 is available for testing of airblast and improvised explosives (in FY 1998); and
(2) the amount provided for sensor and guidance technology (in FY 1999) is reduced by $1,000,000.

Subtitle C—Ballistic Missile Defense

SEC. 221. THEATER MISSILE DEFENSE UPPER TIER ACQUISITION STRATEGY.

(a) REVISED UPPER TIER STRATEGY.—The Secretary of Defense shall establish an acquisition strategy for the upper tier missile defense systems that—

1. retains funding for both of the upper tier systems in separate, independently managed program elements throughout the future-years defense program;
2. bases funding decisions and program schedules for each upper tier system on the performance of each system independent of the performance of the other system; and
3. provides for accelerating the deployment of both of the upper tier systems to the maximum extent practicable.

(b) UPPER TIER SYSTEMS DEFINED.—For purposes of this section, the upper tier missile defense systems are the following:

1. The Navy Theater Wide system.
2. The Theater High-Altitude Area Defense system.

SEC. 222. REPEAL OF REQUIREMENT TO IMPLEMENT TECHNICAL AND PRICE COMPETITION FOR THEATER HIGH-ALTITUDE AREA DEFENSE SYSTEM.

(a) STRUCTURE OF PROGRAM.—The Secretary of Defense shall exercise the integrated flight experiment to provide for the following:

1. Establishment of an objective to carry out an early demonstration of the fundamental end-to-end capability to detect, track, and destroy a boosting ballistic missile with a lethal laser from space.
2. A capability to the maximum extent possible, of technology that has been demonstrated in principle or can be developed in the near-term with a low degree of risk.
3. A goal of launching the experiment by 2006.

(b) INTEGRATED FLIGHT EXPERIMENT.—The Secretary of Defense shall exercise the integrated flight experiment to provide for the following:

1. Establishment of an objective to carry out an early demonstration of the fundamental end-to-end capability to detect, track, and destroy a boosting ballistic missile with a lethal laser from space.
2. A capability to the maximum extent possible, of technology that has been demonstrated in principle or can be developed in the near-term with a low degree of risk.
3. A goal of launching the experiment by 2006.

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

(1) Robust research and development on advanced technologies in parallel with the development of the integrated flight experiment.

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

(3) Planning for the development of a space-based laser prototype that—

(A) utilizes the lessons learned from the integrated flight experiment;

(B) is supported by ongoing architecture and advanced technology research and development efforts; and

(C) is scheduled to be launched approximately two years before the date by which the objective space-based laser system configuration is to be completed.

Sense of Congress—It is the sense of Congress that the structure required by this section for the space-based laser program is consistent with the joint venture contract for development of the space-based laser joint venture team, shall promptly restructure the Air Force, in consultation with the space-based laser program, to ensure that, prior to the Airborne Laser program schedule and Milestone II exit criteria to ensure that, prior to the Airborne Laser Program Assessment.

Airborne Laser Program Assessment Defined.—In this section, the “Airborne Laser Program Assessment” means the Assessment of Technical and Operational Aspects of the Airborne Laser Program that was submitted to Congress by the Secretary of Defense.

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

It is the sense of Congress that—

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

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

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

and

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

SEC. 226. REPORT ON NATIONAL MISSILE DEFENSE.

Not later than March 15, 2000, the Secretary of Defense shall submit to Congress the Secretary's assessment of the advantages or disadvantages of a ground-based National Missile Defense system, with special reference to considerations of the worldwide ballistic missile threat, defensive coverage, redundancy and survivability, and economics of scale.

SEC. 227. OPTIONS FOR AIR FORCE CRUISE MISSILES.

(a) Study.—(1) The Secretary of the Air Force shall conduct a study of the options for meeting the requirements being met as of the date of the enactment of this Act by the conventional air launched cruise missile program. The Secretary shall submit to the congressional defense committees a report on the recommendations and conclusions that have been taken or are planned to be taken within the Department of Defense to ensure that—

(2) the Secretary shall submit the results of this study to the Armed Services Committees of the House and Senate by January 15, 2001, so that the results are provided to Congress as required under subsection (b).

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

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

SEC. 231. ANNUAL REPORT ON EMERGING OPERATIONAL CONCEPTS.

(a) Extension of Reporting Requirement.—Subsection (a) of section 142 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2642; 10 U.S.C. 113 note) is amended by striking the last sentence and inserting the following:

“(c) Additional Matters To Be Included in Reports After 1999.—Each report under this section after 1999 shall set forth the military capabilities that are necessary for meeting national security requirements over the next two to three decades, including—

“(2) the most significant strategic and operational capabilities (including both armed force-specific and joint capabilities) that are necessary for the Armed Forces to prevail against the most dangerous threats, including asymmetrical threats, that could be posed to the national security interests of the United States by potential adversaries from 2020 to 2030;”.

“(2) the key characteristics and capabilities of future military systems (including both armed force-specific and joint systems) that will be needed to meet each such threat; and

“(3) the most significant research and development challenges that must be met, and the technological breakthroughs that must be made, to develop and field such systems.”.

SEC. 232. TECHNOLOGY AREA REVIEW AND ASSESSMENT.

Section 270(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2649; 10 U.S.C. 2501 note) is amended to read as follows:

“(b) Technology Area Review and Assessment.—With the submission of the plan under subsection (a) each year, the Secretary shall also submit to the committees referred to in that subsection a summary of each technology area review and assessment conducted by the Department of Defense in support of that plan.”

SEC. 233. REPORT BY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY.

(a) Requirement.—The Under Secretary of Defense for Acquisition and Technology shall submit to the congressional defense committee the report on the technical and operational capabilities that are necessary to promote the research base and technological development that will be needed for ensuring that the Armed Forces have the military capabilities that are necessary for meeting national security requirements over the next two to three decades.

(b) Content.—The report shall include the analysis that has been taken or are planned to be taken within the Department of Defense to ensure that—
(1) the Department of Defense laboratories place an emphasis on research and development of technologies that will be necessary to support those operations;

(2) the Department helps sustain a high-quality defense research and development base that includes organizations attuned to the needs of the Department, the fostering and creation of revolutionary technologies useful to the Department, and the capability to identify opportunities for new military capabilities in emerging scientific knowledge;

(3) the Department can identify, provide appropriate funding for, and ensure the coordinated development of joint technologies that will serve the needs of more than one of the Armed Forces;

(4) the Department can identify militarily relevant technologies that are developed in the private sector, rapidly incorporate those technologies into defense systems, and effectively utilize technology transfer processes;

(5) the Department can effectively and efficiently manage the transition of new technologies from research and advanced technological development stage through the product development stage in a manner that ensures that maximum advantage is obtained from advances in technology; and

(6) the Department’s educational institutions for the officers of the unified services integrate their officer education and training programs, as appropriate, materials necessary to ensure that the officers have the familiarity with the processes, advances, and opportunities in technology development that is necessary for making decisions that ensure the superiority of United States defense technology in the future.

SEC. 234. INCENTIVES TO PRODUCE INNOVATIVE NEW TECHNOLOGIES.

(a) TECHNICAL RISK AND PROFIT INCENTIVE.—The Department of Defense profit guidelines established in subpart 215.9 of the Federal Acquisition Regulation shall be modified to place increased emphasis on technology as a factor for determining appropriate profit margins and otherwise to provide an increased profit incentive for contractors to develop and produce complex and innovative products, including prototypes, that may produce mature technologies with low technical risk.

(b) EXPIRATION OF AUTHORITY.—This section shall cease to be effective one year after the date on which the Secretary of Defense publishes in the Federal Register final regulations modifying the guidelines in accordance with subsection (a).

SEC. 235. DARPA COMPETITIVE PRIZES AWARD PROGRAM FOR ENCOURAGING DEVELOPMENT OF ADVANCED TECHNOLOGIES.

(a) AUTHORITY.—Chapter 139 of title 10, United States Code, is amended by inserting after section 23749 the following:

``````2374a. Prizes for advanced technology
``````
``````(a) AUTHORITY.—The Director of the Defense Advanced Research Projects Agency may carry out a program to award prizes in recognition of achieving breakthroughs in fundamental research and development functions. The program under this section is in addition to the exercise of any other authority of the Director to acquire, support, or stimulate basic, advanced and applied research, technology development, or prototype projects.
``````(b) ANNUAL REPORT.—The Director shall submit to the Committees on Armed Services of the Senate and the House of Representatives an annual report on the administration of the program for the fiscal year. The report shall include the following:
``````(1) The military applications of the research, technology, or prototypes for which prizes were awarded;
``````(2) The total amount of the prizes awarded;
``````(3) The methods used for solicitation and evaluation of submissions, together with an assessment of the effectiveness of those methods;
``````(4) A FINAL REPORT.—Not later than March 1, 2000, the Secretary recommends on the basis of the success of each concept to be tested.
``````(c) FORM OF PRIZE.—A prize awarded under this section shall be a monetary award together with a trophy, plaque, or medal or other emblem.
``````(d) LIMITATIONS.—(1) The total amount made available for award of cash prizes in a fiscal year may not exceed $1,000,000.
``````(2) No prize competition may result in the award of more than $1,000,000 in cash prizes without the approval of the Under Secretary of Defense for Acquisition and Technology.
``````(e) RELATIONSHIP TO OTHER AUTHORITY.—The Director may exercise the authority under this section in conjunction with or in addition to the exercise of any other authority of the Director to acquire, support, or stimulate basic, advanced and applied research, technology development, or prototype projects.
``````
``````
``````(f) REDUCTIONS IN FORCE.—Notwithstanding any provision of law that requires a reduction in the size of the defense acquisition workforce—
``````(1) the employees of a laboratory covered by a personnel demonstration project carried out under this section shall be exempt from, and may not be counted for the purposes of, any constraint or limitation in a statute or regulation in terms of man years, end strength, full time equivalent positions, supervisory ratios, or maximum number of employees in any category or categories of employees that may otherwise be applicable to the employees.
``````
``````(g) USE OF WORKING-CAPITAL FUNDS FOR PERSONNEL REDUCTIONS FROM CERTAIN DEFENSE LABORATORIES.
``````(1) AUTHORITY.—Section 2208 of title 10, United States Code, is amended by inserting after the following:
``````(1) the Department of Defense laboratories shall not be considered as being included in that workforce for the purpose of that provision of law; and
``````(2) the Secretary of Defense, in carrying out the provision under that provision of law, shall consider the size of the required reduction as being lower by—
``````(A) the percent determined by dividing (on the basis of the equivalent of full-time employees) the total number of employees in the defense acquisition workforce as of the beginning of the reduction in force into the number of laboratories covered by this paragraph, or
``````(B) any other factor that the Secretary determines as being a more appropriate measure for the adjustment.
``````
``````(h) USE OF WORKING-CAPITAL FUNDS FOR PERSONNEL REDUCTIONS FROM CERTAIN DEFENSE LABORATORIES.
``````(1) AUTHORITY.—Section 2208 of title 10, United States Code, is amended by adding after the following:
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(1) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.—Funds shall be used for research, development, test, and evaluation activities and programs of the military departments.

(2) TRANSACTIONS AND AUTHORIZATION.—Funds shall be used for the following purposes:

(A) Research, development, test, and evaluation activities and programs described in paragraph (1).

(B) Crediting of working-capital funds, out of funds available for a military department, to the working-capital fund for the same purposes and the same period as may be necessary, to train together from their home stations.

(C) The progress made in implementing subsection (r) of section 2208 of title 10, United States Code (as added by subsection (a)), is fully implemented.

(3) The policies, procedures, and regulations of the Department of Defense that are applicable to the use and management of Department of Defense revolving funds shall be applied uniformly to all uses of working-capital funds for financing the activities and programs described in paragraph (1).

(4) The implementation, together with an explanation of the actions taken in each such case to enable implementation, of the requirements of this section beginning with the fiscal year 2001 is in addition to the transfer authority provided in section 1001.

(5) Funds are hereby authorized to be appropriated for fiscal year 2000 for the use of the Armed Forces and other activities and agencies of the Department of Defense to ensure that:

(A) The progress of the Air Force has been 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.

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

(i) 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

(ii) 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.

TITILE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUND—DEFENSE LABORATORIES.

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

(1) For the Army, $10,340,094,000.

(2) For the Navy, $22,182,615,000.

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

(4) For the Air Force, $30,342,403,000.

(5) For Defense-wide activities, $10,963,033,000.

(b) GENERAL LIMITATION.—Notwithstanding paragraphs (1) through (27) of subsection (a), the total amount authorized to be appropriated for fiscal year 2000 under these paragraphs does not exceed $150,000,000,000

SEC. 302. WORKING-CAPITAL FUNDS.

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

(1) For the Army Working-Capital Fund, $62,344,000.

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

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

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2000 for the United States Soldiers' Home and the Naval Home.

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

(a) TRANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $150,000,000 is authorized to be transferred from the National Defense Stockpile Transaction Fund to the United States Soldiers' Home and the National Home.

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

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

(2) may not be expended for an item that has been denied authorization of appropriations by Congress.

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

SEC. 305. OPERATIONAL METEOROLOGY AND OCEANOGRAPHY.

Of the funds authorized to be appropriated in section 301(a), not more than $10,000,000 may be expended for Operational Meteorology and Oceano graphy.
SEC. 311. NATO COMMON-FUNDED MILITARY BUDGET.

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

SEC. 312. USE OF HUMANITARIAN AND CIVIL ASSISTANCE FUNDING FOR PAY AND ALLOWANCES FOR SPECIAL OPERATIONS COMMAND RESERVE FORUMS.

The Department of Defense may furnish to the United States any security interest in the accounts of any contractor in order adequately to protect the United States.

SEC. 313. NATIONAL DEFENSE FEATURES PROGRAM.

Section 2218 of title 10, United States Code, is amended by adding at the end the following:

"(5) Up to 5 percent of the funds available in any fiscal year for humanitarian and civil assistance described in subsection (e)(5) may be expended for the pay and allowances of reserve component personnel of the Special Operations Command for periods of duty for which the Secretary of Defense determines to be in the national security interest, furnish education and training on the detection and clearance of landmines or furnish related technical assistance.

SEC. 314. ADDITIONAL AMOUNTS FOR DRUG INTERDICTIO

(a) AUTHORIZATION OF ADDITIONAL AMOUNTS.

The head of any agency, after making a determination of the economic soundness of an offer to do so, may enter into a contract with the offeror for the offeror to install and maintain defense features for national defense purposes in one or more commercial vessels owned or controlled by the offeror in accordance with the purpose for which funds in the National Defense Seafall Fund are available under subsection (c)(1)(C).

(b) Use of additional amounts.

Of the amounts authorized to be appropriated by section 301(a)(20) is hereby increased by $59,200,000.

SEC. 315. ENVIRONMENTAL TECHNOLOGY MANAGEMEN

(a) PURPOSES.

The purposes of this section are—

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

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

(3) to assure results, quality of effort, and appropriate levels of service and support for end-users of environmental technology provisionally developed or procured by the Department of Defense and the military departments;

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

(b) ENVIRONMENTAL TECHNOLOGY MANAGEMENT.

Chapter 139 of title 10, United States Code, is amended by inserting after section 2358a the following:

"§ 2358a. Research and development: environmental technology

(a) MANAGEMENT OF RESEARCH AND DEVELOPMENT.

The Secretary of Defense shall provide in accordance with this section for the management of programs engaged in under section 301(a) of this title for the research, development, and evaluation of environmental technologies for the Department of Defense and the military departments.

(b) RESPONSIBILITIES OF SECRETARY OF DEFENSE.

The Secretary of Defense shall—

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

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

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

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

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

(c) RESPONSIBILITIES WITHIN DEPARTMENT OF DEFENSE.

(1) Each official concerned shall—

(A) develop and implement an investment control process for the selection, management, and evaluation of environmental technologies by the department or agencies; and

(B) establish at the beginning of each fiscal year a performance plan for the environmental technology program of the department or agencies.

(2) An investment control process under paragraph (1)(A) shall include, for the department or agency concerned, mechanisms—

(A) to ensure the identification of end-user requirements for environmental technologies;

(B) to prioritize such requirements within the context of funding constraints and the overall environmental technology requirements of the Department of Defense;

(C) to avoid duplication and overlap in the research and development of environmental technologies both within the Department of Defense and between the Department of Defense and other public and private entities and persons;

(D) to provide for the conduct of performance-based reviews of environmental technologies that take into account end-user evaluations of such technologies and permit a measurement of return on investments in such technologies;

(E) to ensure that the environmental technology effort responds in an appropriate manner to end-user requirements, program and funding priorities and constraints, and the reviews conducted pursuant to subparagraph (D); and

(F) to ensure appropriate protection of United States interests in any intellectual property rights associated with environmental technologies and to ensure that the assistance of the department or agencies concerned.

(3) A performance plan under paragraph (2) for the environmental technology program of a department or agency for a fiscal year shall—
The Deputy Assistant Secretary of the Air Force (Environmental Occupa-
tional Health), with respect to the environ-
mental technology program of the Air Force or any environmental technology program for which the Air Force is the executive agent.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by inserting after the item relating to section 2358 the following new item:

2358a. Research and development: environ-
tal technology programs: report: fiscal year.

SEC. 322. ESTABLISHMENT OF ENVIRONMENTAL RESTORATION ACCOUNTS FOR INSTAL-
lations CLOSED OR REALIGN ED UNDER THE BASE CLOSE-
SURE LAWS AND FOR FORMERLY USED DEFENSE SITES.

(a) ACCOUNT FOR FORMERLY USED DEFENSE SITES.—Subsection (a) of section 2703 of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(2) Funds in the Environmental Restoration Account, Army, For-
merly Used Defense Sites".

(b) ACCOUNT FOR BASEClosure AND REALIGNMENT.—That subsection is fur-
ther amended by adding at the end the follow-
ning new paragraph:

"(6) An account to be known as the "Envi-
ronmental Reconstruction Account Defense Base Closure and Realignment".

(c) USE OF FUNDS IN BASE CLOSURE AND RE-
ALIGNMENT ACCOUNT.—(1) Subsection (b) of that section is amended—

(A) by striking "Funds authorized and in-
serting "(1) Except as provided in paragraph (2), funds author-
ized under subsection (a) may be oblig-
ated and expended from the account only
for carrying out environmental restora-
tion required as the result of the closure or
alignment of military installations pursuant
to a base closure law. Such funds shall be the
exclusive source of funds for such environ-
mental restoration.

(II) an explanation for any significant
failure of the project to meet the perfor-
mentation objectives, or

(i) an explanation for the failure of the pro-
cess to meet the performance objectives;
and

(ii) a modified schedule for meeting the performance objectives; or

(II) in the case of any performance objec-
tive determined to be impracticable or infeas-
able to meet, a statement of alternative ac-
tions to be taken with respect to the project;
and

(III) set forth the level of effort, including the funds obligated and expended, in the fis-
ca l year for the achievement of each per-
formance objective for the project.

(e) MODIFICATION OF REQUIREMENTS.—Sub-
section (f) of section 2703 of title 10, United States Code, is amended to read as follows:

"(2) Funds in the account established by
section 2703(a)(6) of this title shall be avail-
able for administrative expenses and tech-
nical assistance under this section.

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

(2) The amendments made by subsections (b) and (c) shall take effect on October 1, 2000.

SEC. 323. EXTENSION OF LIMITATION ON PAY-
MENT OF FINES AND PENALTIES USING FUNDS FROM ENVIRONMENTAL RESTORATION ACCOUNTS.

Section 2703(e) of title 10, United States Code, is amended by striking "through 1999," both places it appears and inserting "through 2010.".

SEC. 324. MODIFICATION OF REQUIREMENTS FOR ANNUAL REPORTS ON ENVI-
RONMENTAL COMPLIANCE ACTIVI-
TIES.

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

"(b) REPORT ON ENVIRONMENTAL QUALITY PRO-
GRAMES AND OTHER ENVIRONMENTAL AC-
TIVITIES.—(1) The Secretary of Defense shall submit to Congress each year, no later than 45 days after the date on which the President submits to Congress the budget for a fiscal year, a report on the progress made in car-
rying out activities under the environmental quality programs of the Department of De-
fense and the military departments.

Each report shall include the fol-
lowing:

(A) A description of the environmental quality program of the Department of De-
fense, and of each of the military depart-
ments, during the period consisting of the four fiscal years preceding the fiscal year in
which the report is submitted, and the fis-
cal year following the fiscal year in
which the report is submitted, includ-
ing:

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

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

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

(iv) a summary of the major achievements of the program and of any major problems with the program.

(B) a list of the planned or ongoing
projects necessary to support the environ-
mental quality program of the Department

SEC. 328. CLOSING ACCOUNTS FOR USE OF FUNDS IN BASE CLOSURE AND REALIGNMENT ACCOUNTS.

As used in this section, the term "base closure law" means a law enacted by Congress prior to the fiscal year
1988 which has been codified and is in effect as of October 1, 1988.

(2)Closure and Realignment Account.—Section 2906 of the Defense Base Closure and Realignment Act of 1988 (U.S.C. title 10, section 2906) is amended to read as follows:

"(1) Except as provided in paragraph (2), funds in the account established by section 2906(a) of this title shall be available for administrative expenses and technical assistance under this section.

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

(2) The amendments made by subsections (b) and (c) shall take effect on October 1, 2000.
of Defense, and of each of the military de-
partments for any period described in sub-
paragraph (A) the cost of which has ex-
ceeded or is anticipated to exceed $1,500,000,
including—
(1) a separate list of the projects inside the
United States and of the projects outside the
United States;
(2) for each project commenced during the
first four fiscal years of the period described in
subparagraph (A) the amount specified in the
initial budget request for the project;
(3) the aggregate amount allocated to the
project for each fiscal year preceding the fiscal
year in which the report is submitted; and
(4) the amount specified in the first
four fiscal years of the period—
(A) for any project covered by the report;
(B) for any project not covered by the
report but for which the amount specified in
the initial budget request for such project, a
justification for that variance.
(C) A statement of the fines and penalties
imposed or assessed against the Department
of Defense and the military departments under
Federal, State, or local environmental laws
during the fiscal year in which the report
is submitted and the four preceding fiscal
years, setting forth—
(I) each Federal environmental statute
under which a fine or penalty was imposed or
assessed during each such fiscal year;
(II) with respect to each such Federal
statute—
(i) the aggregate amount of fines and
penalties imposed under the statute during each
such fiscal year;
(ii) the aggregate amount of fines and
penalties paid under the statute during each
such fiscal year; and
(iii) the amount of fines and penalties
imposed or assessed during each such fiscal
year with respect to each military installa-
tion inside and outside the United States.
(D) A statement of the amounts expended,
and anticipated to be expended, during the
period described in subparagraph (A) for any
activities overseas relating to the environ-
ment, including—
(i) an estimate for activities relating to
environmental remediation, compliance,
conservation, pollution prevention, and
environmental technology and amounts for
conferences, meetings, and studies for pilot
programs, and for travel related to such
activities;
(b) REPORTING REPEAL.—That section is
further amended—
(1) by striking subsection (d); and
(2) by redesignating subsection (e) as sub-
section (d).
(d) The Secretary is authorized to use any funds available to the Secretary to carry out the authority provided in subsection (a).

Subtitle D—Other Matters

SEC. 341. EXTENSION OF WARRANTY CLAIMS RECOVERY PILOT PROGRAM.

Section 381(i) of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1987; 10 U.S.C. 2876 note) is amended by striking “30 days” and inserting “90 days”.

SEC. 342. ADDITIONAL MATTERS TO BE REPORTED BEFORE PRIME VENDOR CONTRACT FOR DEPOT-LEVEL MAINTENANCE AND REPAIR IS ENTERED INTO.


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

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

(3) by adding at the end the following:

“(c) The Secretary of the Navy—

(1) shall consider conditions in paragraph (1) in the case of a particular sale if the Secretary determines that the waiver is necessary for the reason of national security and notifies Congress regarding the reasons for the waiver.”.

SEC. 345. ELIGIBILITY TO RECEIVE FINANCIAL ASSISTANCE UNDER THE LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF DEPARTMENT OF DEFENSE PERSONNEL ACT.

Section 386(c)(1) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 20 U.S.C. 7703 note) is amended—

(1) by striking “in that fiscal year” and inserting “during the preceding school year”;

(2) by striking “(3)” and inserting “(4)”.

SEC. 346. USE OF SMART CARD TECHNOLOGY IN THE DEPARTMENT OF DEFENSE.

(a) LEADERSHIP, PLANNING, AND EXECUTION OF SMART CARD PROGRAM.—

(1) Not later than October 1, 1999, the Secretary of Defense shall designate the Department of the Navy to be the lead agency for the development and implementation of a Smart Card program for the Department of Defense effective as of the date of the designation.

(2) The Secretary of Defense shall direct the Secretary of the Navy—

(A) to establish a Smart Card project office within the Department of the Navy;

(B) to develop and implement a program for the Department of Defense to establish and implement a program for the Department of Defense to establish a Smart Card project office within the Department of the Navy;

(C) to submit a report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that contains a detailed discussion of the progress made by the senior coordinating group in carrying out its duties under this section.

(b) DEFINITIONS.—In this section—

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

(A) Magnetic stripe.

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

(C) Contact and contactless integrated circuits and may also employ one or more of the following technologies:

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

(E) Magnetic stripe.

(F) Photo identification.

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

(b) R EPEAL OF REQUIREMENT FOR AUTOMATED IDENTIFICATION TECHNOLOGY OFFICE.—


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

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study to determine the potential benefits of Department of Defense use of the Smart Card for addressing the need identified in subsection (a).

(b) DEFINITIONS.—In this section—

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

(A) Magnetic stripe.

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

(C) Contact and contactless.

(D) Photo identification.

(E) Biometric information.

(F) Encryption and authentication.

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

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CONGRESSIONAL RECORD—SENATE

June 7, 1999
SEC. 348. REVISION OF AUTHORITY TO DONATE CERTAIN ARMY MATERIAL FOR FUNERAL CEREMONIES.

(a) AUTHORITY.—Section 4683 of title 10, United States Code, is amended—

(1) by striking the words "Army; and" and adding "the Secretary of the Army" after the words "by the Army"; and

(2) by striking the words "the Secretary of the Army or the Secretary of the Navy, as appropriate.".

(b) MODIFICATION OF LIMITATION ON DONATION OF RIFLES.—In subsection (a), the Secretary of the Army may not make a donation of rifles under subsection (a), the Secretary of the Army, is a nationally recognized veterans’ organization, for use by that unit, organization, or agency; and

(c) CONDITIONS ON DONATIONS.—In lending or donating material under subsection (a), the Secretary of the Army may impose any condition on the use of the rifles that the Secretary considers appropriate.”.

SEC. 349. MODIFICATION OF LIMITATION ON FUNDING FOR PURCHASE OF DRUG INTERDICTORY AND COUNTER-DRUG ACTIVITIES.

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

SEC. 350. AUTHORITY FOR PAYMENT OF SETTLEMENT CLAIMS.

(a) AUTHORITY FOR MAKING PAYMENTS.—Subject to the provision of this section, the Secretary of Defense is authorized to make payments for the settlement of the claims arising from the accident caused by the collision involving a United States Marine Corps EA-6B aircraft on September 13, 1997, near Cavalese, Italy, and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence.

(b) EXPIRATION OF AUTHORITY.—The authority granted under subsection (a) shall not expire before September 13, 1998.

(c) SOURCE OF PAYMENTS.—Notwithstanding any other provision of law, the amounts appropriated or otherwise made available for the Department of Defense for operation and maintenance of the armed forces of the United States, for the FY 2000 from the amounts made available under section 804(m) of title 10, United States Code, is allocated to the armed forces of the United States, in the amount of $2,000,000, for the purposes of this section.”.

SEC. 351. SENSE OF SENATE REGARDING SETTLEMENT OF CLAIMS ARISING FROM ACCIDENT OFF THE COAST OF NAMIBIA.

The Senate makes the following findings:

(1) On September 13, 1997, a German Luftwaffe Tupolev TU–154M aircraft collided with a United States Air Force C–141 Starlifter aircraft off the coast of Namibia.

(2) As a result of that collision, 25 members of the United States Air Force were killed, including Staff Sergeant D. Bryant, 32, loadmaster, Providence, Rhode Island; Staff Sergeant Gary A. Bucknum, 25, flight engineer, Oakland, Maine; Captain Gregory M. Cindrich, 26, pilot, Byrans Road, Maryland; Airman 1st Class Justin R. Drager, 19, loadmaster, Colorado Springs, Colorado; Staff Sergeant Robert K. Evans, 31, flight engineer, Toronto, Canada; Captain Jason S. Ramsey, 27, pilot, South Boston, Virginia; Staff Sergeant Scott N. Roberts, 27, flight engineer, Library, Pennsylvania; Captain Gregory C. Romine, 34, aircraft commander, Crestwood, New York; and Senior Airman Frankie L. Walker, 23, crew chief, Winder, Pennsylvania.

(3) The Department of Defense of the United States Air Force accident investigation report concluded that the primary cause of the collision was the Luftwaffe Tupolev TU–154M aircraft flying at an incorrect cruise altitude.

(4) The Secretary of Defense has been advised by the government of Germany that a German structural aircraft was involved in a collision with a United States Air Force C–141 Starlifter aircraft and a German Luftwaffe Tupolev TU–154M aircraft off the coast of Namibia on September 13, 1997.

(5) The Secretary of Defense has been advised that the German government will not contribute any funds to compensate those claims arising from the accident.

(6) The Secretary of Defense has been advised that the government of the United States has been advised that the government of the United States has been advised that the United States does not have funds available to compensate those claims arising from the accident.

(7) The Senate has adopted an amendment authorizing the payment of claims arising from the accident that may not exceed $2,251,000.

(8) The Secretary of Defense has been advised that the United States will 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 claims described in that paragraph.

TITLe IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR SELECTIVE FORCES.

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

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

SEC. 402. REVISION OF PERMANENT END STRENGTH LEVELS.

(a) REVISED END STRENGTH FLOORS.—Subsection (b) of section 691 of title 10, United States Code, is amended—

(1) in paragraph (2), by striking out “360,877” and inserting in lieu thereof “370,802” and inserting in lieu thereof “172,148”;

(2) in paragraph (3), by striking out “172,200” and inserting in lieu thereof “172,148”;

(3) in paragraph (4), by striking out “370,802” and inserting in lieu thereof “360,877”.

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

SEC. 403. REDUCTION OF END STRENGTHS BELOW LEVELS FOR TWO MAJOR REGIONS.

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

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

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

(2) The Army Reserve, 265,000.
(3) The Naval Reserve, 90,288.
(4) The Marine Corps Reserve, 39,624.
(6) The Air Force Reserve, 73,764.
(7) The Coast Guard Reserve, 8,000.

(b) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—
SEC. 414. INCREASE IN NUMBERS OF MEMBERS IN CERTAIN GRADES AUTHORIZED TO BE ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

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

<table>
<thead>
<tr>
<th>Grade</th>
<th>Army</th>
<th>Navy</th>
<th>Air Force</th>
<th>Marine Corps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major or Lieutenant Commander</td>
<td>3,227</td>
<td>1,071</td>
<td>860</td>
<td>140</td>
</tr>
<tr>
<td>Lieutenant Colonel or Commander</td>
<td>1,611</td>
<td>520</td>
<td>777</td>
<td>90</td>
</tr>
<tr>
<td>Colonel or Navy Captain</td>
<td>971</td>
<td>188</td>
<td>257</td>
<td>30</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Grade</th>
<th>Army</th>
<th>Navy</th>
<th>Air Force</th>
<th>Marine Corps</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-9</td>
<td>645</td>
<td>202</td>
<td>405</td>
<td>20</td>
</tr>
<tr>
<td>E-8</td>
<td>2,593</td>
<td>429</td>
<td>1,041</td>
<td>56</td>
</tr>
</tbody>
</table>

Subtitle C—Authorization of Appropriations

SEC. 421. AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.

There is hereby authorized to be appropriated the following sums for the Defense of the armed forces for the fiscal year 2000:

<table>
<thead>
<tr>
<th>Component</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>$1,689,426,000</td>
</tr>
<tr>
<td>Navy</td>
<td>$51,657,093,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>$71,693,093,000</td>
</tr>
</tbody>
</table>

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 1201, the reserve components of the Armed Forces are authorized, as of September 30, 2000, the following number of Reserve members to serve on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- The Army National Guard of the United States, 22,430.
- The Army Reserve, 12,804.
- The Naval Reserve, 15,010.
- The Air National Guard, 2,272.
- The Air National Guard of the United States, 1,134.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS.

(a) Dual Status Technicians.—The minimum number of military technicians (dual status) as of September 30, 2000, for the reserve components of the Army and the Air Force is authorized to serve units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(b) Non-Dual Status Technicians.—The reserve component of the Army and Air Force are (notwithstanding section 1201 of title 10, United States Code) authorized strengths for military technicians (non-dual status) as of September 30, 2000, as follows:

<table>
<thead>
<tr>
<th>Component</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>1,150</td>
</tr>
<tr>
<td>Air Force</td>
<td>2,247</td>
</tr>
</tbody>
</table>

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

(a) Extension of Requirement.—Section 604(c) of title 10, United States Code, is amended by striking “September 30, 2000” and inserting “September 30, 2003”.

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

SEC. 502. ADDITIONAL THREE-STAR OFFICER POSITIONS FOR SUPERINTENDENTS OF SERVICE ACADEMIES.

(a) Exclusion of Superintendents from Grade Limitation.—Section 525(b) of title 10, United States Code, is amended by adding at the end the following:

“§ 8921. Mandatory retirement: Superintendent of the United States Naval Academy.

Upon the termination of a detail of an officer to the position of Superintendent of the United States Naval Academy, the Secretary of the Navy shall retire the officer under any provision of this chapter under which the officer is eligible to retire.

(b) Chapter 605 of such title is amended by inserting after section 6051 the following:

“§ 6051a. Superintendent of the United States Naval Academy.

“(a) There is a Superintendent of the United States Naval Academy. The immediate governance of the Naval Academy is under the Superintendent.

“(b) The Superintendent shall be detailed to the position by the President. To be eligible for detail to the position, an officer shall enter into an agreement with the Secretary of the Navy to accept retirement upon termination of the detail.

(3) A chapter 867 of such title is amended by inserting after section 8671 the following:


Upon the termination of a detail of an officer to the position of Superintendent of the United States Air Force Academy, the Secretary of the Air Force shall retire the officer under any provision of this chapter under which the officer is eligible to retire.

(b) Chapter 905 of such title is amended by inserting after section 9051 the following:


“(a) There is a Superintendent of the United States Air Force Academy. The immediate governance of the United States Air Force Academy is under the Superintendent.

“(b) The Superintendent shall be detailed to the position by the President. To be eligible for detail to the position, an officer shall enter into an agreement with the Secretary of the Air Force to accept retirement upon termination of the detail.

(c) Clerical Amendments—(1)(A) The table of sections at the beginning of chapter 867 of title 10, United States Code, is amended by inserting after the item relating to section 8671 the following:


(2) The table of sections at the beginning of chapter 905 of such title is amended by inserting after the item relating to section 9051 the following:


(3) The table of sections at the beginning of chapter 1201 of title 10, United States Code, is amended by inserting after the item relating to section 1201 the following:

“§ 1201. Mandatory retirement: Superintendent of the United States Military Academy

Upon the termination of a detail of an officer to the position of Superintendent of the United States Military Academy, the Sec-
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(3)(A) The table of sections at the beginning of chapter 867 of such title is amended by inserting after the item relating to section 8920 the following:

9921. Mandatory retirement: Superintendent of the United States Military Academy.

(b) The table of sections at the beginning of chapter 903 of such title is amended by inserting after the item relating to section 9333 the following:

9333a. Superintendent: condition for detail to position.

(d) SAVINGS Provision.—The amendments made by this section shall not apply to an officer serving on the date of the enactment of this Act or to a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(b) RETENTION BOARDS FOR RESERVE OFFICERS.—Subsection (a) of section 14906 of such title is amended to read as follows:

(a) ACTIVE STATUS OFFICERS.—Each officer who serves on a board convened under this chapter shall—

1) be an officer of the same armed force as the officer being required to show cause for retention in an active status;

2) hold a grade that—

(A) in the case of the President of the board, is above lieutenant colonel or commander;

(B) in the case of any other member of the board, is above major or lieutenant commander;

3) be senior in grade and rank to any officer considered on the board;

4) serve component general or flag officers;

(b) RETENTION BOARDS FOR RESERVE OFFICERS.—Section 526(d) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(b) RETENTION BOARDS FOR RESERVE OFFICERS.—Subsection (a) of section 14906 of such title is amended to read as follows:

(a) ACTIVE STATUS OFFICERS.—Each officer who serves on a board convened under this chapter shall—

1) be an officer of the same armed force as the officer being required to show cause for retention in an active status;

2) hold a grade that—

(A) in the case of the President of the board, is above lieutenant colonel or commander;

(B) in the case of any other member of the board, is above major or lieutenant commander;

3) be senior in grade and rank to any officer considered on the board;

4) serve component general or flag officers;

(b) RETENTION BOARDS FOR RESERVE OFFICERS.—Section 526(d) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(b) RETENTION BOARDS FOR RESERVE OFFICERS.—Section 526(d) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.
SECTION 513. REPEAL OF LIMITATION ON NUMBER OF PERSONNEL ON FULL-TIME ACTIVE DUTY IN SUPPORT OF PREPAREDNESS FOR RESPONSES TO EMERGENCIES INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) REPEAL.—Paragraph (4) of section 1223(c) of title 10, United States Code, is amended by striking the first sentence.

(b) CONFORMING AMENDMENTS.—Paragraph (6) of such section is amended—

(1) by striking paragraph (5); and

(2) by striking “or to increase the number of personnel authorized by paragraph (5)” in the matter preceding subparagraph (A); and

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

(a) PARITY WITH OFFICERS IN GRADES O-2 AND O-3.—Section 14506 of title 10, United States Code, is amended—

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

(2) by inserting before the period at the end of clause (1) the following: “, or, where the officer is a reserve officer, the officer’s years of service include all time the person is credited under section 14518(a) and 14733(3) of this title.”.

(b) EXCLUSION OF RESERVE OFFICERS ON NATIONAL DELAY FROM ELIGIBILITY FOR CONSIDERATION FOR PROMOTION.

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

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

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

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

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

(2) The Secretary of the military department concerned, upon receipt of request in a form and manner prescribed by the Secretary, shall expunge from the military records of an officer any indication of a failure of selection of the officer for promotion to a higher grade, and shall record the action in the military records of the officer.

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

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

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

“(b) OFFICER, DIRECTOR.—There is in the executive part of the Coast Guard an Office of the Coast Guard Reserve. The head of the Office is the Director of the Coast Guard Reserve. The Director of the Coast Guard Reserve is the principal adviser to the Commandant on Coast Guard Reserve matters and may have such additional functions as the Commandant may direct.

(b) APPOINTMENT.—The President, by and with the advice and consent of the Senate, shall appoint the Director of the Coast Guard Reserve from officers of the Coast Guard not on active duty, or on active duty under section 1061 of title 10, who—

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

(2) are at grade above captain; and

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

(c) TERM.—(1) The Director of the Coast Guard Reserve holds office for a term determined by the President, normally two years, but not more than four years. An officer may be removed from the position of Director for cause at any time.

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

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

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

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is
amended by inserting after the item relating to section 539 of title 10, United States Code, "§50,000" and inserting "$120,000".

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

(a) AUTHORITY.—Chapter 4321 of title 10, United States Code, is amended by adding at the end the following new subsection:

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

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

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking "§ 4221. United States Army War College: master of strategic studies degree".

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

Section 9315 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) Educational Qualifications.—Notwithstanding section 3208 of title 5 or any other provision of law, the commander of the Air Education and Training Command may prescribe the minimum educational qualifications required for professors and instructors of the College. The required qualifications shall equal or exceed the qualifications necessary to satisfy accreditation standards applicable to the college."

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

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

"(a) AUTHORITY.—Upon the recommendation of the faculty of a school of the Air University, the Commander of the Air University may confer a degree upon graduates of that school who fulfill the requirements for that degree."

(b) CLERICAL AMENDMENTS.—(1) The heading of that section is amended to read as follows:

"§ 9317. Air University: graduate-level degrees."

