DEPARTMENT OF DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

On May 27, 1999, the bill, S. 1060, was passed by the Senate. The text of the bill is as follows:

S. 1060

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

SECTION 1. SHORT TITLE.

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

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SEC. 121. LHD-8 AMPHIBIOUS DOCK SHIP PROGRAM.

(a) AUTHORIZATION OF SHIP.—The Secretary of the Navy is authorized to procure the amphibious dock ship to be designated LHD-8, subject to the availability of appropriations for that purpose.

(b) AMOUNT AUTHORIZED.—Of the amount authorized to be appropriated under section 102(a)(3) for fiscal year 2000, $375,000,000 is available for the advance procurement of and advance construction of components for the LHD-8 amphibious dock ship program. The Secretary of the Navy may enter into a contract or contracts with the shipbuilder and other entities for the advance procurement and advance construction of those components.

Subtitle D—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORIZATION ARM.

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

(1) The M270A1 launcher.

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

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

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

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

(6) The Wolverine heavy assault bridge.

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

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

(9) The CV2 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.

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

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

(A) a discussion of the actions taken to correct the deficiencies in such trainers that have been identified as part of the Department of Defense 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. 115. ARMY AVIATION MODERNIZATION.

(a) MODERNIZATION PLAN.—The Secretary of the Army shall submit to the congressional defense committees a comprehensive plan for the modernization of the Army's helicopter force structure, which plan shall include—

(1) a review of the total requirements and State mission requirements for aircraft utilized by the Army National Guard.

(2) an assessment of the Army's current aviation force structure.

(3) an assessment of the Army's current aviation force structure.

(4) a concept for the future aviation force structure.

(5) a concept for the future aviation force structure.

(6) an assessment of the Army's current aviation force structure.

(7) a concept for the future aviation force structure.

(8) an assessment of the Army's current aviation force structure.

(9) an assessment of the Army's current aviation force structure.

(10) an assessment of the Army's current aviation force structure.

(11) an assessment of the Army's current aviation force structure.

(12) an assessment of the Army's current aviation force structure.

(b) LIMITATION.—Not more than 90 percent of the amount authorized to be appropriated under section 101(2) may be obligated before the date that is 30 days after the date on which the Secretary of the Army submits the plan required under subsection (a) to the congressional defense committees.

SEC. 112. ARMY AVIATION MODERNIZATION.

(a) MODERNIZATION PLAN.—The Secretary of the Army shall submit to the congressional defense committees a comprehensive plan for the modernization of the Army's helicopter force structure, which plan shall include—

(1) a review of the total requirements and State mission requirements for aircraft utilized by the Army National Guard.

(2) an assessment of the Army's current aviation force structure.

(3) an assessment of the Army's current aviation force structure.

(4) a concept for the future aviation force structure.

(5) a concept for the future aviation force structure.

(6) an assessment of the Army's current aviation force structure.

(7) an assessment of the Army's current aviation force structure.

(8) an assessment of the Army's current aviation force structure.

(9) an assessment of the Army's current aviation force structure.

(10) an assessment of the Army's current aviation force structure.

(11) an assessment of the Army's current aviation force structure.

(12) an assessment of the Army's current aviation force structure.

(b) LIMITATION.—Not more than 90 percent of the amount authorized to be appropriated under section 101(2) may be obligated before the date that is 30 days after the date on which the Secretary of the Army submits the plan required under subsection (a) to the congressional defense committees.

SEC. 114. MULTIPLE LAUNCH ROCKET SYSTEM.

Of the funds authorized to be appropriated under section 101(2), $300,000 may be made available to complete the development of relevant, demilitarization tools and technologies for use in the disposition of Army MLRS inventory.

Subtitle E—Navy Programs

SEC. 121. LHD-8 AMPHIBIOUS DOCK SHIP PROGRAM.

(a) AUTHORIZATION OF SHIP.—The Secretary of the Navy is authorized to procure the amphibious dock ship to be designated LHD-8, subject to the availability of appropriations for that purpose.

(b) AMOUNT AUTHORIZED.—Of the amount authorized to be appropriated under section 102(a)(3) for fiscal year 2000, $375,000,000 is available for the advance procurement of and advance construction of components for the LHD-8 amphibious dock ship program. The Secretary of the Navy may enter into a contract or contracts with the shipbuilder and other entities for the advance procurement and advance construction of those components.

Subtitle F—Air Programs

SEC. 122. ARLEIGH BURKE CLASS DESTROYER PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT OF 6 ADDITIONAL VESSELS.—(1) Subsection (b) of section 2306a of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2446) is amended in the first sentence by striking—

"12 Arleigh Burke class destroyers" and inserting "18 Arleigh Burke class destroyers"; and
June 7, 1999

SECTION 124. COOPERATIVE ENGAGEMENT CAPABILITY PROGRAM.

SEC. 124. COOPERATIVE ENGAGEMENT CAPABILITY PROGRAM.—Notwithstanding any other provision of this Act, not less than $71,670,000, of the funds authorized to be appropriated under section 102(a) for procurement programs, projects, and activities of the Navy for the years 1998 and 1999, and not less than $70,640,000 for each of the years 2000 and 2001, may be made available for development of the D–5 missile program. The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding the D–5 missile program.

SEC. 143. D–5 MISSILE PROGRAM.

SEC. 143. D–5 MISSILE PROGRAM.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding the D–5 missile program.

SEC. 213. SPACE CONTROL TECHNOLOGY.

SEC. 213. SPACE CONTROL TECHNOLOGY.—Of the amounts authorized to be appropriated under section 201(1), $4,156,812,000 shall be available for contributions for the common technical implementation of the micro-satellite technology development plan of NATO.

Sec. 213. SPACE CONTROL TECHNOLOGY—Of the amounts authorized to be appropriated under section 201(1), $4,156,812,000 shall be available for contributions for Continued implementation of the micro-satellite technology development plan of NATO.

Sec. 213. SPACE CONTROL TECHNOLOGY—Of the amounts authorized to be appropriated under section 201(1), $4,156,812,000 shall be available for contributions for Continued implementation of the micro-satellite technology development plan of NATO.

Sec. 213. SPACE CONTROL TECHNOLOGY—Of the amounts authorized to be appropriated under section 201(1), $4,156,812,000 shall be available for contributions for Continued implementation of the micro-satellite technology development plan of NATO.
be available for space control technology development. The funds made available pursuant to the preceding sentence, the Commanding General of the United States Army Space and Missile Defense Command may utilize such amounts as are necessary for any of the following activities:

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

(2) Technology development associated with the kinetic energy anti-satellite kill vehicle to temporarily disrupt satellite functions.

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

SEC. 214. SPACE MANEUVER VEHICLE.

(a) FUNDING.—Of the funds authorized to be appropriated under section 201(2), $35,000,000 is available for the space maneuver vehicle program.

(b) ACQUISITION OF SECOND FLIGHT TEST ARTICLE.—The amount available for the space maneuver vehicle program under subsection (a) may be used only to acquire a second flight test article for the joint Air Force and National Aeronautics and Space Administration X-37 program in support of the Air Force Space Maneuver Vehicle program.

SEC. 215. MANUFACTURING TECHNOLOGY PROGRAM.

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

(1) by striking paragraph (4);

(2) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4) respectively; and

(3) by inserting after "program—with" 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 reduce the lifecycle cost and improving reliability and maintainability essential to the national defense, as well as for use for repair and remanufacturing in support of the operations of systems command, depot, 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 selection.

"(3) A manufacturing technology project selected for the program may be carried out only if the head of the program office of a systems command, depot, air logistics center, or as a sponsor for the project by certifying that funds available to the program office will be used to pay the costs of implementing a manufacturing technology developed and applied under the project to the successful satisfaction of requirements described in subsection (b)(1)."

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

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

(2) by striking "(A)" following "(d) PROCUREMENT AND TESTING—" and "(B) For each and all that follows through "competitive procedures," and inserting the following: "(2) The competitive procedures shall include among the factors the evaluation of a proposal for a contract, grant, cooperative agreement, or other transaction for a project the extent to which the offeror or the prospective recipient is able to share in defraying the costs of the project."

SEC. 216. TESTING OF AIRBLAST AND IMPROVED LASER TECHNOLOGIES.

Of the amount authorized to be appropriated under section 201(4) (1) $4,000,000 is available for testing of airblast and improvised explosives (in PE 61122D); and

(2) the amount provided for sensor and guidance technology (in PE 63762E) is reduced by $4,000,000.

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 developed and applied under the 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.

Subsection (a) of section 236 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1876, 1844) is repealed.

SEC. 223. SPACE-BASED LASER PROGRAM.

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

(1) a near-term integrated flight experiment;

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

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

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

(2) Utilization, 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, an early demonstration of the technological and environmental that will exist when such a system can be deployed, the Secretary shall structure the space-based laser program schedule to include the following:

(1) Robust research and development on advanced technologies consistent with and 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.

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

(e) REVISED PROGRAM BASELINE.—The Secretary of Defense shall, in consultation with the space-based laser joint venture team, shall promptly revise the space-based laser program baseline to reflect the requirements of this section.

(f) FUNDS AVAILABLE FOR BALLISTIC MISSILE DEFENSE ORGANIZATION EXECUTION.—Of the amounts authorized to be appropriated under section 201(3), $80,000,000 shall be available for the space-based laser program.

SEC. 224. AIRBORNE LASER PROGRAM.

(a) MODIFICATION OF PROGRAM DEFINITION AND BOUNDARIES.

The Secretary of the Air Force may not commence any modification of the program definition and risk reduction aircraft for the Airborne Laser program and the Secretary of Defense certifies to Congress that he has determined that the commencement of the aircraft modification according to the existing schedule is justified on the basis of the results of test and analysis involving the following activities:

(1) The North Oscura Peak dynamic test program.

(2) Scintillometry data collection and analysis.

(3) The lethality/vulnerability program.

(4) The countermeasures test and analysis effort.

(5) Reduction and analysis of other existing data.

(b) AUTHORITY-TO-PROCEED.—Before the Authority-to-Proceed-2 may be approved for the Airborne Laser program, the Secretary of Defense shall—

(1) ensure that the Secretary of the Air Force has developed an appropriate plan for resolving the technical challenges identified in the Airborne Laser Program Assessment; and

(2) approve the plan; and

(3) submit a report on the plan to the congressional defense committees.

(c) MILESTONE II EXIT CRITERIA.—The Secretary of Defense shall structure the Airborne Laser program schedule and Milestone II exit criteria to ensure that, prior to the
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making of a Milestone II decision approving entry of a program into engineering and manufacturing development—

(1) no modification of the engineering and manufacturing development aircraft is begun;

(2) the program definition and risk reduction aircraft is utilized in a robust series of flight tests that validates the technical maturity of the Airborne Laser program and provides sufficient information regarding the performance of the system across the full range of its validated operational requirements;

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

(d) AIRBORNE LASER PROGRAM ASSESSMENT DEFINED.—In this section, the term ‘Airborne Laser Program Assessment’ means the Assessment of Technical and Operational Aspects of the Airborne Laser Program that was submitted to Congress by the Secretary of Defense for Acquisition and Technology under subsection (a) of this section.

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 missile defense technology development and ballistic missile defense acquisition programs;

(2) funding planned within the future years defense program by 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 two-site deployment 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 (CALCM) inventory of the Air Force if the CALCM program has been deprogrammed. In conducting the study, the Secretary shall consider the following options—

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

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

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

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

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

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

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

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

SEC. 231. ANNUAL REPORT ON EMERGING OPERATIONAL CONCEPTS.

(a) EXTENSION OF REPORTING REQUIREMENT.—Subsection (a) of section 1042 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2642; 10 U.S.C. 213 note) is amended by striking ‘‘2000’’ and inserting ‘‘2002’’.

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

‘‘(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—

‘‘(1) 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 or 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.

(a) REQUIREMENT.—The Under Secretary of Defense for Acquisition and Technology shall—

(1) conduct a technology area review and assessment, in accordance with subsection (b), each year, the Secretary shall report to the congressional defense committees on the results of the technology area review and assessment conducted under this section for each year:

(b) TECHNOLOGY AREA REVIEW AND ASSESSMENT.—With the submission of the plan under subsection (a) each year, the Secretary shall submit to the congressional defense committees a summary of each technology area review and assessment conducted by the Department of Defense in support of that plan.

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

(a) REQUIREMENT.—The Under Secretary of Defense for Acquisition and Technology shall submit to the congressional defense committees a report on the technological breakthroughs in each technology area review and assessment that will serve the needs of more than one of the Armed Forces.

(b) CONTENT.—The report shall include the actions or developments that are planned to be taken within the Department of Defense to ensure that—

(1) the Department of Defense laboratories and agencies approach their efforts to respond to revolutionary changes in military operations and the new technologies that will be necessary to support those operations;

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

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

(4) the Department can identify militarily relevant technologies that are developed in the private sector, rapidly incorporate those technologies into their officer education and training programs, as appropriate, materials necessary to ensure that the officers have the familiarity with the processes, advances, and opportunities in technology development that is necessary for making decisions that ensure the superiority of United States defense technology in the future.

SEC. 234. INCENTIVES TO PRODUCE INNOVATIVE NEW TECHNOLOGIES.

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

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

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

(a) AUTHORITY.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2374 the following:

‘‘§ 2374a. Prizes for advanced technology

‘‘(a) AUTHORITY.—The Director of the Defense Advanced Research Projects Agency may establish a program for the award of prizes in recognition of outstanding achievements in basic, advanced, and applied research, technology development, and prototype development that have the potential for application to the performance of the military missions of the Department of Defense.

(b) COMPETITION REQUIREMENTS.—The Director shall use a competitive process for the selection of recipients of prizes under this section. The process shall include the widely-

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award of more than $1,000,000 in cash prizes shall consider laboratories where innovative implementation of methods for achieving the goals of operation that provide more defense sustain the finest scientific talent. Effectively compete in hiring processes to obtain the appropriate level of skills and experience, and can attract a balanced workforce of permanent, employed in any category or categories of employees in any constraint or limitation in a statute or otherwise calculated under that provision of law; or (2) Not later than March 1, 2000, the Secretary of Defense shall submit a report on the implementation of the pilot program to Congress. The report shall include the following:

(A) Each laboratory selected for the pilot program.

(B) To the extent possible, a description of the innovative concepts that are to be tested at each laboratory or center.

(C) The criteria to be used for measuring the success of each concept to be tested.

(2) Promptly after the expiration of the period for participation of a laboratory in the pilot program, the Secretary of Defense shall submit to Congress a final report on the pilot program. The report shall contain the following:

(A) A description of the concepts tested.

(B) The results of the testing.

(C) The lessons learned.

(D) Any proposal for legislation that the Secretary recommends on the basis of the experience at the laboratory under the pilot program.

SEC. 237. EXEMPTION OF DEFENSE LABORATORY EMPLOYEES FROM CERTAIN WORKFORCE MANAGEMENT RESTRICTIONS.

(a) STRATEGY MANAGEMENT.—Section 342 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721) is amended by adding at the end of section 342:

“(h) EXEMPTION FROM WORKFORCE MANAGEMENT REQUIREMENTS.—The Secretary of Defense may exercise the authority of the Director to acquire, support, or transfer personnel as necessary to ensure that the Defense laboratories—

(A) To ensure that the defense laboratories demonstrate improved cooperative relationships with industry, with other government agencies of the United States, with universities and other private sector entities for the performance of research and development functions.

(B) To the extent possible, a description of the innovative concepts that are to be tested at each laboratory or center.

(C) The criteria to be used for measuring the success of each concept to be tested.

(2) Promptly after the expiration of the period for participation of a laboratory in the pilot program, the Secretary of Defense shall submit to Congress a final report on the pilot program. The report shall contain the following:

(A) A description of the concepts tested.

(B) The results of the testing.

(C) The lessons learned.

(D) Any proposal for legislation that the Secretary recommends on the basis of the experience at the laboratory under the pilot program.

SEC. 238. USE OF WORKING-CAPITAL FUNDS FOR FINANCING RESEARCH AND DEVELOPMENT OF THE MILITARY DEPARTMENT.

(a) AUTHORITY.—Section 2208 of title 10, United States Code, is amended by adding at the end the following:

“(c) 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.