(2) The item relating to such section in the table of sections at the beginning of chapter 901 of title 10, United States Code, is amended to read as follows:

"9317. Air University: graduate-level degrees."

SEC. 538. PAYMENT OF TUITION FOR EDUCATION AND TRAINING OF MEMBERS IN THE DEFENSE ACQUISITION WORKFORCE.

Section 716(a) of title 10, United States Code, is amended to read as follows:

"716(a). Payment of Tuition for Education and Training. (1) [ monkia:14060.104.01:10270.04.01 ] The Secretary of Defense shall provide for tuition reimbursement and training (including a full-time course of study leading to a degree) for acquisition personnel in the Department of Defense.

(2) For civilian personnel, the reimbursement and training shall be provided under section 4107(b) of title 5 for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, until September 30, 2001, a shortage of qualified personnel to serve in acquisition positions in the Department of Defense.

(3) In the case of members of the armed forces, the limitations of section 4107(a) of this title shall not apply to tuition reimbursement and training provided for under this subsection.

SEC. 539. FINANCIAL ASSISTANCE PROGRAM FOR PURSUIT OF DEGREES BY OFFICER CANDIDATES IN MARINE CORPS PLATOON LEADERS CLASS PROGRAM.

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

"CHAPTER 1610—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

"Sec.

"1664. Marine Corps Platoon Leaders Class Program: officer candidates pursuing degrees."

(2) The Secretary of the Navy may provide financial assistance to an eligible enlisted member of the Marine Corps Reserve for expenses of the member while the member is pursuing a full-time basis at an institution of higher education a program of education approved by the Secretary that leads to—
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SEC. 551. WAIVER OF TIME LIMITATIONS FOR
MILITARY MEDALS AND OTHER
DECORATIONS.

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

(b) TRANSITION PROVISION.—(1) An enlisted
member of the Armed Forces referred to in
subsection (a) is eligible for a military medal
or decoration having been determined by the
Secretary to be warranted

(2) The Secretary shall allocate funds and other
resources at the levels that are necessary for
eliminating the backlog of the unsatisfied
requests made to the issuance or replacement
of military decorations for former members of
the Armed Forces.


(4) The National Archives and Records Ad-
ministration.

(5) The Secretary shall—

(1) DELAY.—The Secretary shall allo-
cate funds and other resources under subsec-
tion (a) in a manner that does not detract from
the performance of other personnel
service and personnel support activities
within the Department of Defense.

(c) REPORT.—Not later than 45 days after
the date of the enactment of this Act, the
Secretary of Defense shall submit to Con-
gress a report on the status of the backlog
described in subsection (a).

(d) REPLACEMENT DECORATION DEFINED.—
For the purposes of this section, the term 'replace-
ment decoration' means a decoration that a
former member of the Armed Forces was awarded by
the United States for military service of the United
States.

SEC. 554. RETROACTIVITY OF NAVY COM-
BAT ACTION RIBBON.

The Secretary of the Navy may award the
Navy Combat Action Ribbon (established by
section 5314 of title 10, United States Code) to
members of the Armed Forces for participation
in ground or surface combat during any period
after December 6, 1941, and before March 1, 1961
(the date of the otherwise applicable limita-
tion on retroactivity for the award of such
military service of the United States.

SEC. 552. AUTHORITY FOR AWARD OF MEDAL OF
HONOR TO ALFRED RASCON FOR VALOR DURING THE VIETNAM
CONFLICT.

(a) WAIVER OF TIME LIMITATIONS.—Not-
withstanding the time limitations specified in
section 3741 of title 10, United States Code,
or any other time limitation with respect to the
awarding of certain medals to persons who served in the Armed, the Presi-
...
(f) of such section is amended to read as follows: "(1) in the second sentence, by striking "six months" both places it appears and inserting "one year"; and
(2) in the third sentence, by inserting after "A bad conduct discharge" the following: "; confinement for more than six months, or forfeiture of pay for more than six months".
(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the sixth month following the month in which this Act is enacted, and shall apply with respect to charges referred to trial by special courts-martial on or after that effective date.

SEC. 562. REDUCED MINIMUM BLOOD AND BREATH ALCOHOL LEVELS FOR OFFENSE OF DRUNKEN OPERATION OR CONTROL OF A VEHICLE, AIRCRAFT, OR VESSEL.

(a) STANDARD.—Section 1112(a)(2) of title 10, United States Code (article 1112 of the Uniform Code of Military Justice), is amended by striking in subsection (b)(1) "208.0 grams" and inserting "0.08 grams".
(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act and shall apply with respect to acts committed on or after that date.

Subtitle F—Other Matters

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

(a) RESPONSIBILITY OF SECRETARY OF DEFENSE.—Subsection (a) of section 1491 of title 10, United States Code, is amended to read as follows: "(a) RESPONSIBILITY.—The Secretary of Defense shall ensure that, upon request, a funeral honors detail is provided for the funeral of any veteran that occurs after December 31, 1999.
(b) ELIGIBILITY FOR HONORS.—Subsection (f) of such section is amended to read as follows: "(f) VETERAN DEFINED.—In this section, the term 'veteran' means the following: "(1) A decedent who was a veteran, as defined in section 101 of title 38.
(2) A decedent who, by reason of having been a member of the Selected Reserve, is eligible for a flag to drape the casket under section 435 of title 38.
(c) COMPOSITION OF FUNERAL HONORS DETAILS.—(1) Subsection (b) of such section is amended—
(A) by striking "HONOR GUARD DETAILS." and inserting "FUNERAL HONORS DETAILS.—";
(B) by striking "honor guard detail" and inserting "funeral honors detail"; and
(C) by striking "not less than three persons" and all that follows and inserting the following: "two or more persons.
(2) Subsection (c) of such section is amended—
(A) by striking "persons forming honor guard."—(An honor guard detail and inserting "two members of the funeral honors detail for the veteran's funeral shall be members of the armed forces.
At least one of those members shall be a member of the armed force of which the veteran was a member. The remainder of the details shall; and
(B) by striking the second sentence and inserting the following: "Each member of the armed forces of which the appropriate uniform of the member's armed force while serving in the detail.
(d) CEREMONY, SUPPORT, AND WAIVER.—Such section is further amended—
(1) by redesigning subsections (d) and (e) as subsections (f) and (g), respectively; and
(2) by inserting after subsection (b) the following:
(c) CEREMONY.—A funeral honors detail shall, at a minimum, perform at the funeral a ceremony that includes the folding and presentation of the flag of the United States to the veteran's family and the playing of Taps. Unless a bugle is a member of the detail, the detail shall play a recorded version of Taps using audio equipment which the detail shall provide if adequate audio equipment is not otherwise available for use at the funeral.
(d) SUPPORT.—To provide a funeral honors detail under this section, the Secretary of a military department may provide the following:
(1) Transportation, or reimbursement for transportation, and expenses for a person who participates in the funeral honors detail under this section and is not a member of the armed forces or an employee of the United States.
(2) Materiel, equipment, and training for members of a veterans organization or other organization referred to in subsection (b)(2).
(e) WAIVER AUTHORITY.—(1) The Secretary of a military department may provide for the selection of units of the armed forces or other organizations to perform funeral honors duties at the funeral of a veteran that occurs after December 31, 1999.
(2) Before or promptly after granting a waiver under paragraph (1), the Secretary shall transmit a notification of the waiver to the Committees on Armed Services of the Senate and House of Representatives.
(f) REGULATIONS.—(1) The Secretary of a military department may provide for the selection of units of the armed forces or other organizations to perform funeral honors duties at the funeral of a veteran that occurs after December 31, 1999.
(2) The Secretary of a military department, in coordination with such duty as authorized under section 12503 of this title, may provide reimbursement for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.
(g) DUTY STATUS OF RESERVES IN FUNERAL SERVICES.—(1) The Ready Reserve may be ordered to funeral honors duty under this section and is not a member of the armed forces or other organizations to provide funeral honors details.
(2) Procedures for responding and coordinating responses to requests for funeral honors details.
(3) Procedures for establishing standards and protocol.
(4) Procedures for providing training and ensuring quality of performance.
(i) ACCEPTANCE OF VOLUNTARY SERVICES.—Section 1588(a) of title 10, United States Code, is amended by adding at the end the following:
(3) Service credit under section 12323(a)(2)(E) of this title; and
(4) The Secretary concerned, the allowance under section 435 of title 37.
(j) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section may be paid reimbursement for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.
(k) REGULATIONS.—The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.
(l) Chapter 1213 of title 10, United States Code, is amended by adding at the end the following:
(1) Service credit under section 12323(a)(2)(E) of title 10, and
(2) The Secretary concerned, the allowance under section 435 of title 37.
(l) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section may be paid reimbursement for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.
(m) VOLUNTARY SERVICES.—(1) A system for selection of units of the armed forces or other organizations to provide funeral honors details.
(2) Procedures for responding and coordinating responses to requests for funeral honors details.
(n) REGULATIONS.—The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.
(o) MEMBERS OF THE NATIONAL GUARD.—This section does not apply to members of the Army National Guard of the United States or the Air National Guard of the United States. The performance of funeral honors duty by such members is provided for in section 115 of title 32.
(3) Section 12352 of title 10, United States Code, is amended—
(A) in section 114—
(i) by striking "honor guard functions" both places it appears and inserting "funeral honors functions"; and
(ii) by striking "drill or training otherwise required:" and inserting "drill or training, but may be performed as funeral honors duty under section 115 of this title;" and
(3) By adding at the end the following: "(n) ORDER TO DUTY.—A member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to perform funeral honors functions at the funeral of a veteran under section 12352 of title 10. However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to perform funeral honors functions under this section without the consent of the Governor or other appropriate authority of the State concerned."
(b) CREDITING OF ONE POINT FOR RESERVE SERVICE.—(1) Section 1272(a)(2) of such title is amended—
   (i) by inserting after subparagraph (D) the following:
      "(E) DUTY COMPLETED.—(1) A member of the Reserve component for service in the Individual Ready Reserve of the Army shall establish a pilot program to assess whether the Army could increase the number of, and the level of the qualifications of, persons accessing the Army by encouraging recruits to pursue higher education or vocational or technical training before entry into active service in the Army.
   (2) The program shall be implemented by and under the authority of the Secretary of the Army.
   (B) Effectiveness.—The Secretary shall establish a program to assess whether the Army could increase the number of, and the level of the qualifications of, persons accessing the Army by encouraging recruits to pursue higher education or vocational or technical training before entry into active service in the Army.
   (2) The program shall be implemented by and under the authority of the Secretary of the Army.
   (C) The heading for section 114 of title 10, United States Code, is amended to read as follows:
      "114. Funeral honors functions at funerals for veterans'.
   (B) The table of sections at the beginning of chapter 1 of title 32, United States Code, is amended by striking the item relating to section 114 and inserting the following:
      "114. Funeral honors functions at funerals for veterans'.
   (C) The heading for section 114 of title 32, United States Code, is amended to read as follows:
      "114. Funeral honors functions at funerals for veterans'.
   (3) Each member of the armed forces who incurs or aggravates an injury, illness, or disease incurred or aggravated while serving on funeral honors duty under section 12503 of this title or section 115 of title 32, and shall constitute payment in full to the member.
   (c) DELAYED ENTRY WITH ALLOWANCE FOR HIGHER EDUCATION.—Under the pilot program, the Secretary may exercise the authority under section 513 of title 10, United States Code—
   (1) to accept the enlistment of a person as a Reserve for service in the Selected Reserve or Individual Ready Reserve of the Army Reserve for a period of delay authorized a person under paragraph (a) of section 513 of title 10, United States Code, if the member is enrolled in and pursues a program of education at an institution of higher education, or a program of vocational or technical training, on a full-time basis that is to be completed within two years after the date of the enlistment as a Reserve; and
   (2) to authorize, notwithstanding the period limitation in subsection (b) of such section, a delay of the enlistment of that person in a regular component under that subsection for the period during which the person is enrolled in and pursing a program of education at an institution of higher education, or a program of vocational or technical training, on a full-time basis that is to be completed within two years after the date of the enlistment as a Reserve; and
   (3) in the case of a person enlisted in a reserve component for service in the Individual Ready Reserve, pay an allowance to the person for each month of that period.
   (d) AMOUNT OF ALLOWANCE.—(1) The monthly allowance paid under subsection (b) is $150. The allowance may not be paid for more than 24 months.
   (2) An allowance under this section is in addition to any other pay and allowances to which a member of a reserve component is entitled by reason of participation in the Ready Reserve of that component.

SEC. 573. INCREASED AUTHORITY TO EXTEND DELAYED ENTRY PERIOD FOR ENLISTMENTS OF PERSONS WITH NO PRIOR MILITARY SERVICE.
   (a) MAXIMUM PERIOD OF EXTENSION.—Section 513(b)(1) of title 10, United States Code, is amended by striking "180 days" in the second sentence and inserting "1255 days".
   (b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 574. INCREASED AUTHORITY TO EXTEND DELAYED ENTRY PERIOD FOR ENLISTMENTS OF PERSONS WITH PRIOR MILITARY SERVICE.
   (a) PROGRAM REQUIRED.—The Secretary of the Army shall establish a pilot program to assess whether the Army could increase the number of, and the level of the qualifications of, persons accessing the Army by encouraging recruits to pursue higher education or vocational or technical training before entry into active service in the Army.
   (b) DELAYED ENTRY WITH ALLOWANCE FOR HIGHER EDUCATION.—Under the pilot program, the Secretary may exercise the authority under section 513 of title 10, United States Code—
   (1) to accept the enlistment of a person as a Reserve for service in the Selected Reserve or Individual Ready Reserve of the Army Reserve for a period of delay authorized a person under paragraph (a) of section 513 of title 10, United States Code, if the member is enrolled in and pursues a program of education at an institution of higher education, or a program of vocational or technical training, on a full-time basis that is to be completed within two years after the date of the enlistment as a Reserve; and
   (2) to authorize, notwithstanding the period limitation in subsection (b) of such section, a delay of the enlistment of that person in a regular component under that subsection for the period during which the person is enrolled in and pursing a program of education at an institution of higher education, or a program of vocational or technical training, on a full-time basis that is to be completed within two years after the date of the enlistment as a Reserve; and
   (3) in the case of a person enlisted in a reserve component for service in the Individual Ready Reserve, pay an allowance to the person for each month of that period.
   (c) DELAYED ENTRY WITH ALLOWANCE FOR HIGHER EDUCATION.—Under the pilot program, the Secretary may exercise the authority under section 513 of title 10, United States Code—
   (1) to accept the enlistment of a person as a Reserve for service in the Selected Reserve or Individual Ready Reserve of the Army Reserve for a period of delay authorized a person under paragraph (a) of section 513 of title 10, United States Code, if the member is enrolled in and pursues a program of education at an institution of higher education, or a program of vocational or technical training, on a full-time basis that is to be completed within two years after the date of the enlistment as a Reserve; and
   (2) to authorize, notwithstanding the period limitation in subsection (b) of such section, a delay of the enlistment of that person in a regular component under that subsection for the period during which the person is enrolled in and pursing a program of education at an institution of higher education, or a program of vocational or technical training, on a full-time basis that is to be completed within two years after the date of the enlistment as a Reserve; and
   (3) in the case of a person enlisted in a reserve component for service in the Individual Ready Reserve, pay an allowance to the person for each month of that period.
   (d) AMOUNT OF ALLOWANCE.—(1) The monthly allowance paid under subsection (b) is $150. The allowance may not be paid for more than 24 months.
   (2) An allowance under this section is in addition to any other pay and allowances to which a member of a reserve component is entitled by reason of participation in the Ready Reserve of that component.
Armed Forces Medical Examiner may conduct a forensic pathology investigation to determine the cause or manner of death of a deceased person under circumstances described in subsection (b). The investigation may include an autopsy of the decedent’s remains.

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

(1) either—

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

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

(2) either—

(A) the identity of the decedent is unknown; and

(B) a death investigation is conducted.

(c) DETERMINATION OF JUSTIFICATION.—(1) Subject to paragraph (2), the determination under paragraph (1) of subsection (b) shall be made by the Armed Forces Medical Examiner if—

(2) a commander may make the determination under paragraph (1) of subsection (b) and require a forensic pathology investigation under this section without regard to a determination made by the Armed Forces Medical Examiner if—

(A) in a case involving circumstances described in paragraph (2) of subsection (b), the commander is the commander of the installation where the decedent was found dead or died; or

(B) in a case involving circumstances described in paragraph (2) of subsection (b), the commander is the commander of the decedent’s unit at a level in the chain of command designated for such purpose in the regulations prescribed by the Secretary of Defense.

(d) LIMITATION IN CONCURRENT JURISDICTION CASES.—(1) The exercise of authority under this section is subject to the exercise of primary jurisdiction for the investigation of a death—

"(A) in the case of a death in a State, by the State or a local government of the State; or

"(B) in the case of a death in a foreign country, by that foreign country under any applicable treaty, status of forces agreement, or other international agreement between the United States and that foreign country.

"(2) Paragraph (1) does not limit the authority of the Armed Forces Medical Examiner to conduct a forensic pathology investigation of a death that is subject to the exercise of primary jurisdiction by another sovereign, if the investigation by the other sovereign is concluded without a forensic pathology investigation that the Armed Forces Medical Examiner considers complete. For the purposes of the preceding sentence a forensic pathology investigation is incomplete if the investigation does not include an autopsy of the decedent.

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

"(1) ensure that qualified forensic pathologists conduct the investigation;

"(2) to the extent practicable and consistent with responsibilities under this section, notify the next of kin and, where appropriate, the local authority responsible for protecting religious beliefs;

"(3) as soon as practicable, notify the decedent’s family, if known, that the forensic pathology investigation is being conducted;

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

"(5) promptly report the results of the forensic pathology investigation to the official responsible for the overall investigation of the death.

"(f) DEFINITION OF STATE.—In this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, and Guam.

"(g) REPORT.—Not later than February 1, 2004, the Secretary shall submit to the Congress a report on the investigation of a death in a foreign country under any applicable treaty, status of forces agreement, or other international agreement between the United States and that foreign country, by that foreign country under any applicable treaty, status of forces agreement, or other international agreement between the United States and that foreign country.

Section 576. FORENSIC PATHOLOGY INVESTIGATIONS

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

(a) INVESTIGATION AUTHORITY.—Chapter 75 of title 10, United States Code, is amended by inserting after subparagraph (D) the following:

"(E) An entity that, operating in a foreign nation where United States personnel are stationed at United States military activities, promotes understanding and tolerance between such personnel (and their families) and the people of that host foreign nation through programs that foster social relations between those persons."

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

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

"CHAPTER 75—DECEASED PERSONNEL

Subchapter I. Death Investigations

Sec. 1471. Forensic pathology investigations.

"(a) AUTHORITY.—(1) The Secretary may authorize the Armed Forces Medical Examiner to conduct a forensic pathology investigation under section 1471 of this title of a death that is subject to the exercise of primary jurisdiction under section 1471 of this title, except that the exercise of authority under this section is subject to the exercise of primary jurisdiction for the investigation of a death—

"(A) in the case of a death in a State, by the State or a local government of the State; or

"(B) in the case of a death in a foreign country, by that foreign country under any applicable treaty, status of forces agreement, or other international agreement between the United States and that foreign country.

"(2) Paragraph (1) does not limit the authority of the Armed Forces Medical Examiner to conduct a forensic pathology investigation of a death that is subject to the exercise of primary jurisdiction by another sovereign, if the investigation by the other sovereign is concluded without a forensic pathology investigation that the Armed Forces Medical Examiner considers complete. For the purposes of the preceding sentence a forensic pathology investigation is incomplete if the investigation does not include an autopsy of the decedent.

"(3) The Secretary shall submit to the Congress not later than March 1 of every other year concerning the operation of this chapter a report not later than March 1 of every other year concerning the operation of this chapter. The report shall cover every other year concerning the operation of this chapter. The report shall cover
SEC. 578. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS PURPOSES.

(a) AUTHORITY.—Subchapter I of chapter 134 of title 10, United States Code, is amended by adding at the end the following:

“§ 2249c. Use of recruiting materials for public relations

‘‘Advertising materials developed for use for recruitment and retention of personnel for the armed forces may be used for public relations purposes of the Department of Defense under such conditions and subject to such restrictions as the Secretary of Defense shall prescribe.’’

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

2249c. Use of recruiting materials for public relations.”

SEC. 579. IMPROVEMENT AND TRANSFER OF JUNIOR RESERVE OFFICERS PROGRAM.

(a) RECODIFICATION, IMPROVEMENT, AND TRANSFER OF PROGRAM.—(1) Section 1151 of title 10, United States Code, is amended to read as follows:

“§ 1151. Assistance to certain separated or retired members to obtain certification or licensure as teachers

‘‘(a) PROGRAM AUTHORIZED.—The administering Secretary may carry out a program

‘‘(1) to assist eligible members of the armed forces after their discharge or release, or retirement, from active duty to obtain certification or licensure as elementary or secondary school teachers or as vocational or technical teachers, and

‘‘(2) to facilitate the employment of such members by local educational agencies identified under subsection (b)(1).

‘‘(b) IDENTIFICATION OF LOCAL EDUCATIONAL AGENCIES AND STATES.—(1)(A) In carrying out the program, the administering Secretary shall periodically identify local educational agencies that—

‘‘(i) are receiving grants under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) as a result of having won competitions conducted by the National Education Association of children from low-income families; or

‘‘(ii) are experiencing a shortage of qualified teachers, in particular a shortage of science, mathematics, special education, or vocational or technical teachers.

‘‘(B) The administering Secretary may identify local educational agencies under subparagraph (A) through surveys conducted for that purpose or by utilizing information on local educational agencies that is available to the Secretary of Education from other sources.

‘‘(2) In carrying out the program, the administering Secretary shall also conduct a survey of States to identify those States that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the armed forces toward satisfying certification or licensure requirements for teachers.

‘‘(c) ELIGIBLE MEMBERS.—(1) Subject to paragraph (2), the following members shall be eligible for selection to participate in the program:

‘‘(A) Any member—

‘‘(i) during the period beginning on October 1, 1990, and ending on September 30, 1999, who was involuntarily discharged or released from active duty for purposes of a reduction of force after more than five years of continuous active duty immediately before the discharge or release; and

‘‘(ii) satisfies such other criteria for eligibility as the administering Secretary may prescribe.

‘‘(B) Any member—

‘‘(i) who, on or after October 1, 1999—

‘‘(II) is retired under section 1201 of this title; or

‘‘(II) is retired under section 1204 of this title;

‘‘(ii) who, in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a baccalaureate or advanced degree from an accredited institution of higher education; or

‘‘(iii) in the case of a member applying for assistance for placement as a vocational or technical teacher—

‘‘(aa) has received the equivalent of one year of college from an accredited institution of higher education and has 10 or more years of military experience in a vocational or technical field;

‘‘(bb) otherwise meets the certification or licensure requirements for a vocational or technical teacher in the State in which such member seeks assistance for placement under the program; and

‘‘(iii) who satisfies any criteria prescribed under subparagraph (A)(ii).

‘‘(2) A member described in paragraph (1) shall be eligible to participate in the program only if the member’s last period of service in the armed forces was characterized as honorable by the Secretary concerned.

‘‘(d) INFORMATION REGARDING PROGRAM.—

‘‘(1) The administering Secretary shall provide information about the program, and make applications for the program available, to members as part of preseparation counseling provided under section 1142 of this title.

‘‘(2) The information provided to members shall—

‘‘(A) indicate the local educational agencies identified under subsection (b)(1); and

‘‘(B) identify those States surveyed under subsection (b)(2) that have alternative certification or licensure requirements for teachers.

‘‘(e) SELECTION OF PARTICIPANTS.—(1)(A) Selection of members to participate in the program shall be made on the basis of applications submitted to the administering Secretary on a timely basis. An application shall be in such form and contain such information as that Secretary may require.

‘‘(B) An application shall be considered to be submitted on a timely basis if the application is submitted as follows:

‘‘(i) In the case of an applicant who is eligible under subsection (c)(1)(A), not later than September 30, 2003.

‘‘(ii) In the case of an applicant who is eligible under subsection (c)(1)(B), not later than four years after the date of the retirement of the applicant from active duty.

‘‘(f) AGREEMENT.—A member selected to participate in the program who agrees under subsection (f) to enter into an agreement with the administering Secretary in which the member agrees—

‘‘(1) to obtain, within such time as that Secretary may require, certification or licensure as an elementary or secondary school teacher or vocational or technical teacher; and

‘‘(2) to accept an offer of full-time employment as an elementary or secondary school teacher or vocational or technical teacher for not less than four years with a local educational agency identified under subsection (a)(1) or (b)(1), to begin the school year after obtaining that certification or licensure.

‘‘(g) STIPEND AND BONUS FOR PARTICIPANTS.—(1)(A) Subject to subparagraph (B), the administering Secretary shall pay to each participant in the program a stipend in an amount equal to $20,000.

‘‘(B) The total number of stipends that may be paid under this paragraph in any fiscal year may not exceed 3,000.

‘‘(2)(A) Subject to subparagraph (B), the administering Secretary may, in lieu of paying a stipend under paragraph (1), pay a bonus of $10,000 to each participant in the program who agrees under subsection (f) to accept full-time employment as an elementary or secondary school teacher or vocational or technical teacher for not less than four years with a high need school.

‘‘(B) The total number of bonuses that may be paid under this paragraph in any fiscal year may not exceed 3,000.

‘‘(h) ELIGIBLE PERSONS.—(1) In this paragraph, the term ‘high need school’ means an elementary school or secondary school that meets one or more of the following criteria:

‘‘(i) A drop out rate that exceeds the national average school drop out rate.

‘‘(ii) A large percentage of students (as determined by the Secretary of Education in consultation with the National Assessment Governing Board) who speak English as a second language.

‘‘(iii) A large percentage of students (as determined by the Secretary of Education in consultation with the National Assessment Governing Board) who are at risk of educational failure by reason of limited proficiency in English, poverty, race, geographic location, or economic circumstances.

‘‘(iv) A population of students at least one-half of which are from families with an income below the poverty line (as that term is defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applying to a family of four.

‘‘(v) A large percentage of students (as determined by the Secretary of Education in consultation with the National Assessment Governing Board) who receive special education services, including services Block Grant Act (42 U.S.C. 9902(2)) apply for a family of four.

‘‘(vi) Any other criteria established by the administering Secretary in consultation with the National Assessment Governing Board.”
with the National Assessment Governing Board.

"(3) Stipends and bonuses paid under this subsection shall be taken into account in determining the eligibility of the participant concerned for Federal teacher or vocational technical certification or licensure. A participant receiving such certification or licensure may also waive reimbursement in cases of extreme hardship to the participant, as determined by that Secretary.

"(j) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—The receipt by a participant in the program of any assistance under the program shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 of title 38 or chapter 1606 of this title.

"(k) DISBURSEMENT OF STATE ACTIVITIES THROUGH CONSORTIA OF STATES.—The administering Secretary may permit States participating in the program to carry out activities authorized for such States under this section through one or more consortia of such States.

"(l) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—(1) If a participant in the program fails to obtain teacher certification or licensure or employment as an elementary or secondary school or as a vocational or technical teacher as required under the agreement or voluntarily leaves, or is terminated for cause, from the employment during the four years of required service, the participant shall be required to reimburse the administering Secretary for any stipend paid to the participant under subsection (g)(1) in an amount that bears the same ratio to the amount of the stipend as the unserved portion of required service bears to the four years of required service.

"(2) If a participant in the program who is paid a bonus under subsection (g)(2) fails to obtain employment for which the bonus was paid, or voluntarily leaves or is terminated for cause during the four years of required service, the participant shall be required to reimburse the administering Secretary for the bonus in an amount that bears the same ratio to the amount of the bonus as the unserved portion of required service bears to the four years of required service.

"(m) The obligation to reimburse the administering Secretary under this subsection is, for all purposes, a debt owing the United States.

"(n) Discharge in bankruptcy under title 11 shall not release a participant from the obligation to reimburse the administering Secretary under this subsection.

"(o) Any amount owed by a participant under paragraph (1) or (2) shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the participant is first notified of the amount due.

"(p) EXCEPTIONS TO REIMBURSEMENT PROVISIONS.—(1) A participant in the program shall not be considered to be in violation of an agreement entered into under subsection (f) during any period in which the participant—

(A) is pursuing a full-time course of study related to the field of teaching at an eligible institution;

(B) is serving on active duty as a member of the armed forces;

(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

(E) is seeking and unable to find full-time employment as a teacher in an elementary or secondary school or as a vocational or technical teacher for a single period not to exceed 12 months; or

(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the administering Secretary.

"(2) A participant shall be excused from reimbursement under subsection (h) if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician. The administering Secretary may also waive reimbursement in cases of extreme hardship to the participant, as determined by that Secretary.

"(q) TRANSFER OF JURISDICTION OVER CARRIERS.—(1) The Secretary of Defense, Secretary of Transportation, and Secretary of Education shall provide for the transfer to the Secretary of Education of any on-going functions and responsibilities of the Secretary of Defense and the Secretary of Transportation with respect to the program authorized by section 1151 of title 10, United States Code, for the period beginning on October 23, 1992, and ending on October 30, 2001.

"(2) The Secretaries shall complete the transfer under paragraph (1) not later than October 1, 2001.

"(r) After completion of the transfer, the Secretary of Education shall discharge that Secretary’s functions and responsibilities with respect to the program to the Secretary of Defense and the Secretary of Transportation with respect to the Coast Guard.

"(s) REPORTS.—(1) Not later than March 31, 2002, the Secretary of Education (in consultation with the Secretary of Defense and the Secretary of Transportation) and the Comptroller General shall each submit to Congress a report on the effectiveness of the program authorized by section 1151 of title 10, United States Code (as amended by subsection (a)), in the recruitment and retention of qualified personnel by local educational agencies identified under subsection (b)(1) of such section 1151.

"(2) The report under paragraph (1) shall include information on the following:

(A) The number of participants in the program.

(B) The schools in which such participants are employed.

(C) The grade levels at which such participants teach.

(D) The subject matters taught by such participants.

(E) The effectiveness of the teaching of such participants, as indicated by any relevant test scores of the students of such participants.

(F) The extent of any academic improvement in the schools in which such participants teach by reason of their teaching.

(G) The rates of retention of such participants by the local educational agencies employing such participants.

"(t) The effect of any stipends or bonuses paid under subsection (g) in enhancing participation in the program in consultation with the Secretary of Defense and the Secretary of Transportation with respect to the Coast Guard.

"(u) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.
§ 1798. Child care services and youth programs; requirements: financial assistance for providers

(a) AUTHORITY.—The Secretary of Defense may provide financial assistance to an eligible civilian provider of child care services or youth programs that furnishes such services for members of the armed forces and employees of the Federal Government if the Secretary determines that providing the assistance—

(1) is in the best interest of the Department of Defense;

(2) enables supplementation or expansion of furnishing of the services for military installations; and

(3) ensures that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards of the Department of Defense that are applicable to the furnishing of such services.

(b) ELIGIBLE PROVIDER.—A provider of child care services or youth program services is eligible for financial assistance under this subsection, if the provider—

(1) provides the services under applicable State and local law;

(2) has previously provided such services for members of the armed forces or employees of the Federal Government; and

(3) either—

(A) is a provider of otherwise federally funded or sponsored child care services;

(B) provides the services in a child development center owned and operated by a private, not-for-profit organization;

(C) is a provider of family child care services;

(D) conducts a before-school or after-school child care program in a public school facility;

(E) conducts an otherwise federally funded or federally sponsored school age child care or youth services program;

(F) conducts a school age child care or youth services program that is owned and operated by a not-for-profit organization; or

(G) is a provider of another category of child care services or youth services determined by the Secretary as appropriate for meeting the needs of members of the armed forces or employees of the Department of Defense.

(c) FUNDING.—To provide financial assistance under this subsection, the Secretary of Defense may use any funds available for the Department of Defense.

(d) BIENNIAL REPORT.—(1) Every two years the Secretary of Defense shall submit to Congress a report on the exercise of authority under paragraph (1) if the provider—

(A) furnishes the services under applicable State and local law;

(B) has previously provided such services for members of the armed forces or employees of the Federal Government; and

(C) either—

(1) provides the services under applicable State and local law;

(2) has previously provided such services for members of the armed forces or employees of the Federal Government; and

(3) either—

(A) is a provider of otherwise federally funded or sponsored child care services;

(B) provides the services in a child development center owned and operated by a private, not-for-profit organization;

(C) is a provider of family child care services;

(D) conducts a before-school or after-school child care program in a public school facility;

(E) conducts an otherwise federally funded or federally sponsored school age child care or youth services program;

(F) conducts a school age child care or youth services program that is owned and operated by a not-for-profit organization; or

(G) is a provider of another category of child care services or youth services determined by the Secretary as appropriate for meeting the needs of members of the armed forces or employees of the Department of Defense.

(2) A biennial report under this subsection may be combined with the biennial report under section 1798(d) of title one into one report for submission to Congress.

(3) The Secretary shall submit biennial reports under this subsection not later than March 31, 2002, and shall cover fiscal years 2000 and 2001.

SEC. 151. RESPONSES TO DOMESTIC VIOLENCE IN THE ARMED FORCES.

(a) MILITARY-CIVILIAN TASK FORCE ON DOMESTIC VIOLENCE.—(1) The Secretary of Defense shall establish a Military-Civilian Task Force on Domestic Violence. The Secretary shall appoint the members of the task force in accordance with this section not later than six months after the date of the enactment of this Act.

(2)(A) Not later than six months after the date on which all members of the task force are appointed, the task force shall submit to the Secretary of Defense recommendations on the matters set out under subsection (b). The task force shall, thereafter, submit to the Secretary of Defense an updated report, time to time, any analyses and recommendations for policies regarding how the Armed Forces can effectively respond, and improve responses, to cases of domestic violence that the task force considers appropriate.

(B) The task force shall submit to Congress an annual report containing a detailed discussion of the reports in responses to domestic violence in the Armed Forces, pending research on domestic violence, and any recommendations for actions to improve the response of the Armed Forces to domestic violence in the Armed Forces that the task force considers appropriate.

(C) The task force shall—

(i) hold a plenary session at least once annually; and

(ii) visit military installations overseas annually and military installations within the United States semiannually.

(3) The Secretary shall appoint the members of the task force. The task force shall include the following:

(A) Representatives of Department of Defense family advocacy programs.

(B) Medical personnel.

(C) Judge advocates.

(D) Military policy or other law enforcement personnel of the Armed Forces.

(E) Commanders.

(F) Personnel who plan, execute, and evaluate training of the Armed Forces.

(G) Civilian personnel who are experts on domestic violence, family advocates, providers of services specifically for victims of domestic violence, and researchers in domestic violence including, but not limited to, the following:

(i) At least two representatives from the national domestic violence and sexual assault policy organizations.

(ii) At least two representatives from selected states’ domestic violence and sexual assault coalitions.

(iv) At least two local domestic violence and sexual assault service providers in communities located near military installations.

(H) Civilian law enforcement personnel (appointed in consultation with the Attorney General).

(I) Representatives of the Department of Justice (appointed in consultation with the Attorney General) from the following offices:

(i) The Office on Violence Against Women.

(ii) The Violence Against Women Grants Office.

(J) Representatives of the Department of Health and Human Services (appointed in consultation with the Secretary of Health and Human Services) from the Family Violence Prevention and Services Office.

(K) The Secretary shall ensure that the task force includes the following:

(A) Representatives of the Office of the Secretary of Defense.

(B) General and flag officers.

(C) Noncommissioned officers.

(D) Other enlisted personnel.

(E) The Secretary of Defense shall annually designate to chair the task force one member of the task force from among the members on a list of nominees submitted to the Secretary for that purpose by the task force.

(F) Each member of the task force shall serve without compensation (other than the compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, as the case may be), but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies and offices of the Federal Government, and shall provide oversight of the task force and shall provide the task force with the personnel, facilities, and

(7) The Assistant Secretary of Defense for Force Management Policy, under the direction of the Under Secretary of Defense for Personnel and Readiness, shall provide oversight of the task force and shall provide the task force with the personnel, facilities, and
other administrative support that is necessary for the performance of the task force’s duties. The Assistant Secretary shall provide for the Secretaries of the military department to provide support described in paragraph (B) for the task force on a rotating basis.

(b) The Secretary of the military department concerned shall—

(A) coordinate the visits of the task force to military installations; and

(B) as designated by the Assistant Secretary of Defense and in coordination with Assistant Secretaries of the military departments, provide administrative, logistical, and other support for the meetings of the task force.

(9) The task force shall terminate three years after the date on which all members of the task force are appointed.

(c) Uniform Responses.—Not later than six months after receiving the report of the task force under subsection (a)(2)(A), the Secretary of Defense shall, in consultation with the Secretary of Transportation, prescribe the following:

(1) Standard formats for memorandums of agreement or understanding to be used by the Secretaries of the military departments for agreements with civilian law enforcement authorities relating to acts of domestic violence involving members of the Armed Forces.

(2) A requirement for a commanding officer of a member of the Armed Forces ordered by a superior not to have contact with a person to give a written copy of the order to each person protected by the order within 24 hours after the issuance of the order.

(3) Standard guidance for commanders to consider when determining appropriate disciplinary action for substantiated allegations of domestic violence by a person subject to that Code.

(4) A standard training program for all commanding officers in the Armed Forces, including a standard curriculum, on the handling of domestic violence cases.

(d) Reporting Requirements.—(1) The Secretary shall establish a central database of information on the cases of domestic violence involving members of the Armed Forces.

(2) The Secretary shall require the administrator of each family advocacy program of the Armed Forces to maintain a database of domestic violence cases and incidents associated with civilian law enforcement actions concerning acts of domestic violence involving members of the Armed Forces.

(3) The Administrator, Department of Defense, shall, in coordination with the Secretaries of the military departments, prescribe the following:

(A) Each domestic violence case reported to a commander, any law enforcement authority of the Armed Forces, or a family advocacy program of the Department of Defense.

(B) The number of the cases that involve evidence determined sufficient for supporting disciplinary action and, for each such case, a description of the substantiated allegation and the action taken by command authorities in the case.

(C) The number of the cases that involve evidence determined insufficient for supporting disciplinary action and, for each such case, a description of the allegation.

(4) The Secretary shall submit to Congress an annual report on the data submitted to the central database established under paragraph (1).

SEC. 582. POSTHUMOUS ADVANCEMENT OF REAR ADMIRAL (RETIRED) HUBBARD E. KIMMEL AND MAJOR GENERAL (RETIRED) WALTER C. SHORT ON RETIRED LISTS.

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

(1) The late Rear Admiral (retired) Hubbard E. Kimmel, formerly serving in the grade of admiral as the Commander in Chief of the United States Pacific Fleet, had an excellent and unassailable record throughout his career in the United States Navy, including his promotion to the rank of admiral, United States Pacific Fleet, on the evening of December 7, 1941, from the rank of vice admiral to the rank of admiral, United States Pacific Fleet.

(2) The late Major General (retired) Walter C. Short, formerly serving in the grade of major general as the Commander of the United States Army Hawaiian Department, had an excellent and unassailable record throughout his career in the United States Army prior to the rank of general, United States Army on the evening of December 7, 1941, from the rank of major general to the rank of general, United States Army.

(3) Numerous investigations following the attack on Pearl Harbor have documented that then Admiral Kimmel and then Lieutenant General Short were not provided necessary and critical intelligence that was available, that foretold of war with Japan, that warned of imminent attack, and that would have alerted them to prepare for the attack, including such essential communiques as the Japanese Pearl Harbor Bombing Plot message of September 1941 and the message sent from the Imperial Japanese Foreign Ministry to the Japanese Ambassador in the United States from December 6-7, 1941, known as the Kimmel-Patterson Message.

(4) On December 16, 1941, Admiral Kimmel and Lieutenant General Short were relieved of their commands and returned to their permanent ranks of rear admiral and major general.

(5) Admiral William Harrison Standley, who served as a member of the investigating commission known as the Roberts Commission that accused Admiral Kimmel and Lieutenant General Short of “dereliction of duty” only six weeks after the attack on Pearl Harbor, reported maintaining that “these two officers were martyred” and “if they had been brought to trial, both would have been cleared of the charge”.