“(d) ANNUAL REPORT.—Promptly after the end of each fiscal year, the Secretary shall submit with the report required by section 2208(b) of this title a report to the Committees on Armed Services of the Senate and the House of Representatives describing the efforts of the Department of Defense to use working-capital funds for the activities and programs described in paragraph (9). The report shall include the following:

(A) A description of the concepts tested.

(B) The results of the testing.

(C) The lessons learned.

(D) Any proposal for legislation that the Secretary recommends on the basis of the experience at the laboratory under the pilot program.

(2) The methods used for solicitation and evaluation of submissions, together with an assessment of the effectiveness of those methods.

(b) C LERICAL AMENDMENT.—The table of sections at the beginning of this title is amended by inserting after the item relating to section 2204 the following:

“2274a. Prizes for advanced technology.”.

SEC. 236. ADDITIONAL PILOT PROGRAM FOR RE-VITALIZING DEPARTMENT OF DEFENSE LABORATORIES.

(a) AUTHORITY.—(1) The Secretary of Defense may carry out a pilot program to demonstrate improved cooperative relationships with industry, with other government agencies of the United States, with universities and other private sector entities for the performance of research and development functions. The pilot program under this section is in addition to the pilot program under section 408 of the Stennis Thompson National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1955: 10 U.S.C. 2358 note).

(2) Under the pilot program, the Secretary of Defense shall provide the director of one science and technology laboratory, and the director of one test and evaluation laboratory, of each military department with authority for the following:

(A) To ensure that the defense laboratories can attract a balanced workforce of permanent and temporary personnel with an appropriate level of skills and experience, and can effectively compete in hiring processes to obtain the finest scientific talent.

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

(C) To waive any restrictions not required by law that apply to the demonstration and implementation methods for achieving the objectives in subparagraphs (A) and (B).

(3) In selecting the laboratories for participation in the pilot program, the Secretary shall select the laboratories where innovative management techniques have been demonstrated, particularly as documented under sections 1115 through 1119 of title 31, United States Code, relating to Government agency performance.

(4) The Secretary may carry out the pilot program at each selected laboratory for a period of three years beginning not later than March 1, 2000.

(b) REPORT.—(1) Not later than March 1, 2000, the Secretary of Defense shall submit a report on the implementation of the pilot program to Congress. The report shall include the following:

(A) Each laboratory selected for the pilot program.

(B) To the extent possible, a description of the innovative concepts that are to be tested at each laboratory or center.

(C) The criteria to be used for measuring the success of each concept to be tested.

SEC. 239. EFFICIENT UTILIZATION OF DEFENSE LABORATORIES.

(a) ANALYSIS BY INDEPENDENT PANEL.—(1) Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall convene a panel of independent experts under the auspices of the Defense Science Board to conduct an analysis of the resources and capabilities of all of the laboratories and test and evaluation facilities of the Department of Defense, including those of the military departments. In conducting the analysis, the panel shall identify opportunities to achieve efficiency and reduce duplication of efforts by consolidating responsibilities by area or function or by combining lead agencies or executive agents in cases considered appropriate. The panel shall report its findings to the Secretary of Defense and to Congress not later than August 1, 2000.

(2) The analysis required by paragraph (1) shall, at a minimum, address the capabilities of the laboratories and test and evaluation facilities in the areas of air vehicles, armaments, command, control, communications, and intelligence, space, directed energy,
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electronic warfare, medicine, corporate laboratories, ocean engineering, geophysics, and the environment.

(b) PERFORMANCE REVIEW PROCESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop an appropriate performance review process for rating the quality and relevance of work performed by the Department of Defense laboratories. The process shall include customer evaluation and peer review by Department of Defense personnel, as appropriate, and reports from outside the Department of Defense. The process shall provide for rating all laboratories of the Army, Navy, and Air Force on a consistent basis.

Subtitle E—Other Matters

SEC. 351. REPORT ON AIR FORCE DISTRIBUTED MISSION TRAINING.

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

(b) Contents of Report.—The report shall include a discussion of the following:

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

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

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

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

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

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

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

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

(3) For the National Defense Sealift Fund, $492,000,000.

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

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

(6) For the Army Reserve, $1,376,813,000.

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

(8) For the Air Force Reserve, $238,840,000.

(9) For the Navy Reserve, $2,387,600,000.

(10) For the Army National Guard, $1,954,430,000.

(11) For the Air National Guard, $1,954,430,000.

(b) USE OF HUMANITARIAN AND CIVIC ASSISTANCE FUNDING FOR IT AND ALLOWANCES OF SPECIAL OPERATIONS COMMAND RESERVES FOR FURNISHING DEMINING TRAINING AND RELATED ASSISTANCE AS HUMANITARIAN ASSISTANCE.

(1) By adding the following to section 301 of title 10, United States Code, which section is amended—

(2) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(3) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(4) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(5) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(6) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(7) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(8) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(9) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(10) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(11) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(12) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(13) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(14) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(15) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(16) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(17) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(18) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(19) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(20) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(21) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(22) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(23) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(24) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(25) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(26) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

(27) RATIONALE.—This section is in addition to the transfer authority provided in section 1001.

"(3) The amount authorized to be appropriated pursuant to section 301(a)(1) for operation and maintenance for the Army, $216,400,000, shall be available for contributions for the common-funded Military Bud--

"(4) The amount authorized to be appropriated pursuant to section 301(a)(1) for operation and maintenance for the Army, $216,400,000, shall be available for contributions for the common-funded Military Bud--

SEC. 305. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2000 from the Armed Forces Retirement Home Trust Fund the sum of $68,295,000 for the operation of the Armed Forces Retirement Home, including the United States Soldiers' and Airmen's Homes and the Naval Home.

SEC. 306. OPERATIONAL METEOROLOGY AND OCEANOGRAPHY AND UNOLS.

Of the funds authorized to be appropriated in section 301(a)(5), $10,963,033,000 may be expended for Operational Meteorology and Oceanography and UNOLS.

SEC. 307. ARMED FORCES EMERGENCY SERVICES.

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

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 311. NATO COMMON-FUNDED MILITARY BUDGET.

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

SEC. 312. USE OF HUMANITARIAN AND CIVIC ASSISTANCE FUNDING FOR IT AND ALLOWANCES OF SPECIAL OPERATIONS COMMAND RESERVES FOR FURNISHING DEMINING TRAINING AND RELATED ASSISTANCE AS HUMANITARIAN ASSISTANCE.

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

SEC. 313. NATIONAL DEFENSE FEATURES PROGRAM.

Section 2218 of title 10, United States Code, is amended—

SEC. 308. ARMED FORCES EMERGENCY SERVICES.

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

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 311. NATO COMMON-FUNDED MILITARY BUDGET.

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

“(4) Each contract entered into under this subsection shall—

“(A) set forth terms and conditions under which, so long as a vessel covered by the contrac-
tor is owned or controlled by the con-
tractor, is to operate the ves-

tle for the Department of Defense notwithstanding any other contract or commitment of that contractor;

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

“(5) The head of an agency may not dele-
gate authority under this subsection to any person in a position below the level of head of a component United States military department: Provided, That such authority is re-
designated by paragraph (1), the following:

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

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

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

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

(1) $6,000,000 shall be available for Oper-
aton of Focus.

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

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

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

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

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

Subtitle C—Environmental Provisions

SEC. 321. ENVIRONMENTAL TECHNOLOGY MAN-
AGEMENT.

(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 within the military departments; and

(4) to promote improvement in the per-
formance of environmental technologies by establishing objectives for environmental tech-
ologies developed by or with the assistance of the department or agencies concerned.

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

"§ 2358a. Research and development: environmental technologies.

"(a) MANAGEMENT OF RESEARCH AND DEVELO-
PMENT.—The Secretary of Defense shall pro-
provide in accordance with this section for the manage-
ment of projects engaged in under section 2358 of this title for the research, de-
velopment, and evaluation of environmental technologies for the Department of Defense and the military departments.

"(b) RESPONSIBILITIES OF SECRETARY OF DE-
FENSE.—The Secretary of Defense shall—

"(1) establish guidelines for the develop-
men of environmental technologies for the Department of Defense and the military departments; and

"(2) develop a strategic plan for the devel-
opment of environmental technologies within the Department of Defense and provide specific mecha-

"(3) establish guidelines for use by the offi-
cials concerned in preparing the annual per-
formance plans and performance reports re-
quired by this section.

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

"(5) if the Secretary determines that the development of performance objectives for particular technology projects by the offi-
cials referred to in subsection (a)(2) is not fea-
sible, establish a schedule for meeting the performance plan requirements set forth in subsection (b)(5).

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

"(A) develop and implement an investment control process for the selection, manage-
ment, and evaluation of environmental tech-

gologies by the department or agencies; and

"(B) establish at the beginning of each fis-
c
cal year a performance plan for the environ-
mental technology program of the Depart-
ment or agencies.

"(2) An investment control process under
paragraph (1)(A) shall include, for the de-
partment or agency concerned, mecha-

"(A) to ensure the identification of end-
user requirements for environmental tech-

gologies;

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

"(C) to avoid duplication and overlap in the research and development of environ-
mental technologies both within the Depart-
ment of Defense and between the Depart-
ment of Defense and other public and private entities and programs;

"(D) to provide for the conduct of perform-
ance-based reviews of environmental tech-

gologies that take into account end-user evaluations of environmental 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 environ-
mental technologies developed by or with the assistance of the department or agencies concerned.

"(3) A performance plan under paragraph (1) for the environmental technology program of a department or agency for a fiscal year shall—

"(A) unless the Secretary of Defense deter-
rmines that it is not feasible under subsection (b)(5), establish performance objectives for each environmental technology project under the program for the fiscal year based on user requirements and program prior-

"(B) provide a basis for comparing the act-
ual results of each project at the end of the fiscal year with the performance objectives for the project for the fiscal year;

"(C) establish means to validate the achievement of performance objectives for each project or to specify the extent to which performance objectives have been validated;

"(D) establish performance indicators for purposes of measuring or assessing relevant outputs and outcomes for each project for each fiscal year; and

"(E) establish mechanisms for determining the operational processes, skills and tech-

"(f) OFFICIAL CONCERNED DEFINED.—In this
section, the term ‘official concerned’ means—

"(I) an explanation for the failure of the project to meet the performance objectives; and

"(ii) either—

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

"(II) in the case of any performance objec-
tives established for the project for the fiscal year under subsection (c)(3) and the performance objective achieved with respect to the project in light of performance indicators for the project;

"(b) describe the extent to which the project met the performance objectives established for the project for the fiscal year;

"(C) if a project did not meet the perform-
ance objectives for the project for the fiscal year, include—

"(i) an explanation for the failure of the project to meet the performance objectives; and

"(ii) either—

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

"(II) in the case of any performance objec-
tives established for the project for the fiscal year, the funds obligated and expended, in the fis-
cal year for the project under subsection (c)(3), and assess the per-
formance achieved with respect to the project in light of performance indicators for the project; and

"(D) set forth the level of effort, including the funds obligated and expended, in the fis-
cal year for the achievement of each per-
formance objective for the project.
any environmental program technology for which the executive agent is—
(2) The Assistant Secretary of the Army (Environment and Safety), with respect to the environmental technology program of the Army or any environmental technology program for which the Army is the executive agent;
(3) The Assistant Secretary of the Navy (Environment and Safety), with respect to the environmental technology program of the Navy or any environmental technology program for which the Navy is the executive agent;
(4) The Deputy Assistant Secretary of the Air Force (Environment, Safety, and Occupational Health), with respect to the environmental technology program of the Air Force or any environmental technology program for which the Air Force is the executive agent.

(c) Clerical Amendment.—The table of sections at the beginning of chapter 139 of such title, as in effect for purposes of paragraphs (a) and (b) of section 238a, is amended as follows:

(1) The authority to be transferred from the Department of Defense to the Environmental Restoration Account, Defense Base Closure and Realignment Act of 1990 is amended by striking subsection (e).

(2) Amendments and Base Closure and Realignment Act of 1990 (part A of title XXIX of this title) is amended by striking subsection (d).


SEC. 322. ESTABLISHMENT OF ENVIRONMENTAL RESTORATION ACCOUNTS FOR INSTALLATIONS CLOSED OR REALIGNMENT OF MILITARY INSTALLATIONS CLOSED OR REALIGNMENT. 

(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:

"(4) The Deputy Assistant Secretary of the Air Force (Environment, Safety, and Occupational Health), with respect to the environmental technology program of the Air Force or any environmental technology program for which the Air Force is the executive agent, shall transfer from the Department of Environmental Restoration Account, Defense Base Closure and Realignment Act of 1990 as of October 1, 2000, as the Secretary determines necessary to carry out environmental restoration in accordance with section 2703(b)(2) of title 10, United States Code (as amended by subsection (c)(1))."

(b) ACCOUNT FOR DEFENSE BASE CLOSURE AND REALIGNMENT.—That subsection is further amended by adding at the end the following new paragraph:

"(6) An account to be known as the ‘Environmental Restoration Account, Army, Formerly Used Defense Sites’."

(c) USE OF FUNDS IN BASE CLOSURE AND REALIGNMENT ACCOUNT.—(1) Subsection (a) of that section is amended—

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

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

"(2)(A) Funds authorized for deposit in the Environmental Restoration Account, Army, Formerly Used Defense Sites."

"(B) Funds authorized for deposit in the Environmental Restoration Account, Army, Formerly Used Defense Sites shall be available for administrative expenses and technical assistance under this section."
(b) MODIFICATION OF MEMBERSHIP OF STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM.—

Section 2502(b)(1) of title 10, United States Code, is amended by striking ‘‘Director of Defense Research and Engineering’’ and inserting ‘‘Secretary of Defense for Science and Technology’’.

SEC. 325. EXTENSION OF PILOT PROGRAM FOR SALE OF AIR POLLUTION EMISSION REDUCTION INCENTIVES.—

Section 351(a)(2) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1692; 10 U.S.C. 2701 note) is amended by striking ‘‘beginning on the date of the enactment of this Act and

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

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

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

‘‘(A) Environmental compliance activities.

(b) Definition of ‘interest’ costs.—

‘‘(C) Pollution prevention activities.

‘‘(D) Activities relating to environmental technology.’’

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

Section 351(a)(2) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1692; 10 U.S.C. 2701 note) is amended by striking ‘‘beginning on the date of the enactment of this Act and ending two years after such date’’ and inserting ‘‘beginning on November 18, 1997, and ending on September 30, 2001.’’

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

(a) Authority.—The Secretary of Defense may pay, using funds described in subsection (b), to the Fresno Drum Special Account within the Department of Defense under the Substance Superfund established by section 9007 of the Internal Revenue Code of 1986 (26 U.S.C. 9007) to reimburse the Environmental Protection Agency for costs incurred by the Agency for the Fresno Industrial Supply Inc. Site that are attributable to the Department of Defense or its contractors.

(b) Source of Funds for Payment.—(1) Subject to paragraph (2), any payment under subsection (a) shall be made using amounts authorized to be appropriated to the Environmental Protection Agency for costs incurred by the Agency for the Fresno Industrial Supply Inc. Site, Fresno, California that was entered into by the Department of Defense and the Environmental Protection Agency on May 22, 1996.

(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 RECOVRY CONSENT.—

(a) Authorization.—Section 391(f) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1716; 10 U.S.C. 2304 note) is amended— (1) by striking “and” at the end of paragraph (1); (2) by striking the period at the end of paragraph (2) and inserting a semicolon; and (3) by adding at the end the following: ‘‘(3) The amounts of the costs identified as subparagraphs (A) and (B), respectively;’’. (b) The amount of the costs identified as ‘‘interest’’ costs pursuant to the agreement known as the ‘‘CERCLA Section 122(h)(1) Agreement for Payment of Future Response Costs’’ made pursuant to paragraph (1) shall be used by the Secretary of Defense to carry out the recommendation of the Secretary made in paragraph (2) and inserting a semicolon; and (4) by adding at the end the following: ‘‘(4) The term ‘environmental quality program’ means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).’’

SEC. 328. PAYMENT OF STIPULATED PENALTIES ASSESSED UNDER CERCLA IN CONJUNCTION WITH F.E. WARREN AIR FORCE BASE, WYOMING.—

(a) Authority.—The Secretary of the Air Force may pay, using funds described in subsection (b), not more than $778,425 for past response costs incurred by the United States any liability under section 2304 note) is amended—

(b) Source of Funds for Payment.—Any payment under subparagraph (A) shall be made using amounts authorized to be appropriated under section 301 to the Environmental Restoration Account, Air Force, established by section 2703(a)(1) of title 10, United States Code.

(c) Effect of Payment.—The payment under subsection (a) shall be made in accordance with paragraph (2) and inserting a semicolon; and (4) by adding at the end the following: ‘‘(5) The term ‘interest’ costs pursuant to the agreement made pursuant to paragraph (1) shall bear the same ratio to the total amount of such payment as the amount of the hazardous substances at the Fresno Industrial Supply, Inc., site that are attributable to the Department of Defense or its contractors and the total amount of the hazardous substances at that site.’’

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

SEC. 329. PROVISION OF INFORMATION AND GUIDANCE TO THE PUBLIC REGARDING THE USE OF FEDERAL FUNDS FOR UNITED STATES MILITARY INSTALLATIONS FORMERLY OPERATING AS AN ORDNANCE FIRING RANGE AND JUSTIFY THE NEED FOR THE CONTINUATION OF Firing Operations.—

(a) Disclosure.—(1) Requirement to provide information and guidance.—The Secretary of Defense shall publicly disclose existing, available information relevant to a foreign nation’s determination of the nature and extent of environmental contamination if any, at a site in that foreign nation where the United States operated a military base, installation, and facility that has been closed as of the date of enactment of this section.

(b) Congressional List.—Not later than September 30, 2000, the Secretary of Defense shall provide Congress a list of information made public pursuant to paragraph (1).

(c) Limitation.—The requirement to provide information and guidance under subsection (a) may not be construed to establish on the part of the United States any liability or obligation for the costs of environmental restoration or remediation at any site referred to in subsection (a).

(d) National Security.—Information the Secretary of Defense believes could adversely affect United States National Security shall not be released pursuant to this provision.

SEC. 330. ORDNANCE MITIGATION STUDY.—

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

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

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

(d) This provision shall not modify any responsibilities and authorities provided in the Water Resources Development Act of 1986, as amended (Public Law 99–622).

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

Conferences:

Section 346(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1797; 10 U.S.C. 2304 note) is amended by— (1) by striking “and” at the end of paragraph (1); (2) by striking the period at the end of paragraph (2) and inserting a semicolon; and (3) by adding at the end the following: ‘‘(3) contains an analysis of the extent to which the contract conforms to the requirements of section 2466 of title 10, United States Code; and ‘‘(4) describes the measures taken to ensure that the contract does not violate the core logistics policies, requirements, and restrictions set forth in section 2464 of that title.’’

SEC. 343. IMPLEMENTATION OF JOINTLY APPROVED CHANGES IN DEFENSE RELENT TO SYSTEMS.—

(a) Recommendations of Joint Exchange Due Diligence Study.—Subsection (c) of section 367 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1797; 10 U.S.C. 2462 note) is amended by— (1) by redesigning paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; (2) by inserting “(1)” after “(1)”; and (3) by adding at the end the following: ‘‘(2) Waiver Authority.—The Secretary of Defense may waive the requirement for the conditions and authorities provided in paragraph (1) in the particular case if the Secretary determines that the waiver is necessary for reasons of national security and notifies Congress regarding the reasons for the waiver.’’

(b) Sales to Purchasers Generally.—Section 2533 of title 10, United States Code, is amended— (1) by redesigning subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and
SEC. 345. ELIGIBILITY TO RECEIVE FINANCIAL ASSISTANCE AVAILABLE FOR LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF DEPARTMENT OF DEFENSE PERSONNEL.

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 by striking “in that fiscal year are” and inserting “during the preceding school year were”.

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

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

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

(c) FUNDING FOR ENCREASED USE OF SMART CARDS.—(1) Of the funds authorized to be appropriated for fiscal years 2000 under section 102(a)(4) or 301(a)(2), the Secretary of the Navy—

(A) shall allocate sufficient amounts, up to $30,000,000, for ensuring that significant progress is made toward complete implementation of the use of Smart Card technology in the Department of the Navy; and

(B) may allocate additional amounts for the conversion of paper-based records to electronic media for records systems that have been modified to use Smart Card technology.

(2) Of the funds authorized to be appropriated under section 301(a)(4), up to $5,000,000 shall be available for Army demonstration programs under subsection (a)(4). Of the funds authorized to be appropriated under section 301(a)(4), up to $5,000,000 shall be available for Air Force demonstration programs under subsection (a)(4).

(d) REPORT.—Not later than March 31, 2000, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a detailed discussion of the progress made in establishing the coordinating group in carrying out its duties under subsection (a)(3).

(e) DEFINITIONS.—In this section:

(1) The term “Secure 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) Non-contact and radio frequency transmitters.

(D) Biometric information.

(E) Encryption and authentication.

(F) Photo identification.

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

(f) REPEAL OF REQUIREMENT FOR AUTOMATED IDENTIFICATION TECHNOLOGY OFFICE.—Section 346(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2097; 10 U.S.C. 113 note) is repealed.

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 of the Department of Defense for a Public-Private Key Infrastructure (PKI) authentication device carrier.

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

(c) DEFINITIONS.—In this section:

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

(A) Magnetic stripe.

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

(C) Non-contact and radio frequency transmitters.

(D) Biometric information.

(E) Encryption and authentication.

(F) Photo identification.

(2) The term “Public-Private Key Infrastructure (PKI) authentication device carrier” means a device that physically stores, carries, distributes, and employs electronic authentication or encryption keys necessary to create a unique digital signature, digital certificate, or other mark on an electronic document or file.

SEC. 348. REVISION OF AUTHORITY TO DONATE CERTAIN ARMY MATERIEL FOR FUNERAL CEREMONIES.

(a) AUTHORITY.—Section 483 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking “lend obsolete or condemned rifles (not more than 10) and insert “conditionally lend or donate excess MIS rifles (not more than 15)”;

(B) by striking “any local unit of any national veterans organization recognized by the Department of Veterans Affairs, for use by that unit” and inserting “a unit or other organization of honor guards recognized by the Secretary of the Army as honor guards for a national cemetery, a law enforcement agency, or a local unit of any organization that, as determined by the Secretary of the Army, is a nationally recognized veterans’ organization, for use by that unit, organization, or agency”; and

(2) by adding at the end the following:

“Conventions on Ceremonies.—In lending or donating rifles under subsection (a), the Secretary of the Army may impose any condition on the use of the rifles that the Secretary considers appropriate.

(b) TECHNICAL AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting “Authority—” after “(a)”; and

(2) in subsection (b), by inserting “Relief from Liability—” after “(b)”.}

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

Section 112(a)(3) of title 22, 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 TO MAKE PAYMENTS.—Subject to the provisions of this section, the Secretary of Defense is authorized to make payments for the settlement of the claims arising from the deaths caused by the accident involving a United States Marine Corps EA-6B aircraft on February 3, 1998, near Cavalsee, Italy and the subsequent determination of the claims arising from the accident by the Department of Justice.

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

(c) SOURCE OF PAYMENTS.—Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available for the Department of Navy for operation and maintenance for fiscal year 2000 or other unexpended balances from prior years for the Department of the Navy, $40,000,000 only for emergency and extraordinary expenses associated with the settlement of the claims arising from the accident and any subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (a).
any person associated with the accident described in subsection (a) may not exceed $2,000,000.

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

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

(g) Resolution of Other Claims.—No payments under this section or any other provision of law for the settlement of claims arising from the accident described in subsection (a) shall be made to citizens of Germany until the Government of Germany provides a comparable settlement of the claims arising from the air accident caused by the collision between a United States Air Force C-141 Starlifter aircraft and a German Luftwaffe Tupolev TU-154M aircraft off the coast of Namibia on September 13, 1997, and (2) the United States should not make any payment to citizens of Germany as settlement of such citizens’ claims for deaths arising from the accident involving a United States Marine Corps EA-6B aircraft on February 3, 1998, near Cavalaire, Italy, until a comparable settlement is reached between the Government of Germany and the families described in paragraph (1) with respect to the collision described in that paragraph.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

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

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

SEC. 402. REVISION IN PERMANENT END STRENGTH LEVELS.

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

(1) in paragraph (2), by striking out "722,696" and inserting in lieu thereof "731,781";
(2) in paragraph (3), by striking out "172,200" and inserting in lieu thereof "172,148";
(3) in paragraph (4), by striking out "370,862" and inserting in lieu thereof "369,000";

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

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

Section 691(d) of title 10, United States Code, is amended by striking "unless" and all that follows and inserting "the Secretary of Defense shall reduce the end strength authorized for the Army Reserve and the Air Force Reserve (notwithstanding section 129 of title 10, United States Code) as follows:

(2) The Army Reserve, 205,000.
(3) The Naval Reserve, 30,566.
(4) The Marine Corps Reserve, 30,624.

(6) The Air Force Reserve, 73,764.
(7) The Coast Guard Reserve, 3,000.
(8) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any of the armed forces by a number equal to not more than 2 percent of that end strength.”.

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

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

(2) The Army Reserve, 205,000.
(3) The Naval Reserve, 30,566.
(4) The Marine Corps Reserve, 30,624.

(6) The Air Force Reserve, 73,764.
(7) The Coast Guard Reserve, 3,000.
(8) NON-DUAL STATUS TECHNICIANS.—The reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) authorized strengths for military technicians (non-dual status) as of September 30, 2000, as follows:

(1) The Army Reserve, 1,295.
(2) The Army National Guard of the United States, 1,800.

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

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2000, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the Army, National Guard, and Air National Guard, organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 23,490.
(2) The Army Reserve, 12,804.
(3) The Marine Reserve, 5,010.
(4) The Marine Corps Reserve, 2,272.
(6) The Air Force Reserve, 1,134.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS.

(a) DUAL STATUS TECHNICIANS.—The number of military technicians (dual status) as of September 30, 2000, for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army Reserve, 5,179.
(2) For the Army National Guard of the United States, 22,396.
(3) For the Air Force Reserve, 9,785.
(4) For the Air Force National Guard of the United States, 22,477.
(5) For the Navy Reserve, 5,179.
(6) The number of military technicians (dual status) as of September 30, 2000, for the Army, Air Force, and Navy (notwithstanding section 129 of title 10, United States Code) is authorized strengths for military technicians (dual status) as of September 30, 2000, as follows:

(1) For the Army Reserve, 1,295.
(2) For the Army National Guard of the United States, 1,800.
(3) For the Air Force Reserve, 342.
(4) For the Air National Guard of the United States, 342.

SEC. 414. INCREASE IN NUMBERS OF MEMBERS 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>40</td>
</tr>
<tr>
<td>Colonel or Navy Captain</td>
<td>471</td>
<td>188</td>
<td>295</td>
<td>30</td>
</tr>
</tbody>
</table>

(b) Senior Enlisted Members.—The table in section 1202(a) of title 10, United States Code, is amended to read as follows:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Army</th>
<th>Navy</th>
<th>Air Force</th>
<th>Marine Corps</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-8</td>
<td>645</td>
<td>202</td>
<td>405</td>
<td>20</td>
</tr>
<tr>
<td>E-9</td>
<td>2,593</td>
<td>129</td>
<td>1,041</td>
<td>94</td>
</tr>
</tbody>
</table>

Subtitle C—Authorization of Appropriations

SEC. 421. AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2000 a total of $71,690,093,000, and in addition funds in the total amount of $1,383,426,000 are authorized to be appropriated as emergency appropriations to the Department of Defense for fiscal year 2000 for military personnel, as appropriated by the conference report of the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31). The authorization in the preceding sentence supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2000.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

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

(a) Extension of Requirement.—Section 609(c) of title 10, United States Code, is amended by striking “September 30, 2000” and inserting “September 30, 2003”.

(b) Officer Positions.—Section 625(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:

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

(b) Retirement of Superintendents.—(1)(A) Chapter 607 of title 10, United States Code, is amended by inserting after section 6392 the following:

“§ 6392. Mandatory retirement: Superintendent of the United States Military Academy

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

(B) Chapter 603 of such title is amended by inserting after section 6333 the following:

“§ 6333a. Superintendent: condition for detail to position

“(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.”.

(2)(A) Chapter 573 of such title is amended by inserting after section 1187 of this Act and inserting “October 1, 2003”.

(B) Chapter 597 of such title is amended by inserting after section 1187 of this Act and inserting “October 1, 2003”.

(3)(A) The table of sections at the beginning of chapter 903 of such title is amended by inserting after section 9333 the following:

“§ 9333a. Superintendent: condition for detail to position

“(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.”.

(2)(A) Chapter 573 of such title is amended by inserting after section 1187 of this Act and inserting “October 1, 2003”.

(B) Chapter 597 of such title is amended by inserting after section 1187 of this Act and inserting “October 1, 2003”.

(3)(A) Chapter 573 of such title is amended by inserting after section 1187 of this Act and inserting “October 1, 2003”.

(B) Chapter 597 of such title is amended by inserting after section 1187 of this Act and inserting “October 1, 2003”.

(C) The table of sections at the beginning of chapter 1003 of such title is amended by inserting after section 1033 the following:

“§ 1033a. Superintendent: condition for detail to position

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

SEC. 503. RESERVE OFFICERS REQUESTING OR OTHERWISE CAUSING NONSELECTION FOR PROMOTION.

(a) Requirement.—Section 1177(c) of title 10, United States Code, is amended by striking “regular”.

(b) Effective Date.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to boards convened under section 611(a) of title 10, United States Code, on or after that date.

SEC. 504. RESERVE OFFICERS ELIGIBLE TO SERVE ON BOARDS OF INQUIRY.

(a) Retired Boards for Regular Officers.—Section 1187 of title 10, United States Code, is amended to read as follows:

“(a) Active Duty.—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 on active duty;

“(2) be serving on active duty in a grade that—

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

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

“(3) be senior in grade and rank to any officer considered by that board to be the officer being required to show cause for retention on active duty.

(b) Retired Officers.—If qualified officers on active duty are not available in sufficient numbers to comprise a board convened under this chapter, the Secretary of the military department concerned shall complete the membership of the board by appointing retired officers of the same armed force whose retired grade—

“(1) is—

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

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

SEC. 505. MINIMUM GRADE OF OFFICERS ELIGIBLE TO SERVE ON BOARDS OF INQUIRY.
(2) is senior to the grade of any officer considered by the board.

(c) INELIGIBILITY BY REASON OF PREVIOUS CONSIDERATION OF CASE.—No person may be a mandator; and

(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 1406 of this title is amended to read as follows:

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

(2) by inserting after subsection (a) the following new subsection (b):

\( (b) \) DUTIES.—A Reserve on active duty as described in subsection (a) may be assigned only duties in connection with the functions described in that subsection, which may include the following:

(A) Supporting operations or missions assigned in whole or in part to reserve components.

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

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

(2) a joint forces unit that includes—

(i) one or more reserve component units; or

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

(3) Advising the Secretary of Defense, the Secretary of a military department, the Joint Chiefs of Staff, or the commander of a unified combatant command concerning reserve component matters.

(4) Technical and conforming amendments. 

(a) Technical and Conforming Amendments. —Section 14518 of this title, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (a); and

(2) by inserting after subsection (a) the following new subsection (b):

\( (b) \) DUTIES. —A Reserve on active duty as described in subsection (a) may be assigned only duties in connection with the functions described in that subsection, which may include the following:

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

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

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

(B) a joint forces unit that includes—

(i) one or more reserve component units; or

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

(3) Advising the Secretary of Defense, the Secretary of a military department, the Joint Chiefs of Staff, or the commander of a unified combatant command concerning reserve component matters.

(4) RETENTION OF RESERVE COMPONENT MEMBERS FROM RECALLED RESERVE LIMITS.

Section 690(b)(2) of title 10, United States Code, is amended, at the end of the section, by adding the following new subsection:

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

(1) Whether the Reserves on active duty in support of the reserves are used in relation to the duties set forth under subsection (b) of section 12310 of title 10, United States Code, as added by subsection (a)(2).

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

Title 10, United States Code, is amended—

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

(2) Service credit under paragraph (1) counts only for the award of retirement points for computation of years of service under section 12732 of this title and for computation of retirement pay under section 12732 of this title.

3. Number of points credited to a member under paragraph (1) for a year of

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

(2) Service credit under paragraph (1) counts only for the award of retirement points for computation of years of service under section 12732 of this title and for computation of retirement pay under section 12732 of this title.