(6) On October 19, 1944, a Naval Court of Inquiry—

(A) exonerated Admiral Kimmel on the grounds that his military decisions and the disposition of his forces at the time of the December 7, 1941, attack on Pearl Harbor were proper “by virtue of the information that Admiral Kimmel was not in a position to give,” and that there was no “evidence that Admiral Kimmel was at a disadvantage in the disposal of his forces”;

(B) criticized the higher command for not sharing with Admiral Kimmel “during the critical period of 26 November to 7 December 1941, important information . . . regarding the Japanese situation”; and

(C) concluded that the Japanese attack and its outcome were attributable to no serious fault on the part of anyone in the naval service.

(7) On June 15, 1944, an investigation conducted by Admiral T. C. Hart at the direction of the Secretary of the Navy produced evidence, subsequently confirmed, that essential intelligence concerning Japanese intentions and war plans was available in Washington but was not shared with Admiral Kimmel.

(8) On October 20, 1944, the Army Pearl Harbor Board of Investigation determined that—

(A) Lieutenant General Short had not been kept “fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for war”;

(B) detailed information and intelligence about Japanese intentions and war plans were available in “abundance”, but were not shared with Lieutenant General Short’s War Plans Committee; and

(C) Lieutenant General Short was not provided “on the evening of December 6th and the early morning of December 7th, the critical information indicating an immediate break with Japan, though there was ample time to have accomplished this”.

(9) The reports by both the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation were kept secret, and Rear Admiral Kimmel (retired) and Major General (retired) Short were denied their requests to give themselves through trial by court-martial.

(10) The joint committee of Congress that was established to investigate the conduct of the late Rear Admiral (retired) Kimmel and Major General (retired) Short completed, on May 31, 1946, a 1,075-page report which included the conclusions of the committee that the two officers had not been guilty of dereliction of duty.

(11) The Office Personnel Act of 1947, in establishing a promotion system for the Armed Forces, provides a basis for the President to honor any officer of the Armed Forces of the United States who served his country as a senior commander during World War II and to provide support for an advancement of the officers described in the provisions of the Office Personnel Act of 1947.

(12) On November 13, 1991, a majority of the members of the Board for the Correction of Military Records of the Army found that the late Major General (retired) Short was “unjustly held responsible for the Pearl Harbor disaster” and that “it would be equitable and just” to advance him to the rank of lieutenant general on the retired list.

(13) On April 27, 1944, the then Chief of Naval Personnel, Admiral J. L. Holloway, Jr., recommended that Rear Admiral Kimmel be advanced in rank in accordance with the provisions of the Officer Personnel Act of 1947.

(14) In October 1994, the then Chief of Naval Operations, Admiral Carlisle T. Trost, withdrew his 1988 recommendation against the advancement of Rear Admiral (retired) Kimmel (b) deceased, as that the case of Rear Admiral Kimmel be reopened.

(15) Although the Dorn Report, a report on the findings of a Department of the Army study that was issued on December 15, 1995, did not provide support for an advancement of the late Rear Admiral (retired) Kimmel or the late Major General (retired) Short in grade, it did set forth as a conclusion of the study that “responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and Lieutenant General Short, it should be broadly shared”.

(16) The Dorn Report found that “Army and the Navy, particularly in Washington were privy to intercepted Japanese diplomatic communications...which provided crucial confirmation of the imminence of war”;

(b) that “the evidence of the handling of these messages in Washington reveals some ineptitude, some unwarranted assumptions and misinterpretations indicating an almost impossibly ambiguous language, and lack of clarification and follow-up at higher levels”;

(c) that “together, these characteristics resulted in failure...to appreciate fully and to convey to the commanders in Hawaii the sense of focus and urgency that these intercepts should have engendered”.

On July 21, 1997, Admiral David C. Richardson (United States Navy, retired) responded to the Dorn Report with his own
study which confirmed findings of the Naval Court of Inquiry and established, among other facts, that the war effort in 1941 was undermined by a restrictive intelligence distribution policy, and the degree to which the commanders of the United States forces in Hawaii were not alerted about the impending attack on Hawaii was directly attributable to the withholding of intelligence from then Admiral Kimmel and Lieutenant General Short.

(18) Rear Admiral (retired) Kimmel and Major General (retired) Short are the only two officers eligible for advancement under the Officer Personnel Act of 1947 as senior World War II commanders who were excluded from the list of retired officers presented for advancement on the retired lists to their highest wartime ranks under that Act.

(19) This singular exclusion from advancement of Rear Admiral (retired) Kimmel and Major General (retired) Short from the Navy retired list and the Army retired list, respectively, serves only to perpetuate the myth that the senior commanders in Hawaii were derelict in their duty and responsible for the success of the attack on Pearl Harbor, and is a distinct and unacceptable expression of dishonor toward two of the finest officers who have served in the Armed Forces of the United States.

(20) Major General (retired) Walter Short died on September 23, 1949, and Rear Admiral (retired) Husband E. Kimmel died on May 14, 1968, without having been accorded the honor of being returned to their wartime ranks as were their fellow veterans of World War II.

(21) The Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and numerous retired military officers who served in the Armed Forces of the United States.

(22) Major General (retired) Walter C. Short performed his duties as Commanding General, Hawaiian Department, competently and professionally, and, therefore, the losses incurred by the United States in the attacks on Hickam Army Air Field and Schofield Barracks, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by the then Lieutenant General Short.

SEC. 583. 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 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.

(b) ACTION OFFICIALS.—In carrying out the pilot program, the Secretary of the Navy shall act through the heads of the Systems Executive Office for Manpower and Personnel, who shall act in coordination with the Under Secretary of Defense for Personnel and Readiness and the Chief Information Officer of the Department of Defense.

TITEL VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. FISCAL YEAR 2000 INCREASE AND RESTRUCTURING OF BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services by section 203(a) of such title to become effective during fiscal year 2000 shall not be made.

(b) JANUARY 1, 2000, INCREASE IN BASIC PAY.—Effective on January 1, 2000, the rates of monthly basic pay for members of the uniformed services shall be increased by 4.8 percent.

(c) BASIC PAY REFORM.—Effective on July 1, 2000, the rates of monthly basic pay for members of the uniformed services within each pay grade are as follows:

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(23) The Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and numerous retired military officers who served in the Armed Forces of the United States.
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1 Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.
2 While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is calculated to be $12,441.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.
3 Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

(a) ECI+0.5 PERCENT INCREASE FOR ALL MEMBERS.—Section 1009(c) of title 37, United States Code, is amended—

(1) by inserting "(1)" after "(c) EQUAL PERCENTAGE INCREASE FOR ALL MEMBERS."

and

(2) by adding at the end the following:

"(2) Notwithstanding paragraph (1), but subject to subsection (d), an adjustment taking effect under this section during each of fiscal years 2001 through 2006 shall provide all eligible members with an increase in the monthly basic pay by the percentage equal to the sum of one percent plus the percentage calculated as provided under section 5309(a) of title 5 for such fiscal year (without regard to whether rates of pay under the statutory pay systems are actually increased during such fiscal year under that section by the percentage so calculated)."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2000.

### SEC. 603. SPECIAL SUBSISTENCE ALLOWANCE FOR FOOD STAMP ELIGIBLE MEMBERS.

(a) ALLOWANCE.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

"§ 402a. Special subsistence allowance: members eligible for food stamp assistance."

"(a) ENTITLEMENT.—Upon the application of an eligible member of a uniformed service described in subsection (b)(1), the Secretary concerned shall pay the member a special subsistence allowance for each month for which the member is eligible to receive food stamp assistance, as determined by the Secretary.

"(b) COVERED MEMBERS.—(1) A member referred to in subsection (a) is an enlisted member in pay grade E-5 or below.

"(2) For the purposes of this section, a member shall be considered as being eligible to receive food stamp assistance if the household of the member meets the income standards of eligibility established under section 5(c)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014d(c)), not taking into account the special subsistence allowance that may be payable to the member under this section and any allowance that is payable to the member under section 403 or 404a of this title.

"(c) TERMINATION OF ENTITLEMENT.—The entitlement of a member to receive payment of a special subsistence allowance terminates upon the occurrence of any of the following events:

1. Termination of eligibility for food stamp assistance.
2. Payment of the special subsistence allowance for 12 consecutive months.
3. Promotion of the member to a higher grade.
4. Transfer of the member in a permanent change of station.
5. Reestablished entitlement. — (1) After a termination of a member's entitlement to the special subsistence allowance under subsection (c), the Secretary concerned shall resume payment of the special subsistence allowance to the member if the Secretary determines, upon further application of the member, that the member is eligible to receive food stamps.
6. Payments resumed under this subsection shall terminate under subsection (c) upon the occurrence of an event described in that subsection after the resumption of the payments.
7. The number of times that payments are resumed under this subsection is unlimited.
8. Documentation of Eligibility. — A member of the uniformed services applying for the special subsistence allowance under this section shall furnish the Secretary concerned with such evidence of the member's eligibility for food stamp assistance as the Secretary may require in connection with the application.
9. Amount of Allowance. — The monthly amount of the special subsistence allowance under this section is $180.
10. Relationship to Basic Allowance for Subsistence. — The special subsistence allowance under this section is in addition to the basic allowance for subsistence under section 402 of this title.
11. Food Stamp Assistance Defined. — In this section, the term "food stamp assistance" means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).
12. Termination of Authority. — No special subsistence allowance may be made by the Secretary under this section for any month beginning after September 30, 2004.
13. The table of sections at the beginning of chapter 10 of this title shall include a new chapter entitled "Special Subsistence Allowance: Members Eligible for Food Stamps.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on the first day of the first month that begins not less than 180 days after the date of the enactment of this Act.

(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 1999, the Secretary of Defense shall submit to Congress a report and data regarding the number of members of the uniformed services who are eligible for assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) In preparing the report, the Secretary shall consult with the Secretary of Transportation (with respect to the Coast Guard), who shall provide the Secretary of Defense with any information that the Secretary determines necessary to prepare the report.

(3) The report is required under this section after March 1, 2004.

### SEC. 604. PAYMENT FOR UNUSED LEAVE IN CONJUNCTION WITH A REENLISTMENT.

Section 501 of title 37, United States Code, is amended—

(1) in subsection (a)(1), by inserting "termination of an enlistment in conjunction with the commencement of a successive enlistment (without regard to the date of the expiration of the term of the enlistment being terminated)," after "honorable conditions"; and

(2) in subsection (b)(2), by striking "or entering into an enlistment,"

### SEC. 605. CONTINUANCE OF PAY AND ALLOWANCES WHILE IN DUTY STATUS (WHEREABOUTS UNKNOWN).

(a) CONTINUANCE OF PAY AND ALLOWANCES WHILE IN DUTY STATUS (WHEREABOUTS UNKNOWN).—Section 552 of title 37, United States Code, is amended by inserting after section 552 the following:

"§ 552a. Pay and allowances: continuation while in a duty status (whereabouts unknown); limitations.

"For any period that a member of a uniformed service on active duty or performing inactive-duty training is in a duty status (whereabouts unknown), section 502 of this title, except for subsections (d) and (e), shall apply to the member as if the member were in a missing status for that period.

"The table of sections at the beginning of chapter 10 of this title is amended by inserting after the item relating to section 502 the following:

"§ 552a. Pay and allowances: continuation while in a duty status (whereabouts unknown); limitations.

"(a) DEFINITION OF DUTY STATUS (WHEREABOUTS UNKNOWN).—Section 551 of such title is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):
“(3) The term ‘duty status (whereabouts unknown) casualty status’ means the casualty status designated for a member of a uniformed service by a commander responsible for accounting for the member when the commander suspects that the member has been missing, is absent without leave, has deserted, is absent without leave, or is dead.”

SEC. 606. EQUITABLE TREATMENT OF CLASS OF 1987 OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) Years of Service Credit.—An officer of the uniformed services who entered the Uniformed Services University of the Health Sciences as a student in 1983 and who successfully completed the course of instruction at the University in 1987 shall be treated for purposes of determining pay and years of service in the same manner as a student at the University who graduated in 1986, notwithstanding the enactment of the Defense Officer Pay Adjustment Act (Public Law 96–513; 94 Stat. 2383).

(b) Prospective Applicability.—This section shall take effect on October 1, 1999. No entitlement to pay or allowances accrues for periods before such date, and no eligibility accrues for consideration for promotion for boards convened before such date.

Subtitle B—Bonuses and Special and Incentive Pay

SEC. 611. ONE-YEAR EXTENSION OF AUTHORITY RELATING TO PAYMENT OF CERTAIN BONUSES AND SPECIAL PAY.

(a) Aviation Officer Retention Bonus.—Section 303(b) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(b) Reenlistment Bonus for Active Members.—Section 306(b) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(c) Enlistment BONUS for Members With Critical Skills.—Sections 308a(c) and 308c(c) of title 37, United States Code, are each amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(d) Special Pay for Nuclear-Qualified Officers Extending Period of Active Service.—Section 312(e) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000.”

(e) Nuclear Career Accession Bonus.—Section 312(b) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(f) Nuclear Career Annual Incentive Bonus.—Section 312(d) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITY FOR RESERVE FORCES.

(a) Special Pay for Health Professionals in Shortage War Time specialties.—Section 320(f) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(b) Selected Reserve Reenlistment Bonus.—Section 308b(f) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(c) Selected Reserve Enlistment Bonus.—Section 308c(e) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(d) Special Pay for Enlisted Members Assigned to Certain High Priority Units.—Section 308d(c) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(e) Selection Reenlistment Bonus.—Section 308e(e) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(f) Ready Reserve Enlistment and Reenlistment Bonus.—Section 308h(g) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(g) Prior Service Enlistment Bonus.—Section 308i(f) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(h) Repayment of Education Loans for Certain Individuals Who Serve in the Selected Reserve.—Section 16302(d) of title 10, United States Code, is amended by striking “January 1, 2000,” and inserting in lieu thereof “December 31, 2000.”

SEC. 613. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITY FOR NURSE OFFICER CANDIDATES, REGISTERED NURSES, AND NURSE ANESTHETISTS.

(a) Nurse Officer Candidate Accession Program.—Section 3017h of title 10, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(b) Accession Bonus for Registered Nurses.—Section 3021a(d)(1) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

(c) Incentive Special Pay for Nurse Anesthetists.—Section 3021a(e) of title 37, United States Code, is amended by striking “December 31, 1999,” and inserting “December 31, 2000.”

SEC. 614. AMOUNT OF AVIATION CAREER INCENTIVE PAY FOR AIR BATTLE MANAGERS FORMERLY ELIGIBLE FOR HAZARDOUS DUTY PAY.

(a) Save Pay Provision.—Section 301(a)(1) of title 37, United States Code, is amended by adding at the end the following:

“(4) The amount of the monthly incentive pay paid under this section to an air battle manager who was receiving incentive pay under section 301(c)(2)(A) of this title immediately before becoming eligible for incentive pay under this section shall be the higher of—“(A) the monthly rate of incentive pay that the member was receiving under section 301(c)(2)(A) of this title immediately before becoming eligible for incentive pay under this section; or“(B) the rate applicable to the member under paragraph (1), (2), or (3).”

(b) Effective Date.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to Enlisted Reserve Flyers Formerly Eligible for Hazardous Duty Pay.

SEC. 615. AVIATION CAREER OFFICER SPECIAL PAY.

(a) Period of Authority.—Subsection (a) of section 301(b) of title 37, United States Code, is amended—

(1) by inserting “(1)” after “AUTHORIZED.”;

(2) by striking ‘‘during the period beginning on January 1, 1988, and ending on December 31, 1999,” and inserting ‘‘during the period described in paragraph (1),”;

(3) adding at the end the following:“(2) Paragraph (1) applies with respect to agreements executed during the period beginning on the first day of the first month that begins on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000 and ending on December 31, 2004.”

(b) Repeal of Limitation to Certain Years of Career Aviation Service.—Subsection (b) of such section is amended—

(1) by striking paragraph (1);

(2) by inserting “and” at the end of paragraph (4); and

(3) by redesignating paragraph (5) as paragraph (4).

(c) Repeal of Lower Alternative Amount for Agreement to Serve for 3 or Fewer Years.—Subsection (b) of such section is further amended by striking “the 15-month period beginning on that date”.

(d) Pro ration Authority for Coverage of Increased Period of Eligibility.—Subsection (b) of such section is further amended by striking “14 years of commissioned service” and inserting “25 years of aviation service”.

(e) Terminology.—Such section is further amended—

(1) in subsection (f), by striking “A reten tion bonus” and inserting “Any amount”; and

(2) in subsection (i)(1), by striking “reten tion bonuses” in the first sentence and inserting “special pay under this section.”

SEC. 616. CAREER ENLISTED FLYER INCENTIVE PAY.

(a) Incentive Pay Authorized.—(1) Chapter 5 of title 37, United States Code, is amended by inserting in such chapter, section 301, the following new section 301f:

“301f. Incentive pay: career enlisted flyers

“(a) Pay Authorized.—An enlisted member described in subsection (b) may be paid career enlisted flyer incentive pay as provided in this section.

(b) Eligible Members.—An enlisted member referred to in subsection (a) is an enlisted member of the armed forces who—“(1) is entitled to basic pay under section 204 of this title or is entitled to compensation under paragraph (1) or (2) of section 206(a) of this title;

“(2) holds a military occupational specialty or military rating designated as a career enlisted flyer specialty or rating by the Secretary concerned in regulations prescribed under subsection (f) and continues to be proficient in the skills required for that specialty or rating, or is in training leading to the award of such a specialty or rating; and

“(3) is qualified for aviation service pay.”

(b) Subject to limitations that involve frequent and regular performance of operational flying duty by the member.

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June 7, 1999
(2)(A) Career enlisted flyer incentive pay may be paid to a member referred to in subsection (a) on each anniversary of title 37, United States Code, is amended by inserting after the item relating to section 301 the following new item:

“(3) in a lump sum equal to the amount of half the total amount payable under the agreement at the time the agreement is accepted by the Secretary concerned following the payment of equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

“(4) has completed any service commitment being payable on the anniversaries of the bonus payable under subsection (c) may be prorated as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 12 years of active commissioned service.

“$301g. Special pay: special warfare officers extending period of active duty

“(a) BONUS AUTHORIZED.—A special warfare officer referred to in subsection (a) is an officer of a uniformed service who—

“(1) is qualified for a military occupational specialty or designator identified by the Secretary concerned as a special warfare military occupational specialty or designator and is serving in a position for which that specialty or designator is authorized;

“(2) is in pay grade O-4 and is not on a list of officers recommended for promotion, at the time the officer applies for an agreement under this section;

“(3) has completed at least 6, but not more than 14, years of active commissioned service; and

“(4) at the Secretary concerned shall prescribe regulations to carry out this section, including the definition of the term ‘special warfare service’ for purposes of this section. Regulations prescribed by the Secretary of a military department under this section shall be subject to the approval of the Secretary of Defense.

“(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

“SEC. 618. RETENTION BONUS FOR SURFACE WARFARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

“(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301, the following new section:

“(b) COVERED OFFICERS.—A special warfare officer referred to in subsection (a) is an officer of a uniformed service who—

“(1) is qualified for a military occupational specialty or designator identified by the Secretary concerned as a special warfare military occupational specialty or designator and is serving in a position for which that specialty or designator is authorized;

“(2) is in pay grade O-4 and is not on a list of officers recommended for promotion, at the time the officer applies for an agreement under this section;

“(3) has completed at least 6, but not more than 14, years of active commissioned service; and

“(4) at the Secretary concerned shall prescribe regulations to carry out this section, including the definition of the term ‘special warfare service’ for purposes of this section. Regulations prescribed by the Secretary of a military department under this section shall be subject to the approval of the Secretary of Defense.

“(B) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.
"§ 301h. Special pay: surface warfare officers extending period of active commissioned service; and

(a) SPECIAL PAY AUTHORIZED.—(1) A surface warfare officer described in subsection (b) who executes a written agreement described in paragraph (2) may, upon the acceptance by the Secretary of the Navy, be paid a retention bonus as provided in this section.

"(2) An agreement referred to in paragraph (1) is an agreement in which the officer concerned agrees—

"(A) to remain on active duty for at least two years, from the beginning of the third year of active commissioned service; and

"(B) to complete two tours of duty to which the officer may be ordered during the period covered by subparagraph (A) as a department head afloat.

"(b) COVERED OFFICERS.—A surface warfare officer referred to in subsection (a) is an officer of the Regular Navy or Naval Reserve on active duty, who—

"(1) is designated and serving as a surface warfare officer;

"(2) is at pay grade O-3 at the time the officer applies for an agreement under this section;

"(3) has been selected for assignment as a department head on a surface ship;

"(4) has completed at least four, but not more than eight, years of active commissioned service; and

"(5) has not elected any service commitment incurred to be commissioned as an officer.

"(c) AMOUNT OF BONUS.—The amount of a retention bonus paid under this section may not be more than $15,000 for each year covered by the written agreement.

"(d) PAYMENT.—In terms of an agreement under subsection (a) the amount of the bonus payable under subsection (c) may be prorated as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 10 years of active commissioned service.

"(e) PAYMENT.—Upon acceptance of a written agreement under subsection (a) by the Secretary of the Navy, the total amount payable pursuant to the agreement becomes fixed and may be paid—

"(1) in a lump sum equal to the amount of half the total amount payable under the agreement or in annual installments if the agreement is accepted by the Secretary followed by payments of equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

"(2) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

"(f) ADDITIONAL PAY.—A retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

"(g) PAYMENT.—(1) If an officer who has entered into a written agreement under subsection (a) and has received all or part of a retention bonus under this section fails to complete the total period of active duty specified in the agreement, the Secretary of the Navy may require the officer to repay the United States, on a pro rata basis and to the extent the Secretary determines conditions and circumstances warrant, all sums paid under this section.

"(2) An obligation to repay the United States imposed under this section is for all purposes a debt owed to the United States.

"(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement entered into under subsection (a) does not discharge the officer signing the agreement from a debt arising under such agreement or under paragraph (1).

"(h) REGULATIONS.—The Secretary of the Navy shall prescribe regulations to carry out this section.

"(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating of section 301h, as added by section 11(a) of this Act, the following new item:

"301h. Special pay: surface warfare officers extending period of active commissioned service—$60,000.

"(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

SEC. 621. ADDITIONAL SPECIAL PAY FOR BOARD CERTIFIED VETERINARIANS IN THE ARMED FORCES AND PUBLIC HEALTH SERVICE.

(a) AUTHORITY.—Section 303 of title 37, United States Code, is amended—

"(1) by inserting "(a) MONTHLY SPECIAL PAY.—" before paragraph (3); and

"(2) by adding at the end the following:

"(b) ADDITIONAL SPECIAL PAY FOR BOARD CERTIFIED VETERINARIANS IN THE ARMED FORCES AND PUBLIC HEALTH SERVICE.—A person who is board certified in a specialty recognized by the American Veterinary Medical Association is entitled to special pay paid under subsection (a) who has been awarded a diploma as a Diplomate in a specialty recognized by the American Veterinary Medical Association is entitled to special pay (in addition to the special pay under that subsection) at the same rate as is provided under section 304j of title 37, United States Code, is amended by striking paragraph (1) of that section and inserting in its place—

"(1) a bonus, but not more than $45,000, payable pursuant to the agreement becomes fixed and may be paid—

"(A) in a lump sum equal to the amount of half the total amount payable under the agreement;

"(B) in equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

"(C) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

"(2) a bonus, but not more than $60,000, payable pursuant to the agreement becomes fixed and may be paid—

"(A) in a lump sum equal to the amount of half the total amount payable under the agreement;

"(B) in equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

"(C) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

"(3) a bonus, but not more than $30,000, payable pursuant to the agreement becomes fixed and may be paid—

"(A) in a lump sum equal to the amount of half the total amount payable under the agreement;

"(B) in equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

"(C) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

"(4) A bonus may only be paid under this section to a person who meets each of the following requirements:

"(A) The person has completed that portion of active service for the purpose of enlistment and extension of enlistment taking effect on or after that date.

"(B) The person has been selected for assignment as a Diplomate in a specialty recognized by the American Veterinary Medical Association.

"(C) The person can be reenlisted and extended in the services in which they are serving in their specialty.

"(D) The person has not previously been paid a bonus (except under this section) for enlistment, reenlistment, or extension of enlistment in a specialty recognized by the American Veterinary Medical Association.

"(E) The person has not previously been paid a bonus (except under this section) for enlistment, reenlistment, or extension of enlistment in a specialty recognized by the American Veterinary Medical Association.

"(F) The person is serving in a specialty recognized by the American Veterinary Medical Association.

"(G) The person was board certified by the American Veterinary Medical Association in the specialty recognized by the American Veterinary Medical Association.

"(H) The person has been awarded a diploma as a Diplomate in the specialty recognized by the American Veterinary Medical Association.

"(3) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments and extensions of enlistments taking effect on or after that date.

SEC. 631. SELECTED RESERVE ENLISTMENT BONUS.

(a) ELIMINATION OF REQUIREMENT FOR MINIMUM PERIOD OF ENLISTMENT.—Subsection (a) of section 308c of title 37, United States Code, is amended by striking "for a term of enlistment of not less than five years" and inserting "15 years of total military service.

(b) INCREASED MAXIMUM AMOUNT.—Subsection (b) of such section is amended by striking "$5,000" and inserting "$8,000".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 632. SPECIAL PAY FOR MEMBERS OF THE COAST GUARD RESERVE ASSIGNED TO HIGH PRIORITY UNITS OF THE SELECTED RESERVE.

(a) REDUCED REQUIREMENT.—Paragraph (3) of section 308i(a) of title 37, United States Code, is amended by striking "3 years" and inserting "2 years".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 633. ELIGIBILITY FOR RESERVE COMPONENT PRIOR SERVICE ENLISTMENT AFTER THAT BONUS UPON ATTAINING A CRITICAL SKILL.

(a) NEWLY ATTAINED CRITICAL SKILL.—Section 308j(a) of title 37, United States Code, is amended by striking paragraph (2) and inserting the following:

"(2) A bonus may only be paid under this section to a person who meets each of the following requirements:

"(A) The person has completed that person’s military service obligation but has less than 14 years of total military service.

"(B) The person has received an honorable discharge at the conclusion of military service.

"(C) The person is not being released from active service for the purpose of enlistment in a reserve component.

"(D) The person is position eligible for the purposes of section 308(a) of title 37, United States Code, is amended—
“(A) is projected to occupy a position as a member of the Selected Reserve in a specialty in which the person—

(i) successfully served while a member on active duty; and

(ii) attained a level of qualification while a member on active duty commensurate with the grade and years of service of the member; or

(B) is occupying a position as a member of the Selected Reserve in a specialty in which the person—

(i) has completed training or retraining in the specialty or skill that is commensurate with the member’s grade and years of service.

(2) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to enlistments beginning on or after that date.

SEC. 627. INCREASE IN SPECIAL PAY AND BONUSES FOR NUCLEAR-QUALIFIED OFFICERS.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS DURING PERIOD OF ACTIVE DUTY.—Section 312(a) of title 37, United States Code, is amended by striking “$15,000” and inserting “$20,000”.

(b)NUCLEAR CAREER ACCRESCION BONUS.—Section 312(a)(1) of title 37, United States Code, is amended by striking “$10,000” and inserting “$20,000”.

(c)NUCLEAR CAREER ANNUAL INCENTIVE BONUSES.—Section 312(c) of title 37, United States Code, is amended—

(1) in subsection (a)(1), by striking “$12,000” and inserting “$22,000”; and

(2) in subsection (b)(1), by striking “$5,500” and inserting “$10,000”.

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

(2) The amendments made by subsections (a) and (b) shall apply with respect to agreements accepted under section 312(a) and 312(b), respectively, of title 37, United States Code, on or after October 1, 1999.

(3) The amendments made by subsection (c) shall apply with respect to nuclear service years beginning on or after October 1, 1999.

SEC. 628. INCREASE IN MAXIMUM MONTHLY RATE AUTHORIZED FOR FOREIGN LANGUAGE PROFICIENCY PAY.

(a) INCREASE IN MAXIMUM MONTHLY RATE.—Section 316(b) of title 37, United States Code, is amended by striking “$400” and inserting “$500”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to foreign language proficiency pay paid under section 316 of title 37, United States Code, for months beginning on or after that date.

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

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

Subtitle C—Travel and Transportation Allowances

SEC. 641. PAYMENT OF TEMPORARY LODGING EXPENSES TO ENLISTED MEMBERS MAKING FIRST PERMANENT CHANGE OF STATION.

Section 404a(a) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking “or” at the end of the clause;

(2) in paragraph (2), by inserting “or” after the semicolon; and

(3) by inserting after paragraph (2) the following:

“(3) in the case of an enlisted member, to the member’s first permanent duty station from the member’s home of record or initial technical training station.”

SEC. 642. DESTINATION AIRPORT FOR EMERGENCY LEAVE TRAVEL TO THE CONTINENTAL UNITED STATES.

Section 6323(d) of title 37, United States Code, is amended to read as follows:

“(A) to either—

(i) the international airport in the continental United States closest to the location from which the member and the member’s dependents departed; or

(ii) any other airport in the continental United States that is closer to the destination than is that international airport if the cost of the transportation to the other airport is less expensive than the cost of the transportation to that international airport; or”.

SEC. 643. CLARIFICATION OF PER DIEM ELIGIBILITY FOR FOREIGN LANGUAGE PROFICIENCY.

(a) CLARIFICATION.—Section 1002(b) of title 37, United States Code, is amended—

(1) by inserting “(1)” after “(b)”; and

(2) by adding at the end the following:

“(2) If the Secretary concerned determines that a military technician (dual status) on leave from technician employment under section 312(d) of title 37, United States Code, is performing active duty without pay outside the United States without having been afforded an adequate opportunity to satisfy administrative requirements for a commutation of subsistence and quarters under paragraph (1), the Secretary concerned may authorize payment of a per diem allowance to the technician under chapter 4 of this title instead of the commutation while the technician is performing that duty.”

(b) DEFINITION.—Section 101 of such title is amended by adding at the end the following:

“(27) The term ‘military technician (dual status)’ means the term given the term in section 10216(a) of title 10.”

(c) RETROACTIVE EFFECTIVE DATE.—The amendments made by this section shall be retroactive as of the date of the enactment of this Act.

SEC. 644. EXPANSION AND CODIFICATION OF AUTHORITY FOR SPACE REQUIRED TRAVEL ON Military AIRCRAFT FOR RESERVES PERFORMING INACTIVE-DUTY TRAINING OUTSIDE THE CONTINENTAL UNITED STATES.

(a) AUTHORITY.—(1) Chapter 1209 of title 10, United States Code, is amended by adding at the end the following new section:

“12222. Reserve traveling to inactive-duty training OCONUS: space required travel

‘A member of a reserve component is authorized to travel in a space required status on aircraft of the armed forces between the member’s home and place of inactive-duty training outside the continental United States (including a place other than the place where the member is stationed, if the member is attending a training assembly if the member is performing the inactive-duty training in another location) when there is no transportation between those locations by any other means of transportation, such as road, or a combination of road and railroad. A member traveling in that status on any such aircraft under the authority of this section is not authorized to receive per diem allowances in connection with the travel.’.”

(b) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to travel commencing on or after August 1, 1998.

SEC. 645. REIMBURSEMENT OF TRAVEL EXPENSES INCURRED BY MEMBERS OF THE ARMED FORCES IN CONNECTION WITH LEAVE CANCELED FOR INVOLVEMENT IN KOSOVO-RELATED ACTIVITIES

(a) AUTHORITY.—The Secretary of the military department concerned may reimburse a member of the Armed Forces under the jurisdiction of the Secretary for expenses of travel (to the extent not otherwise reimbursable under law) that have been incurred by the member in connection with approved leave canceled to meet an exigency with respect to the United States participation in Operation Allied Force.

(b) ADMINISTRATIVE PROVISIONS.—The Secretary of Defense shall prescribe the procedures and documentation required for application for, and payment of, reimbursements to members of the Armed Forces under subsection (a).

Subtitle D—Retired Pay, Survivor Benefits, and Related Matters

SEC. 651. RETIRED PAY OPTIONS FOR PERSONNEL ENTERING UNIFORMED SERVICES ON OR AFTER AUGUST 1, 1986.

(a) REDUCED RETIRED PAY ONLY FOR MEMBERS ELECTING 15-YEAR SERVICE BONUS.—(1) Paragraph (2) of section 1409(b) of title 10, United States Code, is amended by inserting after “July 31, 1986,” the following: “and has elected to receive a bonus under section 318 of title 37.”.

(2) Paragraph (2)(A) of section 1401a(b) of title 10, United States Code, is amended by striking “The Secretary shall increase the retired pay of each member and former member who first became a member of a uniformed service before August 1, 1986, and inserting “Except as otherwise provided in this subsection, the Secretary shall increase the retired pay of each member and former member”.

(3) Section 1410 of title 10, United States Code, is amended by inserting after “August 1, 1986,” the following: “and has elected to receive a bonus under section 318 of title 37.”.

(b) OPTIONAL LUMP-SUM BONUS AT 15 YEARS OF SERVICE.—(1) Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

“318. Special pay: 15-year service bonus elected by members entering on or after August 1, 1986.

“(a) PAYMENT OF BONUS.—The Secretary concerned shall pay a bonus to a member of a uniformed service who is eligible and elects to receive the bonus under this section.

“(b) ELIGIBILITY FOR BONUS.—A member of a uniformed service on active duty is eligible to receive a bonus under this section if the member—

“(1) first became a member of a uniformed service on or after August 1, 1986;
(c) ELECTION.—(1) A member eligible to receive a bonus under this section may elect to receive the bonus. The election shall be made not later than the years after the date on which the member completes 15 years of active duty. The notification shall include the procedures for electing to receive the bonus and an explanation of the requirements imposed under subsection (c).

(2) Subject to paragraph (3), an obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

(3) The Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience and would contribute to the best interests of the United States.

(4) A discharge in bankruptcy under title 11 that is entered before the date of the completion of 15 years of active-duty service for any pay period during which the discharge is entered shall not discharge a member signing such agreement from a debt arising in whole or in part, a refund required under subsection (c) to the extent allowable under the Internal Revenue Code of 1986.

(5) Section 37 of title 37, United States Code, is amended—

(a) by striking the heading for paragraph (1) and inserting "INCREASE REQUIRED.—";

(b) by striking the heading for paragraph (2) and inserting "PERCENTAGE INCREASE.—";

(c) by striking the heading for paragraph (3) and inserting "REDUCED PERCENTAGE FOR CERTAIN POST-AUGUST 1, 1996 MEMBERS.—";

(d) by inserting "certain" before "members".

SEC. 652. PARTICIPATION IN THRIFT SAVINGS PLAN

(1) A member of the uniformed services serving on active duty and a member of the Ready Reserve in any pay status may participate in the Thrift Savings Plan in accordance with section 8440e of title 5.

(b) RULE OF CONSTRUCTION REGARDING SEPARATION.—For the purposes of section 8440e of title 5, the following actions shall be considered a separation of a member of the uniformed services from Government employment:

(1) Release of the member from active-duty service (not followed by a resumption of active-duty service within 30 days after the effective date of the release).

(2) Transfer of the member by the Secretary concerned to a retired list maintained by the Secretary.

(c) THEATER OF OPERATIONS.—In applying section 8433 to a member participating in the Thrift Savings Plan, the term "theater of operations" includes any pay status.

(d) RELATED TECHNICAL AMENDMENTS.—

(1) Section 401(a) of title 10, United States Code, is amended—

(A) by striking the heading for paragraph (1) and inserting "INCREASE REQUIRED.—";

(B) by striking the heading for paragraph (2) and inserting "PERCENTAGE INCREASE.—";

(c) by striking the heading for paragraph (3) and inserting "REDUCED PERCENTAGE FOR CERTAIN POST-AUGUST 1, 1996 MEMBERS.—";

(d) by inserting "certain" before "members".

(e) BONUSES FOR 15-YEAR SERVICE.—In the case of a member of the uniformed services who has completed 15 years of service under section 1409, and 1410 of title 10 that such an election provides in this section, the provisions of this section shall be applied as if such member were an 18-member retired person.

(f) ELECTIONS TO RECEIVE STARTING PAY.—An election to receive starting pay under section 318 of title 37, United States Code, is amended by inserting "certain" before "members".

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June 7, 1999
(2)(A) The Secretary of Defense may postpone the date on which the Fund shall begin to make payments under section 712(b)(1) of title 10, United States Code, and section 452 of title 38, United States Code, is amended by adding at the end the following:

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    (g) the retired pay of a person participating in the Survivor Benefit Plan pursuant to an election under this section shall be treated, for the purposes of subsection (j) of section 1452 of title 10, United States Code, as having been reduced under such section 1452 for the months in the period for which the person’s retired pay would have been reduced if the person had elected to participate in the Survivor Benefit Plan at the first opportunity that was afforded the person to participate.
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SEC. 656. PAID-UP COVERAGE UNDER RETIRED SERVICES FAMILY PROTECTION PLAN.

(a) CONDITIONS.—Subchapter I of chapter 73 of title 10, United States Code, is amended by inserting after section 1436 the following:

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    (h) CREDIT TOWARD PAID-UP COVERAGE.—
        (1) Effective October 1, 2008, no reduction may be made in a person’s retired pay or re- 
        tainer pay pursuant to an election under subsection (a) for any month after the later of—
        (I) the 360th month for which the person retired pay or retainer pay is reduced pursuant
        to such an election; and
        (II) the month during which the person attains 70 years of age.
        (2) the month during which the person attains 70 years of age.
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(b) CLEBERAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 1436 the following:

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    1436a. Coverage paid up at 30 years and age 70
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SEC. 657. PERMINENT AUTHORITY FOR PAY- 
MENT OF ANNUITIES TO CERTAIN 
MILITARY SURVIVING SPOUSES.

(a) CASES NOT COVERED BY EXISTING AUT-
ORITY.—Paragraph (3) of section 1450(f) of 
title 10, United States Code, as in effect on the date of the enactment of this Act, shall apply in the case of a former spouse of any person referred to in that paragraph who—

(1) incident to a finding of divorce, dis- 
olution, or annulment—

(A) entered into a written agreement on or after August 21, 1983, to make an election under section 1450(f) of title 10; and

(B) the term ‘disability rated as total’ 
means a disability that—

(1) was incurred or aggravated in the per-
iod of active duty as a member of a uni-
formed service, as determined by the Sec-
retary concerned; and

(2) was rated as not less than 70 percent dis-
ability.

(B) a disability for which the scheduled 

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    § 1436a. Coverage paid up at 30 years and 
    age 70
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    § 1413. Special compensation for certain se-
    verely disabled uniformed services retirees.
    (a) AUTHORITY.—Section 71 of title 10, 
    United States Code, is amended by adding at 
    the end the following new section:
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    (1433. Special compensation for certain se-
    verely disabled uniformed services retirees.
    (a) AUTHORITY.—Section 71 of title 10,
    United States Code, is amended by adding at
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(b) EFFECTIVE DATE.—Section 1431 of title 10, United States Code, is amended by striking "35 percent of the base amount," and inserting "the applicable percent".

(2) Section 1432 of such title is amended by striking "35 percent" and inserting "the applicable percent".

(3) Subsection (c)(1)(B)(ii) of such section is amended by striking "35 percent" and inserting "the applicable percent".

(4) By inserting "(a)" before "The Secretary shall—".

SEC. 674. TRANSFER OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE BY CERTAIN MEMBERS OF THE ARMED FORCES.

(a) AUTHORITY TO TRANSFER TO FAMILY MEMBERS.—Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces

(1) Subject to the provisions of this section, the Secretary concerned may, for the purpose of enhancing recruiting and reenlistment and at that Secretary's sole discretion, permit an individual described in paragraph (2) who is entitled to educational assistance under this subchapter to elect to transfer such individual's entitlement to educational assistance under this subchapter of an individual who is paid such assistance on an accelerated basis under this subsection to an accelerated basis under this subsection, the Secretary shall—

(1) by inserting "(a)" before "The Secretary shall pay"; and

(2) by adding at the end the following new subsection:

"(b)(1) Whenever the Secretary determines it appropriate under the regulations prescribed pursuant to paragraph (6), the Secretary may make payments of basic educational assistance under this subchapter on an accelerated basis.