(3) The number of points credited to a member under paragraph (1) for a year of
participation in a course of study is 50. The points credited to the member at the end of each year after the completion of the course of study that the member serves in the Subtitle C—Military Education and Training

SEC. 394. REPEAL OF LIMITATION ON AMOUNT OF REIMBURSEMENT AUTHORIZED TO BE WAIVED FOR FOREIGN STUDENTS AT THE SERVICE ACADEMIES.

(a) REPEAL.—Paragraph (3) of section 3944(b)(1), (b) C LERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1060(a)(1) the following:

"53. Office of the Coast Guard Reserve; Director.".
(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to the academic year that includes that date and academic years that begin after that date.

SEC. 532. EXPANSION OF FOREIGN EXCHANGE PROGRAMS OF THE SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 4345 of title 10, United States Code, is amended—

(1) in subsection (b), by striking "10 cadets" and inserting "24 cadets"; and

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

(b) UNITED STATES NAVAL ACADEMY.—Section 6907a of such title is amended—

(1) in subsection (b), by striking "10 midshipmen" and inserting "24 midshipmen"; and

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

(c) UNITED STATES AIR FORCE ACADEMY.—Section 8945 of such title is amended—

(1) in subsection (b), by striking "10 Air Force cadets" and inserting "24 Air Force cadets"; and

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

SEC. 533. PERMANENT AUTHORITY FOR ROTC SCHOLARSHIPS FOR GRADUATE STUDENTS.

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

"(c) SCHOLARSHIPS FOR GRADUATE STUDENTS.—

(1) AUTHORITY FOR DEGREE.—Chapter 401 of title 10, United States Code, is amended to read as follows:

"(a) AUTHORITY.—Section 9517(a) of title 10, United States Code, is amended to read as follows:

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

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

"(2) The degree of master of military operations and science, for the Air Command and Staff College.

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

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

"*9517. 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:

"9517. Air University: graduate-level degrees."

SEC. 534. PERMANENT AUTHORITY FOR ROTC CANDIDATES IN MARINE CORPS FOR PURSUIT OF DEGREES BY OFFICER CANDIDATES IN MARINE CORPS PLATOON LEADERS CLASS PROGRAM.

Section 4321 of title 10, United States Code, is amended to read as follows:

"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 this chapter is amended by adding at the end the following:

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

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

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

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

"Under regulations prescribed by the Secretary of the Army, the 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 this chapter is amended by adding at the end the following:

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

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

Section 9215 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) EDUCATIONAL QUALIFICATIONS OF FACULTY.—In accordance with section 3308 of title 5 or any other provision of law, the Commandant of the Air Education and Training Command may prescribe the minimum educational qualifications required for the professors and instructors of the college. The required qualifications shall equal or exceed the qualifications necessary to satisfy accreditation standards applicable to the college.

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

(a) AUTHORITY.—Section 9517(a) of title 10, United States Code, is amended to read as follows:

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

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

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

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

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

"*9517. 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:

"9517. Air University: graduate-level degrees."

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

Section 1745(a) of title 10, United States Code, is amended to read as follows:

"(a) TUITION REIMBURSEMENT AND TRAINING FOR PURSUITS OF DEGREES BY OFFICER CANDIDATES IN MARINE CORPS PLATOON LEADERS CLASS PROGRAM.

(1) AUTHORITY.—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 10 for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, until September 30, 2002, qualification of qualified personnel to serve in acquisition positions in the Department of Defense.

(3) In the case of members of the armed forces, the limitation in section 4107(b)(1) of title 10 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.—Part IV of subpart E of title 10, United States Code, is amended by adding after the heading the following:

"CHAPTER 1610—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

"Sec. 16101. Marine Corps Platoon Leaders Class Program: officer candidates pursuing degrees

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

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

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

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

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

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

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

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

"(E) to accept an appointment as a commissioned officer in the Marine Corps, if tendered by the President;

"(F) serve on active duty for at least five years; and

"(G) under terms and conditions as shall be prescribed by the Secretary, to serve in the Marine Corps Reserve until the eighth anniversary of the date of the appointment.

"(2)(A) To meet the age requirements of this paragraph, a member pursuing a baccalaureate degree may not be over 26 years of age on June 30 of the calendar year in which the member is projected to be eligible for appointment as a commissioned officer in the Marine Corps through the Marine Corps Platoon Leaders Class Program, except that any such member who has served on active duty in the armed forces may, on such date, be any age under 30 years that exceeds 30 years by a number of months that is not more than the number of months that the member served on active duty.

"(B) To meet the age requirements of this paragraph, a member pursuing a doctor of jurisprudence or bachelor of laws degree may not be over 30 years of age on June 30 of the calendar year in which the member is projected to be eligible for appointment as a commissioned officer in the Marine Corps through the Marine Corps Platoon Leaders Class Program, except that any such member who has served on active duty in the armed forces may, on such date, be any age under 35 years that exceeds 30 years by a number of months that is not more than the number of months that the member served on active duty.

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

"(d) AMOUNT.—The amount of financial assistance provided to a member under this section may be ordered to active duty in the Marine Corps through the Marine Corps Platoon Leaders Class Program, except that any such member who has served on active duty in the armed forces may, on such date, be any age under 35 years that exceeds 30 years by a number of months that is not more than the number of months that the member served on active duty.

"(e) LIMITATIONS.—Financial assistance may be provided to a member under this section only for three consecutive academic years.

"(2) Not more than 1,200 members may participate in the financial assistance program under this section in any academic year.

"(f) FAILURE TO COMPLETE.—A member in receipt of financial assistance under this section may be ordered to active duty in the Marine Corps by the Secretary to serve in an appropriate enlisted grade for
such period as the Secretary prescribes, but not for more than four years, if the member—

(1) completes the military and academic requirements of the Marine Corps Platoon Leaders Class Program and refuses to accept a commission officer under section 532 of this title.

(g) Instiution of Higher Education Defined.—In this section, the term ‘institution of higher education’ has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)."

(2) The tables of chapters at the beginning of this title are the tables of chapters at the beginning of title I of that title.

(b) Conforming Amendment.—Section 369(a)(5) of title 38, United States Code, is amended by striking ‘‘Chapters 106 and 107,’’ and inserting ‘‘Chapters 106, 107, 110, and 111.’’

(b) Compuation of Creditable Service.—Section 265 of title 37, United States Code, is amended by adding at the end the following:

(f) Notwithstanding subsection (a), the years of service of a commissioned officer appointed under section 12209 of title 10 after receiving financial assistance under section 16401 of title 10 that include the period of service after the date of the establishment of the program of financial assistance by the Secretary that the officer performed concurrently as a member of the Marine Corps Platoon Leaders Class Program and the Marine Corps Reserve, except for any period of service that the officer performed concurrently with the period of service as a member of the Marine Corps Platoon Leaders Class Program as an enlisted member on active duty or as a member of the Selected Reserve.

(d) Transition Provision.—(1) An enlisted member of the Marine Corps Reserve selected for training as an officer candidate under section 12010 of title 10, United States Code, before implementation of a financial assistance program under section 12211 of title 10, United States Code, is eligible for financial assistance under such section 12211 of title 10 (as added by subsection (a)) if the member—

(A) is eligible for financial assistance under such section 12211;

(B) submits a request for the financial assistance to the Secretary of the Navy not later than 180 days after the date on which the Secretary establishes the financial assistance program; and

(C) enters in a written agreement described in subsection (h) of such section 12211.

(2) Section 205(f) of title 37, United States Code, as added by subsection (c), applies to a member referred to in paragraph (1).

Subtitle D—Decorations, Awards, and Certifications

SEC. 551. WAIVER OF TIME LIMITATIONS FOR AWARD OF CERTAIN DECORATIONS TO MILITARY PERSONS.

(a) Waiver.—Any limitation established by law or policy for the time within which a recommendation for the award of a military decoration or award must be submitted shall not apply, with respect to the decoration or award described in subsection (b), the award of such decoration having been determined by the Secretary of Transportation to be warranted, in accordance with section 1130 of title 10, United States Code.

(b) Coast Guard Commendation Medal.—Subsection (a) applies to the award of the Coast Guard Commendation Medal to Mark H. Freeman, of Seattle, Washington for heroism achieved in a manner above that normally expected during rescue operations for the B.S. Seattle, in September 1956, while serving as a member of the Coast Guard at Gray Harbor Lifeboat Station, Westport, Washington.

SEC. 552. AUTHORIZATION OF A MEDAL OF HONOR TO ALFRED RASCON FOR VALOR DURING THE VIETNAM CONFLICT.

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

(b) Action Described.—The acts of valor referred to in paragraph (1) of section 3744 of title 10, United States Code, are the acts of valor undertaken by Alfred Rascon on March 16, 1966, as an Army medic, serving in the grade of Specialist Four in the Republic of Vietnam with the Entrance Reflections Headquarters Company, 1st Battalion, 503rd Infantry, 173rd Airborne Brigade (Separate), during a combat operation known as Silver City.

SEC. 553. ELIMINATION OF BACKLOG IN REQUESTS FOR REPLACEMENT OF MILITARY MEDALS AND OTHER DECORATIONS.

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

(1) The Army Reserve Personnel Command.

(2) The Bureau of Naval Personnel.


(4) The National Archives and Records Administration.

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

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

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

SEC. 554. RETROACTIVE AWARD OF NAVY COMMENDATION AWARD RIBBON.

The Secretary of the Navy may award the Navy Commendation Award (established by the Secretary of the Navy Notice 1560, dated February 17, 1969) to a member of the Navy and Marine Corps for participation in ground or surface combat operations after December 6, 1941, and before March 1, 1961 (the date of the otherwise applicable limitation on retroactivity for the award of such decoration), if the Secretary of the Navy determines that the member has not been previously recognized in appropriate manner for such participation.

Subtitle E—Amendments to Uniform Code of Military Justice

SEC. 556. INCREASE IN SENTENCING JURISDICTION OF SPECIAL COURTS-MARTIAL AUTHORIZED TO INCREASE SENTENCING JURISDICTION.

(a) Increase in Jurisdiction.—Section 819 of title 10, United States Code (article 19 of the Uniform Code of Military Justice), is amended—

(1) in the second sentence, by striking ‘‘six months’’ both places it appears and inserting ‘‘one year’’; 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 date of enactment of this Act, and shall apply with respect to charges referred to trial by special courts-martial on or after that effective date.

SEC. 557. REDUCED MINIMUM BLOOD AND BREATH ALCOHOL LEVELS FOR OFFENSE OF DRUNKEN OPERATION OR CONTROL OF A VEHICLE, AIRCRAFT, OR VESSEL.

(a) Standard.—Section 912(2) of title 10, United States Code (article 112(2) of the Uniform Code of Military Justice), is amended by striking ‘‘0.10 grams’’ both places it appears 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 1411 of title 10, United States Code, is amended to read as follows:

(1) 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:

(1) Veteran Defined.—In this section, the term ‘veteran’ means the following:

(1) A decedent who was a veteran, as defined in section 101(2) of title 38.

(2) A decedent who, by reason of having been a member of the Selected Reserve, is eligible for a flag to drape the casket under section 2303 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 Honor Details’’;

(B) by striking ‘‘two or more persons.’’ and all that follows and inserting the following: ‘‘two or more persons.’’;

(2) Subsection (c) of such section is amended—

(A) by striking ‘‘(c) Persons Forming Honor Guards.—An honor guard detail and inserting ‘‘(c) By striking ‘‘not less than three persons’’; and all that follows and inserting the following: ‘‘two or more persons.’’;

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At least one of those members shall be a member of the armed force of which the veteran was a member. The remainder of the detail; and
(b) by striking the second sentence and inserting the following: ‘‘Each member of the armed forces in the detail shall wear the appropriate uniform of the member’s armed force while serving in the detail’’.
(2) WAIVER, AND.—Such section is further amended—
(a) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and
(b) by inserting after subsection (b) the following:
‘‘(c) CEREMONY.—A funeral honors detail shall, at a minimum, perform at the funeral a ceremony that includes the folding and presentation of the flag of the United States to the veteran’s family and the playing of Taps. Unless a bugler is a member of the detail, the detail shall play a recorded version of Taps using 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 Defense may provide any requirement provided in or pursuant to this section when the Secretary considers it necessary to do so to meet the requirements of war, national emergencies, or a contingency operation, or other military requirements.
(2) Before or promptly after granting a waiver under paragraph (1), the Secretary shall transmit a notification of the waiver to the Committees on Armed Services of the Senate and House of Representatives.
(f) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive—
(1) service credit under section 12722(a)(2)(E) of title 10, and
(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.
(g) CEREMONIES.—(1) A system for selection of units 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 when the Governor or other appropriate authority of the State concerned.
(2) SERVICE CREDIT.—A member ordered to funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive—
(1) service credit under section 12722(a)(2)(E) of title 10, and
(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.
(h) 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.
(i) REGULATIONS.—The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.
(2) Chapter 1213 of title 10, United States Code, is amended by adding at the end the following:
§ 12503. Ready Reserve: funeral honors duty
(a) ORDER TO DUTY.—A member of the Ready Reserve may be ordered to funeral honors duty, with the consent of the member, in preparation for or to perform funeral honors functions at the funeral of a veteran as defined in section 1491 of this title.
(b) SERVICE CREDIT.—A member ordered to funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive—
(1) service credit under section 12722(a)(2)(E) of title 10, and
(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.
(c) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section may be paid reimbursement for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member’s residence.
(d) REGULATIONS.—The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.
(c) MEMBERS OF THE NATIONAL GUARD.—
(1) A member of the 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 when the Governor or other appropriate authority of the State concerned.
(2) SERVICE CREDIT.—A member ordered to funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive—
(1) service credit under section 12722(a)(2)(E) of title 10, and
(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.
(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).
(3) Section 12552 of title 10, United States Code, is amended by adding at the end the following:
(i) was serving on funeral honors duty under section 12503 of this title or section 115 of title 32;
(ii) was traveling to or from the place at which the member was to serve;
(iii) remained overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member’s residence;
(iv) was traveling to or from the place at which the member was to serve;
(v) was traveling to or from the place at which the member was to serve;
(vi) remained overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member’s residence.
(3) Section 1204(2) of such title is amended—
(A) by striking ‘‘or’’ at the end of subparagraph (A);
(B) by inserting ‘‘or’’ after the semicolon at the end of subparagraph (B); and
(C) by adding at the end the following:
‘‘(C) service on funeral honors duty under section 12503 of this title or section 115 of title 32;’’.
Section 114. Funeral honors functions at funerals for veterans.

(1) The Secretary of Defense shall submit to Congress a report, not later than March 1 of every other year concerning the operation of the pilot program which is submitted in addition to any other pay and allowances to be paid in the case of a person entitled to receive a benefit under the selected reserve educational assistance program.

SEC. 575. ARMY COLLEGE FIRST PILOT PROGRAM.

(a) PROGRAM REQUIRED.—The Secretary of the Army may enter into a contract with a selected reserve educational assistance program under the Montgomery GI Bill-Selected Reserve Educational Assistance Program under the Montgomery GI Bill of 1984.

(3) The allowance may not be paid for more than 24 months.

SEC. 577. CONCLUSION OF PILOT PROGRAM.

(2) Notwithstanding the provisions of section 12503 of title 10, United States Code, an allowance is payable for funeral honors duty performed at or in the vicinity of the site of training, at or in the vicinity of the site of inactive-duty training, at or in the vicinity of the site of the inactivel-duty training, at or in the vicinity of the site of the inactivel-duty training.

(3)(A) The heading for section 114 of title 32, United States Code, is amended to read as follows:

*114. Funeral honors functions at funerals for veterans.

SEC. 574. REDUCTION IN REQUIRED FREQUENCY OF REPORTS.

Not later than February 1, 2004, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program. The report shall include the following:

(1) A description of the assessment of the Secretary regarding the value of the authority under this section for achieving the objectives of increasing the number of, and the level of the qualifications of, persons accessed into the Army.

(2) Any recommendation for legislation or other actions that the Secretary considers appropriate to achieve such objectives through grants of educational benefits for advanced education and training of recruits.

The text of section 16137 of title 10, United States Code, is amended by inserting as follows:

"The Secretary of Defense shall submit to Congress a report not later than March 1 of every other year concerning the operation of the educational assistance program established by this chapter. The report shall cover the two fiscal years preceding the fiscal year in which the report is submitted and shall include the number of members of the Selected Reserve of the Ready Reserve of each armed force receiving and the number entitled to receive, educational assistance under this chapter during the period covered by the report. The Secretary may submit the report more frequently at the request of the House of Representatives of the United States."
Military and Veterans Affairs


determination made by 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) designate qualified pathologists to conduct the investigation;

(2) to the extent practicable and consistent with responsibilities under this section, give due regard to any applicable law protecting religious beliefs;

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

(4) as soon as practicable after the completion of the investigation, authorize 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.

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

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

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

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

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

(3) 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—

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.

(b) BASIS FOR INVESTIGATION.—A forensic pathology investigation of a death under this section is subject to the exercise of primary jurisdiction by the United States or the State within whose jurisdiction the decedent’s unit is garrisoned by units of the armed forces or when an authorized official of such agency with jurisdiction to conduct a forensic pathology investigation, the National Transportation Safety Board, the Armed Forces Medical Examiner, the Disaster Mortuary Operational Recovery Team, or the State medical examiner, as applicable, has determined the cause or manner of death of a decedent.

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

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

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

(D) it appears that the death resulted from an infectious disease or from the effects of a hazardous material that may have an adverse effect on the military installation or community involved; or

(E) the identity of the decedent is unknown; and—

(2) either—

(A) the decedent—

(i) was a member of the armed forces on active duty or inactive duty for training;

(ii) was a former member recently retired under chapter 61 of this title as a result of an injury or illness incurred while a member on active duty or inactive duty for training; or

(iii) was a former member recently retired under chapter 61 of this title as a result of a hazardous material that may have an adverse effect on the military installation or community involved; or

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

(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.

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

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

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

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

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

(3) 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 arrangement between the United States and that foreign country.

SEC. 12. USE OF FORENSIC PATHOLOGY INVESTIGATIONS FOR HUMAN REMAINS IDENTIFICATION.—The Armed Forces Medical Examiner may conduct a forensic pathology investigation to determine the cause or manner of death of a deceased person under circumstances described in subsection (b). The investigation may include an autopsy of the decedent’s remains.

(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 forensic pathology investigations for human remains identification.

(1) For the purposes ofчетa purposes of the Department of Defense under such conditions and subject to such restrictions as the Secretary of Defense shall prescribe.

(b) REPEAL OF AUTHORITY FOR EXISTING INQUIRY.—Section 1151 of title 10, United States Code, is amended by adding at the end the following:

"1151. Assistance to certain separated or retired members to obtain certification and employment as teachers.

(1) 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).

(c) IDENTIFICATION OF LOCAL EDUCATIONAL AGENCIES AND STATES.—(1) 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 identified their jurisdictional concentrations of children from low-income families; or

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

(2) 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.

(3) 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.

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

(A) Any member who—

(i) during the period beginning on October 8, 1959, and ending February 10, 1996, was a member of the armed forces after their discharge or release, or retirement, from active duty to obtain certification and licensure as elementary or secondary school teachers or as vocational or technical teachers; and

(ii) during the period beginning on October 8, 1959, and ending February 10, 1996, served as an officer or enlisted member of the armed forces after their discharge or release, or retirement, from active duty to obtain certification and licensure as vocational or technical teachers.

(2) The administering Secretary 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.

(3) 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 arrangement 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) designate qualified pathologists to conduct the investigation;

(2) to the extent practicable and consistent with responsibilities under this section, give due regard to any applicable law protecting religious beliefs;

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

(4) as soon as practicable after the completion of the investigation, authorize 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) NONDISCLOSURE OF CERTAIN INFORMATION.—(1) Chapter 75 of such title, as amended by subsection (a), is further amended—

(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).

(2) 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.

(3) 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.

(4) 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.
“(ii) satisfies such other criteria for eligi-
biity as the administering Secretary may prescribe.

“(B) Any member—

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

“(II) is retired for length of service with at
least 20 years of active service computed un-
der section 3925, 3926, 8925, or 8926 of this
title or for purposes of chapter 571 of this title;
and

“(II) is retired under section 1201 or 1204 of this

“(ii) who—

“(I) is the case of a member applying for assistance for placement as an elementary or
secondary school teacher, has received a bac-
calaureate or advanced degree from an ac-
ccredited institution of higher education; or

“(II) in the case of a member applying for assistance for placement as a vocational or
technical teacher,

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

“(bb) otherwise meets the certification or
licensure requirements for a vocational or
technical teacher in the State in which such
member seeks assistance for placement under
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 pro-
gram only if the member’s last period of
service in the armed forces was character-
ized as honorable by the Secretary con-
cerned.

“(d) INFORMATION REGARDING PROGRAM.—

“(1) The administering Secretary shall pro-
vide information regarding the program and
make applications for the program available,
to members as part of preseparation coun-
seling provided under section 1142 of this title.

“(2) The information provided to members
shall—

“(A) indicate the local educational agen-
cies identified under subsection (b)(1); and

“(B) identify those States surveyed under
subsection (b)(2) that have alternative cer-
tification or licensure requirements for teach-
ers, including States that grant credit for
service in the armed forces toward satisfying
such requirements.

“(e) SELECTION OF PARTICIPANTS.—(1)(A) Selection of members to participate in the pro-
gram shall be made on the basis of appli-
cations submitted to the administering Sec-
cretary on a timely basis. An application
shall be in such form and contain such infor-
mation as that Secretary may require.

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

“(i) In the case of an applicant who is eligi-
ble under subsection (c)(1)(A), not later than

“(ii) In the case of an applicant who is eligi-
ble under subsection (c)(1)(B), not later than
four years after the date of the retire-
ment of the applicant from active duty.

“(2) Selecting participants to receive as-
sistance for placement as elementary or sec-
ondary school teachers or vocational or tech-
nical teachers, the administering Secretary
shall give priority to members who—

“(A) have educational or military experi-
ence in science, mathematics, special edu-
cation, or vocational or technical subjects and
are preparing to become elementary or sec-
ondary school teachers, or are pursuing a full-
time course of study related to the field of teaching at an eligible institution;

“(B) are pursuing a full-time course of study
related to the field of teaching at an eligible
institution; or

“(C) are pursuing a full-time course of study
related to the field of teaching at an eligible
institution, and the administering Secretary
shall—

“(B) during any period in which the partici-

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

“(ii) 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 dis-
abled;

“(E) is seeking and unable to find full-time
employment as a teacher in an elementary
or secondary school or as a vocational or
technical teacher for a single period not to
exceed 27 months; or

“(F) satisfies the provisions of additional
reimbursement exceptions that may be pre-
scribed by the administering Secretary.

“(2) A participant shall be excused from re-
imbursing the administering Secretary under
this subsection if the participant becomes permanently totally dis-
abled as established by sworn affidavit of a

“(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 termin-
ated for cause, from the employment during
the four years of required service, the partici-

“(A) The obligation to reimburse the ad-

“(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 dis-
abled;

“(E) is seeking and unable to find full-time
employment as a teacher in an elementary
or secondary school or as a vocational or
technical teacher for a single period not to
exceed 27 months; or

“(F) satisfies the provisions of additional
reimbursement exceptions that may be pre-
scribed by the administering Secretary.

“(2) A participant shall be excused from re-
imbursing the administering Secretary under
this subsection if the participant becomes permanently totally dis-
abled as established by sworn affidavit of a

“(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 dis-
abled;

“(E) is seeking and unable to find full-time
employment as a teacher in an elementary
or secondary school or as a vocational or
technical teacher for a single period not to
exceed 27 months; or

“(F) satisfies the provisions of additional
reimbursement exceptions that may be pre-
scribed by the administering Secretary.

“(2) A participant shall be excused from re-
imbursing the administering Secretary under
this subsection if the participant becomes permanently totally dis-
abled as established by sworn affidavit of a

qualified physician. The administering Secretary may reimburse States in cases of extreme hardship to the participant, as determined by that Secretary.

(1) RELATIONSHIP TO EDUCATIONAL ASSISTANCE PROVIDED BY 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) DISCHARGE 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.

(i) ASSISTANCE TO STATES IN ACTIVITIES UNDER PROGRAM.—(1) Subject to paragraph (2), the administering Secretary may permit States to operate offices for purposes of recruiting eligible members for participation in the program and facilitating the employment of participants.

(2) The total amount of grants under paragraph (1) in any fiscal year may not exceed $4,000,000.

(m) LIMITATION ON USE OF FUNDS FOR MANAGEMENT INFRASTRUCTURE.—The administering Secretary may utilize not more than five percent of the funds available to carry out the program for a fiscal year for purposes of establishing and maintaining the management infrastructure necessary to support the program.

(n) DEFINITIONS.—In this section:

(1) The term ‘administering Secretary’ with respect to the program authorized by this section, means the following:

(A) The Secretary of Defense with respect to the armed forces (other than the Coast Guard) for the period beginning on October 1, 1999.

(B) The Secretary of Transportation with respect to the Coast Guard.

(2) The term ‘eligible provider’ means a provider of another category of child care services or youth services program that is owned and operated by a private, not-for-profit organization.

(3) The term ‘Department of Defense’ means the Department of Defense, as constituted for purposes of this section.

(4) The term ‘Department of Transportation’ means the Department of Transportation, as constituted for purposes of this section.

(5) The term ‘Department of Education’ means the Department of Education, as constituted for purposes of this section.

(6) The term ‘Secretary’ means the Secretary of Defense, with respect to the armed forces; the Secretary of Transportation, with respect to the Coast Guard; the Secretary of Education, with respect to the States or consortia of States; and the Secretary of Education, with respect to the District of Columbia, American Samoa, the Commonwealth of Puerto Rico, the Republic of Palau, and the United States Virgin Islands.

(7) The term ‘school’ means a school of education or a program of education approved and carried out by the Secretary of Education or the Comptroller General, as the case may be, of the United States Government.

(8) The term ‘school year’ means a period of time that begins on the first day of the first month of a fiscal year and ends on the last day of the last month of such fiscal year.

(r) TRANSFER OF JURISDICTION OVER CURRENT PROGRAM.—(1) The Secretary of Defense, Secretary of Transportation, and Secretary of Education shall provide for the transfer to the Secretary of Defense of any on-going functions and responsibilities of the Secretary of Defense 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 September 30, 2001.

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

(3) After completion of the transfer, the Secretary of Education shall discharge that Secretary's functions and responsibilities with respect to the program in consultation with the Secretary of Defense and the Secretary of Transportation with respect to the Coast Guard.

(d) 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)), 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 matter 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.

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

(h) The extent of any stipends or bonuses under subsection (g) of such section 1151 in enhancing participation in the program or in enhancing recruitment or retention of participants in the program by the local educational agencies employing such participants.

(i) Such other matters as the Secretary of Education, the Comptroller General, as the case may be, considers appropriate.

(3) The report of the Comptroller General under paragraph (1) shall also include any recommendations of the Comptroller General as to means of improving the program, including means of enhancing the recruitment and retention of participants in the program.

SEC. 580. SUPPORT FOR EXPANDED CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR DEPENDENTS.

(a) AUTHORITY.—Subchapter II of chapter 88 of title 10, United States Code, is amended—

(A) by redesignating section 1798 as section 1899; and

(b) by inserting after section 1797 the following:

*1798. Child care services and youth programs for dependents: financial assistance for providers.*

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

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

(2) enables supplementation or expansion of the 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 PROVIDERS.—A provider of child care services or youth program services is eligible for financial assistance under this section if—

(1) the provider meets the requirements of paragraph (1) if the provider is a provider of family child care services;

(2) the provider is licensed by the local educational agencies to provide the services under applicable State and local law;

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

(4) either—

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

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

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

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

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

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

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

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

(d) BIENNIAL REPORT.—(1) Every two years the Secretary of Defense shall submit to Congress a report on the exercise of authority under this section. The report shall include an evaluation of the effectiveness of the authority for meeting the needs of members of the armed forces or employees of the Department of Defense for child care services and youth program services. The report may include any recommendations for legislation that the Secretary considers appropriate to enhance the capability of the Department of Defense to meet those needs.

(2) A biennial report under this subsection may be combined with the biennial report under section 1799(d) of this title into one report for submission to Congress.
of the armed forces or of employees of the Department of Defense and are not otherwise eligible for participation in the programs.

"(b) LIMITATION.—Authorization of participation in a program under subsection (a) shall be limited to situations in which the participation promotes the attainment of the objectives set forth in subsection (c), as determined by the Secretary.

(c) OBJECTIVES.—The objectives for authorizing participation in a program under subsection (a) are as follows:

"(1) To support the integration of children and youth from military families into civilian communities.

"(2) To make more efficient use of Department of Defense facilities and resources.

"(3) To establish or support a partnership or consortium arrangement with schools and other youth services organizations serving children of the armed forces.

"(d) BIENNIAL REPORT.—(1) Every two years the Secretary of Defense shall submit to Congress a report on the exercise of authority under this section that include an evaluation of the effectiveness of the authority for achieving the objectives set out under subsection (c). The report may include recommendations for legislation that the Secretary considers appropriate to enhance the capability of the Department of Defense to attain those objectives.

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

"(e) SUPPORT FOR CHILD CARE SERVICES FOR CHILDREN OF MILITARY DEPENDENTS.—(1) September 1, 2002, and shall cover the period ending on March 31, 2004, and shall be submitted to the Congress not later than June 7, 1999.

"(2) September 1, 2004, and shall cover the period ending on March 31, 2006, and shall be submitted to the Congress not later than September 1, 2005.

SEC. 581. RESPONSIBILITY FOR 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 recommendations on any analyses and recommendations for policies regarding how the Armed Forces can effectively respond, and improve responses, to cases of domestic violence by a person subject to the authority of the Armed Forces.

(B) The task force shall consider appropriate action for substantiated allegations of domestic violence by a person subject to such Code.

(c) REPORTING REQUIREMENTS.—(1) The Secretary of Defense shall establish a central database of information on the cases of domestic violence involving members of the Armed Forces.

(2) The Secretary shall require the administrator of each database established under paragraph (1) to report annually to the administrator of the database established under paragraph (1), the information received or developed under the program on the following matters:

(A) Each domestic violence case reported to a command, 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.

(3) 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 WALTER C. SHORT ON RETIREMENT.

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

(1) The late Rear Admiral (retired) Husband E. Kimmel, formerly serving in the
grade of admiral as the Commander in Chief of the Fleet and as the Commander in Chief, United States Pacific Fleet, had an excellent and unassailable record throughout his career in the United States Navy prior to the December 7, 1941 attack on Pearl Harbor.

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

(3) Numerous investigations following the attack on Pearl Harbor have documented that then Admiral Kimmel and then Lieutenant General Short were not provided necessary and critical intelligence that was available, that foretold of war with Japan, that warned of imminent attack, and that would have alerted them to prepare for the attack, including such essential communiques as the Japanese Pearl Harbor Bomb Plot note sent on November 24, 1941, and the message sent from the Imperial Japanese Foreign Ministry to the Japanese Ambassador in the United States from December 6-7, 1941. The Blue-Slate report of December 1947, issued by the Board of Investigation and established, the December 15, 1995 report which included the conclusions of the committee that the two officers had not been guilty of dereliction of duty.

(11) The Officer Personnel Act of 1947, in establishing a promotion system for the Navy and the Army, provided a legal basis for the advancement of Rear Admiral Kimmel and Lieutenant General 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.

(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, said in his book, China and Dilemmas as the Japanese Pearl Harbor Bomb Plot note sent on November 24, 1941, and the message sent from the Imperial Japanese Foreign Ministry to the Japanese Ambassador in the United States from December 6-7, 1941. The Blue-Slate report of December 1947, issued by the Board of Investigation and established, the December 15, 1995 report which included the conclusions of the committee that the two officers had not been guilty of dereliction of duty.

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CONGRESSIONAL RECORD—SENATE

June 7, 1999

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 in order to obtain enough survey responses to provide a sufficient basis for meaningful analysis of survey results. Completion of the survey shall be required of such personnel as part of outprocessing activities. The Secretary of each military department shall suspend exit surveys and interviews of that department during the period described in the first sentence.

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

(1) Reasons for leaving military service.

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

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

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

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

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

The survey shall be conducted in such a manner as to preserve confidentiality consistent with law.

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

SEC. 584. ADMINISTRATION OF DEFENSE REFORM INITIATIVE ENTERPRISE PROGRAM FOR MILITARY MANPOWER AND PERSONNEL INFORMATION.