(2) The Secretary may pay basic educational assistance on an accelerated basis only to an individual entitled to payment of such assistance under this subchapter who has made a request for payment of such assistance on an accelerated basis.

(3) If an adjustment under section 3015(g) of this title in the monthly rate of basic educational assistance will occur during a period for which a payment of such assistance is made on an accelerated basis under this subsection, the Secretary—

(1) by inserting "(a)" before "The Secretary shall pay"; and

(2) by adding at the end the following new subsection:

"(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to educational assistance allowances paid for months after September 1999. However, no adjustment of educational assistance shall be made under subsection (g) of section 3015 of title 38, United States Code, for fiscal year 2000.

SEC. 675. ACCELERATED PAYMENTS OF EDUCATIONAL ASSISTANCE.

Section 3014 of title 38, United States Code, is amended—

(1) by inserting "(a)" before "The Secretary shall pay"; and

(2) by adding at the end the following new subsection:

"(b)(1) Whenever the Secretary determines it appropriate under the regulations prescribed pursuant to paragraph (6), the Secretary may make payments of basic educational assistance under this subchapter on an accelerated basis.

(2) The Secretary may pay basic educational assistance on an accelerated basis only to an individual entitled to payment of such assistance under this subchapter who has made a request for payment of such assistance on an accelerated basis.

(3) If an adjustment under section 3015(g) of this title in the monthly rate of basic educational assistance will occur during a period for which a payment of such assistance is made on an accelerated basis under this subsection, the Secretary shall—

(1) by inserting "(a)" before "The Secretary shall pay"; and

(2) by adding at the end the following new subsection:

"(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to educational assistance allowances paid for months after September 1999. However, no adjustment of educational assistance shall be made under subsection (g) of section 3015 of title 38, United States Code, for fiscal year 2000.

SEC. 676. TERMINATION OF REDUCTIONS OF BASIC PAY.

(a) REPEALS.—(1) Section 3011 of title 38, United States Code, is amended by striking subsection (a).

(2) Section 3012 of such title is amended by striking subsection (c).

(3) The amendments made by paragraphs (1) and (2) shall take effect on the date of the enactment of this Act and shall apply to any person by reason of any provision of any law amended by this Act for months beginning on or before such date, and to any person by reason of any provision of any law amended by this Act for months beginning after such date.

(b) TERMINATION OF REDUCTIONS IN PROGRESS.—Any reduction in the basic pay of an individual referred to in section 3011(b) of title 38, United States Code, by reason of such provision is terminated with respect to any person by reason of such provision for any person by reason of such provision for any person by reason of any provision of any law amended by this Act for months beginning after such date.

SEC. 677. TERMINATION OF REDUCTIONS OF SUPPLEMENTAL ANNUITY.

Section 1457(b) of title 10, United States Code, is amended—

(1) by striking "5, 10, 15, or 20 percent" and inserting "the applicable percent"; and

(2) by inserting after the first sentence the following:

"The percent used for a month under the preceding sentence is the percent specified under subsection (a)(1)(B)(i) as being applicable for the month.".

The Head of the Office of the Deputy Secretary of Defense, as the case may be, may adjust the percent applicable for a month. The percent applicable for a month is computed by the method set forth in subsection (b) of this section.

(4) By inserting "(a)" before "The Secretary shall pay"; and

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to educational assistance allowances paid for months after September 1999. However, no adjustment of educational assistance shall be made under subsection (g) of section 3015 of title 38, United States Code, for fiscal year 2000.

SEC. 678. RECOMPUTATION OF RETIRED PAY REDUCTIONS FOR SUPPLEMENTAL SURVIVOR ANNUITY.

(A) by striking "the percent specified under subsection (a), and is payable for that month under section 1451 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 1999, and shall apply to months that begin on or after that date. No benefit may be paid to any person by reason of such subsection for any period before that date.

SEC. 660. COMPUTATION OF SURVIVOR BENEFITS.

(a) INCREASED BASIC ANNUITY.—(1) Subsection (a)(1)(B)(i) of section 1451 of title 10, United States Code, is amended by striking "35 percent of the base amount," and inserting "the applicable percent".

(2) Subsection (a)(2)(B)(i) of such section is amended by striking "35 percent" and inserting "the applicable percent".

(3) Subsection (c)(1)(B)(i) of such section is amended by striking "35 percent" and inserting "the applicable percent".

(4) By inserting "(a)" before "The Secretary shall pay"; and

(b) EFFECTIVE DATE.—Section 1431 of title 10, United States Code, is amended by striking "35 percent of the base amount," and inserting "the applicable percent".

(2) Section 1432 of such title is amended by striking "35 percent" and inserting "the applicable percent".

(3) Subsection (c)(1)(B)(ii) of such section is amended by striking "35 percent" and inserting "the applicable percent".

(4) By inserting "(a)" before "The Secretary shall pay"; and

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to educational assistance allowances paid for months after September 1999. However, no adjustment of educational assistance shall be made under subsection (g) of section 3015 of title 38, United States Code, for fiscal year 2000.

SEC. 672. TERMINATION OF REDUCTIONS OF BASIC PAY.

(a) REPEALS.—(1) Section 3011 of title 38, United States Code, is amended by striking subsection (a).

(2) Section 3012 of such title is amended by striking subsection (c).

(3) The amendments made by paragraphs (1) and (2) shall take effect on the date of the enactment of this Act and shall apply to any person by reason of any provision of any law amended by this Act for months beginning after such date.

(b) TERMINATION OF REDUCTIONS IN PROGRESS.—Any reduction in the basic pay of an individual referred to in section 3011(b) of title 38, United States Code, by reason of such provision is terminated with respect to any person by reason of such provision for any person by reason of any provision of any law amended by this Act for months beginning after such date.

SEC. 673. TERMINATION OF REDUCTIONS OF SUPPLEMENTAL ANNUITY.

Section 1457(b) of title 10, United States Code, is amended—

(1) by inserting "5, 10, 15, or 20 percent" and inserting "the applicable percent"; and

(2) by inserting after the first sentence the following:

"The percent used for the computation shall be an even multiple of 5 percent and, whatever the percent specified in the election, may not exceed 20 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000, 15 percent for months beginning after that date and before October 2004, and 10 percent for months beginning after September 2004."

(c) CONFORMING AMENDMENT.—Section 3014 of title 38, United States Code, is amended in the second sentence by striking "as soon as practicable" and all that follows through "such additional times" and inserting "at such times".

SEC. 674. TRANSFER OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE BY CERTAIN MEMBERS OF THE ARMED FORCES.

(a) AUTHORITY TO TRANSFER TO FAMILY MEMBERS.—Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces

(1) is any individual who is a member of the Armed Forces, or is a coへmee for the Armed Forces, or is a dependent of such member; and

(2) in any request for, making and delivery of, and receipt and use of such payments."
request to transfer such entitlement without regard to whether the individual is a member of the Armed Forces when the transfer is executed.

(b) An individual approved to transfer an entitlement to basic educational assistance under this section may transfer the individual's entitlement to such assistance as follows:

(1) To the individual's spouse.

(2) To one or more of the individual's children.

(3) To a combination of the individuals referred to in paragraphs (1) and (2).

(4) An individual transferring an entitlement to basic educational assistance under this section shall:

(A) designate the dependent or dependents to whom such entitlement is being transferred and the percentage of such entitlement to be transferred to each such dependent; and

(B) specify the period for which the transfer shall be effective for each dependent designated under subparagraph (A).

(2) The aggregate amount of the entitlement transferable by an individual under this section may not exceed the aggregate amount of such individual's basic educational assistance under this subchapter.

(3) An individual transferring an entitlement under this section may modify or revoke the transfer at any time before the use of the transferred entitlement begins. An individual shall make the modification or revocation by submitting written notice of the action to the Secretary concerned.

(d) (1) Whenever a person entitled to an educational assistance allowance under this chapter as so requests and the Secretary concerned, in consultation with the Chief of the reserve component concerned, determines it appropriate, the Secretary may make payments of the educational assistance allowance to the person on an accelerated basis.

(2) An educational assistance allowance shall be paid to a person on an accelerated basis under this subsection as follows:

(A) In the case of an allowance for a course leading to a standard college degree, at the beginning of the quarter, semester, or term of the course in a lump-sum amount equivalent to the aggregate amount of monthly allowance otherwise payable under this chapter for the quarter, semester, or term, as the case may be.

(B) In the case of an allowance for a course other than a course referred to in subparagraph (A) at the later of (i) the beginning of the course, or (II) a reasonable time after the Secretary concerned receives the person's request for payment on an accelerated basis; and

(i) in any amount requested by the person up to the aggregate amount of monthly assistance otherwise payable under this chapter for the period of the course.

(3) If an adjustment in the monthly rate of educational assistance allowances will be made under subsection (b)(2) during a period for which a payment of the allowance is made to a person on an accelerated basis, the Secretary concerned shall—

(A) pay on an accelerated basis the amount of the allowance otherwise payable for the period without regard to the adjustment under that subsection; and

(B) pay on the date of the adjustment any additional amount of monthly assistance that is payable for the period as a result of the adjustment.

(4) A person's entitlement to an educational assistance allowance under this chapter shall be charged at a rate equal to one month for each month of the period covered by an accelerated payment of the allowance to the person under subsection (a).

(5) The regulations prescribed by the Secretary of Defense and the Secretary of Transportation under subsection (a) shall provide for the payment of an educational assistance allowance on an accelerated basis under this subsection. The regulations shall specify the circumstances under which accelerated payments may be made and the manner of the delivery, receipt, and use of the allowance so paid.

(6) In this subsection, the term "Chief of the reserve component concerned" means the following:

(A) The Chief of Army Reserve, with respect to members of the Army Reserve.

(B) The Chief of Naval Reserve, with respect to members of the Naval Reserve.

(C) The Chief of Air Force Reserve, with respect to members of the Air Force Reserve.

(D) The Commander, Marine Reserve Forces, with respect to members of the Marine Corps Reserve.

(E) The Chief of the National Guard Bureau, with respect to members of the Army National Guard and the Air National Guard.

(F) The Commandant of the Coast Guard, with respect to members of the Coast Guard Reserve and the Coast Guard Auxiliary.

SEC. 685. MODIFICATION OF TIME FOR USE BY CERTAIN MEMBERS OF SELECTED RESERVE AND CERTAIN EDUCATIONAL ASSISTANCE.

Section 16131(b) of title 10, United States Code, is amended—

(A) during the 5-year period referred to in subparagraph (B) by striking "and" at the end of subparagraph (A) and inserting "with respect to members of the Armed Forces.

(B) in the case of a person who continues to serve as member of the Selected Reserve as of the end of the 10-year period applicable to the person under subsection (a), as extended, if at all, under paragraph (4), the period during which the person may use the "person's entitled shall expire at the end of the 5-year period on the date the person is separated from the Selected Reserve.

(C) The provisions of paragraph (4) shall apply with respect to any period of active duty of a person referred to in subparagraph (A) during the 5-year period referred to in that subparagraph.

SEC. 686. REPORT ON EFFECT OF EDUCATIONAL BENEFITS IMPROVEMENTS ON RECRUITMENT AND RETENTION OF MEMBERS OF THE ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the effects of the provisions of this subtitle, and the amendments made by such provisions, on the recruitment and retention of the members of the Armed Forces. The report shall include such recommendations (including recommendations for legislative action) as the Secretary considers appropriate.

Subtitle F—Other Matters

SEC. 691. ANNUAL REPORT ON EFFECTS OF INITIATIVES ON RECRUITMENT AND RETENTION.

(a) REQUIREMENT FOR REPORT.—On December 1 of each year, the Secretary of Defense shall submit to Congress a report that sets forth: (i) the Secretary's assessment of the effects that the improved pay and other benefits authorized by this title and the amendments made by this title are having on recruitment and retention of personnel for the Armed Forces.

(b) ANNUAL REPORT.—The first report under this section shall be submitted not later than December 1, 2000.

SEC. 692. MEMBERS OF THE ARMED FORCES UNDER PERSTEMPO.

(a) MANAGEMENT OF DEPLOYMENTS OF INDIVIDUALS.—Part II of subtitle A of title 10, 11670 11670
Section 991(b) of title 10.

Armed force for each day that the member is deployed or in a deployment within the meaning of section 991(b) of title 10, United States Code, is amended by inserting after the Secretary of Defense, the following:

“(g) INAPPLICABILITY TO COAST GUARD.—This section does not apply to a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy.”.

(c) Clerical Amendments.—(1) The tables of chapters at the beginning of subtitle A of title 10, United States Code, and the beginning of part II of such subtitle are amended by inserting after the item relating to chapter 39 the following:

“50. Miscellaneous Command Responsibilities 991.”

(2) The table of sections at the beginning of chapter 7 of title 37, United States Code, is amended by inserting after the item relating to section 434 the following: “435. Per diem allowance for lengthy or numerous deployments.”

(d) Application and Implementation.—

(1) Section 991 of title 10, United States Code (as added by subsection (a)), and section 435 of title 37, United States Code (as added by subsection (b)), shall apply with respect to releases from active duty for retirement on or after that date from service in the commissioned Regular Corps of the Public Health Service or for service as a commissioned officer of the National Oceanic and Atmospheric Administration on the active list, as the case may be.

SEC. 696. PARTICIPATION OF ADDITIONAL MEMBERS OF THE RESERVE FOR CONSISTENCY OPERATION OR SIMILAR DEPLOYMENT IN SUPPORT OF A CONTINGENCY OPERATION OR SIMILAR OPERATION.

(a) Participation Authorized.—(1) Subchapter II of chapter 39 of title 38, United States Code, is amended by inserting after section 301C the following new section:

“§3018D. Opportunity to enroll: certain VEAP participants; active duty personnel not previously enrolled;

“(a) Notwithstanding any other provision of law, an individual who—

“(1) has made an election under section 3011(a) or 3012(a),”.

(b) Increased Tuition Assistance for Members of the Armed Forces Deployed in Support of a Contingency Operation or Similar Operation.

(a) Inapplicability of Limitation on Amount.—Section 2007(a) of title 10, United States Code, is amended—

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

(b) By striking the period at the end of paragraphs (3) and inserting “; and”;

(c) by adding at the end the following:

“(4) in the case of a member deployed outside the United States in support of a contingency operation or similar operation, all of the charges may be paid while the member is so deployed.”;

(b) Increased Authority Subject to Appropriations.—The authority to pay additional tuition assistance under paragraph (4) of section 2007(a) of title 10, United States Code, as added by subsection (a), may be exercised only to the extent provided for in appropriations Acts.

SEC. 698. ADMINISTRATION OF SELECTED RECRUITMENT AND REPAYMENT PROGRAMS FOR COAST GUARD RESERVE.

Subsection (a)(1) of section 14301 of title 10, United States Code, is amended—

(a) by striking “Secretary of Defense” the following: “; or the Secretary of Transportation in the case of a member of the Selected Reserve serving the Coast Guard Reserve when the Coast Guard is not operating as a service in the Navy”;

(b) NATIONL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Section 3 of the Act entitled “An Act to make modifications in the Public Health Service Act,” approved August 10, 1956 (33 U.S.C. 587a), is amended—

(1) by adding at the end of subsection (a) the following:

“(c) Effective Date.—The amendments made by subsections (a) and (b) shall take effect as of October 1, 1998, and shall apply with respect to releases from active duty for retirement on or after that date from service in the commissioned Regular Corps of the Public Health Service or for service as a commissioned officer of the National Oceanic and Atmospheric Administration on the active list, as the case may be.

SEC. 699. INCENTIVE TUTION ASSISTANCE FOR MEMBERS OF THE ARMY RESERVE IN MONTGOMERY GI BILL PROGRAM.

(a) Participation Authorized.—(1) Subchapter II of chapter 30 of title 38, United States Code, is amended by inserting after section 301C the following new section:

“(b) Has made a election under section 3011(c)(1) or 3012(d)(1) of this title not to receive educational assistance under this chapter and has not withdrawn that election under section 301b(a) of this title as of the date of the enactment of this section;

(2) is serving on active duty (excluding periods referred to in section 30211(c) of this title in the case of an individual described in paragraph (1)(A)) on the date of enactment of this section; or

(3) has completed the requirements of a secondary school diploma (or equivalent certificate) or has successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree;

(4) is discharged or released from active duty before the date on which the individual makes an election described in paragraph (5), is discharged with an honorable discharge or released with service characterized as honorable by the Secretary of Defense; or

(5) during the one-year period beginning on the date of the enactment of this section,
makes an irrevocable election to receive ben-

ficiaries of such program in lieu of benefits under section 32 of this title or withdraws

the election made under section 3011(c)(1) or 3012(d)(1) of this title, as the case may be,
pursuant to procedures which the Secretary of

Transportation shall provide in accordance with regulations prescribed by the Secretary of Defense for the purpose of carrying on or which the Secretary of

Vetoes Education Account pursuant to section of such section is permitted by add-
ing at the end the following: "In the deter-
mining of eligibility for the program bene-

fits, a person already certified for participa-
tion 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. 1768) shall be considered eligi-

ble for the duration of the certification pe-

riod under this program.".

d) NUTRITIONAL RISK STANDARDS.—Sub-
section (c)(1)(B) of such section is amended by add-
ing "and income eligibility standards" after "income eligibility standards".

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

following: "(4) The terms "costs for nutrition services and administration", "nutrition education" to the health care coverage available under similar health care

benefits plans offered under the Federal Employees Health Benefits program estab-
lished under chapter 89 of title 5.".

TITLES VII—HEALTH CARE

CHAPTER A—TRICARE program

SECTION 701. IMPROVEMENT OF TRICARE BENEFITS AND MANAGEMENT.

(a) IMPROVEMENT OF TRICARE PROGRAM.—(1) Section 55 of title 5, United States Code, is amended by inserting after section 1097a the following:

"(1097b. TRICARE: benefits and services

(a) COMPARABILITY TO FEHBP BENEFITS.—The Secretary of Defense shall, to the max-

imum extent practicable, ensure that the health care coverage available through the

TRICARE program is substantially similar to the health care coverage available under

similar health benefits plans offered under the Federal Employees Health Benefits pro-

gram established under chapter 89 of title 5.

(b) PORTABILITY.—The Secretary of De-

fense shall provide that any covered bene-

ficiary enrolled in the TRICARE program may receive benefits under that program at

facilities that provide benefits under that program throughout the various regions of

that program.

(c) ACCESS.—(1) The Secretary of Defense shall, to the maximum extent practicable, utilize prac-
tices for processing claims under the TRICARE program that are similar to the

best industry practices for processing claims for health care services in a simplified

and expedited manner. To the maximum extent practicable, such practices shall include
electronic processing of claims.

(d) CONSULTATION REQUIREMENT.—The Secretary of Defense shall carry out the re-

sponsibilities under this section after consulta-
tion with the other administering Sec-

retaries.

"(1097c. TRICARE: financial management

(a) REIMBURSEMENT OF PROVIDERS.—(1) Subject to paragraph (2), the Secretary of Defense may reimburse health care providers under the TRICARE program at rates higher than the reimbursement rates otherwise au-

thorized for the providers under that pro-

gram if the Secretary determines that applica-
tion of the higher rates is necessary in or-

order to ensure the availability of an ade-

quate number of qualified health care pro-

viders under that program.

(2) The amount of reimbursement pro-

vided under paragraph (1) with respect to a
SEC. 702. EXPANSION AND REVISION OF AUTHORITY FOR DENTAL PROGRAMS FOR DEPENDENTS AND RESERVES.

(a) Authority.—Chapter 55 of title 10, United States Code, is amended by striking sections 1076a and 1076b and inserting the following:

"§ 1076a. TRICARE dental program

"(a) Establishment of Dental Plans.—The Secretary of Defense may establish, and in the case of the dental plan described in paragraph (1), establish, the following voluntary enrollment dental plans:

"(1) PLAN FOR SELECTED RESERVE AND INDIVIDUAL READY RESERVE.—A dental insurance plan for the members of the Ready Reserve and for members of the Individual Ready Reserve described in section 1014(b) of this title.

"(2) PLAN FOR ENSURING.—A dental insurance plan for the members of the Individual Ready Reserve not eligible to enroll in the plan established under paragraph (1).

"(3) PLAN FOR DEPENDENTS.—Dental benefits plans for eligible dependents of members of the uniformed services who are on active duty for a period of more than 30 days.

"(4) PLAN FOR READY RESERVE DEPENDENTS.—A dental benefits plan for eligible dependents of members of the Ready Reserve of the reserve components who are not on active duty for more than 30 days.

"(b) Administration of Plans.—The plans established under subsection (a) shall be administered under regulations prescribed by the Secretary of Defense in consultation with the other administering Secretaries.

"(c) Consultation Requirement.—The Secretary of Defense shall carry out the responsibilities under this section after consultation with the other administering Secretaries.

"(2) The table of sections at the beginning of chapter 55 of such title is amended by inserting after such chapter the following new item:

"1076a. TRICARE: benefits and services.

"1076c. TRICARE: financial management.

(b) Effective Date.—The amendments made by subsection (a) shall take effect one year after the date of the enactment of this Act.

(c) Report on Implementation.—(1) Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the other administering Secretaries, shall submit to Congress a report assessing the effects of the implementation of the requirements and authorities set forth in sections 1076a and 1076c of title 10, United States Code (as added by subsection (a)).

(2) The report shall include the following:

(A) An assessment of the cost of the implementation of such requirements and authorities.

(B) An assessment of whether the implementation of any such requirements and authorities will result in the utilization by the TRICARE program of the best industry practices with respect to the matters covered by such requirements and authorities.

(3) In this subsection, the term ‘administering Secretaries’ has the meaning given that term in section 1072(b) of title 10, United States Code.

SEC. 703. EXPANSION OF DENTAL INSURANCE PLANS FOR ACTIVE DUTY DEPENDENTS AND RESERVE DEPENDENTS.

(a) Authority.—Chapter 55 of title 10, United States Code, is amended by striking sections 1076a and 1076b and inserting the following:

"§ 1076a. TRICARE dental program

"(a) Establishment of Dental Plans.—The Secretary of Defense may establish, and in the case of the dental plan described in paragraph (2), shall establish, the following voluntary enrollment dental plans:

"(1) PLAN FOR SELECTED RESERVE AND INDIVIDUAL READY RESERVE.—A dental insurance plan for the members of the Ready Reserve and for members of the Individual Ready Reserve described in section 1014(b) of this title.

"(2) PLAN FOR ENSURING.—A dental insurance plan for the members of the Individual Ready Reserve not eligible to enroll in the plan established under paragraph (1).

"(3) PLAN FOR DEPENDENTS.—Dental benefits plans for eligible dependents of members of the uniformed services who are on active duty for a period of more than 30 days.

"(4) PLAN FOR READY RESERVE DEPENDENTS.—A dental benefits plan for eligible dependents of members of the Ready Reserve of the reserve components who are not on active duty for more than 30 days.

"(b) Administration of Plans.—The plans established under subsection (a) shall be administered under regulations prescribed by the Secretary of Defense in consultation with the other administering Secretaries.

"(c) Consultation Requirement.—The Secretary of Defense shall carry out the responsibilities under this section after consultation with the other administering Secretaries.

"(2) The table of sections at the beginning of chapter 55 of such title is amended by inserting after such chapter the following new item:

"1076a. TRICARE: benefits and services.

"1076c. TRICARE: financial management.

(b) Effective Date.—The amendments made by subsection (a) shall take effect one year after the date of the enactment of this Act.

(c) Report on Implementation.—(1) Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the other administering Secretaries, shall submit to Congress a report assessing the effects of the implementation of the requirements and authorities set forth in sections 1076a and 1076c of title 10, United States Code (as added by subsection (a)).

(2) The report shall include the following:

(A) An assessment of the cost of the implementation of such requirements and authorities.

(B) An assessment of whether the implementation of any such requirements and authorities will result in the utilization by the TRICARE program of the best industry practices with respect to the matters covered by such requirements and authorities.

(3) In this subsection, the term ‘administering Secretaries’ has the meaning given that term in section 1072(b) of title 10, United States Code.

"(k) Premiums.—(A) The dental insurance plan established under subsection (a)(3) is premium sharing plans.

(B) Members enrolled in a premium sharing plan for themselves or for their dependents shall be required to pay the entire premium charged for the benefits provided under the plan. The member's share of the premium charged for the care; and

(C) Effective as of January 1 of each year, the amount of the premium required under subparagraph (A) shall be increased by the percent equal to the lesser of:

(i) the percent by which the rates of basic pay of members of the uniformed services are increased on such date; or

(ii) the sum of one-half percent and the percent computed under section 5303(a) of title 5 for the increase in rates of basic pay for statutory pay systems for pay periods beginning on or after such date.

(D) The Secretary of Defense may reduce the monthly premium required to be paid under paragraph (1) in the case of enlisted members in pay grade E-1, E-2, E-3, or E-4 if the Secretary determines that such a reduction is appropriate to assist such members to participate in a dental plan referred to in subparagraph (A).

(E) The Secretary of Defense may exercise the authority provided under subsection (a) to establish dental insurance plans and dental benefit plans for dental benefits provided outside the United States for the eligible members and dependents of members of the uniformed services. In the case of such an overseas dental plan, the Secretary may waive or reduce any copayments required by subsection (e) to the extent the Secretary determines appropriate for the effective and efficient operation of the plan.

(F) Waiver of Requirements for Surviving Dependents.—The Secretary of Defense may, in whole or in part, require any requirements of a dental plan established under this section as the Secretary determines necessary for the effective administration of the plan for a dependent who is an eligible dependent described in subsection (k)(2).

(G) Authority Subject to Appropriations.—The authority of the Secretary of Defense to enter into a contract under this section for any fiscal year is subject to the availability of appropriations for that purpose.

(H) Limitation on Reduction of Benefits.—The Secretary of Defense may not reduce benefits provided under a plan established under this section until—

(i) the Secretary provides notice of the Secretary's intent to reduce such benefits to the Committees on Armed Services of the Senate and the House of Representatives; and

(ii) one year has elapsed following the date of such notice.

"(k) Eligible Dependent Defined.—In this section, the term ‘eligible dependent’ means—

(i) a means of a dependent described in subparagraph (A), (D), or (I) of section 10722 of this title; and

(ii) any member dependent of a member who dies while on active duty for a period of more than 30 days or a member of the
Ready Reserve if the dependent is enrolled on that date in a military service and coverage ceases or is provided under a dependent coverage plan on the date of the death of the member in a death benefit plan established under section (a), except that the term does not include the dependent after the end of the one-year period beginning on the date of the member's death.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by striking out the items relating to sections 1076a and 1076b and inserting the following:

"1076a. TRICARE dental program."

SEC. 703. SECURITY OF INFORMATION REGARDING AUTOMATIC ENROLLMENT OF MEDICARE-ELIGIBLE BENEFICIARIES IN THE TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.

It is the sense of Congress that—

(1) any person who is enrolled in a managed health care program of the Department of Defense where the TRICARE Senior Prime demonstration program is implemented and who attains eligibility for Medicare should be allowed—

(a) as Secretary of the TRICARE Senior Prime demonstration program; and

(b) the Secretary of Defense, in coordination with other administering Secretaries referred to in section 1072(3) of title 10, United States Code, should modify existing policies and procedures for the TRICARE Senior Prime demonstration program as necessary to permit the automatic enrollment.

SEC. 704. TRICARE BENEFICIARY ADVOCATES.

(a) ESTABLISHMENT OF POSITIONS.—The Secretary of Defense shall require in regulations that—

(1) each lead agent under the TRICARE program;

(A) designate a person to serve full-time as a beneficiary advocate for TRICARE beneficiaries and the beneficiary advocate; and

(B) provide for toll-free telephone communication between TRICARE beneficiaries and the beneficiary advocate; and

(2) the commander of each military care facility under chapter 55 of title 10, United States Code, designate a person to serve, as a primary or collateral duty, as beneficiary advocate for TRICARE beneficiaries served at that facility.

(b) DUTIES.—The Secretary shall prescribe the duties of the position of beneficiary advocate in the regulations.

(c) ADMINISTRATIVE ACTIONS.—Each benefici- ary advocate required under the regulations shall be designated not later than January 15, 2000.

SEC. 705. OPEN ENROLLMENT DEMONSTRATION PROGRAM.

Section 724 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended by adding at the end the following:

"(g) OPEN ENROLLMENT DEMONSTRATION PROGRAM.—The Secretary of Defense shall conduct a demonstration program under which covered beneficiaries shall be permitted to enroll at any time in a managed care option by a designated provider consistent with the enrollment requirements for the TRICARE Prime option under the TRICARE program but without regard to the limitation in subsection (b) of the TRICARE Prime demonstration program under this subsection shall cover designated providers, selected by the Department of Defense, and the service areas covered by the TRICARE program under this chapter, the contracts shall be administered so as to implement at the beginning of a fiscal year all changes in benefits and eligibility requirements that are to be made for that fiscal year. However, the Secretary of Defense may implement any such change after the fiscal year begins if the Secretary determines that the implementation would significantly improve the provision of care to eligible beneficiaries under this chapter or that the later implementation of the change would not be in more effective provision of care to eligible beneficiaries.

SEC. 714. BEST VALUE CONTRACTING.

(a) AUTHORITY.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073 the following:
SEC. 717. ENHANCEMENT OF DENTAL BENEFITS AND SERVICES.

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 preventive 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 preventive services, endodontics and other basic restorative services, surgical services, and emergency services.

SEC. 718. MEDICAL AND DENTAL CARE FOR CERTAIN MEMBERS INJURING HURRIES 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(a) 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 1074a 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 is 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 of order of continued on active duty, so as to result in active duty for a period of more than 30 days.

(c) MEDICAL AND DENTAL CARE FOR DEFENDANTS.—Subparagraph (D) of section 1076a(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."

SEC. 719. HEALTH CARE QUALITY INFORMATION AND TECHNOLOGY ENHANCEMENT.

(a) PURPOSE.—It is the purpose of this section to ensure that the Department of Defense address issues of medical quality surveillance and implements solutions for those issues in a timely manner that is consistent with national policy and industry standards.

(b) DEPARTMENT OF DEFENSE MEDICAL INFORMATICS AND DATA.—(1) The Secretary of Defense shall establish a Department of Defense Center for Medical Informatics.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to other amounts authorized to be appropriated for the Department of Defense for fiscal year 2000 by other provisions of this Act, that are available to carry out subsection (b) of this section, there are appropriated to the Secretary of Defense for such fiscal year for carrying out this section the sum of $2,000,000.

SEC. 720. JOINT TELEMEDICINE AND TELEPHARMACY DEMONSTRATION PROJECTS BY THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Defense and Secretary of Veterans Affairs shall carry out joint demonstration projects for purposes of evaluating the feasibility and practicability of providing health care services and pharmacy services by means of telecommunications.

(b) SERVICES TO BE PROVIDED.—The services provided under the demonstration projects shall include the following:

(1) Radiology and imaging services.

(2) Diagnostic services.

(3) Referral services.

(4) Clinical pharmacy services.

(5) Other health care services or pharmacy services designated by the Secretaries.

(c) SELECTION OF LOCATIONS.—(1) The Secretaries shall carry out the demonstration project or projects at not more than three locations selected by the Secretaries from locations in which are located both a uniformed services treatment facility and a Department of Veterans Affairs medical facility affiliated with academic institutions having a demonstrated expertise in the provision of

CONGRESSIONAL RECORD—SENATE

June 7, 1999

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SECTION 801. EXTENSION OF TEST PROGRAM FOR NEGOTIATION OF COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.

(a) Program Participation Term.—Subsection (e)(2) of section 811 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is amended to read as follows:

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(b) MENTOR-FROTEGE AGREEMENTS.—Subsection (g) of such section is amended—

(1) in paragraph (1), by striking "shall" and inserting "may";

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking "shall" and inserting "may";

(ii) by striking subsection (f) and all that follows through "(i) as a line item" and inserting "subsection (f) as provided for in a line item";

(iii) by striking the semicolon preceding clause (i) and inserting "; except that this clause does not apply in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract."; and

(iv) by striking clauses (ii), (iii), and (iv);

and

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

"(B) The determinations made in annual performance reviews of a mentor firm's mentor-frotege agreement under subsection (d)(2) shall be a major factor in the determinations of amounts of reimbursement, if any, that are reimbursable pursuant to paragraph (2) or are reimbursed pursuant to subsection (B) of such paragraph and inserting "paragraph (2)".

(c) REPORTS AND REVIEWS.—Subsection (i) of such section is amended to read as follows:

(1) Expiration of Authority.—No mentor-frotege agreement may be entered into after September 30, 2004.

(2) No reimbursement may be paid, and no credit toward the attainment of a subcontracting goal may be granted, under subsection (g) for any fiscal year that begins after September 30, 2004.

SEC. 802. REPORT ON TRANSITION OF SMALL BUSINESS INNOVATION RESEARCH PROGRAM ACTIVITIES INTO DEFENSE ACQUISITION PROGRAMS.

(a) Requirement for Report.—Not later than March 1, 2000, the Secretary of Defense shall submit to Congress a report on the status of the implementation of the Small Business Innovation Research program transition plan that was developed pursuant to section 818 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 2089).

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

(1) a schedule, with specific milestones, for the implementation of the provision.

SEC. 803. AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) GAO Examination of Records.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 107 Stat. 1721; 10 U.S.C. 2371 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

"(c) COMPTROLLER GENERAL REVIEW.—(1) Each agreement entered into by an official of the Department of Defense for the performance of services in connection with the performance of work performed by a firm under a contract or subcontract awarded to such firm shall include a clause that provides for the reimbursement in excess of $5,000,000 shall include a clause that provides for the Comptroller General, in the discretion of the Comptroller General, to examine the accounts of any person or any entity that participates in the performance of the agreement."
(a) Program Authorized.—The Secretary of Defense may establish a pilot program to treat procurements of commercial services as procurements of commercial items.

(b) Denomination of Pilot Program Categories.—The Secretary of Defense may designate the following categories of services as commercial services covered by the pilot program:

(1) Utilities and housekeeping services.
(2) Education and training services.
(3) Transportation, travel and relocation services.

(c) Treatment as Commercial Items.—A Department of Defense contract for the procurement of commercial services designated by the Secretary for the pilot program shall be treated as a contract for the procurement of commercial items, as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 406(12)), if the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government. These items shall not be considered commercial items for purposes of section 4222(e) of the Clinger-Cohen Act (10 U.S.C. 2304 note).

(d) Duration of Pilot Program.—(1) The pilot program shall begin on the date that the Secretary issues the guidance required by subsection (d) and may continue for a period, not in excess of five years, that the Secretary shall establish.

(2) The pilot program shall cover Department of Defense contracts for the procurement of commercial services designated by the Secretary under subsection (b) that are awarded during the period of the pilot program, regardless of whether the contracts are performed during the period.

Report to Congress.—The Secretary shall submit to Congress a report on the impact of the pilot program on—

(A) prices paid by the Federal Government under contracts for commercial services covered by the program;

(B) the quality and timeliness of the services provided under such contracts;

(C) the number of Federal Government personnel that must be hired, enter into and administer such contracts; and

(D) the impact of the program on levels of contracting with small business concerns, HUBZone small business concerns, small businesses owned and controlled by socially and economically disadvantaged individuals, and small business concerns and controlled by women.

(2) The Secretary shall submit the report—

(A) not later than 90 days after the end of the third full fiscal year for which the pilot program is in effect;

(B) if the period established for the pilot program under subsection (e)(1) does not cover three full fiscal years, not later than 90 days after the end of the designated period.

(c) Treatment as Commercial Items.—A procurement of commercial items, as defined under section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 406(12)), if the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government, shall be treated as procurements of commercial items.

(d) Guidance in the Federal Acquisition Regulation.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act shall be amended—

(1) to apply to a contractor or subcontractor the cost accounting standards that were entered into by the contractor or subcontractor, respectively, in the previous or current fiscal year (or other one-year period used for cost accounting by the contractor or subcontractor) if the total value of all of the covered contracts and subcontracts entered into by the contractor or subcontractor during the one-year period was less than $10,000,000;

(2) to apply to a contractor or subcontractor the 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;

(e) Price Trend Analysis.—The Secretary of Defense shall apply the procedures developed pursuant to section 630(c) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–259; 112 Stat. 2681; 10 U.S.C. 2306a note) to collect and analyze information on price trends for all services covered by the pilot program and for the services in such categories of services not covered by the pilot program to which the Secretary considers it appropriate to apply those procedures.

(f) Relationship to Preference on Transportation of Supplies.—Nothing in this section shall be construed as modifying, superseding, or reducing any requirements, authorities, or responsibilities under section 2631 of title 10, United States Code.

(i) Definitions.—In this section:

(1) ‘‘Small business concern’’ means a business concern that meets the applicable size standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(2) ‘‘Small business concern owned and controlled by socially and economically disadvantaged individuals’’ has the meaning given the term in section 8 of the Small Business Act (15 U.S.C. 637(d)(3)).

(ii) the contractor or subcontractor would

(b) Waiver.—(a) The head of an executive agency may waive the applicability of cost accounting standards for a contract or subcontract under extraordinary circumstances when the Secretary determines that the waiver—

(i) The official referred to in subsection (b)(1) of such section is amended by striking ‘‘(2) the official referred to in subsection (c) of that section,‘‘ and inserting ‘‘(2) the official referred to in subsection (c) of that section; and

(ii) The official referred to in subsection (c) of this section, has the meaning given the term in section 632(p)(3).

(iii) The official referred to in subsection (c) of this section, means a business concern that meets the applicable size standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(iv) ‘‘Small business concern owned and controlled by women’’ has the meaning given the term in section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3)).

(iii) The official referred to in subsection (c) of this section, means a business concern that meets the applicable size 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.

The head of an executive agency may waive the applicability of cost accounting standards for a contract or subcontract under extraordinary circumstances when the Secretary determines that 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) Price Trend Analysis.—The Secretary of Defense Regulation shall include the following:

(1) Criteria for selecting an official to be delegated authority to grant waivers under subparagraph (A) or (B) for which agency to the Board on an annual basis;

(2) Construction Regarding Certain Non-Federal Nonprofit 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.

(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. 887. CONTENT OF GUIDANCE.—The regulations issued pursuant to subsection (a) shall, at a minimum, provide the following:
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(1) Specific guidance on the appropriate use of multiple award and other small-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) in section 303J(b) of the General 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 2303(c)(1) 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 delivered under the order.

(g) 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 303J(b)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b)(3)) that is administered as the Federal Supply Schedules programs, and reports that 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 the effectiveness of the multiple award schedule program that together with any recommendations that the Comptroller General considers appropriate regarding the test program shall include examination of the following:

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

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

(c) CONTRACT GOAL FOR SMALL DISADVANTAGED BUSINESS CONCERN.—The Administrator of General Services is amended by adding at the end the following:

"(d) The Secretary of Defense may, subject to subparagraph (B), require the Commander of the Armed Forces of the United States to adopt, and to carry out, a plan to ensure that the policies established under this section are carried out, in a manner consistent with the purpose of this Act."
“(A) is headquartered in the United States; and

“(B) has net assets in a total amount considered by the Secretary of the Army to qualify the bank as a major bank.

(5) MAJOR UNITED STATES INVESTMENT MANAGEMENT FIRM.—The term ‘major United States investment management firm’ means an investment company (as defined in section 80a–3) of which—

(A) is headquartered in the United States; and

(B) manages for others the investment of assets in a total amount considered by the Secretary of the Army to qualify the firm as a major investment management firm.”.

SEC. 904. MANAGEMENT OF THE CIVIL AIR PATROL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that no major change to the governance structure of the Civil Air Patrol should be mandated by Congress until a review of potential improvements in the management and oversight of Civil Air Patrol operations is conducted.

(b) GAO STUDY.—The Comptroller General shall conduct a study of potential improvements in Civil Air Patrol operations, including Civil Air Patrol financial management, Air Force and Civil Air Patrol oversight, and the Civil Air Patrol safety program. Not later than February 15, 2000, the Inspector General shall submit a report on the results of the study to the congressional defense committees.