(a) EXECUTIVE AGENT.—The Secretary of Defense shall designate the Secretary of the Navy as the executive agent for carrying out the defense reform initiative enterprise pilot program for military manpower and personnel information established under section 8147 of the Department of Defense Appropriations Act, 1999 (Public Law 105-262; 112 Stat. 2341; 10 U.S.C. 113 note).

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

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

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

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

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

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

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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 authorized 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.

The Secretary of Defense shall communicate on or before January 1, 2000, to all members of the uniformed services the rates of monthly basic pay effective as of January 1, 2000, under this section.

SEC. 602. CONSTRUCTION WORKERS.—The Secretary of Defense shall take such actions as are necessary to ensure that the rates of basic pay authorized members of the uniformed services by section 203(a) of title 37, United States Code, to become effective during fiscal year 2000 are not construe...
**WARRANT OFFICERS**  
Years of service computed under section 205 of title 37, United States Code

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**ENLISTED MEMBERS**  
Years of service computed under section 205 of title 37, United States Code

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**COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER**  
Years of service computed under section 205 of title 37, United States Code

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**Pay Grade**  
Years of service computed under section 205 of title 37, United States Code

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<td>2,634.00</td>
<td>2,734.80</td>
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**Pay Grade**  
Years of service computed under section 205 of title 37, United States Code

<table>
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<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
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<tr>
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</tr>
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(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) 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

While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Office of the Coast Guard, basic pay for this grade is $4,701.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

In the case of members in the grade E–1 who have served less than 4 months on active duty, basic pay is $930.30.
SEC. 603. SPECIAL SUBSISTENCE ALLOWANCE FOR FOOD STAMP ELIGIBLE MEMBERS.

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

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

"(a) 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 paragraph (a) is an enlisted member in any 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 3(c)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(c)(2)), not taking into account the special subsistence allowance that may be payable to the member under this section 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 status.

"(d) AMENDED 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.

"(2) 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.

"(3) The number of times that payments are resumed under this subsection is unlimited.

"(e) DOCUMENTATION OF ELIGIBILITY.—A member of the uniformed services applying for 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.

"(f) AMOUNT OF ALLOWANCE.—The monthly amount of the special subsistence allowance under this section is $180. The amendment made by subsection (a) shall take effect on October 1, 2000.

SEC. 604. PAYMENT FOR UNSED LEAVE IN CONJUNCTION WITH A REENLISTMENT.

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

(a) in subsection (a)(1), by inserting "section 552a of this title", and after "entitled to receive pay under this section", inserting "or pay earned under section 402a of this title";

(b) in subsection (b)(2), by striking "September 30, 2000", and inserting "December 31, 2000"; and

(c) in subsection (c), by striking "December 31, 1999," and inserting "December 31, 2000, which shall 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.

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

(a) CONTINUANCE OF PAY AND ALLOWANCES.—(1) Chapter 10 of title 37, United States Code, is amended by inserting after section 552 the following:

"§ 552a. Pay and allowances: continuation while in a duty status (whereabouts unknown); 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 552 of this title, except for subsections (d) and (e), shall apply if the member is in the duty status for that period."

"(2) The table of sections at the beginning of chapter 10 of such title is amended by inserting after the item relating to section 552 the following:

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

"(b) DEFINITION OF DUTY STATUS (WHEREABOUTS UNKNOWN).—Section 551 of such title is amended by inserting after paragraph (2) the following new paragraph (3):

"(3) The term ‘duty status (whereabouts unknown)’ means a transitory casualty status designated for a member of a uniformed service by a commander responsible for accounting for the member when the commander suspects that the member is a casualty whose absence is involuntary and does not have the available evidence sufficient for making a definite determination that the member is missing, has deserted, is absent without leave, or is dead."
(c) SELECTED RESERVE ENLISTMENT BONUSES.—Section 308d(c) 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) SELECTED RESERVE AFFILIATION BONUS.—Section 308e(c) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(f) READY RESERVE ENLISTMENT AND REENLISTMENT BONUSES.—Section 308f(c) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(g) PRIOR SERVICE ENLISTMENT BONUSES.—Section 308f(d) 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 PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 1602(d) of title 10, United States Code, is amended by striking “June 30, 2000” and inserting in lieu thereof “January 1, 2001”.

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

(a) NURSE OFFICER CANDIDATE ACADEMY PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(b) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302a(a)(1) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2000”.

(c) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302a(a)(1) of title 37, United States Code, is amended by striking “December 31, 1999” and inserting in lieu thereof “December 31, 2000”.

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

(a) SAVE PAY.—Section 301a(b) of title 37, United States Code, is amended by adding at the end the following:

“(4) The amount of the monthly incentive pay payable under this section to an air battle manager who was receiving incentive pay under section 301(c)(2)(A) of this title immediately before becoming eligible for incentive pay under this section shall be the higher of—

“(A) the monthly rate of incentive pay that the member was receiving under section 301(c)(2)(A) of this title; or

“(B) the rate applicable to the member under paragraph (1), (2), or (3).”;

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to months beginning on or after that date.

SEC. 615. AVIATION CAREER OFFICER SPECIAL PAY.

(a) PERIOD OF AUTHORITY.—Subsection (a) of section 301b of title 37, United States Code, is amended—

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

(2) by striking “during the period beginning on January 1, 1989, and ending on December 31, 1999;” and inserting “during the period described in paragraph (2);”;

(3) at the end the following:

“(2) Paragraph (1) applies with respect to—

(A) a member who served in 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, 2001;”;

(b) REPEAL OF LIMITATION TO CERTAIN YEARS OF CAREER AVIATION SERVICE.—Subsection (c) of such section is—

(1) by striking paragraph (5);

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

(3) by redesignating paragraph (6) as paragraph (5).

(c) REPEAL OF LOWER ALTERNATIVE AMOUNT FOR AGREEMENT TO SERVE FOR 3 OR FEWER YEARS.—Subsection (c) of such section is amended by striking “thirty—” and all that follows and inserting “than $25,000 for each year covered by the written agreement to remain on active duty.”;

(d) PRIORITY AUTHORITY FOR COVERAGE OF INCREASED PERIOD OF ELIGIBILITY.—Subsection (d) of such section is amended by striking “25 years of aviation service” and inserting “25 years of aviation service.”;

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

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

(2) in subsection (h), by striking “retention bonuses” in the first sentence and inserting “special pay under this section”;

(f) REPEAL OF CONTENT REQUIREMENTS FOR BONUS AGREEMENTS EXECUTED DURING THE PERIOD BEGINNING BEFORE DECEMBER 31, 2000 AND ENDING ON DECEMBER 31, 2004.—Subsection (g) of such section is amended—

(1) by redesignating paragraph (6) as paragraph (7);

(2) by striking “(7)” in the first sentence and inserting “(8)” in the first sentence; and

(3) by redesignating paragraph (8) as paragraph (9).

(g) TECHNICAL AMENDMENT.—Subsection (h) of such section is further amended by inserting “Any amount” after “any amount” in paragraph (1)(A), and inserting “$25,000” after “$15,000” in paragraph (1)(B).

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

SEC. 616. CAREER ENLISTED FLYER INCENTIVE PAY.

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

“301f. 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 section 206 of this title, and continues to be proficient in the skills required for that specialty or rating, or is in training leading to the award of such a specialty or rating; and

“(3) is qualified for aviation service.

“(c) MONTHLY RATE.—(1) Career enlisted flyer incentive pay may be paid a member referred to in subsection (a) for each month in which the member performs operational flying duty that involves frequent and regular performance of operational flying duty by the member referred to in subsection (a).

“(2) The monthly rate of any career enlisted flyer incentive pay provided under paragraph (1) for a member on active duty shall be prescribed by the Secretary concerned, but may not exceed the following:

<table>
<thead>
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<th>Years of aviation service</th>
<th>Monthly rate</th>
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<tbody>
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<td>4 or less</td>
<td>$150</td>
</tr>
<tr>
<td>Over 4 to 6</td>
<td>$225</td>
</tr>
<tr>
<td>Over 8</td>
<td>$350</td>
</tr>
<tr>
<td>Over 14</td>
<td>$400</td>
</tr>
</tbody>
</table>

(2) The monthly rate of any career enlisted flyer incentive pay provided under this section to a member on active duty shall be equal to ½ of the monthly rate of career enlisted flyer incentive pay provided under paragraph (1) for a member on active duty in the same number of years of aviation service,

(b) NONAPPLICABILITY TO MEMBERS RECEIVING HAZARDOUS DUTY INCENTIVE PAY OR SPECIAL PAY FOR DIVING DUTY.—A member receiving incentive pay provided under section 301(a) of this title or special pay under section 304 of this title may not be paid special pay under this section for the same period of service.

(c) REGULATIONS.—The Secretary concerned shall prescribe regulations for the administration of this section. The regulations shall provide that—

“(1) Definitions of the terms ‘aviation service’ and ‘frequently and regularly performed flying duty’ made under section (b) in respect of the member referred to in subsection (a) shall be the same as those definitions which were in effect with respect to the member referred to in subsection (a) as if this section had not been enacted.

“(2) The regulations prescribed under paragraph (1) shall be in accordance with this section and shall provide for the payment of the payment of incentive pay to a member referred to in subsection (a) for each month in which the member performs operational flying duty that involves frequent and regular performance of operational flying duty by the member referred to in subsection (a) in the same manner as the regulations prescribed under section 206 of this title provide for the payment of the incentive pay provided under section 206 of this title to a member referred to in section 206 of this title for each month in which that member performs operational flying duty that involves frequent and regular performance of operational flying duty by the member referred to in section 206 of this title in the same manner as the regulations prescribed under section 206 of this title provide for the payment of the incentive pay provided under section 206 of this title to the member referred to in section 206 of this title for each month in which that member performs operational flying duty that involves frequent and regular performance of operational flying duty by the member referred to in section 206 of this title; and

“(3) The regulations prescribed under paragraph (1) shall provide that the value of the incentive pay under this section is in addition to the value of the incentive pay under section 301(e) of this title provided under subsection (a) of section 301(e) of this title for each month in which the member referred to in subsection (a) performs operational flying duty that involves frequent and regular performance of operational flying duty by the member referred to in subsection (a).
operation of flying duty' for purposes of this section.

"(2) The military occupational specialties or military rating, as the case may be, that are designated as career enlisted flyer specialties or ratings, respectively, for purposes of this Act, is amended by inserting after the item relating to section 301c the following new item:

"(301f. Incentive pay: career enlisted flyers.)"

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

(c) SAVE PAY PROVISION.—In the case of an enlisted member of a uniformed service who is a designated career enlisted flyer entitled to receive a hazardous duty incentive pay under section 301b or 301(c)(2)(A) of title 37, United States Code, as of October 1, 1999, the member shall be entitled from that date to payment of incentive pay at the monthly rate that is the higher of—

(1) the monthly rate of incentive pay authorized by such section 301b or 301(c)(2)(A) as of September 30, 1999; or

(2) the monthly rate of incentive pay authority by section 301f of title 37, United States Code, as added by subsection (a).

SEC. 617. RETENTION BONUS FOR SPECIAL WARFARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301f, as added by section 616 of this Act, the following new section:

"§ 301g. Special pay: special warfare officers extending period of active duty—

(1) is designated and serving as a special warfare officer described in subsection (a) who executes a written agreement described in paragraph (2) may, upon the acceptance of the agreement by the Secretary of the Navy, be paid a retention bonus as provided in this section.

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

(A) to remain on active duty for at least two years and through the tenth year of active commissioned service; and

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

(b) COVERED OFFICERS.—A special 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 special warfare officer;

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

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

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

(5) has completed any service commitment incurred to be commissioned as an officer.

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

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.
“(3) A discharge in bankruptcy under title 11 that took effect five years after the termination of a written agreement entered into under subsection (a) does not discharge the officer signing the agreement from a debt arising under such agreement or under paragraph (a).

“(b) REGULATIONS.—The Secretary of the Navy shall prescribe regulations to carry out this section.”

“(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating to section 531(c) provided by section 111(a) of this Act, the following new item:

“301h. Special pay: surface warfare officers

(a) in subsections (a) and (b) of section 301g, as added by section 111(a) of chapter 5 of title 37, United States Code, is entitled to special pay (in addition to the special pay under that subsection) at the same rate as is provided under section 302c(b) of the same title for an officer referred to in that section who has the same number of years of creditable service as the commissioned officer.”.

“(2) Effective Date.—The amendments made by subsection (a) shall take effect on October 1, 1999.

SEC. 619. ADDITIONAL SPECIAL PAY FOR BOARD CERTIFIED VETERINARIANS IN THE ARMED FORCES AND PUBLIC HEALTH SERVICE.

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

(1) by inserting “(a) MONTHLY SPECIAL PAY.—” before “Each”;

(2) by striking “30 days” and inserting “30 days or more”;

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

SEC. 620. INCREASE IN RATE OF DIVING DUTY SPECIAL PAY.

(a) INCREASE.—Section 304(b) of title 37, United States Code, is amended—

(1) by striking “$200” and inserting “$340”;

(2) by striking “$300” and inserting “$400”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to special pay paid under section 304 of title 37, United States Code, for months beginning on or after that date.

SEC. 621. INCREASE IN MAXIMUM AMOUNT AUTHORIZED FOR REENLISTMENT BONUS FOR ACTIVE MEMBERS.

(a) INCREASE IN MAXIMUM AMOUNT.—Section 308(a)(2) of title 37, United States Code, is amended—

(1) by striking paragraph (A)(i), by striking “ten” and inserting “fifteen”;

(2) in subparagraph (B), by striking “$45,000” and inserting “$60,000”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to special pay paid under section 308 of title 37, United States Code, for months beginning on or after that date.

SEC. 622. CRITICAL SKILLS ENLISTMENT BONUS.

(a) INCREASE.—Section 308(a)(1) of title 37, United States Code, is amended—

(1) by striking “2 years” and inserting “3 years”;

(2) by striking “3 years” and inserting “4 years”;

(b) LUMP-SUM PAYMENT OF CRITICAL SKILLS ENLISTMENT BONUS.—Section 308(a)(1) of title 37, United States Code, is amended—

(1) by striking “(a)” after “(a);”;

(2) by striking all after “may be paid a bonus” and inserting “and”;

(3) by adding at the end the following:

“(2) The appropriate Secretary shall prescribe in regulations the following:

“(A) The amount of the bonus, but not more than $12,000.

“(B) Provisions for payment of the bonus in a single lump sum or periodic installments in relation to the attainment of one or more specified career milestones appropriate to ensure that the terms of the enlistment or extension are carried out.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments and extensions of enlistments taking effect on or after that date.

SEC. 623. SELECTED RESERVE ENLISTMENT BONUS.

(a) ELIMINATION OF REQUIREMENT FOR MINIMUM PERIOD OF ENLISTMENT.—Subsection (a) of section 308c of title 37, United States Code, is amended—

(1) by striking “for a term of enlistment of not less than six years”;

(b) INCREASED MAXIMUM AMOUNT.—Subsection (b) of such section is amended by striking “$300” and inserting “$5,000”.

(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. 624. SPECIAL PAY FOR MEMBERS OF THE COAST GUARD WHO ARE SELECTED TO BE EnLISTED IN A SPECIALTY RECOGNIZED BY THE COAST GUARD WHEN IT IS NOT OPERATING AS A SERVICE IN THE NAVY, ” after “Secretary of Defense”.

SEC. 625. REDUCED MINIMUM PERIOD OF ENLISTMENT IN ARMED FORCES.

(a) REDUCED REQUIREMENT.—Paragraph (3) of section 308f(a) of title 37, United States Code, is amended by inserting “, or the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, ” after “Secretary of Defense”.

SEC. 626. ELIGIBILITY FOR RESERVE COMPENSATION PRIOR SERVICE ENLISTMENT BONUS ATTAINING A CRITICAL SKILL.

(a) NEWLY ATTAINED CRITICAL SKILL.—Section 308(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 period of service subject to hostile fire or imminent danger that is designated as critical to the national security.

“(B) The person has received an honorable discharge at the conclusion of military service.

“(C) The person is not being released from active service for the purpose of enlistment in a reserve component.

“(D) The person is position eligible under paragraph (3);

“(E) The bonus shall be paid in a lump sum or periodic installments in relation to the attainment of one or more specified career milestones appropriate to ensure that the terms of the enlistment or extension are carried out.

“(F) The person is occupying 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;

(ii) attained a level of qualification while a member on active duty commensurate with the grade and years of service of the member;

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

(c) INCREASE IN MAXIMUM MONTHLY RATE AUTHORIZED FOR FOREIGN LANGUAGE PAY.