SEC. 905. MINIMUM INTERVAL FOR UPDATING AND AUDITING DEPARTMENT OF DEFENSE STRATEGIC PLAN.

Section 306(b) of title 5, United States Code, is amended by striking “, and shall be updated and revised at least every three years.” and inserting a period and the following: “The strategic plan shall be updated and revised at least every three years, except that the strategy plan for the Department of Defense shall be updated and revised at least every four years.”.

SEC. 906. PERMANENT REQUIREMENT FOR QUADRENNIAL DEFENSE REVIEW.

(a) REVIEW REQUIRED.—Chapter 2 of title 10, United States Code, is amended by inserting after section 117 the following:

“§ 118. Quadrennial defense review

“(a) Review Required.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall conduct in each year in which a President is inaugurated a comprehensive examination of the defense strategy, defense structure, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies appropriate with a view toward determining and establishing a revised defense strategy of the United States and establishing a revised defense plan for the ensuing 10 years and a revised defense plan for the ensuing 20 years.

“(b) Consideration of Reports of National Defense Panel.—Before conducting the review, the Secretary shall take into consideration the reports of the National Defense Panel submitted under section 184(d) of this title.

“(c) Report to Congress.—The Secretary shall submit a report on each review to the Committees on Armed Services of the Senate and the House of Representatives not later than September 30 of the year in which the review is conducted. The report shall include the following:

“(1) The results of the review, including a comprehensive discussion of the defense strategy of the United States and the force structure best suited to implement that strategy, expressed in terms of size, characteristics, and organization, or in other terms suitable for characterizing the force structure.

“(2) The size, characteristics, and organization of an alternative force structure that is suited for implementing the strategy but is significantly smaller than the force structure discussed under paragraph (1), together with the benefits and risks associated with the larger force structure.

“(3) The size, characteristics, and organization of an alternative force structure that is suited for implementing the strategy but is significantly smaller than the force structure discussed under paragraph (1), together with the benefits and risks associated with the smaller force structure.

“(4) The threats examined for purposes of the review and the threat developed in the examination of such threats.

“(5) The assumptions used in the review, including assumptions relating to the co- operation of allies and mission-sharing, levels of acceptable risk, warning times, and intensity and duration of conflict.

“(6) The effect on the force structure of preparations and participation in peace operations and military operations other than war.

“(7) The effect on the force structure of the utilization by the armed forces of technologies anticipated to be available for the ensuing 10 years and technologies anticipated to be available for the ensuing 20 years, including precision guided munitions, stealth, night vision, digitization, and communications, and the changes in organization, doctrine, and operational concepts that would result from the utilization of such technologies.

“(8) The manpower and sustainment policies required under the defense strategy to support engagement in conflicts lasting more than 120 days.

“(9) The anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge those roles and missions.

“(10) The appropriate ratio of combat forces to support forces (commonly referred to as the “tooth-to-tail” ratio) under the defense strategy, including, in particular, the appropriate ratio of active and reserve forces.

“(11) The air-lift and sea-lift capabilities required to support the defense strategy.

“(12) The establishment of joint, joint-service, joint-force, joint-operation, and other anticipatory deployments necessary under the defense strategy for conflict deterrence and adequate military response to anticipated conflicts.

“(13) The extent to which resources must be shifted among two or more theaters under the defense strategy in the event of conflicts in those theaters.

“(14) The advisability of revisions to the Unified Command Plan as a result of the defense strategy.

“(15) Any other matter the Secretary considers appropriate.”.

(b) NATIONAL DEFENSE PANEL.—Chapter 7 of such title is amended by adding at the end the following:

“§ 1184. National Defense Panel

“(a) Establishment.—Not later than January 1 of each year immediately preceding a year in which a President is to be inaugurated, the Secretary of Defense shall establish a nonpartisan, independent panel to be known as the National Defense Panel. The Panel shall have the duties set forth in this section.

“(1) Membership and Chairman.—(I) The Panel shall be composed of nine members appointed from among persons in the private sector who are recognized experts in matters relating to the national security interests of the United States, as follows:

“(A) Three members appointed by the Secretary of Defense.

“(B) Three members appointed by the Chairman of the Committee on Armed Services of the Senate, in consultation with the ranking member of the committee.

“(C) Three members appointed by the Chairman of the Committee on Armed Services of the House of Representatives, in consultation with the ranking member of the committee.

“(II) The Secretary of Defense, in consultation with the chairmen and ranking members of the Committees on Armed Services of the Senate and the House of Representatives, shall designate one of the members to serve as the chairman of the Panel.

“(b) Duties.—(I) The Panel shall—

“(A) assess the matters referred to in paragraph (a);

“(B) assess the current and projected strategic environment, together with the progress made by the armed forces in transforming to meet the emerging 20-year national security challenges for the armed forces to address in the ensuing 20 years;

“(C) identify the most dangerous threats to the national security interests of the United States that are to be countered by the United States in the ensuing 10 years and those that are to be encountered in the ensuing 20 years;

“(D) identify the strategic and operational challenges for the armed forces to address in order to prepare to counter the threats identified under subparagraph (C);

“(E) develop—

“(i) a recommendation on the priority that should be accorded to each of the strategic and operational challenges identified under subparagraph (D); and

“(ii) a recommendation on the priority that should be accorded to the development of each joint capability needed to meet each such challenge;

“(F) identify the issues that the Panel recommends for assessment during the next quadrennial review to be conducted under section 1183 of this title.

“(G) The matters to be assessed under paragraph (1)(A) are the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies identified and established since the previous quadrennial defense review under section 118 of this title.
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“"(3) The Panel shall conduct the assessment under this paragraph (1) with a view toward recommending—

"(A) the most critical changes that should be made to the defense strategy of the United States for the ensuing 10 years and the manner and degree of change that may be made to the defense strategy of the United States for the ensuing 20 years; and

"(B) any changes considered appropriate by the Panel regarding the major weapon systems programmed for the force, including any alternatives to those weapon systems.

"(d) The Panel, in the year that it is conducting an assessment under subsection (c), shall submit to the Secretary of Defense and to the Committees on Armed Services of the Senate and the House of Representatives two reports on the assessment, including a discussion of the Panel’s activities, the findings and recommendations of the Panel, and any recommendations for legislation that the Panel considers appropriate, as follows:

"(A) A status report and an outline of current activities not later than July 1 of the year.

"(B) A final report not later than December 1 of the year.

"(2) Not later than December 15 of the year in which the Secretary receives a final report under paragraph (1)(B), the Secretary shall submit to the Committees referred to in subsection (c) of the report together with the Secretary’s comments on the report.

"(e) INFORMATION FROM FEDERAL AGENCIES.—The Panel may secure directly from the Department of Defense and any of its components and from any other Federal department or agency such information as the Panel deems necessary to fulfill its duties under this section. The head of the department or agency concerned shall ensure that information requested by the Panel under this subsection is promptly provided.

"(f) PERSONNEL MATTERS.—(1) Each member of the Panel shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5315 of title 5 for each day (including travel time) during which the member is engaged in the performance of the duties of the Panel.

"(2) The members of the Panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5 while away from their homes or regular places of business in the performance of services for the Panel.

"(3) A chairman of the Panel may, without regard to the civil service laws and regulations, appoint and terminate an executive director and a staff if the Panel determines that an executive director and staff are necessary in order for the Panel to perform its duties effectively. The employment of an executive director shall be subject to confirmation by the Panel.

"(B) The chairman may fix the compensation of the executive director without regard to the provisions of chapter 51 and subchapter I of title 5 relating to the classification of positions and General Schedule pay rates, except that the rate of pay for the executive director may not exceed the rate at level IV of the Executive Schedule under section 5316 of title 5.

"(4) Any Federal Government employee may be detailed to the Panel without reimbursement of the employee’s agency, and such detail shall be without interruption or loss of civil service status or privilege. The members of the Panel and the executive director shall be detailed to the Panel to enable the Panel to carry out its duties effectively.

"(5) To the maximum extent practicable, the members and employees of the Panel shall not perform any duties related to military aircraft, military ships, military vehicles, or other military conveyances when travel is necessary in the performance of a duty of the Panel, except that no such aircraft, ship, vehicle, or other conveyance may be scheduled primarily for the transportation of any such member or employee. The performance of a duty of commercial transportation is less expensive.

"(g) ADMINISTRATIVE PROVISIONS.—(1) The Panel 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.

"(2) The Secretary shall furnish the Panel any administrative and support services requested by the Panel.

"(3) The Panel may accept, use, and dispose of gifts or donations of services or property.

"(h) PAYMENT OF PANEL EXPENSES.—The compensation, travel expenses, and per diem allowances of members of the Panel shall be paid out of funds available to the Department of Defense for the payment of compensation, travel allowances, and per diem allowances, respectively, to civilian employees of the Department. The other expenses of the Panel shall be paid out of funds available to the Department for the payment of similar expenses incurred by the Department.

"(i) TERMINATION.—The Panel shall terminate at the end of the year following the year in which the Panel submits its final report under subsection (d)(1)(B). For the period that begins 90 days after the date of submission of the report, the activities and staff of the panel shall be reduced to a level that the Secretary of Defense considers sufficient to continue the availability of the panel for consultation with the Secretary of Defense and with the Committees on Armed Services of the Senate and the House of Representatives.

"(j) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 2 of title 10, United States Code, is amended by inserting after the item relating to section 117 the following:

"118. Quadrennial defense review.

"(2) The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following:


Subtitle B—Commission To Assess United States National Security Space Management and Organization

SEC. 911. ESTABLISHMENT OF COMMISSION.

(a) REVIEW OF UNITED STATES NATIONAL SECURITY SPACE MANAGEMENT AND ORGANIZATION.—The Commission shall, with a focus on changes to be implemented over the near-term, medium-term, and long-term that would strengthen United States national security, review the following:

"(1) The relationship between the intelligence and nonintelligence aspects of national security space (so-called ‘‘white space’’ and ‘‘black space’’), and the potential benefits of a partial or complete merger of the programs, projects, or activities that are differentiated by the two aspects.

"(2) The benefits of establishing any of the following:

(A) An independent military department and service dedicated to the national security space mission.

(B) A corps within the Air Force dedicated to the national security space mission.

(C) A position of Assistant Secretary of Defense for Space within the Office of the Secretary of Defense.

"(D) Any other change to the existing organizational structure of the Department of Defense for national security space management and organization.

(b) SECURITY CLEARANCES.—All members of the Commission shall hold appropriate security clearances.

SECTION 912. DUTIES OF COMMISSION.

(a) REVIEW OF UNITED STATES NATIONAL SECURITY SPACE MANAGEMENT AND ORGANIZATION.—The Commission shall make an annual recommendation to the Secretary of Defense recommending—

(1) the Speaker of the House of Representatives, after consultation with the majority leader of the House and the majority leader of the Senate concerning the appointment of three of the members of the Commission.

(2) any alternatives to those weapon systems.

(b) QUALIFICATIONS.—Members of the Commission shall be selected from among individuals of the United States who have knowledge and expertise in the areas of national security space policy, programs, organizations, and future national security concepts.

(c) COMPOSITION.—The Commission shall be appointed from among private citizens of the United States who have knowledge and expertise in the areas of national security space policy, programs, organizations, and future national security concepts.

(d) CHAIRMAN.—The Speaker of the House of Representatives, after consultation with the majority leader of the House and the majority leader of the Senate, shall designate one of the members of the Commission to serve as chairman of the Commission.

(e) APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as that in which all members of the Commission have been appointed, but not earlier than October 15, 1999.

(f) INITIAL ORGANIZATION REQUIREMENTS.—(1) All appointments to the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting not later than 60 days after the date as of which all members of the Commission have been appointed, but not earlier than October 15, 1999.

SEC. 913. REPORT.

"(a) The Commission shall, not later than six months after the date of its first meeting, submit to Congress a report on its findings and conclusions.

"(b) The report shall include—

(1) any alternatives to those weapon systems.
SEC. 915. COMMISSION PROCEDURES.

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

(b) QUORUM.—(5) Five members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

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

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission, if authorized by the Commission, shall have the authority which the Commission is authorized to take under this subtitle.

SEC. 916. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay but by reason of their work on the Commission.

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

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of 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 shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5.

(2) The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $2,000,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. SECOND BIENNIAL FINANCIAL IMPROVEMENT PLAN.

(a) PROCUREMENT OF TEMPORARY AND INTERMITTENT PERSONNEL.—The chairman of the Commission may procure temporary and intermittent personnel under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the rate payable for level V of the Executive Schedule under section 5316 of title 5.

(b) MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission shall provide from amounts appropriated for the purposes of postal and printing services at the rates for individuals which do not exceed the daily equivalent rate payable for level V of the Executive Schedule under section 5316 of title 5.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense may use the United States mails and obtain printing and binding services at the same conditions as other departments and agencies of the Federal Government.

(c) SUPPORT SERVICES.—The Secretary of Defense may transfer amounts of authorizations provided for under the authority of this section for support services requested by the Commission specifying the funds required for the Department of Defense for operation of the Commission.

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

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT PERSONNEL.—The chairman of the Commission may procure temporary and intermittent personnel under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the rate payable for level V of the Executive Schedule under section 5316 of title 5.

(f) MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services at the same conditions as other departments and agencies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense may, without regard to the provisions for schedule, performance objectives, interim milestones, and necessary resources:

(i) to ensure easy and reliable interfacing of the system (or a consolidated or successor system) with the department’s core finance and accounting systems and with other data feeder systems;

(ii) to institute appropriate internal controls that, among other benefits, ensure the integrity of the data in the system (or a consolidated or successor system);

(iii) to institute appropriate internal controls that, among other benefits, ensure the integrity of the data in the system (or a consolidated or successor system); and

(iv) to institute appropriate internal controls that, among other benefits, ensure the integrity of the data in the system (or a consolidated or successor system).

(b) A description of each major procurement action that is being taken within the Department of Defense to replace or improve a finance and accounting system or a data feeder system list system under the inventory under paragraph (1) and, for each such procurement action, the measures that are being taken or are to be taken to ensure that the new or enhanced system—

(A) provides easy and reliable interfacing of the system with the core finance and accounting systems of the department and with other data feeder systems; and

(B) includes appropriate internal controls that, among other benefits, ensure the integrity of the data in the system.

(f) A financial management competency plan that includes performance objectives, milestones (including interim objectives), responsible officials, and the necessary resources to accomplish the performance objectives, together with the following:

(A) A description of the actions necessary to ensure that the person in each comptroller position (or comparable position) in the Department of Defense, whether a member of the Armed Forces or a civilian employee, has the education, technical competence, and experience to perform in accordance with the core competencies necessary for financial management.

(B) A description of the education that is necessary for a financial manager in a senior governmental position that includes:

(i) applicable laws and administrative and regulatory requirements, including the requirements and procedures relating to Government Performance and Results Act of 1993 under sections 1105(a)(28), 1115, 1116, 1117, 1118, and 1119 of title 31, United States Code;

(ii) the strategic planning process and how the plan relates to management; and

(iii) budget operations and analysis systems;
(iv) management analysis functions and evaluating Defense programs;
(v) the principles, methods, techniques, and systems of financial management.
(C) The advantages and disadvantages of establishing and operating a consolidated Defense Financial Accounting Service, and
(D) The applicable requirements for formal civilian education.
(4) A detailed plan (including performance objectives and milestones and standards for measuring progress toward the attainment of the objectives) for—
(A) improving the internal controls and internal review processes of the Defense Finance and Accounting Service to provide reasonable assurances that—
(i) obligations and costs are in compliance with the applicable laws;
(ii) funds, property, and other assets are safeguarded against waste, loss, unauthorized use, and misappropriation;
(iii) revenues and expenditures are accounted for properly and recorded and accounted for so as to permit the preparation of accounts and reliable financial and statistical reports and to maintain accountability of those assets;
(iv) obligations and expenditures are recorded contemporaneously with each transaction;
(v) organizational and functional duties are performed separately at each step in the cycles of transactions (including, in the case of a contract, the specification of requirements, the formation of the contract, the certification of contract performance, receiving and warehousing, accounting, and disbursing); and
(vi) on-line real-time payment allocation systems results in posting of payments to appropriation accounts consistent with section 1301 of title 31, United States Code.
(B) ensuring that the Defense Finance and Accounting Service has—
(i) a single standard transaction general ledger that, at a minimum, uses double-entry bookkeeping and complies with the United States Government Standard General Ledger at the transaction level as required under section 803(a) of the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note);
(ii) an integrated data base for finance and accounting functions; and
(iii) automated cost, performance, and other output measures;
(C) providing a single, consistent set of policies and procedures for financial transactions throughout the Department of Defense;
(D) ensuring compliance with applicable policies and procedures for financial transactions throughout the Department of Defense; and
(E) reviewing safeguards for preservation of assets and verifying the existence of assets.
(5) An internal controls checklist which, consistent with the authority in sections 3511 and 3512 of title 31, United States Code, the Chairman shall prescribe as the standards for use throughout the Department of Defense, together with a statement of the Department of Defense policy on use of the checklist throughout the department.
SEC. 1003. SINGLE PAYMENT DATE FOR INVOICE OF VARIOUS SUBSISTENCE ITEMS.
Section 3902 of title 31, United States Code, is amended—
(1) by redesigning subsection (c) as subsection (d); and
(2) by inserting after subsection (b) the following new subsection (c):
"(c) A contract for the procurement of subsistence items that is entered into under the prime vendor program of the Defense Logistics Agency must specify for the purpose of section 3902 of this title a single required payment date that is to be applicable to an invoice for subsistence items furnished under the contract when more than one payment due date would otherwise be applicable to the invoice under the regulations prescribed under paragraphs (2), (3), and (4) of subsection (a) or under any other provision of law. The required payment date specified in the contract shall be consistent with prevailing industry practices for the subsistence items, but may not be more than 10 days after the date of receipt of the invoice or the certified date of receipt of the items. The Director of the Office of Management and Budget shall provide in the regulations under subsection (a) that when a required payment date is so specified for an invoice, no other payment due date applies to the invoice."
SEC. 1004. AUTHORITY TO REQUIRE USE OF ELECTRONIC TRANSFER OF FUNDS FOR PAYMENTS TO PERSONNEL PAYMENTS.
(a) AUTHORITY.—Chapter 165 of title 10, United States Code, is amended by adding at the end the following:
"§ 2784. Payments to personnel: electronic transfers of funds.
"(a) AUTHORITY.—The Secretary of Defense may require that pay, allowances, retired or other military pay, and any other payments out of funds available to the Department of Defense to or for members of the armed forces, former members of the armed forces, employers or employees of the Department of Defense, or dependents of such personnel be made by electronic transfer of funds. For any such requirement, the Secretary may prescribe in regulations any exceptions that the Secretary considers appropriate.
"(b) RELATIONSHIP TO OTHER LAW.—The authority provided in this section is independent of the authority provided under section 3332 of title 31 and may be exercised without regard to any provision excepted under that section.
(b) CERCLICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by adding at the end the following:
"2784. Payments to personnel: electronic transfers of funds.”.
(c) STUDY AND REPORT ON DEPARTMENT OF DEFENSE ELECTRONIC FUNDS 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 subject to the same level of reconciliation as United States Treasury checks, including any matched data of Defense and any 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) and (B); and
(E) the period that would be required to implement the processes and controls.
(2) Not later than March 1, 2000, the Secretary shall submit a report to Congress containing the results of the study required by paragraph (1).
(3) In this subsection, the term election electronic payment means any payment made electronic means other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, or computer or magnetic tape so as to order, instruct, or authorize a debit or credit to a financial account.
SEC. 1005. PAYMENT OF FOREIGN LICENSING FEES OUT OF PROCEEDS OF SALES OF MAPS, CHARTS, AND NAVIGATIONAL BODIES.
(a) IN GENERAL.—Subchapter II of chapter 10 of title 31, United States Code, is amended—
(1) by redesigning section 456 as section 457; and
(2) by inserting after section 455 the following new section 456:
"(a) AUTHORITY TO PAY FOREIGN LICENSING FEES.—The Secretary of the Treasury may pay, out of the proceeds of sales of maps, charts, and other publications of the National Imagery and Mapping Agency (which are hereby made available for the purpose), any licensing or other fees imposed by foreign countries or international organizations for the acquisition or use of data or products by the Agency.
"(b) DISPOSITION OF OTHER PROCEEDS.—Any proceeds of sales not paid under the authority in subsection (a) shall be deposited in the Treasury as miscellaneous receipts.
(b) CERCLICAL AMENDMENT.—The table of sections at the beginning of that subchapter is amended by striking the item relating to section 456 and inserting the following new items:
"457. Civil actions barred.”.
SEC. 1006. AUTHORITY FOR DISBURSING OFFICERS TO SUPPORT USE OF AUTOMATED TELLER MACHINES ON NAVAL VESSELS FOR FINANCIAL TRANSACTIONS.
Section 332(a) of title 31, United States Code, is amended—
(1) by striking “and” at the end of paragraph (2);
(2) by striking the period at the end of paragraph (3)(B) and inserting “; and”;
and
(3) by adding at the end the following new paragraph (4):
"(4) with respect to automated teller machines on naval vessels—
(A) provide operating funds to the automated teller machines; and
(B) accept, for safekeeping, deposits and transfers of funds made through the automated teller machines.”.
SEC. 1007. CENTRAL TRANSFER ACCOUNT FOR COMBATING TERRORISM.
(a) AMOUNT FOR FISCAL YEAR 2000.—(1) Of the amounts authorized to be appropriated under this Act for the Department of Defense for fiscal year 2000, $1,894,300,000 shall be available for funding the central transfer account established under section 803, title 10, United States Code, for combating terrorism inside and outside the United States.
(2) The amounts and sources referred to in paragraph (1) are as follows:
(A) $229,000,000 of the total amount authorized to be appropriated pursuant to title I for fiscal year 2000.

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SEC. 1010. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999.

Amounts authorized to be appropriated to the Department of Defense for fiscal year 1999 in the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261) are hereby adjusted, with respect to any such 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.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. SALES OF NAVAL SHIPYARD ARTICLES TO FOREIGN COUNTRIES.

(a) WAIVER OF REQUIRED CONDITIONS.—Chapter 623 of title 10, United States Code, is amended by inserting after section 7296a the following:

``7300. Contracts for nuclear ships: sales of naval shipyard articles and services to contractors.

(1) The conditions set forth in section 2208(j)(2) of this title and subsections (a)(1) and (c)(1) of section 2553 of this title shall not apply to a sale of articles or services of a nuclear shipyard article made to a contractor under a Department of Defense contract for a nuclear ship in order to facilitate the contractor's fulfillment of that contract.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7296a the following:

``7300. Contracts for nuclear ships: sales of naval shipyard articles and services to contractors.''

SEC. 1012. TRANSFER OF NAVAL VESSEL TO FOREIGN COUNTRY.

(a) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the CYCLONE class coastal patrol craft CYCLONE (PC1) or a craft with a similar hull. The transfer shall be made on a sale, lease, lease-buy, or grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 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 may require, as a condition of the transfer of the vessel to the Government of Thailand under this section, that the Government of Thailand have repair or refurbishment of the vessel as 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.

Subtitle C—Miscellaneous Report Requirements and Repeals

SEC. 1021. PRESERVATION OF CERTAIN DEFENSE AUTHORIZATION REQUIREMENTS.

(a) PRESERVATION.—Any provision of law specified in subsections (b) through (i) that requires the submittal to Congress (or any committee of the Congress) of any annual, semiannual, or other regular periodic report shall remain in effect with respect to that requirement notwithstanding any other provision of law in accordance with the terms of the specified provision of law.

(b) TITLES 10.—Subsection (a) applies with respect to the following provisions of title 10, United States Code, listed in the Clerk’s Report (defined in subsection (j)):

1. Sections 113(c) and 113(j), listed on page 57 of the Clerk’s Report.


5. Section 226, specified on page 149 of the Clerk’s Report as section 1002 of Public Law 102-190.

6. Section 626(b), listed on page 58 of the Clerk’s Report.

7. Section 146(d), listed on page 60 of the Clerk’s Report.


10. Section 2011(e), listed on page 56 of the Clerk’s Report as Pub. L. 102-190-190.

11. Section 206(b), listed on page 64 of the Clerk’s Report as 10 U.S.C. 2208(b).

12. Section 2391(c), listed on page 62 of the Clerk’s Report.

13. Section 2431(a), listed on page 63 of the Clerk’s Report.

14. Section 2432, listed on page 63 of the Clerk’s Report.

15. Section 2433, listed on page 63 of the Clerk’s Report as 10 U.S.C. 2433(e)(1) and 2433(e)(2)(A).


17. Section 256(b), listed on pages 69, 74, and 76 of the Clerk’s Report.

18. Section 2687(b), listed on page 62 of the Clerk’s Report.

19. Section 2766, listed on page 60 of the Clerk’s Report.

20. Section 2859, listed on page 58 of the Clerk’s Report.


22. Section 1051(a), listed on page 57 of the Clerk’s Report as 10 U.S.C. 115(a).

23. Section 1202(d), listed on page 14 of the Clerk’s Report as 10 U.S.C. 177(d).


(c) TITLES 11.—Subsection (a) applies with respect to sections 1008(a) and 1008(b) of title 37, United States Code, listed on page 14 of the Clerk’s Report (defined in subsection (j)), as follows:

SEC. 1023. REPORT ON ASSESSMENTS OF READINESS TO EXECUTE THE NATIONAL MILITARY STRATEGY.

(a) Requirement for Report.—(1) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives in unclassified form a report on assessments of the readiness of the United States to execute the National Military Strategy.

(b) Content.—The report shall contain the following:

(A) A consolidation of the integrated priority lists of requirements of the combatant commands established under section 161 of this title.
(B) The Chairman’s views on the consolidated lists.
(C) The committees of Congress referred to in paragraph (1) are the Committees on Armed Services and on Appropriations of the Senate and House of Representatives.

SEC. 1025. SPACE TECHNOLOGY GUIDE.

(a) Requirement.—Not later than January 31, 2000, the Secretary of Defense shall submit to the Comptroller General a report on the requirements of the United States and other nations for space technology systems. In the development of the guide, demonstrations of space technology, and investment in space science and technology, the Secretary shall include a discussion of strategic and operational requirements that cannot be reconciled; and

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

(1) The Secretary shall submit to the Comptroller General a report on the quantity of the items in the inventory as of the beginning of the fiscal year.

(2) The quantity of acquisitions of the item during the fiscal year.

(3) The quantity of disposals of the item during the fiscal year.

(4) The quantity of losses of the item during the fiscal year.

(5) The quantity of the item in the inventory as of the end of the fiscal year.

(6) A reconciliation of the quantity of each item in the inventory as of the beginning of the fiscal year with the quantity of the item in the inventory as of the end of fiscal year.

(7) The quantities used by the Armed Services to execute the strategy and all other relevant activities.

(8) The quantities needed for the United States to take full advantage of space for national security purposes.

(c) Relationship to Activities Outside the Department of Defense.—The Secretary shall include in the guide a discussion of the potential for cooperative investment and technology development with other departments and agencies of the United States and with private sector entities.

(d) Utilization of Previous Studies and Reports.—The Secretary shall make available to the Comptroller General any reports that may be relevant to the development of the guide, including the United States Space Command’s Long Range Plan of 1997 and the Joint Chiefs of Staff’s Guide to the Armed Forces of the United States, and the Congress and the Secretary of Defense.

SEC. 1027. COMPTROLLER GENERAL REPORT ON ANTICIPATED EFFECTS OF PROPOSED CHANGES IN OPERATING THE DEFENSE DEPARTMENT'S CHEMICAL AGENTS AND MUNITIONS.

(a) Requirement.—Not later than March 21, 2000, the Comptroller General shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report on the proposal in the
latest quadrennial defense review to reduce the workforce necessary to maintain the operation of the eight storage sites for lethal chemical agents and munitions in the continental United States and to convert to contractor operation of the storage sites. The workforce reductions addressed in the report shall include those that are to be effectuated by fiscal year 2002.

(b) DECONTAMINATION READINESS PLAN.—

The Secretary of Defense shall develop a decontamination readiness plan for the Consequence Management Program Integration Office. The plan shall include the following:

(1) A detailed description of the threats referred to in subsection (a);

(2) An analysis of such threats in terms of the probability that an attack or other threat event will actually occur, the military challenge posed by the threats, and the potential damage that the threats could have to the national security interests of the United States;

(3) An analysis of the allocation of funds in the fiscal year 2001 budget and the future-years defense program that addresses the threats in each sector of the C3 system architecture, by the Alliance;

(4) A justification for each major defense acquisition program (as defined in section 2430 of title 10, United States Code) that is provided for in the budget in light of the description and analyses set forth in the report.

(c) FORM OF REPORT.—The report shall be submitted in unclassified form, but may also be submitted in classified form if necessary.

SEC. 1031. REPORT ON NATO’S DEFENSE CAPABILITIES INITIATIVE.

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

(1) At the Washington Summit meeting of the North Atlantic Council in April 1999, NATO Heads of State and Governments launched a Defense Capabilities Initiative.

(2) The Defense Capabilities Initiative is designed to improve the defense capabilities of the individual Allies and the Partnership for Peace to Alliance to ensure the effectiveness of future operations across the full spectrum of Alliance missions in the present and foreseeable future.

(3) Under the Defense Capabilities Initiative, special focus will be given to improving interoperability among Alliance forces and encouraging them to prepare through the application of the latest and most modern equipment and tactics to improve the deployment and mobility of Alliance forces, the sustainability and logistics of the forces, the survivability of the defense engagement capability of the forces, and command and control and information systems.

(4) The successful implementation of the Defense Capabilities Initiative will serve to enable the NATO allies to make a more equitable contribution to the full spectrum of Alliance missions, thereby increasing burden-sharing within the Alliance and enhancing the ability of European allies to undertake operations pursuant to the European Security and Defense Identity within the Alliance.

(b) ANNUAL REPORT.—(1) Not later than January 31 of each year, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and International Relations of the House of Representatives a report on implementation of the Defense Capabilities Initiative by the nations of the NATO Alliance. The report shall include the following:

(i) Interoperability with other Alliance forces.

(ii) Deployability and mobility.

(iii) Sustainability and logistics.

(iv) Survivability and effective engagement capability.

(v) Command and control and information systems.

The report shall be submitted in unclassified form, but may also be submitted in classified form if necessary.
of services to veterans by the Secretary. The report shall include an assessment of any costs and benefits associated with the use of such facilities and infrastructure for such support.

(2) The Secretary of Defense shall transmit to Congress the report submitted under paragraph (1), together with any comments on the report that the Secretary considers appropriate.

(b) TRANSMITTAL DATE.—The report shall be transmitted under subsection (a)(2) not later than April 1, 2000.

SEC. 1034. 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 (1), including the installations visited, the duration of the visits, and the activities conducted during the visits.

(3) The involvement, if any, of the general and flag officers referred to in paragraph (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 in 1999.

(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, short-term studies, and all receipts for expenses over $1,000, concerning military-to-military contacts or exchanges between the United States and the People's Republic of China in 1999.

(8) An assessment regarding whether or not any People's Republic of China military officials 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.

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

Subtitle D—Other Matters

SEC. 1041. LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR FORCES.


(b) MINIMUM LEVELS FOR CERTAIN SYSTEMS.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking “71” and inserting “76”; and

(2) in paragraph (2), by striking “13” and inserting “18”.

SEC. 1042. LIMITATION ON REDUCTION IN UNITED STATES STRATEGICNUCLEAR FORCES.

(a) LIMITATION ON REDUCTION OF UNITED STATES STRATEGIC NUCLEAR FORCES.—None of the funds authorized to be appropriated by this or any other Act for fiscal year 2000 may be used for the reduction of United States strategic nuclear forces below the maximum number of those forces, for each category of nuclear arms, permitted under section 1501 of the National Defense Authorization Act for Fiscal Year 1998 (Pub. L. 105–85; 111 Stat. 1948), as amended by the Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) below the level specified for the system in that section, as amended by section 1041.

(b) DEFINITIONS.—In this section:


(2) UNITED STATES STRATEGIC NUCLEAR FORCES.—The term “United States strategic nuclear forces” includes intercontinental ballistic missiles (ICBMs) and ICBM launchers, submarine-launched ballistic missiles (SLBMs) and SLBM launchers, heavy bombers, ICBM warheads, SLBM warheads, and heavy bomber nuclear armaments.

SEC. 1043. COUNTERPROLIFERATION PROGRAM REQUIREMENTS.


(b) EXECUTIVE SECRETARY OF THE COMMISSION.—Paragraph (5) of section 1605(a) of the National Defense Authorization Act for Fiscal Year 1994 (22 U.S.C. 2751 note) is amended to read as follows:

“(5) The Assistant Secretary of Defense for Strategy and Threat Reduction shall serve as executive secretary to the committee.”.

(c) EARLIER DEADLINES FOR ANNUAL REPORT ON COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.—Section 1503(a) of the National Defense Authorization Act for Fiscal Year 1994 (22 U.S.C. 2751 note) is amended to read as follows:

“(a) Limitation on amount of assistance for fiscal year 2000 that is provided by the Secretary of Defense under section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) as activities of the Department of Defense in support of activities under that Act may not exceed $15,000,000.

SEC. 1045. PERIOD COVERED BY ANNUAL REPORT ON ACCOUNTING FOR UNITED STATES ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.

The section is amended to read as follows:

Section 1206(a)(2) of the National Defense Authorization Act for Fiscal Year 1996 (Pub. L. 104–106, 110 Stat. 471; 22 U.S.C. 5855 note) is amended to read as follows:

“(2) The report shall be submitted under this section not later than January 31 of each year and shall cover the fiscal year ending in the preceding year. No report is required under this section after the completion of the Cooperative Threat Reduction programs.”.

SEC. 1046. SUPPORT OF UNITED NATIONS-SPONSORED EFFORTS TO INSPECT AND MONITOR IRAQI WEAPONS ACTIVITIES.

(a) LIMITATION ON AMOUNT OF ASSISTANCE.—Section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) is amended by striking “1999” and inserting “2000”.

SEC. 1047. INFORMATION ASSURANCE INITIATIVE.

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

(1) The United States is becoming increasingly dependent upon its national information systems for national security, economic security, and a broad range of other vital national interests.

(2) Presidential Decision Directive 63, dated May 22, 1998, recognizes the importance of information assurance and sets forth policy and organizational recommendations for addressing the information assurance challenges.

(3) The Department of Defense has undertaken significant steps to address threats to the Defense Information Infrastructure, including the establishment of a Defense Information Assurance Program.

(4) Notwithstanding those actions and other important actions taken by the President and the Secretary of Defense to address the challenges of information assurance, the Department of Defense, other Federal departments and agencies, and a broad range of private sector entities continue to face new challenges and threats to their information systems.

(b) Limitation of Secretary of Defense can and should play an important role in helping address a broad range of information warfare threats to the United States, the Secretary recommends the funding needed to address the vulnerabilities of the information systems and other infrastructures, within and outside of the Department of Defense, on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.
(6) It is important for the Secretary of Defense to work closely with the heads of all departments and agencies of the Federal Government concerned to identify areas in which the Department of Defense can contribute to securing critical national infrastructures beyond the areas under the direct oversight and control of the Secretary of Defense.

(b) DEFENSE INFORMATION ASSURANCE PROGRAM.—(1) The Secretary of Defense shall carry out an information assurance program.

(2) The Secretary shall submit to Congress an annual report on the program. The report shall include the Department of Defense information assurance guide applicable under subsection (c) as of the date of the report. The first report shall be submitted not later than March 15, 1999.

(c) DEFENSE INFORMATION ASSURANCE GUIDE.—(1) The Secretary of Defense shall prepare a Department of Defense information assurance guide for the development of appropriate organizational structures and technologies for information assurance under subsection (b). The Secretary shall modify or replace the guide from time to time to maintain the current relevance of the guide.

(2) The Department of Defense information assurance guide shall include the following:

(A) A plan for developing information assurance technologies, including the criteria used to prioritize research, development, and procurement investments in such technologies.

(B) A plan for organizing the Department of Defense to defend against information warfare threats, including the organizational changes that are planned or being considered together with a recitation of the organizational changes that have been implemented.

(C) A plan for working with other departments and agencies of the Federal Government and with State and local organizations to strengthen the security of the information systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(D) An assessment of the threats to information infrastructures in the United States on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises, including an assessment of technical and other vulnerabilities in Defense Department information and communications systems.

(E) A plan for conducting exercises, war games, simulations, experiments, and other activities designed to prepare the Department of Defense to respond to information warfare threats.

(F) Any proposal for legislation that the Secretary considers necessary for implementing the Defense information assurance program or for otherwise responding to information warfare threats.

(G) Any other information that the Secretary determines relevant.

(d) INFORMATION ASSURANCE TESTBED.—(1) The Secretary shall develop a Department of Defense information assurance testbed. In developing the testbed, the Secretary shall consult with the heads of the other departments and agencies of the Federal Government, and with representatives of the information assurance organizations that the Secretary determines as being concerned with defense information assurance.

(2) The information assurance testbed shall include the following:

(A) An integrated organizational structure within the Department of Defense to plan and facilitate the conduct of simulations, war games, exercises, experiments, and other activities designed to prepare and inform the Department of Defense regarding information warfare threats.

(B) Organizations and planning means for the conduct of Defense of Defense integrated or joint exercises and experiments with the commercial organizations and the organizations of other departments and agencies of the Federal Government concerned to identify areas in which the Department of Defense can contribute to securing critical national infrastructures beyond the areas under the direct oversight and control of the Secretary of Defense.

(c) REPORT.—The task force shall submit to the Secretary of Defense a report containing the task force recommendations not later than February 1, 2000. The Secretary shall submit the report, together with the comments and recommendations of the Secretary of Defense and the Congression al defense committees not later than March 1, 2000.

(d) FEDERAL REPUBLIC OF YUGOSLAVIA DEFENSE INFORMATION ASSURANCE TASK FORCE.—In this section the term "Federal Republic of Yugoslavia" means the Federal Republic of Yugoslavia (Serbia and Montenegro).

SEC. 1049. PREVENTION OF INTERFERENCE WITH DEPARTMENT OF DEFENSE USE OF FREQUENCY SPECTRUM.

(a) COMPATIBILITY WITH DEFENSE SYSTEMS.—A non-Department of Defense entity operating a communication system, device, or apparatus on any portion of the frequency spectrum used by the Department of Defense, whether or not licensed to do so, shall ensure that the system, device, or apparatus is designed not to interfere with and not to result in interference with communication systems that are operated by or for the Department of Defense on that portion of the frequency spectrum as of the date of the enactment of this Act. The preceding sentence does not apply to the operation, by a non-Department of Defense entity, of a communication system, device, or apparatus on any portion of the frequency spectrum as of the date of the enactment of this Act, reserved for exclusively nonmilitary use.

(b) COSTS OF REDESIGN OR REBUILDING OF MILITARY SYSTEMS.—If it is necessary for the Department of Defense to redesign or rebuild a communication system used by the Department of Defense because of a violation of subsection (a) by a non-Department of Defense entity, that entity shall be liable to the United States for the costs incurred by the United States for the redesign or rebuilding of the Department of Defense system or, if the entity is a department or agency of the United States, shall transfer to the Department of Defense funds in the amount of such costs.

(c) EFFECTIVE DATE.—This section applies with respect to operation of a communication system, device, or apparatus fielded on or after October 1, 1999.

SEC. 1050. ON-SHORE ENTITIES INTERFERING WITH DEPARTMENT OF DEFENSE USE OF THE FREQUENCY SPECTRUM.

(a) LIMITATION ON USE OF FUNDS.—Funds authorized to be appropriated or otherwise made available by this or any other Act may not be used to enter into any contract with, make any payment to, or issue any broadcast or other license or permit to any entity that broadcasts from outside the United States frequencies that, as of the date of the enactment of this Act, is reserved to or used by the Department of Defense.

(b) SAVINGS PROVISION.—The provisions of subsection (a) shall not be construed to interfere with the enforcement authority of the Federal Communications Commission under the Communications Act of 1934 or any other law.
§ 130b. Nondisclosure of information: personnel in overseas, sensitive, or routinely deployable units.