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

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

SEC. 628. INCREASE IN SPECIAL PAY AND BONUSES FOR NUCLEAR-QUALIFIED OFFICERS.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(a) of title 37, United States Code, is amended by striking “$10,000” and inserting “$25,000”.

(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312(b)(1) of title 37, United States Code, is amended by striking “$10,000” and inserting “$25,000”.

(c) NUCLEAR CAREER ANNUAL INCENTIVE BONUSES.—Section 312c of title 37, United States Code, is amended—

(1) in subsection (a)(1), by striking “$12,000” and inserting “$22,000”;

(2) in subsection (b)(1), by striking “$5,500” and inserting “$10,000”.

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

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

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

Subtitle C—Travel and Transportation Allowances

SEC. 641. PAYMENT OF TEMPORARY LODGING EXPENSES TO ENSLINED MEMBERS MAKING FIRST PERMANENT CHANGE OF STATION.

(a) AUTHORITY.—Section 404a(a) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking “or” at the end of the paragraph;
SEC. 642. DESTINATION AIRPORT FOR EMERGENCY-RELATED TRAVEL TO THE CONTINENTAL UNITED STATES.

Section 411d(b)(1)(A) of title 37, United States Code, is amended to read as follows:

"(A) AUTHORITY.—The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force is authorized to provide a per diem allowance to the technician under chapter 1209 of title 10, United States Code, to travel to or from an airport where a technician is required to report for active-duty training if the travel may not be accomplished by a combination of road and railroad. A member who first becomes a member of a uniformed service on or after August 1, 1986, is eligible to receive the bonus under this section.

SEC. 643. CLARIFICATION OF PER DIEM ELIGIBILITY OF CERTAIN MILITARY TECHNICIANS (DUAL STATUS) SERVING ON ACTIVE DUTY WITHOUT PAY OUTSIDE THE UNITED STATES.

(a) CLARIFICATION.—Section 1002(b) of title 37, United States Code, is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by adding at the end the following:

"(ii) any other airport in the continental United States that is closer to the destination than that international airport to which the transportation to that international airport; or"

(b) CLARIFICATION.—(1) Chapter 1209 of title 10, United States Code, is amended by adding at the end:

"(5) The Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

SEC. 644. EXPANSION AND CODIFICATION OF AUTHORITY FOR SPACE REQUIRED TRAVEL ON MILITARY AIRCRAFT FOR RESERVES PERFORMING INACTIVE-DUTY TRAINING OUTSIDE THE CONTINENTAL UNITED STATES.

(a) AUTHORITY.—(1) Chapter 1209 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 12322. Reserves traveling to inactive-duty training OCONUS: space required travel

"(1) A member of a reserve component is authorized to travel in a space required status on a flight on a military aircraft between the member's home and place of inactive-duty training outside the continental United States (including a place other than the place of inactive-duty training location if the member is performing the inactive-duty training in another location) when there is no transportation between those locations by any common carrier of road, railroad, or combination of road and railroad. A member traveling in that status on any such aircraft under the authority of this section is not authorized to travel by road, transportation, or per diem allowances in connection with the travel.

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

"§ 12322. Reserves traveling to inactive-duty training OCONUS: space required travel.

"(b) REPEAL.—(1) Section 8023 of Public Law 105–262 (112 Stat. 2302) is repealed.

"(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to travel completing after the date that is entered less than five years after the date of the completion of 15 years of active-duty service.

"(d) ELIGIBILITY.—(1) A member eligible to receive the bonus under this section may elect to receive the bonus. The election shall be irrevocable and in such form and manner as the Secretary concerned requires.

"(2) An election made under this subsection is irrevocable.

"(e) FORM AND AMOUNT OF BONUS.—A bonus under this section shall be paid in one lump sum of $30,000.

"(f) TIME FOR PAYMENT.—Payment of a bonus to a member electing to receive the bonus under this section shall be made not later than 60 days after the date that is entered less than five years after the date of the completion of 15 years of active-duty service. The Secretary concerned may authorize the payment of a bonus to a member electing to receive the bonus under this section to each pay period that would result in at least 20 years of active-duty service.
(d) RELATED TECHNICAL AMENDMENTS.—(1) Section 8351(b)(11) 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.”;
   and
   (C) by striking the heading for paragraph (3) and inserting “REDUCED PERCENTAGE FOR CERTAIN POST-AUGUST 1, 1996 MEMBERS.”.
(2) Section 1409(b)(2) of title 10, United States Code, is amended, by inserting “CERTAIN” before “members”.

SEC. 652. PARTICIPATION IN THRIFT SAVINGS PLAN.
(a) PARTICIPATION AUTHORITY.—(1) A Chapter 110 of such title is amended by inserting “certain” before “members”.
   (B) The item relating to such section in the table of sections at the beginning of chapter 110 of title 10, United States Code, is amended by inserting “certain” before “members”.

SEC. 653. SPECIAL RETENTION INITIATIVE.
Section 211 of title 37, United States Code, as added by section 652, is amended by adding at the end the following:

$§ 8440e. Members of the uniformed services on active duty

(a) PARTICIPATION AUTHORIZED.—(1) A member of the uniformed services authorized to participate in the Thrift Savings Plan under section 211(a) of title 37 may contribute to the Thrift Savings Fund.

(b) APPLICABILITY OF THRIFT SAVINGS PLAN PROVISIONS.—Except as otherwise provided in this section, the provisions of this subchapter and subchapter VII of this chapter shall apply with respect to members of the uniformed services making contributions to the Thrift Savings Fund as if such members were employees within the meaning of section 8401(11).

(c) MAXIMUM CONTRIBUTION FROM PAY OR COMPENSATION.—(1) Except as provided in paragraph (2), the authority of members of the uniformed services to participate in the Thrift Savings Fund shall be treated as being a reference to contributions under section 8440e of title 5, United States Code, as if such contributions were from compensation under section 308, 308a through 308b, or 8351, 8351a, 8351b, 8351c, 8351d, 8351e, 8351f, 8351g, 8351h, or 8351i.

(d) RELATED TECHNICAL AMENDMENTS.—(1) Subsection (a) of section 8440e of title 5, United States Code, is amended—
   (A) by striking “(a)(1)(A)” and inserting “(a)(1)”; and
   (B) by striking “(a)(1)(B)” and inserting “(a)(1)”.

(2) Section 8473 of title 5, United States Code, is amended—
   (A) by redesignating subsection (b) as subsection (a);
   (B) by inserting after subsection (a) the following new subsection (b):

$§ 8440e. Members of the uniformed services on active duty

(a) PARTICIPATION AUTHORIZED.—(1) A member of the uniformed services authorized to participate in the Thrift Savings Plan under section 211(a) of title 37 may contribute to the Thrift Savings Fund.

(b) APPLICABILITY OF THRIFT SAVINGS PLAN PROVISIONS.—Except as otherwise provided in this section, the provisions of this subchapter shall apply with respect to members of the uniformed services making contributions to the Thrift Savings Fund as if such members were employees within the meaning of section 8401(11).

(c) MAXIMUM CONTRIBUTION FROM PAY OR COMPENSATION.—(1) Except as provided in paragraph (2), the authority of members of the uniformed services to participate in the Thrift Savings Fund shall be treated as being a reference to contributions under section 8440e of title 5, United States Code, as if such contributions were from compensation under section 308, 308a through 308b, or 8351, 8351a, 8351b, 8351c, 8351d, 8351e, 8351f, 8351g, 8351h, or 8351i.

(d) RELATED TECHNICAL AMENDMENTS.—(1) Subsection (a) of section 8440e of title 5, United States Code, is amended—
   (A) by striking “(a)(1)(A)” and inserting “(a)(1)”; and
   (B) by striking “(a)(1)(B)” and inserting “(a)(1)”.

(2) Section 8473 of title 5, United States Code, is amended—
   (A) by redesignating subsection (b) as subsection (a);
   (B) by inserting after subsection (a) the following new subsection (b):

SEC. 654. REPEAL OF REDUCTION IN RETIRED PAY FOR CIVILIAN EMPLOYEES.
(a) REPEAL.—(1) Section 532 of this Act, the Secretary of Defense may post-
(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 in the first opportunity that was afforded the person to participate.

SEC. 656. PAID-UP COVERAGE UNDER RETIRED SERVICECIVIAN’S 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:

"§ 1436a. Coverage paid up at 30 years and age 70.

"Effective October 1, 2008, no reduction may be made in a person’s retired pay or retainer pay pursuant to an election under section 1431(b) or 1432 of this title for any month after that date if—

"(1) the 360th month for which the person retired pay or retainer pay is reduced pursuant to such an election; and

"(2) the month in which the person attains 70 years of age.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 1436 the following:

"1436a. Coverage paid up at 30 years and age 70; 30 years and age 75."

SEC. 657. PERMANENT AUTHORITY FOR PAYMENT OF ANNUITIES TO CERTAIN MILITARY SURVIVING SPOUSES.

Subsection (b) of section 644 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, 111 Stat. 1801; 10 U.S.C. 1448 note) is repealed.

SEC. 658. EFFECTUATION OF INTENDED GBP ANNUITY FOR FORMER SPouse WHEN NOT ELECTED BY REASON OF UNTIMELY DEATH OF RETIREE.

(a) CASES NOT COVERED BY EXISTING AUTHORITY.—Paragraph (3) of section 1456(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) is entitled to a benefit under title 10 for any type of service that would provide an annuity to the former spouse (the agreement thereafter having been incorporated in or ratified or approved by a court order or filed with the court of appropriate jurisdiction in accordance with applicable State law); or

(2) was required by a court order dated on or after such date to make such an election for the former spouse; and

(b) before making the election, died within 21 days of the date of the court order referred to in paragraph (1)(A) or the court order referred to in paragraph (1)(B), as the case may be.

(b) UNJUSTIFIED TIME LIMIT FOR REQUEST BY FORMER SPouse.—For the purposes of paragraphs (3)(C) of section 1456(f) of title 10, United States Code, a court order or filing referred to in subsection (a)(1)(C) of this section that is dated before October 19, 1984, shall be deemed to be dated on the date of the enactment of this Act.

SEC. 659. SPECIAL COMPENSATION FOR SEVERELY DISABLED UNIFORMED SERVICES RETIREES.

(a) Authorization.—Chapter 71 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1413. Special compensation for certain severely disabled uniformed services retirees.

"(a) AUTHORITY.—The Secretary concerned shall, subject to the availability of appropriations for such purpose, pay to each eligible disabled uniformed services retiree a monthly amount determined under subsection (b).

"(b) AMOUNT.—The amount to be paid to an eligible disabled uniformed services retiree referred to in accordance with subsection (a) is the following:

"(1) For any month for which the retiree has a qualifying service-connected disability rated as total, $300.

"(2) For any month for which the retiree has a qualifying service-connected disability rated at 80 percent or 70 percent, $100.

"(3) For any month for which the retiree has a qualifying service-connected disability rated at less than 80 percent, $0.

"(4) There shall be a maximum limit for the amount of special compensation under this section that may be paid for procedures on any one date of $400.

"(c) SOURCE OF FUNDS.—Payments under this section shall be made from the amounts appropriated for pay and allowances under title 10 of the United States Code.

"(d) EFFECTIVE DATE.—This section shall take effect on October 1, 2004, and shall apply to months that begin on or after that date. No benefit may be paid to any person by reason of this section for any period before that date.

"(e) SEVERABILITY.—If any provision of this section or the application thereof to any person or circumstances is held invalid, such holding shall not affect the validity of any other provision of this section or the application thereof to any other person or circumstance.

SEC. 660. COMPUTATION OF SURVIVOR BENEFITS.

(a) INCREASED BASIC ANNUITY.—(1) Subsection (a)(1)(B)(i) of section 1451 of title 10, United States Code, is amended by striking "35 percent" and inserting "the product of the base amount and the percent applicable for the month.".

(2) Subsection (a)(2)(B)(i) of such section is amended by striking "35 percent" and inserting "the percent specified under subsection (a)(1)(B)(i) as being applicable for the month".

(b) ADJUSTED SUPPLEMENTAL ANNUITY.—Section 1457(b) of title 10, United States Code, is amended—

(1) by striking "5, 10, 15, or 20 percent" and inserting "the applicable percent"; and

(2) by inserting after the first sentence the following: "The percent applicable 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) COMPUTATION.—(1) Effective on the first day of each month referred to in paragraph (2) the following:

(A) (A) each annuity under section 1450 of title 10, United States Code, that commenced before that month, is computed under a provision of section 1451 of that title amended by subsection (a), and is payable for that month shall be recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that provision, as so amended, had been used for the initial computation of the annuity; and

(B) each supplemental survivor annuity under section 1457 of such title that commenced before that month and is payable for that month shall be recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that section, as amended by this section, had been used for the initial computation of the supplemental survivor annuity.

(2) The requirements for recomputation of annuities under paragraph (1) apply with respect to the following:

(A) The first month that begins after the date of the enactment of this Act.

(B) October 2004.

(C) COMPUTATION OF RETIRED PAY REDUCTIONS FOR SUPPLEMENTAL SURVIVOR ANNUITIES.—The Secretary of Defense shall take
such actions as are necessitated by the amendments made by subsection (b) and the requirements of subsection (c)(1)(B) to ensure that the reductions in retirement pay under section 1400 of title 10, United States Code, are adjusted to achieve the objectives set forth in subsection (b) of that section.

Subtitle E—Montgomery GI Bill Benefits and Other Education Benefits

PART I—MONTGOMERY GI BILL BENEFITS

SEC. 671. INCREASE IN RATES OF EDUCATIONAL ASSISTANCE FOR FULL-TIME EDUCATION.

(a) INCREASE.—Section 3015 of title 38, United States Code, is amended—

(1) in subsection (a)(1), by striking "$5236" and inserting "$6000"; and

(2) in subsection (b)(1), by striking "$425" and inserting "$500".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to educational assistance allowances paid for months after September 1999. However, no adjustment in rates of educational assistance shall be made under subsection (g) of section 3015 or of title 38, United States Code, for fiscal year 2000.

SEC. 672. TERMINATION OF REDUCTIONS OF BASIC PAY.

(a) REFLECTION.—Section 3011 of title 38, United States Code, is amended by striking subsection (b).

(b) Section 3012 of such title is amended by striking subsection (c).

(c) The amendments made by paragraphs (1) and (2) shall take effect on the date of the enactment of this Act and shall apply to individual withdrawals of retired pay under section 3011 or of title 38, United States Code, as the case may be, on or after such date.

(b) TERMINATION OF REDUCTIONS IN PROGRESS.—Any reduction in the basic pay of an individual referred to in section 3011(b) of title 38, United States Code, by reason of such section 3011(b), or of any individual referred to in section 3012(c) of such title by reason of such section 3012(c), as of the date of the enactment of this Act shall cease commencing on the first month beginning after such date, and any obligation of such individual under such section 3011(b) or 3012(c), as the case may be, as of the day before the date of enactment is deemed to be fully satisfied as of such date.

(c) CONFORMING AMENDMENT.—Section 3038(b)(1) 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 "as at such times".

SEC. 673. ACCELERATED PAYMENTS OF EDUCATIONAL ASSISTANCE.

Section 3014 of title 38, United States Code, is amended—

(1) by inserting "(a)" before "The Secretary shall pay"; 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 authorize payments of basic educational assistance under this subchapter on an accelerated basis.

"(2) The Secretary shall make payments of basic educational assistance under this subchapter on an accelerated accelerated basis to an individual only if—

(i) the individual is obligated to make such payments by reason of such section 3015(b) of title 38, United States Code, and the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(ii) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(iii) as a result of the accelerated payments, the individual will be able to attend full-time; and

(iv) the Secretary determines that such payments will be beneficial to the individual.

"(3) If an accelerated payment is made under this section, the Secretary shall—

(a) Subject to the provisions of this section, the Secretary may make payments of basic educational assistance under this subchapter on an accelerated basis to an individual only if—

(i) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(ii) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(iii) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(iv) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(v) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(vi) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(b) The Secretary may make payments of basic educational assistance under this subchapter on an accelerated basis to an individual only if—

(i) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(ii) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(iii) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(iv) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(v) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(vi) the individual is an eligible veteran for purposes of the Montgomery GI Bill;

(c) As used in this section, the term "eligible veteran" means—

(i) any individual who is entitled to basic educational assistance under this subchapter;

(ii) any individual who is entitled to basic educational assistance under this subchapter;

(iii) any individual who is entitled to basic educational assistance under this subchapter;

(iv) any individual who is entitled to basic educational assistance under this subchapter;

(v) any individual who is entitled to basic educational assistance under this subchapter;

(vi) any individual who is entitled to basic educational assistance under this subchapter;

(2) To one or more of the individual's children.