(a) In general.—Chapter 3 of title 10, United States Code, is amended by inserting after section 130a the following:

"§ 130b. Nondisclosure of information: personnel in overseas, sensitive, or routinely deployable units.

"(a) Exemption from disclosure.—Notwithstanding any other provision of law, the Secretary of Defense and, with respect to the Coast Guard when it is not operating as a service in the Navy, the Secretary of Transportation may authorize to be withheld from disclosure to the public the name, rank, duty address, official capacity, and information regarding the pay of—

1. Members of the armed forces assigned to overseas, sensitive, or routinely deployable units;

2. Employees of the Department of Defense or of the Coast Guard whose duty stations are with overseas, sensitive, or routinely deployable units.

(b) Exceptions.—(1) The authority in subsection (a) is subject to such exceptions as the President may direct.

(2) Subsection (a) does not authorize any official to withhold, or to authorize the withholding of, information from Congress.

(c) Definitions.—In this section:

1. The term 'deployable unit' means a military organization of the armed forces designated as a unit by a competent authority.

2. The term 'sensitive unit' means a unit that is involved in training for the conduct of, or conducting, special activities or classified missions, including the following:

(A) A unit involved in collecting, handling, disposing, or storing of classified information and materials.

(B) A unit engaged in training—

(i) Operations, security group commands, security group centers.

(ii) Security group commands.

(iii) Communications stations.

(C) Any other unit that is designated as a sensitive unit by the Secretary of Defense or, in the case of the Coast Guard when it is not operating as a service in the Navy, by the Secretary of Transportation.

3. The term 'routinely deployable unit' means a unit that regularly deploys outside the United States and its territories.

(b) Authority to withhold.—Subchapter II of chapter 22 of title 10, United States Code, as amended by section 1053, is further amended by adding at the end the following:

"§ 458. Withholding of operational files from public disclosure.

"(a) Authority.—The Secretary of Defense may withhold from public disclosure operational files described in subsection (b) to the same extent that operational files may be withheld under title II of the National Security Act of 1947 (50 U.S.C. 431).

"(b) Operational files defined.—In this section, the term "operational files" means the meaning given the term in section 701(b) of the National Security Act of 1947 (50 U.S.C. 431(b))."

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter, chapter 22, and title 10, United States Code, is further amended by adding at the end the following:

"§ 458. Withholding of certain commercially significant information from public disclosure.

"(a) Authority.—The Secretary of Defense may withhold from public disclosure information in the possession of the National Imagery and Mapping Agency that—

1. Concerns the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center; and

2. Concerns the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center.

(c) Operational files defined.—In this section, the term "operational files" has the meaning given the term in section 701(b) of the National Security Act of 1947 (50 U.S.C. 431(b))."

SEC. 1054. NONDISCLOSURE OF INFORMATION OF THE NATIONAL IMAGERY AND MAPPING AGENCY HAVING COMMERCIAL SIGNIFICANCE.

(a) Authority to withhold.—Subchapter II of chapter 22 of title 10, United States Code, as amended by section 1053, is further amended by adding at the end the following:

"§ 459. Withholding of certain commercially significant information from public disclosure.

"(a) Authority.—The Secretary of Defense may withhold from public disclosure information in the possession of the National Imagery and Mapping Agency that—

1. Concerns the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center; and

2. Concerns the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center.

(c) Operational files defined.—In this section, the term "operational files" has the meaning given the term in section 701(b) of the National Security Act of 1947 (50 U.S.C. 431(b))."

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter, chapter 22, and title 10, United States Code, is further amended by adding at the end the following:

"§ 459. Withholding of certain commercially significant information from public disclosure.

"(a) Authority.—The Secretary of Defense may withhold from public disclosure information in the possession of the National Imagery and Mapping Agency that—

1. Concerns the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center; and

2. Concerns the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center.

(c) Operational files defined.—In this section, the term "operational files" has the meaning given the term in section 701(b) of the National Security Act of 1947 (50 U.S.C. 431(b))."

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter, chapter 22, and title 10, United States Code, is further amended by adding at the end the following:

"§ 459. Withholding of certain commercially significant information from public disclosure.

"(a) Authority.—The Secretary of Defense may withhold from public disclosure information in the possession of the National Imagery and Mapping Agency that—

1. Concerns the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center; and

2. Concerns the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center.

(c) Operational files defined.—In this section, the term "operational files" has the meaning given the term in section 701(b) of the National Security Act of 1947 (50 U.S.C. 431(b))."
If such sources fully reimburse the United States for the costs incurred—

"(d) AUTHORIZED SUPPORT.—The following support may be provided for activities under the program:

"(1) Administrative and instructional personnel.

"(2) Facilities.

"(3) Instructional materials, including textbooks.

"(4) Equipment.

"(5) To the extent considered appropriate by the Secretary of the military department concerned, any additional resources (including transportation and billeting) that may be available.

"(e) PERSONS ELIGIBLE TO PARTICIPATE IN PROGRAM.—The Secretary of Defense shall prescribe the standards and procedures for selecting persons to participate in the program.

"(f) PROGRAM PERSONNEL.—(1) The Secretary of the military department concerned may—

"(1) authorize members of the armed forces to provide administrative, training, or supporting services for the program on a full-time basis; and

"(2) employ or procure by contract civilian personnel for such services.

"(g) REGULATIONS.—The Secretary of Defense shall prescribe regulations governing the conduct of the program.

"(h) ANNUAL REPORT.—Within 90 days after the end of each fiscal year, the Secretary of Defense shall submit a report on the program to Congress. The report shall contain a discussion of the design and conduct of the program and an evaluation of the effectiveness of the program.

"(1) STATE DEFINED.—In this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and Guam..."

(b) EXISTING STARBASE ACADEMIES.—While continuing in operation, the academies existing on the date of the enactment of this Act under the Department of Defense STARBASE Program, as such program is in effect on such date, shall be counted for the purpose of meeting the requirement under section 2193(c)(1) of title 10, United States Code (as added by subsection (a)), relating to the minimum number of STARBASE academies.

(c) REORGANIZATION OF CHAPTER.—Chapter 111 of title 10, United States Code, as amended by subsection (a), is further amended—

"(1) by redesignating subsection (c) of section 2193 as subsection (d).

"(d) CLERICAL AMENDMENTS.—(1) The heading for section 2192 of such title is amended to read as follows:

"§ 2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering.

"(2) The heading for section 2193 is amended to read as follows:

"§ 2193. Improvement of education in technical fields: grants for higher education in science and mathematics.

"(3) The table of sections at the beginning of such chapter is amended by striking the items relating to sections 2192 and 2193 and inserting the following:

"2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering.

"2193. Improvement of education in technical fields: grants for higher education in science and mathematics.

"2193a. Improvement of education in technical fields: grants for higher education in science and mathematics.

"2193b. Improvement of education in technical fields: program for support of elementary and secondary education in science and mathematics.

SEC. 1058. PROGRAM TO COMMEMORATE THE 50TH ANNIVERSARY OF THE KOREAN WAR.

(a) PERIOD OF PROGRAM.—Section 1083(a) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1918; 10 U.S.C. 113 note) is amended by striking "During fiscal years 2000 through 2004, the Secretary of Defense":

(b) CHANGE OF NAME.—(1) Section 1083(c) of such Act is amended—

"(1) authorize members of the armed forces for support of elementary and secondary education in science and mathematics.

"(2) The limitation in paragraph (2) shall not apply to grants to a unit of the Armed Forces or a similar organization to commemorate the Korean War from funds available to the unit or similar organization for that purpose and for that purpose only.

"(3) The limitation in paragraph (2) shall not apply to grants to a unit of the Armed Forces or a similar organization to commemorate the Korean War from funds available to the unit or similar organization for that purpose and for that purpose only.

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

commitment or obligation on the United

Strategic Concept of NATO imposes any new

certify to the Senate whether or not the new

SEC. 1063. LEGAL EFFECT OF THE NEW STRA-

tous system.''.

Code, is amended by adding at the end the

resolution to the conflict in Kosovo that

hend war criminals already under indict-

issued by the ICTY, and the United States

for war crimes, crimes against humanity,

ligence services, should provide all possible

specific documentary evidence implicating

vented the ongoing atrocities in Kosovo; and

after the conflict in Bosnia may have pre-

June 7, 1999

beyond the borders of NATO member na-

ment of NATO forces will be ''out of area'' or

several member nations, where the commit-

facing NATO in the first decade of the next

maining an analysis of the potential threats

SEC. 1062. EXPANSION OF LIST OF DISEASES PRE-

SUMED TO BE SERVICE-CONNECTED FOR RADIATION-EXPOSED VET-

612.0x792.0

The Secretary of Defense may not delegate

The authority provided in this section is in

Department of Justice to cover the costs of re-

providing the assistance. In extraordinary

circumstances, the Secretary of Defense may

waive reimbursement upon determining that

a waiver of the reimbursement is in the na-

tional security interests of the United States

and submitting to Congress a notification of the
determination.

If funds are appropriated for the Depart-

ment of Justice to cover the costs of re-

sponding to an act or threat for which assist-

ance is provided under subsection (a), the De-

partment of Defense shall be reimbursed out of

such funds for the costs incurred by the

department in providing the assistance with-

out regard to whether the assistance was

provided on a reimbursable basis. Notwith-

standing any other provision of law, the

amounts of reimbursement shall be limited to

the actual costs of providing the assistance.

(2) The United States, through its intel-

ligence services, should provide all possible

cooperation in the gathering of evidence of

sufficient specificity and credibility to se-

cure the indictment of those responsible for

the commission of war crimes, crimes against

humanity, and genocide in the former

former Yugoslavia;

(3) where evidence warrants, indictments

for war crimes, crimes against humanity,

and genocide should be issued against sus-

pects under their position within the

Serbian leadership;

(4) the United States and all nations have

an obligation to honor arrest warrants

issued under subsection (a), and the United States

should use all appropriate means to appreh-

end war criminals already under indictment;

and

(5) NATO should not accept any diplomatic

resolution to the conflict in Kosovo that

would bar the indictment, apprehension, or

prosecution of war criminals for crimes com-

mitted in Kosovo.

SEC. 1063. LEGAL EFFECT OF THE NEW STRA-

TIC CONCEPT OF NATO.

(a) CERTIFICATION Required.—Not later

than 30 days after the date of enactment of

this Act, the President shall determine and

certify to the Senate whether or not the new

Strategic Concept of NATO imposes any new

commitment or obligation on the United States.

(b) SENSE OF THE SENATE.—It is the sense

of the Senate that, if the President certifies

under subsection (a) that the new Strategic

Concept of NATO imposes any new commit-

ment or obligation on the United States, the

President should submit the new Strategic

Concept of NATO to the Senate as a treaty

for ratification under Article II, Section 2, Clause 2

of the Constitution of the United States.

(c) REPORT.—Together with the certifi-

cation made under subsection (a), the Presi-

dent shall submit to the Senate a report con-
	aining an analysis of the potential threats

cacing NATO in the first decade of the next

millicentum the document approved by the

Heads of State and Government partici-

pating in the meeting of the North Atlantic

Council in Washington, DC, on April 23 and

24, 1999, may have pre-

SEC. 1064. MULTINATIONAL ECONOMIC EMBAR-

GOES AGAINST GOVERNMENTS IN ARMED CONFLICT WITH THE UNITED

(a) POLICY ON THE ESTABLISHMENT OF EM-

BARGOES.—

(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 condemnation of a multi-

national 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 set-

ting 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 revenue

that directly or indirectly support the abil-

ity of the adversarial government to sustain

a military conflict against the Armed Forces

of the United States.

SEC. 1065. CONDITIONS FOR LENDING OBSOLETE

OR CONDEMNED RIFLES FOR FU-

NERAL CEREMONIES.

Section 4683(a)(2) of title 10, United States

Code, is amended by adding at the end the

following:

"(P) Lung cancer.

"(Q) Colon cancer.

"(R) Tumors of the brain and central nerv-

ous system."

SEC. 1066. 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 for-

eign country or entity controlled by a for-

eign government, or otherwise transfer or con-

vey such object 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 2596(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 deaths of combat or combat-related duties of members of the United States Armed Forces; and

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

SEC. 1067. MILITARY ASSISTANCE TO CIVIL AU-

THORITIES FOR RESPONDING TO TERRORISM.

(a) AUTHORITY.—During fiscal year 2000, the Secretary of Defense, upon the request of the Attorney General, may provide assist-

ance to civil authorities in responding to an act or threat of terrorism, including an act of terror 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) the 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 pursuant to 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 pursuant to this section shall be provided on a reimbursable basis. Notwith-

standing any other provision of law, the amounts of reimbursement shall be limited to covering the incremental costs of providing the assistance.

(2) Funds are appropriated for the Depart-

ment of Justice to cover the costs of re-

sponding to an act or threat for which assist-

ance is provided under subsection (a), the De-

partment of Defense shall be reimbursed out of

such funds for the costs incurred by the

department in providing the assistance with-

out 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 fis-

ca.

(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 de-

terminations and to authorize assistance under this section.

(2) The Attorney General may not delegate to any other official authority to make a re-

quest 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 con-

strued to restrict any authority regarding the members of the armed forces or equip-

ment 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 "act or threat 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,
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(2) The term “weapon of mass destruction” has the meaning given the term in section 11692 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302)).

SEC. 1068. SENSE OF THE CONGRESS REGARDING THE CONTINUATION OF SANCTIONS AGAINST LIBYA.

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

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

(2) On February 25, 1989, the United States indicted two Libyan intelligence agents, Abdul-Basset Ali-Megrahi and Al-Minin 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 Resolution 731, adopted on February 25, 1991, imposed sanctions on Libya ceasing all support for terrorism, turnover 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 the United States or the United Kingdom and had insisted that he would only transfer the two 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.


(9) The United States, consistent with United Nations Security Council resolutions, called on Libya to cease its support of terrorism, 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, lifted its sanctions against Libya that same day.

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

(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 law. The Secretary of State should keep Libya on the list of countries the governments of which have repeatedly provided support for acts of international terrorism, pursuant to Section 721 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—

(1) the President should instruct the United States Government to use all diplomatic means necessary, including the use of the United States veto at the United Nations Security Council, to prevent the continuation of United Nations Security Council sanctions against Libya until Libya fulfills all of the conditions set forth in United Nations Security Council Resolutions 731, 748, and 883.

SEC. 1069. INVESTIGATIONS AND VIOLATIONS OF EXPORT CONTROLS BY UNITED STATES SATELLITE MANUFACTURERS.

(a) NOTICE TO CONGRESS OF INVESTIGATIONS.—The President shall promptly notify Congress whenever an investigation is undertaken of an alleged violation of United States export control laws in connection with a commercial satellite of United States origin.

(b) NOTICE OF CERTAIN EXPORT WAIVERS.—The President shall promptly notify Congress whenever an export waiver is granted by the Secretary of Commerce to a United States person or firm that is the subject of an investigation described in subsection (a). The notice shall include a justification for the waiver.

(c) NOTICE IN APPLICATIONS.—It is the sense of Congress that any United States person or firm subject to an investigation described in subsection (a) that submits to the United States an application for the export of a commercial satellite should include in the application a notice of the investigation.

(d) PROTECTION OF CLASSIFIED AND OTHER SENSITIVE INFORMATION.—The Senate and the House of Representatives shall each establish procedures for withholding information, procedures that are designed to protect and give priority to the national security of the United States.

(e) EXCEPTION.—The requirements of subsections (a) and (b) shall not apply if the President determines that notification of Congress would jeopardize an ongoing criminal investigation. If the President makes such a determination, he shall provide written notification to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, and the Minority Leader of the House of Representatives. Such notification shall include a justification for any such determination.

SEC. 1070. ENHANCEMENT OF ACTIVITIES OF DEFENSE THREAT REDUCTION AGENCY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall prescribe regulations—

(1) to authorize the personnel of the Defense Threat Reduction Agency (DTRA) who monitor satellite launch campaigns overseas to suspend such campaigns at any time if the suspension is required for purposes of the national security of the United States;

(2) to establish appropriate professional and technical qualifications for such personnel;

(3) to allocate funds and other resources to the Agency at levels sufficient to prevent any shortfalls in the number of such personnel;

(4) to establish mechanisms in accordance with the provisions of section 154(a)(2)(A) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-85, 112 Stat. 2175; 22 U.S.C. 2778 note) that provide for—

(A) the allocation to the Agency, in advance of a launch campaign, of an amount equal to the amount expected to be required by the Agency to monitor the launch campaign; and

(B) the reimbursement of the Department, at the end of a launch campaign, for amounts expended by the Agency in monitoring the launch campaign;

(5) to establish a formal technology training program for personnel of the Agency who monitor satellite launch campaigns overseas, including a structured framework for providing training in areas of export control laws;

(6) to review and improve guidelines on the scope of permissible discussions with foreign persons regarding technology and technical information, including law and technical information that should not be included in such discussions;

(7) to provide, on at least an annual basis, briefing to the office of the Secretary of States of United States commercial satellite entities on United States export license standards, guidelines, and restrictions, and encourage such officers and employees to participate in such briefings;

(8) to establish a system for—

(A) the preparation and filing by personnel of the Agency who monitor satellite launch campaigns overseas of detailed reports of all activities observed by such personnel in the course of monitoring such campaigns;

(B) the systematic archiving of reports filed under subparagraph (A); and

(C) the preservation of such reports in accordance with applicable laws; and

(9) to establish a counterintelligence program within the Agency as part of its satellite launch monitoring program.

(b) ANNUAL REPORT ON IMPLEMENTATION OF SATELLITE TECHNOLOGY SAFEGUARDS.—(1) The Secretary of Defense and the Secretary of State shall each submit to Congress each year, as part of the annual report for that year under section 1016(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, the following:

(A) A summary of the satellite launch campaigns overseas and related activities monitored by the Defense Threat Reduction Agency during the preceding year.
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SEC. 1071. IMPROVEMENT OF LICENSING ACTIVITIES BY THE DEPARTMENT OF STATE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prescribe regulations to provide, consistent with the need to protect classified, law enforcement, or other sensitive information, timely notice to the manufacturer of commercial satellites of United States origin of the reasons for a denial or approval with conditions, as the case may be, of the application for license involving the overseas launch of such satellite.

SEC. 1072. ENHANCEMENT OF INTELLIGENCE COMMUNITY ACTIVITIES.

(a) C ONSULTATION WITH DCI—The Secretary of State and Secretary of Defense shall consult with the Director of Central Intelligence throughout the review of an application for a license involving the overseas launch of a commercial satellite of United States origin in order to assure that the launch of the satellite, if the license is approved, will meet any requirements necessary to protect the national security interests of the United States.

(b) ADVISORY GROUP—The Director of Central Intelligence shall establish within the intelligence community an advisory group to provide information and analysis to Congress upon request, and to appropriate departments and agencies of the Federal Government, on licenses involving the overseas launch of commercial satellites of United States origin.

(c) ANNUAL REPORTS ON EFFORTS TO ACQUIRE SENSITIVE UNITED STATES TECHNOLOGY AND INFORMATION—The Director of Central Intelligence shall submit each year to Congress and appropriate officials of the executive branch a report on the efforts of foreign intelligence services and entities during the preceding year to acquire sensitive United States technology and technical information. The report shall include an analysis of the applications for licenses for export that were submitted to the United States during that year.

(d) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ‘intelligence community’ has the meaning given that term in section 102(b)(1) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 1073. ADHERENCE OF PEOPLE’S REPUBLIC OF CHINA TO MISSILE TECHNOLOGY CONTROL REGIME.

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

(1) the President should take all actions appropriate to enter into a bilateral agreement with the People’s Republic of China to adhere to the Missile Technology Control Regime (MTCR) and the MTCR Annex; and

(2) the People’s Republic of China should not be permitted to join the Missile Technology Control Regime as a member without having—

(A) demonstrated a sustained and verified commitment to the nonproliferation of missiles and missile technology; and

(B) adopted an effective export control system for implementing guidelines under the Missile Technology Control Regime and the MTCR Annex.

(b) DEFINITIONS.—In this section:

(1) The term ‘Missile Technology Control Regime’ means the policy statement, between the United States, the United Kingdom, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile–related transfers based on the MTCR Annex, and any amendments thereto.

(2) The term ‘MTCR Annex’ means the Guidelines and Equipment and Technology Annex of the Missile Technology Control Regime, and any amendments thereto.

SEC. 1074. UNITED STATES COMMERCIAL SPACE LAUNCH CAPACITY.

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

(1) It is the National Security Strategy of the United States to ‘‘detain and defeat large-scale, cross-border aggression in two distant theaters and to fortify America’s deterrence and intelligence capabilities’.’

(2) The deterrence of Iraq and Iran in Southwest Asia and the deterrence of North Korea in Northeast Asia represent two such campaigns and activities.

(3) The United States has 70,000 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.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ‘appropriate congressional committees’ means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on Foreign Relations and the Committee on Armed Services of the House of Representatives.

SEC. 1075. ANNUAL REPORTS ON SECURITY IN THE TAIWAN STRAIT.

(a) IN GENERAL.—Not later than February 1 of each year, beginning in the first calendar year after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report, in both classified and unclassified form, detailing the security situation in the Taiwan Strait.

(b) REPORT ELEMENTS.—Each report shall include—

(1) an analysis of the military forces facing Taiwan from the People’s Republic of China;

(2) an evaluation of the deterrent forces of the Republic of China on Taiwan, consistent with a relevant provision of the United States in the Taiwan Relations Act (Public Law 96–6)

(3) an assessment of any challenges during the preceding year to the offensive military capabilities of the People’s Republic of China; and

(4) an assessment of any challenges during the preceding year to the deterrent forces of the Republic of China on Taiwan, consistent with a relevant provision of the United States in the Taiwan Relations Act (Public Law 96–6).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ‘appropriate congressional committees’ means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on Foreign Relations and the Committee on Armed Services of the House of Representatives.

SEC. 1076. DECLASSIFICATION OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.

Section 3161(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–278; 50 U.S.C. 435 note) is amended by adding at the end the following:

(9) The actions to be taken to ensure that records subject to Executive Order No. 12958 that have previously been determined to be suitable for release to the public are reviewed on a page by page basis for Restricted Data or Formerly Restricted Data unless such records have been determined to be highly unlikely to contain Restricted Data or Formerly Restricted Data.

SEC. 1077. DISENGAGING FROM NONCRITICAL OVERSEAS MISSIONS INVOLVING UNITED STATES COMBAT FORCES.

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

(1) It is the National Security Strategy of the United States to ‘‘detain and defeat large-scale, cross-border aggression in two distant theaters and to fortify America’s deterrence and intelligence capabilities’.’

(2) The deterrence of Iraq and Iran in Southwest Asia and the deterrence of North Korea in Northeast Asia represent two such campaigns and activities.

(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.

(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 fiscal year 1998, 28,000 United States Army soldiers were deployed to more than 70 countries for over 300 separate missions.

(10) Active Air Force fighter wings have gone from 22 to 13 since 1991, while 70 percent of air sorties in Operation Allied Force over the Balkans are United States-flown and the Air Force continues to 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 aircrew pilots—just 127 out of 281—accepted continuation bonuses and remained in service.

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

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

(b) SENSE OF CONGRESS.—It is the sense of Congress that:
The readiness of United States military forces to wage the National Security Strategy of the United States is being eroded from a combination of declining defense budgets and expanded missions.

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

Section 1076. Senate on Negotiations with Indicted War Criminals.

(a) In General.—It is the sense of the Senate that the United States, as a member of NATO, should not negotiate with Slobodan Milosevic, an indicted war criminal, or any other indicted war criminal with respect to ending the conflict in the Federal Republic of Yugoslavia.

(b) Yugoslavia Defined.—In this section, the term “Federal Republic of Yugoslavia” means the Federal Republic of Yugoslavia (Serbia and Montenegro).

Sec. 1079. coast guard education funding.

Section 2006 of title 10, United States Code, is amended—

(1) by striking “Department of Defense education liabilities” in subsection (a) and inserting “armed forces education liabilities”; and

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

“(1) The term ‘armed forces educational liabilities’ means liabilities of the armed forces for benefits under chapter 30 of title 38 and for Department of Defense benefits under chapter 1006 of title 10.”;

(b) 10663 after “future” in subsection (b)(2)(G);

(4) by striking “106” in subsection (b)(2)(C) and inserting “96”;

(5) by inserting “and the Secretary of the Department in which the Coast Guard is operating” after “Defense” in subsection (c)(1);

(6) by striking “Department of Defense” in subsection (d) and inserting “armed forces”;

(7) by inserting “and the Secretary of the Department in which the Coast Guard is operating” in subsection (d) after “Secretary of Defense”;

(8) by inserting “and the Department in which the Coast Guard is operating” after “Defense” in subsection (g); and

(9) by inserting “(f) the Secretary of Defense;” and

(10) by striking “of a military department,” in subsection (g)(3) and inserting “concerned.”


Section 2305(c) of title 10, United States Code, is amended in paragraph (1) by striking “the Department of Defense” and inserting “an agency named in section 2303 of this title”.

Sec. 1081. Attendance at Professional Military Education Schools by Military Personnel of the New Member States of NATO.

(a) Finding.—Congress finds that it is in the national interests of the United States to fully integrate Poland, Hungary, and the Czech Republic, the new member nations of the North Atlantic Treaty Organization, into the NATO alliance as quickly as possible.

(b) Military Education Programs.—The Secretary of each military department shall give due consideration to according a high priority to the attendance of the armed forces, the combined and joint staff of key courses of the Armed Forces, and other schools and training programs of the Armed Forces that admit personnel of foreign armed forces.


(a) Sense of Congress.—It is the sense of Congress that—

(1) the United States should agree to increase the quantitative limitations applicable to commercial space launch services provided by Russian space launch service providers if the Government of the Russian Federation demonstrates a sustained commitment to seek out and prevent the illegal transfer from Russia to Iran or any other country of any prohibited ballistic missile equipment or any technology necessary for the acquisition or development by the recipient country of any ballistic missile;

(2) the United States should demand full and complete cooperation from the Government of the Russian Federation on preventing the illegal transfer from Russia to Iran or any other country of any prohibited fissile material or ballistic missile equipment or any technology necessary for the acquisition or development by the recipient country of any nuclear weapon or ballistic missile; and

(3) the United States should take every appropriate measure necessary to encourage the Government of the Russian Federation to seek out and prevent the illegal transfer from Russia to Iran or any other country of any prohibited fissile material or ballistic missile equipment or any technology necessary for the acquisition or development by the recipient country of any nuclear weapon or ballistic missile.

(b) Definition.—

(1) In General.—The terms “commercial space launch services” and “Russian space launch service providers” have the same meanings given those terms in Article I of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding International Trade in Commercial Space Launch Services, signed in Washington, D.C., on September 2, 1993, as amended by the agreement between the United States and the Russian Federation done at Washington, D.C., on January 30, 1996.

(2) Quantitative Limitations Applicable to Commercial Space Launch Services.—The term “quantitative limitations applicable to commercial space launch services” means the quantitative limits applicable to commercial space launch services contained in Article IV of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding International Trade in Commercial Space Launch Services, signed in Washington, D.C., on September 2, 1993, as amended by the agreement between the United States and the Russian Federation done at Washington, D.C., on January 30, 1996.

Sec. 1083. Recovery and Identification of Remains of Certain World War II Servicemen.

(a) Responsibilities of the Secretary of the Army.—(1) The Secretary of the Army, in consultation with the Secretary of Defense, shall make every reasonable effort, as a matter of high priority, to search for, recover, and identify the remains of United States servicemen of the United States air force lost in the Pacific theater of operations during World War II, including in New Guinea.

(2) The Secretary of the Army shall submit to Congress not later than September 30, 2000, a report detailing the efforts made by the United States Army Central Identification Laboratory to accomplish the objectives described in paragraph (1).

(b) Responsibilities of the Secretary of State.—The Secretary of State, upon receiving the report of the Secretary of the Army, shall—

(1) request that all governments of sovereign nations in the Pacific theater of operations of World War II do the utmost to provide the United States with complete cooperation from the Government of the Russian Federation, the Soviet Union, and any other country to recover personnel missing in action or members of the armed forces of the United States who may have died in captivity in the Pacific theater of operations during World War II.

(2) request that the Government of the Russian Federation, the Soviet Union, or any other country—

(A) provide for the fullest possible recovery of the remains of persons who are United States servicemen; and

(B) expedite the recovery of remains of persons who are United States servicemen;

(3) request that the national interests of the United States be fully accommodated in the recovery of remains of persons who are United States servicemen;

(4) request that the national security and the health and safety of United States citizens and the national interests of the United States are not prohibited by the Chemical Weapons Convention, and shall take into account the national security and the health and safety of United States citizens and the national interests of the United States in the recovery of remains of persons who are United States servicemen; and

(5) request that the national security and the health and safety of United States citizens and the national interests of the United States are not prohibited by the Chemical Weapons Convention, and shall take into account the national security and the health and safety of United States citizens and the national interests of the United States in the recovery of remains of persons who are United States servicemen.

Sec. 1084. Chemical Agents used for Defensive Training.

(a) Authority to Transfer Agents.—(1) The Secretary of Defense may transfer to the Attorney General, in accordance with the Chemical Weapons Convention, quantities of lethal chemical agents required to support training at the Center for Domestic Preparedness in Fort McClellan, Alabama. The quantity of lethal chemical agents transferred under this section may not exceed that required to support training for emergency response personnel in which the health, safety, and law enforcement concerns associated with potential terrorist incidents that might involve the use of lethal chemical weapons or other potentially hazardous materiel.

(b) Responsibilities of the Secretary of the Army.—The Secretary of the Army, in coordination with the Attorney General, shall determine the amount of lethal chemical agents that shall be transferred under this section. Such amount shall be transferred from quantities of lethal chemical agents that are produced, acquired, or retained by the Department of Defense.

(c) The Secretary of Defense may not transfer lethal chemical agents under this section until—

(A) the Attorney General certifies that—

(i) the chemical agents transferred under this section are of the same types and concentrations as those that have been used by the United States Armed Forces for training purposes;

(ii) the chemical agents transferred under this section do not present a danger to human health or the environment;

(iii) the chemical agents transferred under this section do not present a risk of release or unauthorized transfer;

(iv) the chemical agents transferred under this section have been stored, treated, and disposed of in accordance with all applicable requirements for transportation, storage, treatment, and disposal of such chemical agents;

(v) the chemical agents transferred under this section do not contain agents that are or may be incorporated into agents that may be prohibited by the Chemical Weapons Convention; and

(vi) the chemical agents transferred under this section have been handled in accordance with the provisions of the Chemical Weapons Convention;

(B) the Attorney General certifies that the amounts transferred under this section will not be used for any purpose other than those required to support training at the Center for Domestic Preparedness;

(C) the Attorney General certifies that the amounts transferred under this section will be used to support training at the Center for Domestic Preparedness;

(D) the Secretary of the Army certifies that the amounts transferred under this section will be used to support training at the Center for Domestic Preparedness; and

(E) the Attorney General certifies that the amounts transferred under this section will not be used for any purpose other than those required to support training at the Center for Domestic Preparedness;

(F) the Secretary of the Army certifies that the amounts transferred under this section will be used to support training at the Center for Domestic Preparedness.

(2) The Secretary of Defense, in coordination with the Attorney General, shall determine the amount of lethal chemical agents that shall be transferred under this section. Such amount shall be transferred from quantities of lethal chemical agents that are produced, acquired, or retained by the Department of Defense.
agents and for any resulting hazardous waste products.

(b) ANNUAL REPORT.—The Secretary of De-
defense, in consultation with the Attorney Gen-
eral, shall report annually to Congress re-
garding the disposition of lethal chemical
agents transferred under this section.

(c) NON-INTERFERENCE WITH TREATY OBLIGATIONS.—Nothing in this section may be construed as interfering with United States treaty obligations under the Chemical Weap-
ons Convention.

(d) CHEMICAL WEAPONS CONVENTION DE-
FEATED.—The term 'Chemical Weapons Con-
vention' means the Convention on the
Prohibition of the Development, Pro-
duction, Stockpiling and Use of Chemical
Weapons and on Their Destruction, opened

SEC. 1085. 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 Initi-
atives 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 continue to urge the Russian govern-
ment to match the unilateral reductions in the United States inven-
tory 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 work-
ing cooperatively with Russia to reduce the
borders associated with Russia's tactical nuclear
arsenal.

(b) ANNUAL REPORTING REQUIREMENT.—(1) Each
year, the Comptroller General of the United
States shall submit to Congress a report on
the 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. 2556 note) after fiscal year 1999 shall include, regard-
ing Russia's arsenal of tactical nuclear war-
heads, the following:

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

(B) An assessment of the strategic rel-
evance of these weapons;

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

(D) A summary of past, current, and
planned United States efforts to work coop-
eratively with Russia to ensure, for secure,
and reduce Russia's stockpile of tactical nu-
clear warheads and associated fissile mate-
rial.

(2) The Secretary shall include in the an-
nual 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 mat-
ters.

(c) VIEWS OF THE DIRECTOR OF CENTRAL IN-
TELLIGENCE.—The Director of Central Intel-
ligence shall submit to the Secretary of De-
defense, in the annual report under subsection (b), the Director's views on
the matters described in paragraph (1) of
that subsection regarding Russia's tactical
nuclear weapons.

SEC. 1086. COMMEMORATION OF THE VICTORY
OF FREEDOM IN THE COLD WAR.

(a) FINDINGS.—Congress makes the fol-
lowing findings:

(1) The Cold War between the United States and the former Union of Soviet So-
cialist 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 free-
dom.

(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 sol-
diers, sailors, Marines, and airmen paid the
ultimate price during the Cold War in order
to preserve the freedoms and liberties en-
joyed in democratic countries.

(6) The Berlin Wall erected in Berlin, Ger-
many, epitomized the totalitarianism that
the United States struggled to eradicate dur-
ing 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 anniv-
erary of the fall of the Berlin Wall.

(b) DUTIES OF THE SECRETARY OF DEFENSE.

(1) DUTY TO PREPARE A FORMAL REPORT.—The
Secretary of Defense shall, at the expense of the
United States assistance under Cooperative
Threat Reduction, prepare, submit, and tran-
smit to the Senate, the House of Representa-
tives, and the Commissioner on Victory in the Cold War
a report containing
a description of the events that
occurred during the Cold War that
are associated with victory in the
Cold War.

(2) The report submitted under paragraph
(1) shall include:

(A) An assessment of the cost and
benefits of the Cold War and the
role of United States assistance
under Cooperative Threat Red-
uction in achieving those
benefits.

(B) An assessment of the role of the
Cold War in the history and
memory of the American
people.

(C) An assessment of the role of the
Cold War in the history and
memory of the Russian
people.

(3) The report submitted under paragraph
(1) shall be submitted to the Senate and
the House of Representatives on or before
November 9, 1999.

(c) VIEWS OF THE DIRECTOR OF CENTRAL IN-
TELLIGENCE.—The Director of Central
Intelligence shall submit to the Secretary of
Defense, in the annual report under sub-
paragraph (A), the Director's views on
the matters described in paragraph (1) of
that subsection regarding Russia's tactical
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designated under section 1580 of title 10 as an emergency essential employee; and
"(ii) the term 'combat zone' has the meaning given such term in section 112(c)(2) of the Internal Revenue Code of 1986'.

(b) Emergency Essential Employees.—(1) Chapter 81 of Title 10, United States Code, is amended by inserting after the table of sections at the beginning of such chapter the following new section 1580:

 SEC. 1104. Leave Without Loss of Benefits for Employees.—(1) Chapter 81 of title 10, United States Code, is amended by striking ''noncombat''.

TIONS INVOLVING NONCOMBAT OPERATIONS.—

SEC. 1104. LEAVE WITHOUT LOSS OF BENEFITS

(a) Criteria for Designation.—The Secretary of Defense or the Secretary of the military department concerned may designate any employee of the Department of Defense, whether permanent or temporary, as an emergency essential employee for the purpose of performing the duties of an emergency essential employee under section 1580 of this title, if the Secretary determines that it is necessary to perform such duties in connection with a ground war or war declared by Congress or the President, the beginning of combat operations of the armed forces, or a military training evacuation.

(b) Eligibility of Employees of Nonappropriated Fund Instrumentalities.—A nonappropriated fund instrumentality employee is eligible for designation as an emergency essential employee under subsection (a) if the employee is—

(1) able to perform the duties of the employee's position to a position authorized to perform such duties under the Uniformed Services Employment and Reemployment Rights Act of 1994; and

(2) designated under section 1580 of title 10 as an emergency essential employee.

(c) Definitions.—In this section:

(1) The term 'combat zone' has the meaning given such term in section 112(c)(2) of the Internal Revenue Code of 1986.

(2) The term 'nonappropriated fund instrumentality employee' has the meaning given such term in section 11694 of such title.

(3) The term 'nonappropriated fund instrumentality' is defined under section 1580 of title 10, United States Code, as amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) inserting after subsection (b) the following new subsection (c):

"(c) The Secretary of the Navy may, notwithstanding the provisions of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

(1) The work schedule, including excess of the regularly scheduled hours or time off for hours of work or tours of duty in excess of the regularly scheduled hours or time off for hours of work or tours of duty.

(2) Any premium pay for or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or time off for hours of work or tours of duty.

(3) The limitations in sections 5307 and 5373 of title 5 shall not apply to the authority of the Secretary under this section to prescribe salary schedules and other related benefits."

SEC. 1106. SALARY SCHEDULES AND RELATED BENEFITS FOR FACULTY AND STAFF OF THE UNIFORMED SERVICES UNIFORMED AND HEALTH SCIENCES.

(a) Lump-Sum Payment of Burial Pay.—Section 5595(i)(4) of title 5, United States Code, is amended by striking "September 30, 1996" and inserting "September 30, 2001".

(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 1175(a)(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."
July 7, 1999

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sacrifices of members of the Armed Forces and the extent to which furtherance of the defense of freedom; and

(D) to foster public pride in the achievements and activities of the Armed Forces;

(2) although the public has adequate inventories of artifacts and representations of the Armed Forces and of the wars in which the United States has engaged are available, either in current inventories or in private or public collections, for loan or other provision to a national military museum; and

(2) develop preliminary proposals for—

(A) the dimensions and design of a national military museum in the National Capital Area;

(B) the location of the museum in that Area; and

(c) the approximate cost of the final design and construction of the museum and of the costs of operating the museum.

(c) ADDITIONAL DUTIES.—If the Commission determines to recommend that Congress authorize the construction of a national military museum in the National Capital Area, the Commission shall also—

(1) recommend one or more sites for the museum;

(2) propose a schedule for construction of the museum;

(3) assess the potential effects of the museum on the environment, facilities, and roadways in the vicinity of the site or sites where the museum is proposed to be located;

(4) recommend the percentages of funding for the museum to be provided by the Federal Government, State and local governments, and private sources, respectively;

(5) assess the potential for fundraising for the museum during the 20-year period following the authorization of construction of the museum; and

(6) assess and recommend various governing structures for the museum, including a governing structure that places the museum within the Smithsonian Institution.

SEC. 1203. REPORT. The Commission shall, not later than 12 months after the date of its first meeting, submit to Congress a report on its findings and conclusions under this subtitle, including any recommendations under section 1202.

SEC. 1204. POWERS. (a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this subtitle, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this subtitle.

SEC. 1205. COMMISSION PROCEDURES. (a) MEETINGS.—The Commission shall meet at the call of the Chairman.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum for any purpose other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission, or by a majority of the members of the Commission present at the meeting.

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

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—(1) Before the Commission acts, any officer or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this subtitle.

SEC. 1206. PERSONNEL MATTERS. (a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their service on the Commission.

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

(c) STAFF.—(1) The Chairman of the Commission may, without regard to the provisions of chapter 68 of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The appointment of a staff director shall be subject to the approval of the Commission.

(2) The chairman of the Commission may, 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 $55,662 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 an employee, at the request of the chairman, to the Commission.

(e) PROCUREMENT OF TEMPORARY AND INTERRUPTED SERVICES.—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 1207. MISCELLANEOUS ADMINISTRATIVE PROVISIONS. (a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as a regular department and agency of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 1208. FUNDING. (a) IN GENERAL.—Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Department of Defense-Wide Operations, Fiscal Year 2000.

(b) REQUEST.—Upon receipt of a written certification from the Chairman of the Commission specifying the funds required for the activities authorized by this Act, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

(c) AVAILABILITY OF CERTAIN FUNDS.—Of the funds available for activities of the Commission under this section, $2,000,000 shall be available for the activities, if any, of the Commission under section 1202(c).

SEC. 1209. TERMINATION OF COMMISSION. The Commission shall terminate 60 days after the date of the submission of its report under section 1203.

Subtitle B—Related Matters

SEC. 1211. FUTURE USE OF NAVY ANNEX PROPERTY, ARLINGTON, VIRGINIA. (a) LIMITATION ON FUTURE USE.—No transfer of any real property of the Navy Annex property, or other use of that property not authorized as of the date of the enactment of this Act, may be carried out until 2 years after the later of—

(1) the date of the submittal of the study on the expansion of Arlington National Cemetery required by the Joint Explanatory Statement of the Committee of Conference to accompany the Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261); or

(2) the date of the submittal of the report of the Commission on the National Military Museum.

(b) NAVY ANNEX PROPERTY DESCRIBED.—For purposes of subsection (a), the Navy Annex property is the parcels of real property located in Arlington, Virginia, as follows:

(1) A parcel bounded by Columbia Pike to the south and east, the property line of the residential properties fronting Oak Street to the west, and the southern limit of Southgate Road to the north.

(2) A parcel bounded by Shirley Memorial Boulevard (Interstate Route 395) to the south, the eastern edge of the Department of Transportation of the Commonwealth of Virginia to the west, Columbia Pike to the north, and the access road to Shirley Memorial Boulevard immediately east of Joyce Street to the east.

TITLE XIII—MILITARY VOTING RIGHTS ACT OF 1999

SEC. 1301. SHORT TITLE. This title may be cited as the ‘‘Military Voting Rights Act of 1999.’’

SEC. 1302. GUARANTEE OF RESIDENCY. Article VII of the Soldiers’ and Sailors’ Civil Relief Act of 1940 (50 U.S.C. 700 et seq.) is amended by adding at the end the following:

‘‘SEC. 704. (a) For purposes of voting for an office of the United States or of a State, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—

‘‘(1) be deemed to have lost a residence or domicile in that State;

‘‘(2) be deemed to have acquired a residence or domicile in any other State; or

‘‘(3) be deemed to have become resident in or a citizen of any other State.

‘‘(b) In this section, the term ‘State’ includes a territory or possession of the United States, a political subdivision of a State, territory, or possession, and the District of Columbia.’’

SEC. 1303. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS. (a) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973f–1) is amended—
(1) by inserting ``(a) ELECTIONS FOR FEDERAL OFFICES.—'' before each State shall—
(2) by adding at the end the following:

``(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—
(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and run-off elections for State and local offices; and
(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.''

(b) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking out “FOR FEDERAL OFFICE.”

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.
This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2000.”

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Richardson</td>
<td>$14,600,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Fort Wainwright</td>
<td>$34,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Fort Irwin</td>
<td>$13,400,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Fort McPherson</td>
<td>$1,750,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Walter Reed Medical Center</td>
<td>$6,800,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Fort Benning</td>
<td>$48,400,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Stewart</td>
<td>$13,800,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Leavenworth</td>
<td>$34,200,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Riley</td>
<td>$27,400,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Blue Grass Army Depot</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Fort Campbell</td>
<td>$56,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Fort Leonard Wood</td>
<td>$10,700,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Butte Army Depot</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$125,400,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Military Ocean Terminal Surrey Point</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Sill</td>
<td>$13,200,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Carlisle Barracks</td>
<td>$8,100,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson</td>
<td>$7,400,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>$50,400,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>$3,800,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Eustis</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fort Lewis</td>
<td>$6,200,000</td>
</tr>
<tr>
<td>CONUS Vortex</td>
<td>CONUS Vortex</td>
<td>$6,400,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$87,700,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Ansbach</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Ansbach Support Group Bamberg</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Mannheim</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Casey</td>
<td>$11,200,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Huehner</td>
<td>$3,250,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Camp Stanley</td>
<td>$3,450,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$86,000,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installation, for the purpose, and in the amount set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Camp Humphreys</td>
<td>60 Units</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$24,000,000</td>
</tr>
</tbody>
</table>

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,300,000.
SEC. 2101. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2625 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $32,600,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $2,194,333,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $796,708,000.
(2) For military construction projects outside the United States authorized by section 2101(b), $86,400,000.
(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $9,500,000.
(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $83,414,000.
(5) For military family housing functions:
(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $61,531,000.
(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,098,080,000.
(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed—

(1) the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a);
(2) $80,800,000 (the balance of the amount authorized under section 2101(a) for the construction of the whole barracks complex renewal at Schofield Barracks, Hawaii); and
(3) $67,400,000 (the balance of the amount authorized under section 2101(a) for the construction of the whole barracks complex renewal at Fort Bragg, North Carolina).

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2201(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Marine Corps Air Station, Yuma</td>
<td>$17,050,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Air-Ground Combat Center, Twentynine Palms</td>
<td>$35,760,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Camp Pendleton</td>
<td>$31,660,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Logistics Base, Barstow</td>
<td>$6,260,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Recruit Depot, San Diego</td>
<td>$3,230,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Lassenore</td>
<td>$10,070,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, North Island</td>
<td>$6,420,000</td>
</tr>
<tr>
<td></td>
<td>Naval Hospital, Twentynine Palms</td>
<td>$7,640,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Whiting Field, Military Mechanicsburg</td>
<td>$4,750,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Logistics Base, Albang</td>
<td>$6,260,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Camp K.M. Smith</td>
<td>$86,050,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station, Kaneohe Bay</td>
<td>$5,790,000</td>
</tr>
<tr>
<td></td>
<td>Naval Shipyard, Pearl Harbor</td>
<td>$10,610,000</td>
</tr>
<tr>
<td></td>
<td>Naval Shipyard, Pearl Harbor</td>
<td>$8,600,000</td>
</tr>
<tr>
<td></td>
<td>Naval Submarine Base, Pearl Harbor</td>
<td>$6,420,000</td>
</tr>
<tr>
<td></td>
<td>Naval Surface Warfare Center, Bayonne</td>
<td>$17,630,000</td>
</tr>
<tr>
<td></td>
<td>Naval Training Center, Great Lakes</td>
<td>$34,760,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Brunswick</td>
<td>$10,070,000</td>
</tr>
<tr>
<td></td>
<td>Naval Construction Battalion Center, Gulfport</td>
<td>$9,170,000</td>
</tr>
<tr>
<td></td>
<td>Naval Ordinance Center Pacific Division, Port Hadlock</td>
<td>$15,610,000</td>
</tr>
<tr>
<td></td>
<td>Naval Construction Battalion Center, Quantico</td>
<td>$15,610,000</td>
</tr>
<tr>
<td></td>
<td>Naval Ordnance Center, Naval Station, Norfolk</td>
<td>$17,630,000</td>
</tr>
<tr>
<td></td>
<td>Naval Shipyard, Norfolk</td>
<td>$69,500,000</td>
</tr>
<tr>
<td></td>
<td>Naval Weapons Station, Yorktown</td>
<td>$70,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Weapons Station, Beaufort</td>
<td>$2,020,000</td>
</tr>
<tr>
<td></td>
<td>Naval Surface Warfare Center</td>
<td>$29,460,000</td>
</tr>
<tr>
<td></td>
<td>Naval Support Activity, Souda Bay</td>
<td>$6,300,000</td>
</tr>
<tr>
<td></td>
<td>Naval Support Activity, Beaufort</td>
<td>$2,020,000</td>
</tr>
<tr>
<td></td>
<td>Tactical Training Group Atlantic</td>
<td>$10,310,000</td>
</tr>
<tr>
<td></td>
<td>Dahlgren</td>
<td>$10,310,000</td>
</tr>
<tr>
<td></td>
<td>Naval Weapons Station, Newport</td>
<td>$6,300,000</td>
</tr>
<tr>
<td></td>
<td>Shipyard, Norfolk, Newport</td>
<td>$17,630,000</td>
</tr>
<tr>
<td></td>
<td>Naval Weapons Station, Washington</td>
<td>$10,070,000</td>
</tr>
<tr>
<td></td>
<td>Naval Surface Warfare Center, In-dian Head</td>
<td>$10,070,000</td>
</tr>
<tr>
<td></td>
<td>Naval Construction Battalion Center, Gulfport</td>
<td>$9,170,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Pearl Harbor</td>
<td>$10,610,000</td>
</tr>
<tr>
<td></td>
<td>Naval Shipyard, Pear Harbor</td>
<td>$8,600,000</td>
</tr>
<tr>
<td></td>
<td>Naval Submarine Base, Pearl Harbor</td>
<td>$6,420,000</td>
</tr>
<tr>
<td>Navy: Outside the United States—Continued</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2201(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>Administrative Support Unit</td>
<td>$63,900,000</td>
</tr>
<tr>
<td>Diego Islands</td>
<td>Naval Support Facility, Diego Cnct.</td>
<td>$8,150,000</td>
</tr>
<tr>
<td>Greece</td>
<td>Naval Support Activity, Souda Bay</td>
<td>$6,300,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Naval Support Activity, Naples</td>
<td>$29,750,000</td>
</tr>
<tr>
<td>South Africa</td>
<td>Naval Support Activity, Souda Bay</td>
<td>$6,300,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$742,560,000</td>
</tr>
</tbody>
</table>

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2201(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>Administrative Support Unit</td>
<td>$63,900,000</td>
</tr>
<tr>
<td>Diego Islands</td>
<td>Naval Support Facility, Diego Cnct.</td>
<td>$8,150,000</td>
</tr>
<tr>
<td>Greece</td>
<td>Naval Support Activity, Souda Bay</td>
<td>$6,300,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Naval Support Activity, Naples</td>
<td>$29,750,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$124,370,000</td>
</tr>
</tbody>
</table>
### SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2294(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $17,715,000.

### SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,076,435,000 as follows:

1. **Inside the United States**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2294(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $165,050,000.

### TITLE XXIII—AIR FORCE

#### SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Maxwell Air Force Base</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$24,300,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Travis Air Force Base</td>
<td>$7,500,000</td>
</tr>
<tr>
<td>California</td>
<td>Travis Air Force Base</td>
<td>$7,500,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>$33,000,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$13,600,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Moody Air Force Base</td>
<td>$3,300,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$8,900,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Aviano Air Base</td>
<td>$3,700,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Osan Air Base</td>
<td>$15,600,000</td>
</tr>
<tr>
<td>Portugal</td>
<td>Lajes Field, Azores</td>
<td>$1,800,000</td>
</tr>
</tbody>
</table>

### SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:
(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $17,471,000.

SEC. 2003. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $129,962,000.

SEC. 2004. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,931,051,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $651,833,000.
(2) For military construction projects outside the United States authorized by section 2301(b), $765,650,000.
(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $8,741,000.
(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $38,264,000.
(5) For military housing functions:
(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $333,671,000.
(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $821,892,000.
(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2833 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed $651,833,000.

SEC. 2205. CONSOLIDATION OF AIR FORCE RESEARCH LABORATORY FACILITIES AT ROME RESEARCH SITE, ROME, NEW YORK.

The Secretary of the Air Force may accept contributions from the State of New York in addition to amounts authorized in section 2304(a)(1) for the project authorized by section 2301(a) for Rome Laboratory, New York, for purposes of carrying out military construction relating to the consolidation of Air Force Research Laboratory facilities at the Rome Research Site, Rome, New York.

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Agency Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical Demilitarization Program</td>
<td>$195,800,000</td>
</tr>
<tr>
<td>Defense Education Activity.</td>
<td>$10,570,000</td>
</tr>
<tr>
<td>Defense Logistics Agency.</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Defense Fuel Supply Center, Elmendorf Air Force Base, Alaska</td>
<td>$23,500,000</td>
</tr>
<tr>
<td>Defense Information Supply Point, New Cumberland, Pennsylvania</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Defense Manpower Data Center.</td>
<td>$12,400,000</td>
</tr>
<tr>
<td>National Security Agency.</td>
<td>$2,946,000</td>
</tr>
<tr>
<td>Special Operations Command.</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Naval Amphibious Base, Coronado, California</td>
<td>$10,300,000</td>
</tr>
<tr>
<td>Fort Benning, Georgia</td>
<td>$12,900,000</td>
</tr>
<tr>
<td>Fort Bragg, North Carolina</td>
<td>$20,100,000</td>
</tr>
<tr>
<td>Fort McClellan, Alabama</td>
<td>$3,300,000</td>
</tr>
<tr>
<td>Tri-Service Management Agency.</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Davis-Monthan Air Force Base, Arizona</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Travis Air Force Base, California</td>
<td>$13,600,000</td>
</tr>
<tr>
<td>Travis Air Force Base, Florida</td>
<td>$1,750,000</td>
</tr>
<tr>
<td>Naval Air Station, Jacksonville, Florida</td>
<td>$3,780,000</td>
</tr>
<tr>
<td>Naval Air Station, Pensacola, Florida</td>
<td>$1,250,000</td>
</tr>
<tr>
<td>Total:</td>
<td>$587,120,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Agency Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andersen Air Force Base, Guam</td>
<td>$64,170,000</td>
</tr>
<tr>
<td>Naval Station Rota, Spain</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Royal Air Force, Feltwell, United Kingdom</td>
<td>$4,570,000</td>
</tr>
<tr>
<td>Royal Air Force, Lakenheath, United Kingdom</td>
<td>$3,770,000</td>
</tr>
</tbody>
</table>
SEC. 2402. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to contingencies of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(8)(A), the Secretary of Defense may improve existing military family housing units in an amount not to exceed $50,000.

SEC. 2403. MILITARY FAMILY HOUSING IMPROVEMENT PROGRAM.

Of the amount authorized to be appropriated pursuant to section 2405(a)(8)(C), $78,756,000 shall be available for credit to the Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code.

SEC. 2404. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(6), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $31,900,000.

SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) In General.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of $1,842,582,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $238,320,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $211,985,000.

(3) For unspecified minor construction projects under section 2805 of title 10, United States Code, $16,818,000.

(4) For construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $398,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $33,661,000.

(6) For energy conservation projects authorized by section 2404, $31,900,000.


(8) For military family housing functions:

(A) For improvement of military family housing and facilities, $50,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $41,440,000 of which not more than $35,639,000 may be obligated or expended for the leasing of military family housing units worldwide.

(C) For credit to the Department of Defense Family Housing Improvement Fund as authorized by section 2805, $78,756,000.


(12) For the construction of the Ammunition Demilitarization Facility, Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999, $35,900,000.

(13) For the construction of the Ammunition Demilitarization Facility, Newport Army Depot, Indiana, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2197), $59,000,000.

(14) For the construction of the Ammunition Demilitarization Facility, Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999, $66,600,000.

(b) Limitation of Total Cost of Construction Projects.—Notwithstanding the cost variation authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed—

(1) the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a); and

(2) $115,000,000 (the balance of the amount authorized under section 2401(a) for the construction of the hospital replacement, Fort Wainwright, Alaska).

SEC. 2406. MODIFICATION OF AUTHORITY TO CONTRACT FOR CERTAIN FISCAL YEAR 1997 PROJECTS.

The table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2173), under the agency heading relating to Chemical Demilitarization Program, is amended in the item relating to Pueblo Chemical Activity, Colorado, by striking "$179,000,000" in the amount column and inserting "$203,500,000".

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amounts appropriated to be appropriated for this purpose in section 2502, and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, in the amount of the cost of projects for the North Atlantic Treaty Organization Security Investment program authorized by section 2501, in the amounts of $316,349,000, $34,806,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 1999, for the construction of the costs of architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1893 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) For the Army National Guard of the United States, $189,638,000; and

(B) For the Army Reserve, $104,817,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, $28,475,000.

(3) For the Department of the Air Force—

(A) For the Air National Guard of the United States, $232,349,000; and

(B) For the Air Force Reserve, $34,864,000.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) Expiration of Authorizations After Three Years.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2002; and

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2003.

(b) Expiration.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor), for
which appropriated funds have been obligated before the later of—
(1) October 1, 2002; or
(2) the date of the enactment of an Act authorizing funds for fiscal year 2003 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1997 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–291; 110 Stat. 2782), authorizations for the projects set forth in the tables in subsection (b), as provided in sections 2101, 2202, and 2601 of that Act and amended by section 2406 of this Act, shall remain in effect until October 1, 2002, and 2601 of that Act and amended by section 2406 of this Act, shall remain in effect until October 1, 2000, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2001, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

### Navy: Extension of 1997 Project Authorizations

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Naval Station Mayport</td>
<td>Family Housing Construction</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Naval Station Brunswick</td>
<td>Family Housing Construction</td>
<td>$10,925,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Base Camp Lejuene</td>
<td>Family Housing Construction</td>
<td>$10,110,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Air Station Beaufort</td>
<td>Family Housing Construction</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Naval Complex Corpus Christi</td>
<td>Family Housing Construction</td>
<td>$11,675,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Marine Corps Combat Development Command, Quantico</td>
<td>Naval Air Station Kingsville</td>
<td>Family Housing Construction (48 units), Sanitary Fill</td>
</tr>
<tr>
<td>Washington</td>
<td>Naval Station Everett</td>
<td>Family Housing Construction</td>
<td>$15,015,000</td>
</tr>
</tbody>
</table>

### Army National Guard: Extension of 1997 Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi</td>
<td>Camp Shelby</td>
<td>Multipurpose Range</td>
<td>$5,000,000</td>
</tr>
</tbody>
</table>

### Defense Agencies: Extension of 1997 Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado</td>
<td>Pueblo Chemical Activity</td>
<td>Ammunition Demilitarization Facility</td>
<td>$179,000,000</td>
</tr>
</tbody>
</table>

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1996 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 541), authorizations for the projects set forth in the tables in subsection (a), as provided in sections 2202 and 2601 of that Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 106–261; 112 Stat. 2199), shall remain in effect until October 1, 2000, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2001, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

### Navy: Extension of 1996 Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>Family Housing Construction</td>
<td>$20,000,000</td>
</tr>
</tbody>
</table>

### Army National Guard: Extension of 1996 Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Missouri</td>
<td>National Guard Training Site, Jefferson City</td>
<td>Multipurpose Range</td>
<td>$2,236,000</td>
</tr>
</tbody>
</table>
SEC. 2801. EXEMPTION FROM NOTICE AND WAIT REQUIREMENTS OF MILITARY CONSTRUCTION PROJECTS SUPPORTED BY BURDENSHARING FUNDS UNDER TAKEN FOR WAR OR NATIONAL EMERGENCY.

Section 2350(j) of title 10, United States Code, is amended—

(1) in subsection (e), by adding at the end the following new paragraph:

"(3)(A) A military construction project under subsection (d) may be carried out without regard to the requirement in paragraph (1) and the limitation in paragraph (2) if the project is necessary to support the armed forces in the country or region in which the project is carried out by reason of a declared national emergency for a declaration by the President of a national emergency pursuant to the National Emergency Act (50 U.S.C. 1621 et seq.) the Secretary of Defense at the time of the commencement of the project.

"(B) When a decision is made to carry out a military construction project under subparagraph (A), the Secretary of Defense shall submit to the congressional committees specified in subsection (g)—

"(i) a notice of the decision; and

"(ii) a statement of the current estimated cost of the project, including the cost of any real property transaction in connection with the project;"; and

(2) in subsection (g), by striking "subsection (e)(1)" and inserting "subsection (e)".

SEC. 2802. PROHIBITION ON CARRYING OUT MILITARY CONSTRUCTION PROJECTS FUNDED USING INCREMENTAL FUNDING.

(a) Sense of Congress.—It is the sense of Congress that—

(1) the President should request in the budget for each fiscal year submitted to Congress under section 1105 of title 31, United States Code, an amount to be credited to the Account amounts to fund fully each military construction and family housing construction project proposed to be authorized in such fiscal year.

(2) Congress should authorize and appropriate each fiscal year amounts sufficient to fund fully each military construction and family housing construction project authorized in such fiscal year.

(b) Prohibition on Incremental Funding of Military Construction Projects.—Section 2005 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) The Secretary of Defense and the Secretaries of the military departments may not obligate funds for a military construction project (including a military family housing project) otherwise authorized by law unless the total amount of appropriations allocated for obligation and expenditure for the project as of the initial obligation of funds for the project is sufficient, without additional funds, to provide for the construction of a usable facility meeting the purpose of the project.".

SEC. 2803. DEFENSE CHEMICAL DEMILITARIZATION CONSTRUCTION ACCOUNT.

(a) Establishment.—Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following:


(a) Establishment.—There is established on the books of the Treasury the Defense Chemical Demilitarization Construction Account (in this section referred to as the 'Account').

(b) Credits to Account.—There shall be credited to the Account amounts authorized for and appropriated to the Account.

(c) Use of Amounts in Account.—Amounts in the Account shall be available to the Secretary of Defense for carrying out military construction projects authorized by law in support of the chemical demilitarization activities of the Department of Defense under section 1412 of the Department of Defense Authorization Act, 1986 (10 U.S.C. 1521) and other provisions of law.

(d) Limitation on Obligation and Expenditure.—(1) Subject to paragraph (2), amounts appropriated to the Account for a military construction project shall remain available for obligation and expenditure for the project in the fiscal year for which appropriated and the two succeeding fiscal years.

(2) Amounts appropriated for a military construction project for a fiscal year shall remain available for obligation and expenditure until expended without regard to the limitation specified in paragraph (1) if—

"(A) any portion of such amounts are obligated for the project before the end of the fiscal years referred to in that paragraph; or

"(B) the availability of such amounts for the project are otherwise extended by law.

(3)(A) A military construction project (as defined in section 18233(a) of this title) cost-necessary to carry out any project authorized under section 18233(a) of this title costing not more than—

"(1) the amount specified in section 2805(c)(1) of this title, in the case of a project intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening; or

"(2) the amount specified in section 2805(c)(2) of this title, in the case of any other project.

SEC. 2804. LIMITATION ON AUTHORITY REGARDING ANCILLARY SUPPORTING FACILITIES UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND CONSTRUCTION OF MILITARY HOUSING.

(a) Definition of Eligible Entity.—Section 2871 of title 10, United States Code, is amended—

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

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

"(5) 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 "a 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 "non-governmental 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 "non-governmental" 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 persons" and inserting "eligible entities".

(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".
Congressional Record—Senate

SEC. 2811. EXTENSION OF AUTHORITY FOR AGENCY-DETERMINED PROPOSED SPECIAL OPERATIONS ACTIVITIES.

Section 2850(d) of title 10, United States Code, is amended by striking "September 30, 2000" and inserting "September 30, 2006".

SEC. 2812. ENHANCEMENT OF AUTHORITY RELATING TO UTILITY PRIVATIZATION.

(a) EXTENDED CONTRACTS FOR UTILITY SERVICES.—Section 2908 of title 10, United States Code, is amended—

(1) by redesignating subsections (f), (g), and (h) as subsections (h), (i), and (j), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

"(f) EXTENDED CONTRACTS FOR UTILITY SERVICES.—(1) The Secretary concerned may, in connection with a conveyance of a utility system under this section, enter into a contract for provision of utility services.

"(2) Notwithstanding the proviso in section 201(a)(3) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 511(a)(3)), the term of a contract under this subsection may be up to 50 years.

(b) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYANCES.—That section is further amended by inserting after subsection (f), as added by subsection (a) of this section, the following new subsection (g):

"(g) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYANCES.—(1) Funds appropriated for a military construction project authorized by law for the construction, replacement or rehabilitation of a utility system to be conveyed under this section may, instead of being used for the project, be used for a contribution by the Secretary concerned to the utility company or entity to which the utility system is being conveyed for the costs of the utility company or entity with respect to the construction, repair, or replacement of the utility system.

"(2) The Secretary concerned shall take into account any contribution under this subsection with respect to a utility system for purposes of the economic analysis required for the conveyance of the utility system under subsection (e)(1).

Title C—Defense Base Closure and Realignment

SEC. 2821. CONVEYANCE OF PROPERTY AT INSTALLATIONS CLOSED OR REALIGNMENT UNDER THE BASE CLOSURE LAWS WITHOUT CONSIDERATION FOR ECONOMIC REDEVELOPMENT PURPOSES.

(a) 1990 LAW.—Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2987 note) is amended—

(1) in subparagraph (A)—

(A) by inserting "or realigned" after "closed";

(B) by inserting "for purposes of creating jobs at the installation" after the period at the end;

and

(2) by striking paragraph (B) and inserting the following new paragraph (B):

"(B) Subject to clauses (ii) and (iii), the transfer of property under this paragraph shall be without consideration for purposes of the fair market value of the property.

(ii) The transfer of property under this paragraph shall be without consideration if the redevelopment authority with respect to the installation—

"(I) provides in the agreement for the transfer of such property that the proceeds of any sale or lease of such property, or portion of such property, received by the redevelopment authority during the period after the date of the transfer of such property agreed upon by the redevelopment authority and the Secretary (but not less than 10 years after that date) shall be used for economic redevelopment of the installation or related to the installation;

"(II) accepts control of such property under the agreement within a reasonable time (as determined by the Secretary) after the entry of a finding of no significant environmental impact with respect to the transfer under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(iv) For purposes of clause (iii), the following activities shall be treated as economic redevelopment of an installation or related to an installation:

"(I) Road construction or improvement.

"(II) Construction or improvement of transportation management facilities.

"(III) Construction or improvement of storm and sanitary sewers.

(iv) Construction or improvement of facilities for police or fire protection services.

"(V) Construction or improvement of other public facilities.

"(VI) Construction or improvement of utilities.

"(VII) Rehabilitation or improvement of buildings, including preservation of historic properties.

"(VIII) Construction, improvement, or acquisition of pollution prevention equipment or facilities.

"(IX) Demolition of facilities.

"(X) Property management activities, including removal of hazardous material, landscaping, grading, and other site or public improvements.

"(XI) Planning and marketing the development and reuse of the installation.

"(XII) An agreement for the transfer of property of an installation under clause (ii)(I) shall permit the Secretary to reconvey from the redevelopment authority concerned such portion of the property as the Secretary determines appropriate of the amount of any proceeds of the sale or lease of the property that the redevelopment authority does not use to support economic redevelopment of the installation or related to the installation for the period specified in the agreement.

(c) APPLICABILITY TO CERTAIN PRIOR AGREEMENTS.—(1)(A) Subject to subparagraph (B), the Secretary of Defense may modify an agreement for the transfer of property under section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 or under section 234(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act, that was entered
SEC. 2831. LAND CONVEYANCE, ARMY RESERVE CENTER, BANGOR, MAINE.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Army may convey any property, without consideration, to the City of Bangor, Maine (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 5 acres and containing the Army Reserve Center in Bangor, Maine, known as the Bangor Army Reserve Center. The parcel has been determined to be excess to the needs of the Army.

(b) CONSIDERATION.—As a consideration for the conveyance under subsection (a), 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.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the real property.
Construction Authorization Act for Fiscal Year 2019 (Public Law 115-232) is amended by striking “Gulf of Maine Aquarium Development Corporation, Portland, Maine (in this section referred to as the ‘Corporation’)” and inserting “Gulf of Maine Aquarium Development Corporation, Portland, Maine, a non-profit education and research institute (in this section referred to as the ‘Aquarium’)”.

SEC. 2842. LAND CONVEYANCE, NEWPORT, RHODE ISLAND.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the City of Newport, Rhode Island (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property located by the Secretary as of the date of the enactment of this Act, and any improvements thereon, consisting of approximately 15 acres and known familiarly as the Newmarket site.

(b) CONDITION.—The conveyance authorized by subsection (a) shall be subject to the condition that the City use the conveyed property for one or more of the following purposes:

(1) A satellite campus of the Community College of Rhode Island.

(2) A center for child day care and early childhood education.

(3) A center for offices of the Government of the State of Rhode Island.

(c) REVERSION.—If during the 5-year period beginning on the date the Secretary makes the conveyance authorized by subsection (a), the City determines that the conveyed real property is not being used for a purpose specified in subsection (b), the Secretary shall convey the property to the United States.

(d) DESCRIPTION OF PROPERTY.—The Secretary shall deposit in the General Fund of the Treasury any amounts paid the Secretary under subparagraph (A), the Secretary may convey, without consideration, to the Regents for the University of California, acting on behalf of the University of California, Davis (in this section referred to as the “Regents”), all right, title, and interest of the United States in and to the parcel of real property, including improvements thereon, consisting of the McClellan Nuclear Radiation Center, California.

(e) LIMITATION ON CERTAIN SUBSEQUENT CONVEYANCES.—(1) Subject to paragraph (2), if at any time after the Secretary makes the conveyance authorized by subsection (a) the City conveys any part of the property, including any improvements thereon, to the Regents, the property shall be conveyed under this subsection.

(2) Paragraph (1) applies to a conveyance described in that paragraph only if the Secretary makes the conveyance authorized by subsection (a) without consideration.

(f) INSPECTION OF PROPERTY.—The Secretary may enter into an agreement with the Regents to permit the Regents access to the property to review and inspect the improvements, equipment, and fixtures of the property, and to the extent that the Secretary determines to be not required by the Regents for purposes as the City determines appropriate; or

(g) MAINTENANCE OF PROPERTY.—Subject to the condition described in subsection (b), the Secretary shall remain responsible for maintaining the real property to be conveyed under this section in its condition as of the date of the enactment of this Act.

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

(i) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.
arises from a defect in the atomic reactor that may have been discovered in the course of the inspection carried out under subsection (b).

(d) CONTINUING OPERATION OF REACTOR.—Until such time as the property authorized to be conveyed under subsection (a) is conveyed by deed, the Secretary shall take appropriate actions, including the allocation of personnel, funds, and other resources, to ensure the continuing operation of the atomic reactor located at the McClellan Nuclear Radiation Center in accordance with applicable requirements of the Nuclear Regulatory Commission and otherwise in accordance with law.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a), the pipeline under subsection (b)(1), and the pipeline to be conveyed under subsection (b)(2), and the pipeline to be conveyed under subsection (b)(1) shall be determined by surveys and other means satisfactory to the official having jurisdiction over the property or pipeline, as the case may be, at the time of the conveyance. The cost of any survey or other services performed at the request of the official shall be borne by the Authority.

(f) ADDITIONAL TERMS AND CONDITIONS.—The official having jurisdiction over the property to be conveyed under subsection (a), or the pipeline and easement to be conveyed under subsection (b), at the time of the conveyance may require such additional terms and conditions in connection with the conveyance as that official considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2852. LAND CONVEYANCE, NEWINGTON DEFENSE MATERIALS, SUPPLY POINT, NEW HAMPSHIRE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Secretary of the Army, New Hampshire (in this section referred to as the “Authority”), all right, title, and interest of the United States in and to parcels of real property, together with any improvements thereon, consisting of approximately 10.26 acres and located in Newington, New Hampshire, the site of the Newington Defense Materials, Supply Point. The parcels have been determined to be excess to the needs of the Air Force.

(b) RELATED PIPELINE AND EASEMENT.—As part of the conveyance authorized by subsection (a), the Secretary may convey to the Authority without consideration all right, title, and interest of the United States in and to the following:

(1) The pipeline approximately 1.25 miles in length that runs between the property authorized to be conveyed under subsection (a) and the Fort Huachua East Range, Cochise County, Arizona.

(2) The easement to be conveyed under subsection (b) only if—

(A) the Secretary submits to the appropriate committees of Congress a report stating that the conveyance will further Federal ownership under this subsection either—

(i) be compatible with the mission of the Navy.

(B) a period of 30 calendar days has elapsed following the date on which the notification is received by the appropriate committees.

(c) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by this section the Secretary has transferred jurisdiction over any of the property to be conveyed to the Administrator of General Services, the Administrator shall make the conveyance of such property under this section.

(d) FEDERAL SCREENING.—(1) If any of the property authorized to be conveyed by this section is under the jurisdiction of the Administrator as of the date of the enactment of this Act, the Administrator shall conduct with respect to such property the screening for further Federal ownership required under subsection (a) of section 2596 of title 10, United States Code.

(2) Subsections (b) through (d) of such section shall apply to the screening under paragraph (1) as if the screening were a screening conducted under subsection (a) of such section 2596. For purposes of such subsection, the date of the enactment of the provision of law authorizing the conveyance of the property authorized to be conveyed by this section shall be the date of the enactment of the law authorizing the conveyance of the property authorized to be conveyed by this section.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a), the pipeline under subsection (b)(1), and the pipeline to be conveyed under subsection (b)(2), and the pipeline to be conveyed under subsection (b)(1) shall be determined by surveys and other means satisfactory to the official having jurisdiction over the property or pipeline, as the case may be, at the time of the conveyance. The cost of any survey or other services performed at the request of the official shall be borne by the Authority.

(f) ADDITIONAL TERMS AND CONDITIONS.—The official having jurisdiction over the property to be conveyed under subsection (a), or the pipeline and easement to be conveyed under subsection (b), at the time of the conveyance may require such additional terms and conditions in connection with the conveyance as that official considers appropriate to protect the interests of the United States.

SEC. 2861. ACQUISITION OF STATE-HELD INHERENT CONFLICT MINERAL RIGHTS IN FORT HUACHUCA, ARIZONA.

(a) ACQUISITION AUTHORIZED.—(1) The Secretary of the Interior may acquire by eminent domain, but with the consent of the State of Arizona, all right, title, and interest (including any mineral rights) of the State of Arizona in and to unimproved Arizona State Trust lands consisting of approximately 1,536.47 acres in the Fort Huachua East Range, Cochise County, Arizona.

(2) The Secretary may acquire by eminent domain, but with the consent of the State of Arizona, any trust mineral estate of the State of Arizona located beneath the surface estates of the United States in one or more parcels of land consisting of approximately 12,943 acres in the Fort Huachua East Range, Cochise County, Arizona.

(b) CONSIDERATION.—(1) Subject to subsection (c), as consideration for the acquisition by the United States of Arizona State trust lands and mineral interests under subsection (a), the Secretary shall pay to the State of Arizona an amount equal to the appraisal value of the land, as determined by the State of Arizona as full consideration for the land and mineral rights.

(2) The Secretary may require such additional terms and conditions in connection with the conveyance and acquisition of lands and interests in land under this section as the Secretary of the Interior may require such additional terms and conditions in connection with the conveyance of such lands and interests as the Secretary considers appropriate to protect the interests of the United States.

(c) EASEMENT.—The Secretary of the Interior may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States and any valid existing rights.

(d) USE OF EMINENT DOMAIN.—The Secretary may acquire by eminent domain the land and mineral rights under subsection (a) pursuant to the laws and regulations governing eminent domain.

(e) DETERMINATION OF FAIR MARKET VALUE.—Notwithstanding any other provision of law, the value of lands and interests in lands acquired or conveyed by the United States under this section shall be determined in accordance with the Uniform Appraisal Standards for Federal Land Acquisition, as published by the Department of Justice in the Federal Register, and the appraisal shall be subject to review and acceptance by the Land Department of the State of Arizona and the Bureau of Land Management.

SEC. 2862. DEVELOPMENT OF FORD ISLAND, HAWAII.

(a) IN GENERAL.—Subject to paragraph (2), the Secretary of the Navy may exercise any authority or combination of authorities in this section for the purpose of developing or facilitating the development of Ford Island, located in the Fort Huachua East Range, State of Arizona, as full consideration for the land and mineral interests described in subsection (b) only if—

(1) the Secretary submits to the appropriate committees of Congress a report stating that the conveyance will further Federal ownership under this section either—

(A) be compatible with the mission of the Navy.

(b) CONVEYANCE AUTHORITY.—(1) The Secretary of the Navy may convey to any public or private person or entity all right, title, and interest of the United States in and to any real property (including any improvements thereon) personal property under the jurisdiction of the Secretary in the State of Hawaii, to the extent that the Secretary determines the development is compatible with the mission of the Navy.

(2) The Secretary may not exercise any authority under this section until—

(A) the Secretary submits to the appropriate committees of Congress a master plan for the development of Ford Island and a schedule for the completion of the development of Ford Island.

(B) a period of 30 calendar days has elapsed following the date on which the notification is received by the appropriate committees.

(c) LEASE AUTHORITY.—(1) The Secretary of the Navy may lease to any public or private person or entity all right, title, and interest of the United States in and to any real property (including any improvements thereon) personal property under the jurisdiction of the Secretary in the State of Hawaii, to the extent that the Secretary determines the development is compatible with the mission of the Navy.

(2) The Secretary may not exercise any authority under this section until—

(A) the Secretary submits to the appropriate committees of Congress a report stating that the conveyance will further Federal ownership under this section either—

(i) be compatible with the mission of the Navy.

(ii) be appropriate to protect the interests of the United States.

(iii) be compatible with the mission of the Navy.

(iv) be appropriate to protect the interests of the United States.
Section 2663. Enhancement of Pentagon Renovation Activities. The Secretary of Defense in conjunction with the Pentagon Renovation Program is authorized to design and construct secure space for office activities 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.

Section 2664. One-Year Delay in Demolition of Radio Transmission Towers at Naval Station, Annapolis, Maryland, to Facilitate Transfer of Towers. (a) One-Year Delay. — The Secretary of the Navy may not obligate or expend any funds for the demolition of the naval radio transmitting towers described in subsection (b) during the one-year period beginning on the date of 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).

Section 2665. Army Reserve Relocation from Fort Douglas, Utah. Section 2603 of the National Defense Authorization Act for fiscal year 1998 (P.L. 105–85) is amended as follows:

"With regard to the conveyance of a portion of Fort Douglas, Utah to the University of Utah and the resulting Army Reserve activities to temporary and permanent relocation facilities, the Secretary of the Army may accept the funds paid by the University of Utah or State of Utah to pay costs associated with the conveyance and relocation. Funds 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."
Congressional Record—Senate
June 7, 1999

TITLE XXIX—RENEWAL OF MILITARY LAND WITHDRAWALS

SEC. 2001. FINDINGS

The Congress finds that—

(1) Public Law 99–606 authorized public land withdrawals for several military installations: 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 10 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 statements and opportunities for public comment and review.

SEC. 2002. SENSE OF THE SENATE REGARDING PROPOSAL TO RENEW PUBLIC LAND WITHDRAWALS

It is the sense of the Senate that the Secretary of Defense and the Secretary of the Interior, 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 2001 and transmit such proposal to the Congress no later than July 1, 1999.

SEC. 2003. 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 withdrawals of 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 the natural and cultural resources is required if the United States is to preserve its national heritage.

DIVISION C—DEPARTMENT OF ENERGY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs—Authorizations

SEC. 3101. WEAPONS ACTIVITIES

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for weapons activities in carrying out programs necessary for national security in the amount of $413,590,000,000, to be allocated as follows:

(1) STOCKPILE STEWARDSHIP.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for stockpile stewardship in carrying out weapons activities necessary for national security programs in the amount of $2,228,700,000, to be allocated as follows:

(A) For core stockpile stewardship, $1,748,500,000, to be allocated as follows:

(i) For operation and maintenance, $1,615,355,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $133,154,000.

Project 00–D–103, terascale simulation facility, Lawrence Livermore National Laboratory, Livermore, California, $3,000,000.

Project 98–D–101, computing complex, Los Alamos National Laboratory, Los Alamos, New Mexico, $26,000,000.

Project 98–D–107, joint computational engineering laboratory, National Laboratories, Albuquerque, New Mexico, $1,800,000.

Project 99–D–102, rehabilitation of maintenance facility, Lawrence Livermore National Laboratory, Livermore, California, $3,900,000.

Project 99–D–103, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $2,800,000.

Project 99–D–134, protection of real property (roof construction, Phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,400,000.

Project 99–D–109, central health physics calibration facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $1,000,000.

Project 99–D–106, model validation and system certification test center, Sandia National Laboratories, Albuquerque, New Mexico, $6,500,000.

Project 99–D–108, renovate existing roadways, Nevada Test Site, Nevada, $7,005,000.

Project 97–D–102, dual-axis radiographic hydrotreatment facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $61,000,000.

Project 99–D–102, stockpile stewardship facilities revitalization, Phase VI, various locations, $2,640,000.

Project 99–D–104, processing and environmental technology laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $10,900,000.

(B) For inertial fusion, $65,700,000, to be allocated as follows:

(i) For operation and maintenance, $217,600,000.

(ii) For the following plant project (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and land acquisition related thereto), $248,100,000, to be allocated as follows:

Project 99–D–111, national ignition facility, Lawrence Livermore National Laboratory, Livermore, California, $248,100,000.

(C) For technology partnership and education, $34,500,000, to be allocated as follows:

(1) For technology partnership, $15,200,000.

(2) For education, $19,300,000.

(2) STOCKPILE MANAGEMENT.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for stockpile management in carrying out weapons activities necessary for national security programs in the amount of $2,039,300,000, to be allocated as follows:

(A) For operation and maintenance, $1,880,621,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $156,679,000, to be allocated as follows:

Project 99–D–122, rapid reactivation, various locations, $11,700,000.

Project 99–D–127, stockpile management restructuring initiative, Kansas City Plant, Kansas City, Missouri, $17,000,000.


Project 99–D–132, stockpile management restructuring initiative, nuclear material safeguards and security upgrades project, Los Alamos National Laboratory, Los Alamos, New Mexico, $11,300,000.

Project 98–D–126, stockpile management restructuring initiative, Y–12 Plant consolidation, Oak Ridge, Tennessee, $3,150,000.

Project 98–D–125, tritium extraction facility, Savannah River Site, Aiken, South Carolina, $35,000,000.

Project 98–D–126, accelerator production of tritium, various locations, $31,000,000.

Project 96–D–129, structural upgrades, Kansas City Plant, Kansas City, Missouri, $1,800,000.

Project 95–D–102, chemistry and metallurgy research building upgrades, Los Alamos National Laboratory, Los Alamos, New Mexico, $18,000,000.

Project 98–D–125, security enhancements, Pantex Plant, Amarillo, Texas, $3,500,000.

(3) PROGRAM DIRECTION.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for program direction in carrying out weapons activities necessary for national security programs in the amount of $242,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for environmental restoration and waste management programs necessary for national security in the amount of $5,532,868,000, to be allocated as follows:

(1) CLOSURE PROJECTS.—For closure projects carried out in accordance with section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2998; 42 U.S.C. 7281m) in the amount of $1,069,492,000.

(2) SITE PROJECT AND COMPLETION.—For site project and completion in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $800,919,000, to be allocated as follows:

(A) For operation and maintenance, $880,629,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $100,290,000, to be allocated as follows:

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Project 99-D-402, tank farm support services, Savannah River Site, Aiken, South Carolina, $3,100,000.

Project 99-D-404, health physics instrumentation laboratory, Idaho National Engineering and Environmental Laboratory, Idaho, $7,200,000.

Project 98-D-401, H-tank farm storm water systems upgrade, Savannah River Site, Aiken, South Carolina, $2,977,000.

Project 98-D-453, plutonium stabilization and handling system for plutonium finishing plant, Richland, Washington, $16,860,000.

Project 99-D-700, road rehabilitation, Idaho National Engineering and Environmental Laboratory, Idaho, $2,590,000.

Project 97-D-450, Actinide packaging and storage facility, Savannah River Site, Aiken, South Carolina, $4,000,000.

Project 97-D-470, regulatory monitoring and bioassay laboratory, Savannah River Site, Aiken, South Carolina, $12,220,000.

Project 96-D-406, spent nuclear fuels canister storage and stabilization facility, Richland, Washington, $24,441,000.

Project 96-D-465, power plant and utility systems upgrade, Idaho National Engineering and Environmental Laboratory, Idaho, $11,971,000.

Project 96-D-471, chlorofluorocarbon heating, ventilation, and air conditioning and chiller retrofit, Savannah River Site, Aiken, South Carolina, $931,000.

Project 96-D-488, decontamination and waste treatment facility, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.

(3) PROJECT COMPLETION.—For post-2006 project completion in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $2,962,548,000, to be allocated as follows:

(A) For operation and maintenance, $2,847,997,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years), $114,551,000, to be allocated as follows:

Project 00-D-401, spent nuclear fuel treatment reactor facility, Savannah River Site, Aiken, South Carolina, $7,000,000.

Project 99-D-463, privatization phase I infrastructure support, Richland, Washington, $13,988,000.

Project 97-D-402, tank farm restoration and safe operations, Richland, Washington, $20,316,000.

Project 94-D-407, initial tank retrieval systems, Richland, Washington, $4,560,000.

Project 93-D-187, high-level waste removal from (filled) waste tanks, Savannah River Site, Aiken, South Carolina, $7,097,000.

(4) SCIENCE AND TECHNOLOGY.—For science and technology in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $235,500,000.

(5) PROGRAM DIRECTION.—For program direction in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $34,609,000.

(6) NONGOVERNMENT DEFENSE ACTIVITIES.

(a) In General.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for other defense activities in carrying out national programs necessary for national security in the amount of $3,021,000,000, to be allocated as follows:

(1) NONPROLIFERATION AND NATIONAL SECURITY.—For nonproliferation and national security, $744,300,000, to be allocated as follows:

(A) For verification and control technology, $497,000,000, to be allocated as follows:

(i) For nonproliferation and verification research and development, $215,000,000.

(ii) For arms control, $276,000,000.

(iii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years), $24,000,000, to be allocated as follows:

Project 00-D-192, Nonproliferation and International Security Centers (NISC), Los Alamos National Laboratory, New Mexico, $6,000,000.

(B) For nuclear safeguards and security, $59,000,000.

(C) For security investigations, $47,000,000.

(D) For emergency management, $21,000,000.

(E) For program direction, $90,450,000.

(F) For HEU Transparency implementation, $15,750,000.

(G) For international nuclear safety, $34,000,000.

(2) INTELLIGENCE.—For intelligence, $36,059,000.

(3) COUNTERINTELLIGENCE.—For counterintelligence, $6,200,000.

(4) WORKER AND COMMUNITY TRANSITION ASSISTANCE.—For worker and community transition assistance, $30,000,000, to be allocated as follows:

(A) For worker and community transition, $26,500,000.

(B) For program direction, $3,500,000.

(5) FISSILE MATERIALS CONTROL AND DISPOSITION.—For fissile materials control and disposition, $200,000,000, to be allocated as follows:

(A) For operation and maintenance, $129,766,000.

(B) For program direction, $7,383,000.

(C) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years), $62,891,000, to be allocated as follows:

Project 00-D-192, Nonproliferation and International Security Centers (NISC), Los Alamos National Laboratory, New Mexico, $6,000,000.

Project 99-D-142, Immobilization and associated processing facility, various locations, $21,765,000.

Project 99-D-141, pit disassembly and conversion facility, various locations, $39,751,000.

Project 99-D-143, mixed oxide fuel fabrication facility, various locations, $12,375,000.

(6) ENVIRONMENT, SAFETY, AND HEALTH.—For environment, safety, and health, defense, $79,000,000, to be allocated as follows:

(A) For the Office of Environment, Safety, and Health (Defense), $54,231,000.

(B) For program direction, $24,769,000.

(7) OFFICE OF HEURS AND APPEALS.—For the Office of Hearings and Appeals, $3,000,000.

(B) NAVAL REACTORS.—For naval reactors, $675,000,000, to be allocated as follows:

(A) For naval reactors development, $654,400,000, to be allocated as follows:

(i) For operation and maintenance, $630,400,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years), $24,000,000, to be allocated as follows:

GP-101, general plant projects, various locations, $9,000,000.

(8) ENVIRONMENTAL SAFETY AND HEALTH CONVENIENCE.—In addition to the amounts authorized to be appropriated for environmental safety and health in subsection (a) or to be allocated as above, $6,100,000, to be allocated as follows:

(A) For facilities development, $6,100,000.

(b) AMOUNT.—The amount authorized to be appropriated pursuant to subsection (a) is a report containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

(2) The amount authorized to be appropriated pursuant to subsection (a) is reduced by $12,559,000.

(c) FUNDING.—Sections 3106 and 3116 shall not be construed to require a funding of more than 3 days to a day certain.

SEC. 3106. DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION.

(a) In General.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for privatization initiatives in carrying out environmental restoration and waste management activities necessary for defense programs in the amount of $241,000,000, to be allocated as follows:

Project 98-PVT-2, spent nuclear fuel dry storage, Idaho Falls, Idaho, $5,000,000.

Project 98-PVT-5, waste disposal, Oak Ridge, Tennessee, $20,000,000.

Project 97-PVT-1, tank waste remediation system phase I, Hanford, Washington, $106,000,000.

Project 97-PVT-2, advanced mixed waste treatment facility, Idaho Falls, Idaho, $110,000,000.

(b) AMOUNT.—The amount authorized to be appropriated in subsection (a) is the sum of the amounts authorized to be appropriated in paragraphs (1) and (2) of subsection (a), reduced by $25,000,000 for use of prior year balances of funds for defense environmental management privatization.

Subtitle B—Recurring General Provisions

SEC. 3112. REPROGRAMMING.

(a) In General.—Until the Secretary of Energy submits to the congressional defense committees the report referred to in subsection (b) and a period of 30 days has elapsed after the date on which such committees receive the report, the Secretary may not use amounts appropriated pursuant to this title for any program—

(1) in amounts that exceed, in a fiscal year—

(A) 110 percent of the amount authorized for that program by this title; or

(B) more than the amount authorized for that program by this title; or

(2) which has not been presented to, or requested of, Congress. 

(b) Request.—The report referred to in subsection (a) is a report containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

(2) In the computation of the 30-day period under subsection (a), there shall be excluded any day on which Congress is not in session because of an adjournment of more than 3 days to a day certain.
SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.

(a) In General.—The Secretary of Energy may carry out any construction project under the general plant projects authorized by this title if the total estimated cost of the construction project does not exceed $5,000,000.

(b) Report to Congress.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the project is revised because of unforeseen cost variations and the revised cost of the project exceeds $5,000,000, the Secretary shall immediately furnish a complete report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.

(a) In General.—(1) Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred in connection with the project above the total estimated cost, whenever the current estimated cost of the construction project, which is authorized by section 3101, 3102, or 3103, or which is in support of national security programs of the Department of Energy and was authorized by any previous Act, exceeds by more than 25 percent the higher of:

(A) the amount authorized for the project; or

(B) the amount of the total estimated cost for the project in the most recent budget justification data submitted to Congress.

(2) An action described in paragraph (1) may be taken if:

(A) the Secretary of Energy has submitted to the congressional defense committees a report on the actions and the circumstances making such action necessary; and

(B) a period of 30 days has elapsed after the date on which the report is received by the committees.

(b) Exception.—Subsection (a) shall not apply to any construction project which has a current estimated cost of less than $5,000,000.

SEC. 3124. FUND TRANSFER AUTHORITY.

(a) Transfer to Other Federal Agencies.—The Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title to other Federal agencies for the performance of work for which the funds were authorized. Funds so transferred may be merged with and be available for the same purposes and for the same period as the authorizations of the Federal agency to which the amount is transferred.

(b) Transfer Within Department of Energy.—(1) Subject to paragraph (2), the Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title between any such authorizations. Amounts of authorizations so transferred may be merged with and be available for the same purposes and for the same period as the authorization to which the amounts are transferred.

(2) Not more than 5 percent of any such authorization may be transferred between authorizations under paragraph (1). No such authorization may be increased or decreased by more than five percent by a transfer under such paragraph.

(c) Limitation.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide funds for items relating to activities necessary for national security programs that have a higher priority than the items from which the funds are transferred; and

(2) may not be used to provide funds for an item for which Congress has specifically denied funds.

(d) Notice to Congress.—The Secretary of Energy shall promptly notify the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of any transfer of funds to or from authorizations under this title.

SEC. 3125. AUTHORITY FOR CONCEPTUAL AND CONSTRUCTION DESIGN.

(a) Requirement for Conceptual Design.—(1) Subject to paragraph (2) and except as provided in paragraph (3), before submitting a request to Congress for funds for a construction project the Secretary of Energy shall complete a conceptual design for that project.

(2) If the estimated cost of completing a conceptual design for a construction project exceeds $3,000,000, the Secretary shall submit to Congress a request for funds for the conceptual design before submitting a request for funds for the construction project.

(b) Transfer Authority for Conceptual Design.—(1) Within the amounts authorized by this title, the Secretary of Energy may carry out construction design (including architectural and engineering services) in connection with any proposed construction project if the total estimated cost for such design does not exceed $500,000.

(2) If the total estimated cost for construction design in connection with any construction project exceeds $500,000, funds for such design must be specifically authorized by law.

SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DESIGN, AND CONSTRUCTION ACTIVITIES.

(a) Authority.—The Secretary of Energy may use any funds available to the Department of Energy pursuant to an authorization to carry out emergency planning, design, and construction activities under this section.

(b) Definition.—In this section, the term "emergency planning, design, and construction activities" means emergency planning activities for purposes of emergency planning, design, and construction activities conducted under this section.

(c) Specific Authority.—The requirement of section 3126(a) does not apply to emergency planning, design, and construction activities conducted under this section.

SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

The Secretary of Energy may make available for the same purposes and for the same period as the authorizations under section 3122, amounts appropriated pursuant to this title for management and support activities and for general plant projects and for the program of national security programs that have a higher priority than the items from which the funds are transferred.

SEC. 3128. AVAILABILITY OF FUNDS.

(a) In General.—Except as provided in subsection (b), when so specified in an appropriations Act, amounts appropriated for operation and maintenance or for plant projects may remain available until expended.

(b) Exception for Program Direction Funds.—Amounts appropriated for program direction pursuant to an authorization of appropriations in subtitle A shall remain available to be expended only until the end of fiscal year 2002.

SEC. 3129. TRANSFERS OF DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.

(a) Transfer Authority for Defense Environmental Management Funds.—The Secretary of Energy shall provide the manager of each field office of the Department of Energy with the authority to transfer defense environmental management funds from a program or project under the jurisdiction of the office to another such program or project.

(b) Limitations.—(1) Only one transfer may be made to or from any program or project under subsection (a) in a fiscal year.

(2) A transfer may not be carried out by a manager of a field office under subsection (a) unless the manager determines that the transfer is necessary to address a risk to health, safety, or the environment or to assure the most efficient use of defense environmental management funds at the field office.

(c) Authorization for Program or Project Under Transfer.—(1) The Secretary of Energy shall provide the manager of each field office of the Department of Energy, any of the following:

(A) A program or project that is for environmental management funds have been authorized by Congress for advance planning, design, and construction activities conducted under this section.

(B) A program or project not described in subparagraph (A) that is for environmental management funds have been authorized by Congress for emergency planning, design, and construction activities conducted under this section.

(d) Notification.—The Secretary, acting through the Assistant Secretary of Energy for Environmental Management, shall notify Congress of any transfer of funds pursuant to subsection (a) not later than 30 days after such transfer occurs.

(e) Definitions.—In this section:

(1) The term "program or project means, with respect to a field office of the Department of Energy, any of the following:

(A) A program referred to or a project listed in paragraph (2) or (3) of section 3102.

(B) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy, any of the following:

(i) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(ii) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(iii) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(iv) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(v) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(vi) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(vii) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(viii) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(ix) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(x) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xi) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xii) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xiii) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xiv) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xv) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xvi) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xvii) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xviii) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xix) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(xx) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department of Energy.

(2) The term "defense environmental management funds" means funds appropriated to
the Department of Energy pursuant to an authorization for pilot research, development, and demonstration, and immediate restoration and waste management activities necessary for national security programs.

(4) DURATION OF AUTHORITY.—The managers of the field offices of the Department may exercise the authority provided under subsection (a) during the period beginning on October 1, 1999, and ending on September 30, 2000.

Subtitle C—Program Authorizations, Restrictions, and Limitations

SEC. 3131. PROHIBITION ON USE OF FUNDS FOR CERTAIN PRODUCTION ACTIVITIES UNDER PREVIOUSLY UTILIZED SITE REMEDIAL ACTION PROGRAM.

Notwithstanding any other provision of law, no funds authorized to be appropriated or otherwise made available by this Act, or by any Act authorizing appropriations for the military activities of the Department of Defense or the defense activities of the Department of Energy for a fiscal year after fiscal year 2000, may be obligated or expended to conduct treatment, storage, or disposal activities at a site designated as a site under the Formerly Utilized Site Remedial Action Program as of the date of the enactment of this Act.

SEC. 3132. CONTINUATION OF PROCESSING, TREATMENT, AND DISPOSITION OF LEGACY NUCLEAR MATERIALS.

The Secretary of Energy shall continue operations and maintain a high state of readiness at the F-canyon and H-canyon facilities at the Savannah River Site, Aiken, South Carolina, and shall provide the technical staff necessary to operate and maintain such facilities.

SEC. 3133. NUCLEAR WEAPONS STOCKPILE LIFE EXTENSION PROGRAM.

(a) PROGRAM REQUIRED.—The Secretary of Energy shall, in consultation with the Secretary of Defense, carry out a program to provide for the extension of the effective life of the weapons in the nuclear weapons stockpile.

(b) ADMINISTRATIVE RESPONSIBILITY FOR PRODUCTION ACTIVITIES.—As part of the program under subsection (a), the Secretary shall develop a long-term plan for the extension of the life of the weapons in the nuclear weapons stockpile. The plan shall provide for the following:

(1) Mechanisms to provide for the remanufacture of each weapon design designated by the Secretary for inclusion in the enduring stockpile of the United States Code, sufficient funds to carry out in the fiscal year covered by such budget the activities under the program under subsection (a) that are specified in the most current version of the plan for the program under this section.

SEC. 3134. TRITIUM PRODUCTION.

(a) PRODUCTION OF NEW TRITIUM.—The Secretary of Energy shall produce new tritium to meet the requirements of the Nuclear Weapons Stockpile Memorandum at the Tennessee Eastman Oak Ridge, Richland, Savannah River, F-canyon, and Sequoyah nuclear power plants consistent with the Secretary’s December 22, 1998, decision document designating the Secretary’s preferred tritium production technology.

(b) SUPPORT.—To support the method of tritium production set forth in subsection (a), the Secretary shall design and construct a new tritium extraction facility in the H-area of the Savannah River Site, Aiken, South Carolina.

(c) DESIGN AND ENGINEERING DEVELOPMENT.—(1) The Secretary shall—

(i) complete preliminary design and engineering development of the Accelerator Production of Tritium technology design as a backup source of tritium to the source set forth in subsection (a) and consistent with the Secretary’s December 22, 1998, decision document; and

(ii) make available those funds necessary to complete engineering development and demonstration, preliminary design, and detailed design of key systems consistent with the Secretary’s decision document of December 22, 1998.

SEC. 3135. INDEPENDENT COST ESTIMATE OF ACCELERATOR PRODUCTION OF TRITIUM.

(a) INDEPENDENT COST ESTIMATE.—(1) The Secretary of Energy shall secure an independent cost estimate of the Accelerator Production of Tritium.

(2) The estimate shall be conducted at the highest possible level but in no event at a level below that currently defined by the Secretary as Type III, “Sampling Technique.”

(b) REPORT.—Not later than April 1, 2000, the Secretary shall submit to the congressional defense committees a report on the independent cost estimate conducted under subsection (a).

SEC. 3136. NONPROLIFERATION INITIATIVES AND ACTIVITIES.

(a) INITIATIVE FOR PROLIFERATION PREVENTION PROGRAM.—(1) Not more than 40 percent of the funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program may be used for projects that provide supplemental the pay or benefits of a scientist or engineer if the scientist or engineer—

(i) is currently engaged in activities directly related to the design, development, production, or testing of chemical, biological, or radiological weapons or a missile system to deliver such weapons; or

(ii) was not formerly engaged in activities directly related to the design, development, production, or testing of weapons of mass destruction or a missile system to deliver such weapons.

(b) No funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program may be made available to an institution if the institute—

(i) is currently involved in activities described in subparagraph (A)(i); or

(ii) was not formerly involved in activities described in subparagraph (A)(ii).

(c) OTHER ACTIONS.—No funds available for the Initiative for Proliferation Prevention program may be transferred to an institutional level under the program if the Secretary of Energy determines that the institute or scientist has made a scientific or business contact in any country designated by the Director of Central Intelligence for purposes of the Initiative for Proliferation Prevention program that means any country so designated by the Director of Central Intelligence for purposes of the Initiative for Proliferation Prevention program.

(d) REPORT.—Not later than 30 days after the date on which the Secretary determines under the program that the Secretary is not currently engaged in activities described in subparagraph (A) or (B), the Secretary shall submit to Congress a report on the procedures. The report shall set forth a schedule for the implementation of the procedures.

(e) PROPOSED ACTIONS.—The Secretary shall evaluate the projects carried out under the Initiative for Proliferation Prevention program for commercial purposes to determine whether or not such projects are likely to achieve their intended commercial objectives.

(f) TERMINATION.—If the Secretary determines as a result of the evaluation that a project is not likely to achieve its intended commercial objective, the Secretary may terminate the project.

(g) USE OF FUNDS.—The amount authorized to be appropriated by this Act for the Initiative for Proliferation Prevention program may be used to improve the pay or benefits of a scientist or engineer if the scientist or engineer—

(i) is currently engaged in activities directly related to the design, development, production, or testing of chemical, biological, or radiological weapons or a missile system to deliver such weapons; or

(ii) was not formerly engaged in activities directly related to the design, development, production, or testing of weapons of mass destruction or a missile system to deliver such weapons.

(h) PRIMARY OBJECTIVE.—The primary objective of the Initiative for Proliferation Prevention program is to improve the pay or benefits of a scientist or engineer if the scientist or engineer—

(i) is currently engaged in activities directly related to the design, development, production, or testing of chemical, biological, or radiological weapons or a missile system to deliver such weapons; or

(ii) was not formerly engaged in activities directly related to the design, development, production, or testing of weapons of mass destruction or a missile system to deliver such weapons.

(i) OTHER ACTIONS.—No funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program may be made available to an institution if the institute—

(i) is currently involved in activities described in subparagraph (A)(i); or

(ii) was not formerly involved in activities described in subparagraph (A)(ii).

(j) REPORT.—Not later than 30 days after the date on which the Secretary determines under the program that the Secretary is not currently engaged in activities described in subparagraph (A) or (B), the Secretary shall submit to Congress a report on the procedures. The report shall set forth a schedule for the implementation of the procedures.

(k) PROPOSED ACTIONS.—The Secretary shall evaluate the projects carried out under the Initiative for Proliferation Prevention program for commercial purposes to determine whether or not such projects are likely to achieve their intended commercial objectives.

(l) TERMINATION.—If the Secretary determines as a result of the evaluation that a project is not likely to achieve its intended commercial objective, the Secretary may terminate the project.

(m) USE OF FUNDS.—The amount authorized to be appropriated by this Act for the Initiative for Proliferation Prevention program may be used to improve the pay or benefits of a scientist or engineer if the scientist or engineer—

(i) is currently engaged in activities directly related to the design, development, production, or testing of chemical, biological, or radiological weapons or a missile system to deliver such weapons; or

(ii) was not formerly engaged in activities directly related to the design, development, production, or testing of weapons of mass destruction or a missile system to deliver such weapons.

(n) PRIMARY OBJECTIVE.—The primary objective of the Initiative for Proliferation Prevention program is to improve the pay or benefits of a scientist or engineer if the scientist or engineer—

(i) is currently engaged in activities directly related to the design, development, production, or testing of chemical, biological, or radiological weapons or a missile system to deliver such weapons; or

(ii) was not formerly engaged in activities directly related to the design, development, production, or testing of weapons of mass destruction or a missile system to deliver such weapons.

(o) REPORT.—Not later than 30 days after the date on which the Secretary determines under the program that the Secretary is not currently engaged in activities described in subparagraph (A) or (B), the Secretary shall submit to Congress a report on the procedures. The report shall set forth a schedule for the implementation of the procedures.

(p) PROPOSED ACTIONS.—The Secretary shall evaluate the projects carried out under the Initiative for Proliferation Prevention program for commercial purposes to determine whether or not such projects are likely to achieve their intended commercial objectives.

(q) TERMINATION.—If the Secretary determines as a result of the evaluation that a project is not likely to achieve its intended commercial objective, the Secretary may terminate the project.

(r) USE OF FUNDS.—The amount authorized to be appropriated by this Act for the Initiative for Proliferation Prevention program may be used to improve the pay or benefits of a scientist or engineer if the scientist or engineer—

(i) is currently engaged in activities directly related to the design, development, production, or testing of chemical, biological, or radiological weapons or a missile system to deliver such weapons; or

(ii) was not formerly engaged in activities directly related to the design, development, production, or testing of weapons of mass destruction or a missile system to deliver such weapons.

(s) PRIMARY OBJECTIVE.—The primary objective of the Initiative for Proliferation Prevention program is to improve the pay or benefits of a scientist or engineer if the scientist or engineer—

(i) is currently engaged in activities directly related to the design, development, production, or testing of chemical, biological, or radiological weapons or a missile system to deliver such weapons; or

(ii) was not formerly engaged in activities directly related to the design, development, production, or testing of weapons of mass destruction or a missile system to deliver such weapons.
this title for the Nuclear Cities Initiative may be expended only for such purposes as the Secretary of Energy, the Minister of Atomic Energy of the Russian Federation, and the Prime Minister of the Russian Federation certify to Congress that Russia has agreed to close some of its facilities engaged in the production of weapons of mass destruction.

(2) The Nuclear Cities Initiative may be used to support activities of the initiative until the Secretary of Energy certifies to Congress that Russia has agreed to close some of its facilities engaged in the production of weapons of mass destruction.

(3) The Secretary may not provide assistance under the Nuclear Cities Initiative to more than three nuclear cities.

(4) Not later than January 1, 2000, the Secretary shall submit to Congress a report describing the participation in or contribution to the Nuclear Cities Initiative of each de-
shall be compensated at a rate equal to the daily equivalent of an annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission.

(B) All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) 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.

(3)(A) The Commission may, without regard to the civil service laws and regulations, appoint and terminate such personnel as may be necessary to enable the Commission to perform its duties under this section.

(B) The Commission may fix the compensation of the personnel of the Commission 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.

(4) Any officer or employee of the United States who is appointed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) The members and employees of the Commission shall hold security clearances appropriate for the matters considered by the Commission in the discharge of its duties under this section.

(f) APPLICABILITY OF FACA.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of the Commission.

(g) FUNDING.—(1) From amounts authorized to be appropriated by sections 3101 and 3103, the Secretary of Energy shall make available to the Commission not more than $1,000,000 for the activities of the Commission under this section.

(2) Amounts made available to the Commission under this section shall remain available until expended.

(h) TERMINATION OF DEPARTMENT OF ENERGY SECURITY MANAGEMENT BOARD.—(1) Section 3161 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 2404; 42 U.S.C. 7251 note) is repealed.

(2) Section 3162 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 2404; 42 U.S.C. 7274 note) is amended—

(a) by striking ‘‘(a) IN GENERAL.—’’;

(b) by striking subsection (b).

SEC. 3153. BACKGROUND INVESTIGATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) IN GENERAL.—The Secretary of Energy shall ensure that an investigation meeting the requirements of section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165) is made for each Department of Energy employee, or contractor employee, at a Department of Energy facility who—

(1) carried out duties or responsibilities in or around a location where Restricted Data is or may be present; or

(2) has or may have regular access to a location containing Restricted Data.

(b) COMPLIANCE.—The Secretary shall have one year from the date of the enactment of this Act to meet the requirement in subsection (a).

SEC. 3154. PLAN FOR POLYGRAPH EXAMINATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) PLAN.—(1) Not later than 120 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the congressional defense committees a plan for conducting, as part of the Department of Energy personnel assurance programs, periodic polygraph examinations of each Department of Energy employee, or contractor employee, at a Department of Energy facility who has or may have regular access to Restricted Data or Sensitive Compartmented Information. The purpose of the examinations is to minimize the potential for release or disclosure of such data or information by such employees.

(2) The plan shall include recommendations for any legislative action necessary to implement the plan.

(b) LIMITATION ON USE OF FUNDS PENDING SUBMITTAL OF PLAN.—Not more than 50 percent of the amounts authorized to be appropriated or otherwise made available for the Department of Energy for the fiscal year 2000 or travel expenses may be obligated or expended until the date of the submittal of the plan required by subsection (a).

SEC. 3155. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS REGARDING SECURITY OF RESTRICTED DATA.

(a) IN GENERAL.—Chapter 18 of title I of the Atomic Energy Act of 1946 (42 U.S.C. 2271 et seq.) is amended by inserting after section 294A the following new section:

‘‘SEC. 234B. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS REGARDING SECURITY OF CLASSIFIED OR SENSITIVE INFORMATION OR DATA.—

‘‘(a) Any person who has entered into a contract or agreement with the Department of Energy, or a subcontract or subagreement thereto, and who violates (or whose employee violates) any applicable rule, regulation, or order prescribed or otherwise issued by the Secretary pursuant to this Act relating to the safeguarding of Restricted Data or other classified or sensitive information shall be subject to a civil penalty of not to exceed $100,000 for each such violation.

‘‘(b) The Secretary shall include in each contract with a contractor of the Department provisions which provide an appropriate reduction in the fees or amounts paid to the contractor under the contract in the event of a violation by the contractor or contractor employee of any rule, regulation, or order relating to the safeguarding or security of Restricted Data or other classified or sensitive information. The provisions shall specify various degrees of violations and the amount of the reduction attributable to each degree of violation.

‘‘(c) The powers and limitations applicable to the assessment of civil penalties under section 234A shall apply to the assessment of civil penalties under this section.’’

(b) CLARIFYING AMENDMENT.—The section heading of section 234A of that Act (42 U.S.C. 2282a) is amended by inserting ‘‘SAFETY’’ before ‘‘REGULATIONS.’’

(c) CLEANSER AMENDMENT.—The title of sections for that Act is amended by inserting after the item relating to section 234A the following new item:

‘‘234A. Civil Monetary Penalties for Violations of Department of Energy Safety Regulations.’’

‘‘234B. Civil Monetary Penalties for Violations of Department of Energy Regulations Regarding Security of Classified or Sensitive Information or Data.’’

SEC. 3156. MORATORIUM ON LABORATORY-TO-LABORATORY AND FOREIGN VISITORS AND ASSIGNMENTS PROGRAMS.

(a) CERTIFICATION.—(1) The Secretary of Energy, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation shall submit to the committees referred to in paragraph (3) a certification that each program referred to in paragraph (2) meets the following conditions:

(A) That the program complies with applicable laws, regulations, and policies of the Department of Energy relating to the safeguarding and security of sensitive information and fulfills any counterintelligence requirements arising under such Directives or requirements.

(B) That the program complies with Presidential Decision Directive 34 and subdirectory of such Directives or requirements arising under such Directives or requirements.

(C) That the program includes adequate protections against the inadvertent release of Restricted Data, information important to the national security of the United States, and any other sensitive information the disclosure of which might harm the interests of the United States.

(D) That the program does not pose an undue risk to the national security interests of the United States.

(2) A program referred to in this paragraph is any program as follows:

(A) A cooperative program carried out between the Department of Energy and the People’s Republic of China.

(B) A cooperative program carried out between the Department of Energy and an independent state of the former Soviet Union.

(C) A cooperative program carried out between the Department of Energy and any nation designated as sensitive by the Secretary of Energy.

(3) The committees referred to in this paragraph are the following:

(A) The Committees on Armed Services and Appropriations of the Select Committee on Intelligence of the Senate.

(B) The Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) LIMITATION ON USE OF FUNDS PENDING CERTIFICATION.—(1) Except as provided in paragraph (2), no amounts authorized to be appropriated by section 3101 or 3103 or otherwise made available to the Department of Energy for fiscal year 2000 may be obligated or expended to conduct a program referred to in subsection (a)(2), or any studies or planning in anticipation of such program, beginning on the date that is 45 days after the date of the enactment of this Act and continuing until 30 days after the date on which the Director of Central Intelligence submits to the committees referred to in subsection (a)(3) the certification referred to in subsection (a)(1). The certification shall be submitted in unclassified form, but may include a classified annex.

(2)(A) The 30-day wait period specified in paragraph (1) for the obligation and expenditure of funds for a program referred to in subsection (a)(2) shall be extended for the certification with respect to the program under subsection (a)(1) submitted during the 45-
day period beginning on the date of the enactment of this Act (42 U.S.C. 2277) is amended by adding at the end the following:

"(b) OFFICE OF INTELLIGENCE.—That title is SEC. 213. (a) There is within the Department of Energy 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 report directly to the Secretary."
a report on the investigations undertaken under section 315 of this Act on an annual basis and submit the report to the congressional defense committees pursuant to this section.

(2) The Secretary shall establish a pool of Department employees who are specially trained to counter intelligence-gathering activities on behalf of the Department.

(3) The Secretary of Energy and Secretary of Defense shall jointly determine advisable to enhance the capability of the Council to ensure the integration of Department of Defense requirements for nuclear weapons programs and budget processes of the Department of Energy.

(4) An assessment of the extent to which the requirements referred to in paragraph (2) and the Department of Energy as of that date.

(5) The report shall include the following:

(a) A description of the activities of the Council during the 12-month period ending on the date of the report together with any assessments or studies conducted by the Council during that period.

(b) A description of the highest priority requirements of the Department of Defense with respect to the Department of Energy.

(3) An assessment of the extent to which the requirements referred to in paragraph (2) and the Department of Energy as of that date.

(d) NUCLEAR MISSION MANAGEMENT PLAN.—The Secretary of Defense shall develop and implement a plan based on a plan to enhance the reliability of the capability of the Department of Defense to carry out its nuclear deterrent mission. The plan shall:

(1) articulate the current policy of the United States on the role of nuclear weapons and nuclear deterrence in the conduct of defense and foreign relations matters;

(2) establish stockpile viability and capability requirements with respect to that mission, including the number and variety of warheads required;

(3) establish requirements relating to the contractor industrial base, support infrastructure, and surveillance, testing, assessment, and certification of nuclear weapons necessary to support that mission;

(4) take into account requirements for the critical skills, readiness, training, exercise, and testing of personnel necessary to meet those requirements; and

(5) take into account the relevant programs and plans of the military departments and the defense agencies with respect to sustaining the nuclear weapons research and development, and modernization of the strategic deterrent forces.

(e) NUCLEAR EXPERTISE ACQUISITION MEASURES.—(1) The Secretary of Energy and Secretary of Defense shall jointly submit to the committees referred to in subsection (a) a
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SEC. 3173. 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 determines that the amount will not be obligated for payment of award fees in the fiscal year in which such amount is authorized to be appropriated; and

(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 on the exercise of the authority.

SEC. 3176. PILOT PROGRAM FOR PROJECT MANAGEMENT OVERSIGHT REGARDING DEPARTMENT OF ENERGY CONSTRUCTION PROJECTS.

(a) REQUIREMENT.—(1) The Secretary of Energy shall carry out a pilot program on the use of project management oversight services (PMO) services for Department of Energy construction projects.

(b) Purpose of the pilot program.—(1) The purpose of the pilot program is to provide a basis for determining whether or not the use of competitively procured, external project management oversight services on construction projects would permit the Department to control oversize costs and schedule delays associated with Department construction projects having large capital costs.

(c) Projects covered by program.—(1) Subject to paragraph (2), the Secretary shall select projects that have capital construction costs anticipated to be not less than $25,000,000.

(d) Construction projects.—(1) Subject to paragraph (2), the project management oversight services utilized under the pilot program shall include the following services:

(2) Monitoring the overall progress of a project.

(3) Determining whether or not a project is within budget.

(4) Determining whether or not a project is on schedule.

(5) Determining whether or not a project is being carried out efficiently and effectively.

(6) Any other management oversight services that the Secretary considers appropriate for purposes of the pilot program.

(e) PROCUREMENT OF SERVICES UNDER PROGRAM.—Any services procured under the pilot program shall be acquired on a competitive basis; and

(f) Costs.—Notwithstanding the definition of ‘‘construction project’’ as used for purposes of the pilot program.
(a) REPORT.—Not later than December 31, 2000, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report assessing the progress in the closure of the Rocky Flats Environmental Technology Site, Colorado.

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

(1) How decisions with respect to the future of the Rocky Flats Environmental Technology Site affect ongoing cleanup at the site.

(2) Whether the Secretary of Energy could provide timely notice to the contractor at the site in order to quicken the cleanup of the site.

(3) Whether the Secretary could take additional actions throughout the nuclear weapons complex of the Department of Energy in order to quicken the closure of the site.

(4) The developments, if any, since the April 1999 report to the Comptroller General that could alter the pace of the closure of the site.

(5) The possibility of closure of the site by 2006.

(6) The actions that could be taken by the Secretary or Congress to ensure that the site would be closed by 2006.

TITe XXX.—Defense Nuclear Facilities Safeguards Board.

SEC. 3201. DEFENSE NUCLEAR FACILITIES SAFEGUARDS BOARD.

There are authorized to be appropriated for fiscal year 1999 for the operation of the Defense Nuclear Facilities Safeguards Board under chapter 21 of the Atomic Energy Act of 1946 (42 U.S.C. 2266 et seq.).

TITe XXXI.—Defense Nuclear Nonproliferation Stockpile.

SEC. 3301. AUTHORIZED USES OF STOCKPILE FUNDS.

(a) Obligation of Stockpile Funds.—During fiscal year 1999, the National Defense Stockpile Manager may obligate up to $78,700,000 of the funds in the National Defense Stockpile Transaction Fund for the authorized uses of such funds under section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 88h(b)(2)), including the disposal of hazardous materials that are environmentally sensitive.

(b) Additional Obligations.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3302. LIMITATIONS ON PREVIOUS AUTHORITY FOR DISPOSAL OF STOCKPILE MATERIALS.


(1) by striking "(b) LIMITATION ON DISPOSAL QUANTITY.—" and inserting "(b) LIMITATIONS ON DISPOSAL AUTHORITY.—"; and

(2) by adding at the end the following:

"(2) The President may not dispose of materials under this section in excess of the disposals necessary to result in receipts in the amounts specified in subsection (a)."

(b) Public Law 105–85 AUTHORITY.—Section 3305(b) of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–85; 111 Stat. 2058; 50 U.S.C. 98d note) is amended—

(1) by striking "(b) LIMITATION ON DISPOSAL QUANTITY.—" and inserting "(b) LIMITATIONS ON DISPOSAL AUTHORITY.—"; and

(2) by adding at the end the following:

"(2) The President may not dispose of materials under this section in excess of the disposals necessary to result in receipts in the amounts specified in subsection (a)."

SEC. 3401. EXTENSION OF REVIEW OF WASTE ISOLATION PILOT PLANT.

(a) Submittal of Proposed Schedule.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives a proposed schedule for the commencement of shipments of waste from the Rocky Flats Plant, Colorado, to the Waste Isolation Pilot Plant, New Mexico.

(b) Elements.—The schedule under subsection (a) shall set forth—

(1) the proposed commencement date of shipments of mixed transuranic waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant; and

(2) the proposed commencement date of shipments of unmixed transuranic waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant.

(c) Requirements Regarding Schedule.—In preparing the schedule, the Secretary shall assume the following:

(1) closure date for the Rocky Flats Plant in 2006.

(2) That all waste that is transferable from the Rocky Flats Plant to the Waste Isolation Pilot Plant will be removed from the Rocky Flats Plant by that closure date as specified in the current 2006 Rocky Flats Plant Closure Plan.

(3) That, per to the maximum extent practicable, shipments of waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant will be carried out on an expedited schedule in accordance with environmental requirements of waste to the Waste Isolation Pilot Plant that are planned as of the date of the enactment of this Act.

SEC. 3179. COMPTROLLER GENERAL REPORT ON CLOSURE OF ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, COLORADO.

(a) Report.—Not later than December 31, 2000, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report assessing the progress in the closure of the Rocky Flats Environmental Technology Site, Colorado.

(b) Report Elements.—The report shall address the following:

(1) The decisions with respect to the future of the Rocky Flats Environmental Technology Site Site operating cleanup at the site.

(2) Whether the Secretary of Energy could provide timely notice to the contractor at the site in order to quicken the cleanup of the site.

(3) Whether the Secretary could take additional actions throughout the nuclear weapons complex of the Department of Energy in order to quicken the closure of the site.

(4) The developments, if any, since the April 1999 report to the Comptroller General that could alter the pace of the closure of the site.