(3) To a combination of the individuals referred to in paragraph (2).

SEC. 674. TRANSFER OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE BY CERTAIN MEMBERS OF THE ARMED FORCES.

(a) AUTHORITY TO TRANSFER TO FAMILY MEMBER.—Section 3038(a)(1) of title 38, United States Code, is amended by adding at the end the following new section:

"(7) 3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces

"(a)(1) Subject to the provisions of this section, the Secretary concerned may, for the purpose of enhancing recruiting and retention and to that Secretary's sole discretion, permit an individual described in paragraph (2) who is entitled to basic educational assistance under this subchapter to elect to transfer entitlement to such assistance, in whole or in part, to one or more of such individual's eligible family members.

"(2) An individual referred to in paragraph (1) is entitled to transfer entitlement to basic educational assistance under this subchapter to one or more of such individual's eligible family members in an amount specified by the Secretary concerned on the request of such individual or at the Secretary's discretion.

"(b) NOTwithstanding section 3031 of this title, a child to whom entitlement is transferred under this section may not use the entitlement so transferred after attaining the age of 26 years.

"(c) The administrative provisions of this chapter (including the provisions set forth in section 3035 of this title) shall apply to the use of entitlement transferred under this section.

"(d) To a dependent to whom entitlement is transferred shall be treated as the eligible veteran for purposes of such provisions.

(2) In the event of an overpayment of basic educational assistance with respect to a dependent to whom entitlement is transferred under this section, the Secretary concerned shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of this title.

"(1) The Secretary of Defense shall prescribe regulations for purposes of this section. Such regulations shall specify the manner and effect of an election to modify or revoke a transfer of entitlement under subsection (c)."
amended by inserting after the item relating to section 3020 a following new paragraph—
"(3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces.")."

SEC. 675. AVAILABILITY OF EDUCATIONAL ASSISTANCE BENEFITS. Allowance for Preparatory Courses for College and Graduate School Entrance Exams.

Section 3002(3) of title 38, United States Code, is amended—

(1) by striking "and" at the end of subparagraph (A); and

(2) by striking the period at the end of subparagraph (B) and inserting "; and"; and

(3) by adding at the end the following:

"(C) the Secretary, with respect to members of the Navy, the Marine Corps, or the Coast Guard Reserve, with respect to members of the Marine Corps Reserve;"

"(D) the Chief of the National Guard Bureau, with respect to members of the Army National Guard and the Air National Guard;"

"(E) the Commandant of the Coast Guard, with respect to members of the Coast Guard Reserve;"

SEC. 682. MODIFICATION OF TIME FOR USE BY CERTAIN MEMBERS OF SELECTED RESERVE.

Section 3002(b) of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(D) in the case of an individual who is serving in the Selected Reserve, with respect to an educational assistance allowance under this chapter, the following new section:

"(1) the Secretary, with respect to members of the Army National Guard and the Air National Guard;"

"(2) the Commandant, Marine Reserve Forces, with respect to members of the Marine Corps Reserve;"

"(3) the Chief of the National Guard Bureau, with respect to members of the Army National Guard and the Air National Guard;"

"(4) the Commandant of the Coast Guard, with respect to members of the Coast Guard Reserve;"

SEC. 685. REPORT ON EFFECT OF EDUCATIONAL BENEFITS IMPROVEMENTS ON RECRUITMENT AND RETENTION OF MEMBERS OF SELECTED RESERVE.

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 the Secretary’s assessment of the effects that the improved pay and other benefits under this chapter and the amendments made by this title are having on recruitment and retention of personnel in the Armed Forces.

(b) First Report.—The first report under this section shall be submitted not later than December 1, 2000.

SEC. 692. MEMBERS UNDER BURDENSOME CONDITIONS.

"(a) Management of Deployments of Individuals.—Part II of subtitle A of title 10, United States Code, is amended by inserting after section 6611(h) of such title the following:

"Chapter 50—Miscellaneous Command Responsibilities


"(a) General or Flag Officer Responsibilities.—The first general officer or flag officer in the chain of command of the member of the armed forces shall manage a deployment of the member when the total number of the days on which the member has been deployed out of 365 consecutive days is in excess of 180 days. That officer shall ensure that the member is not deployed or continued in a deployment on any day on which the total number of the days on which the member has been deployed would exceed 200 out of 365 consecutive days unless a general or flag officer in the grade of general or admiral in the Navy of the member’s chain of command approves the deployment or continued deployment of the member.

(2) Deployment Defined.—(1) For the purposes of this section, a member of the armed forces is deployed or is in a deployment on any day on which, pursuant to orders, the member is performing a training exercise or operation at a location or under circumstances that make it infeasible for the member to spend off-duty time in the housing in which the member resides when on garrison duty at the member’s permanent duty station.

(2) For the purposes of this section, a member’s deployment time is not deployed or in a deployment when performing service as a student or trainee at a school (including any Federal Government school) or performing administrative, guard, or detail duties in garrison at the member’s permanent duty station.

(c) Recordskeeping.—The Secretary of each military department shall establish a system for tracking and recording the number of days that each member of an armed force under the jurisdiction of the Secretary is deployed.

(d) National Security Waiver Authority.—The Secretary of Defense may suspend any portion of this section if the Secretary determines that it is necessary to do so in the national security interests of the United States.

(e) 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.

(f) Per Diem Allowance for Lengthy or Numerous Deployments.—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

"(435) Per diem allowance for lengthy or numerous deployments.

"(a) Per Diem Required.—The Secretary of the military department concerned shall pay a per diem allowance to a member of an armed force for each day that the member is deployed in excess of 220 days out of 365 consecutive days.

(b) Determination of Deployment.—In this section, the term ‘deployed’, with respect to a member, means that the member is deployed or in a deployment within the meaning of section 3002(b)(1) of title 38.

(c) Amount of Per Diem.—The amount of the per diem payable to a member under this section is $100.

(d) Payment of Claims.—A claim of a member for payment of the per diem allowance that is not fully substantiated by the
applicable recordkeeping system applicable to the Army, the Air Force, section 901(c) of title 10 shall be paid if the member furnishes the Secretary concerned with other evidence determined by the Secretary as being sufficient to substantiate the claim.

(4) RELATIONSHIP TO OTHER ALLOWANCES.—Any per diem payable to a member under this section is in addition to any other per diem, special pay, or incentive that is payable to the member under any other provision of law.

(5) NATIONAL SECURITY WAIVER.—No per diem payable to a member under this section is paid to a member of an armed force for any day on which the applicability of section 991 of title 10 to the member is suspended under subsection (d) of such section.

(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 subtitle B of such title, are amended by inserting after the item relating to chapter 435, the following:

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50. Miscellaneous Command Responsibilities (Subtitle 991).
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(2) In 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 435, the following:

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435. Per diem allowance for lengthy or numerous deployments.
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(d) APPLICABILITY 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 service performed after September 30, 2000.

(2) In subsection (a), not later than June 1, 2000, the Secretary of each military department shall prescribe in regulations the policies and procedures for implementing such provisions of law for that military department.

SEC. 693. INCREASED TUITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATION OR SIMILAR OPERATION.

(a) INAPPLICABILITY OF LIMITATION ON AMOUNTS.—Section 432(d) of title 10, 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) and inserting “; and”;

and

(3) by adding at the end the following:

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(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.
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(b) DECREASED AUTHORITY SUBJECT TO APPROPRIATIONS.—The authority to pay additional tuition assistance under paragraph (4) of section 2001a of title 10, United States Code, as added by subsection (a), may be exercised only to the extent provided for in appropriations Acts.

SEC. 694. ADMINISTRATION OF SELECTED REIMBURSEMENT PROGRAM FOR COAST GUARD RESERVE.

Subsection (a)(1) of section 16301 of title 10, United States Code, as amended by inserting after “the Secretary of Defense” the following: “; or the Secretary of Transportation in the case of a member of the Selected Reserve Coast Guard Reserve when the Coast Guard is not operating as a service in the Navy.”

SEC. 695. EXTENSION TO ALL UNIFORMED SERVICES OF AUTHORITY FOR PRESENTATION OF UNITED STATES FLAG TO MEMBERS ON RETIREMENT.

(a) PUBLIC LAW 108–136.—Section 221 of the Public Health Service Act (42 U.S.C. 213a) is amended—

(1) by adding at the end of subsection (a) the following:

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(17) Section 6414, Presentation of United States flag upon retirement.:
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(2) in subsection (b), by inserting “the Secretary of a military department, after the Secretary concerned.”.

(b) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Section 3 of the Act entitled “Authority,” and enacted into law, title 10 of the United States Code, entitled ‘‘‘the Secretary of Defense’’, approved August 10, 1956 (3 U.S.C. 857a), is amended—

(1) by adding at the end of subsection (a) the following:

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(17) Section 6414, Presentation of United States flag upon retirement.:
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(2) in subsection (b), by inserting “the Secretary of a military department, after the Secretary concerned.”.

(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 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 ARMED FORCES 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 3011C the following new section:

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8301D. Opportunity to enroll certain VAYP participants; active duty personnel not previously enrolled.

(1) Notwithstanding any other provision of law, an individual who—

(A) is a participant on the date of the enactment of this section, has completed the requirements of a high school diploma (or equivalency); or

(B) to the Secretary of Defense the unused contributions made by the individual under such program, the Secretary shall reduce the amount of the reduction in basic pay otherwise required by paragraph (1) by an amount equal to so much of the unused contributions made by the individual to the Post-Vietnam Era Veterans Education Account under section 3222(a) of this title as do not exceed $1,500.

(3) Any individual may at any time pay the Secretary an amount equal to the difference between the total of the reductions with respect to the individual under this subsection and the total amount of the reductions with respect to the individual under that subparagraph, which shall be paid into the Treasury of the United States as miscellaneous receipts.

(2) In the case of an individual previously enrolled in the educational benefits program provided by chapter 32 of this title, the Secretary shall reduce the total amount of the reduction in basic pay otherwise required by paragraph (1) by an amount equal to so much of the unused contributions made by the individual to the Post-Vietnam Era Veterans Education Account under section 3222(a) of this title as do not exceed $1,500.

(3) Any individual may at any time pay the Secretary an amount equal to the difference between the total of the reductions with respect to the individual under this subsection and the total amount of the reductions with respect to the individual under that subparagraph, which shall be paid into the Treasury of the United States as miscellaneous receipts.

(2) For each individual who is disenrolled from such program, the Secretary shall refer the claim to the Comptroller General of the United States for audit.

(3) Any contribution made by the Secretary of Defense to the Post-Vietnam Era
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Veterans Education Account pursuant to section 3018D of title 38, United States Code (as added by subsection (a)). The Secretary of Defense shall use funds available for the Department of Defense to provide supplemental foods and nutrition education and to pay for consultation services and administration under the program required by subsection (a)."

(c) Program Administration.—Subsection (c)(1)(A) of such section is amended by adding at the end the following: "(iii) The Secretary of Defense shall, to the maximum extent practicable, such practices shall include electronic processing of claims".

(d) Consultation Requirement.—The Secretary of Defense shall carry out the responsibilities under this section after consultation with the other administering Secretaries.

(b) Conforming Amendment.—Section 3013(b) of such title is amended by striking "or 3018C" and inserting "3018C, or 3018D".

SEC. 697. REVISION OF EDUCATIONAL ASSISTANCE INTERVAL PAYMENT REQUIREMENTS.

(a) In General.—Clause (C) of the third sentence of section 388(a) of title 38, United States Code, is amended to read as follows: "(C) A child shall be entitled to educational assistance pay for any period of time during which the child is able to attend an educational institution.

(b) Effective Date.—The amendment made by subsection (a) shall apply with respect to educational assistance payments under title 38, United States Code, for months beginning on or after the date of the enactment of this Act.

SEC. 698. IMPLEMENTATION OF THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM.

(a) Clarification of Benefits Responsibility.—Subsection (a) of section 1506a of title 42, United States Code, is amended by inserting "or striking 'may carry out a program to provide special supplemental food benefits' and inserting 'shall carry out a program to provide special supplemental foods and nutrition education'."

(b) Funding.—Subsection (b) of such section is amended to read as follows: "(b) Authorization.—The Secretary of Defense shall fund the program pursuant to section 1506a of title 42, United States Code, by striking 'may carry out a program to provide special supplemental food benefits' and inserting 'shall carry out a program to provide special supplemental foods and nutrition education'."

(c) Program Administration.—Subsection (c)(1)(A) of such section is amended by adding at the end the following: "(iii) The Secretary of Defense shall, to the maximum extent practicable, such practices shall include electronic processing of claims".

(d) Consultation Requirement.—The Secretary of Defense shall carry out the responsibilities under this section after consultation with the other administering Secretaries.

"*1097c. TRICARE: financial management

(a) Reimbursement of Providers.—(1) Subject to paragraph (2), the Secretary of Defense shall ensure that providers under the TRICARE program at rates higher than the reimbursement rates otherwise authorized for the providers under that program if the Secretary determines that application of the higher rates is necessary in order to ensure the availability of an adequate number of qualified health care providers under that program.

(2) The amount of reimbursement provided under paragraph (1) with respect to a health care service may not exceed the lesser of:

"(A) the amount equal to the local usual and customary charge for the service in the service area (as determined by the Secretary) in which the service is provided; or
"(B) the amount equal to 115 per cent of the CHAMPUS maximum allowable charge for the service."

"Sec. 701. IMPROVEMENT OF TRICARE BENEFITS AND MANAGEMENT.

(a) IMPROVEMENT OF TRICARE PROGRAM.—(1) Chapter 55 of title 38, United States Code, is amended by inserting after section 1097a the following:

"*1097b. TRICARE: benefits and services

(a) Comparability to FEHBP Benefits.—The Secretary of Defense shall, to the maximum extent practicable, ensure that the health care coverage available through the TRICARE program is substantially similar to the health care coverage available under similar health benefits plans offered under the Federal Employees Health Benefits program established under chapter 89 of title 5.

(b) Portability.—The Secretary of Defense shall ensure that the health care benefits to which a covered beneficiary is entitled under the TRICARE program are portable."

(c) Consultation Requirement.—The Secretary of Defense shall ensure that the health care coverage available through the TRICARE program is substantially similar to the health care coverage available under similar health benefits plans offered under the Federal Employees Health Benefits program established under chapter 89 of title 5.

The Secretary of Defense shall provide that any covered beneficiary enrolled in the TRICARE program receive benefits under that program that are comparable to the benefits provided under other comparable health insurance plans.

(b) Third-Party Collections.—(1) A medical treatment facility of the uniformed services under the TRICARE program has the same right as the United States under title 42, United States Code, to collect a fee from a third-party payer only if the TRICARE program is substantially similar to the health care benefits that the third-party payer offers to enrollees under a comparable health benefits plan.

"Sec. 702. EXPANSION AND REVISION OF AUTHORITY FOR DENTAL PROGRAMS FOR DEFENDERS AND DEPENDENTS.

(a) Authority.—Chapter 55 of title 10, United States Code, is amended by striking sections 1075a 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

"*1075a. TRICARE dental program

(a) Establishment of Dental Plans.—The Secretary of Defense may establish, and in the case of the dental plan described in
paragraph (1) shall establish, the following voluntary enrollment demonstration program under which covered beneficiaries shall be permitted to enroll at any time in a managed care plan for themselves or for their dependents.

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 title 10, United States Code, should modify existing entries pertaining to sections 1076a and 1076b and inserting the following:

SEC. 705. SENSE OF CONGRESS REGARDING AUTOMATIC ENROLLMENT OF MEDI-Cal-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 Medicaid shall be automatically authorized to enroll in the TRICARE Senior Prime demonstration program; and

(2) the Secretary of Defense, in coordination with the other administering Secretaries to section 10723 of title 10, United States Code, should modify existing entries pertaining to section 1076a and 1076b and inserting the following:

SEC. 706. TRICARE BENEFICIARY ADVOCATES.

establishment of positions. The Secretary of Defense shall require in regulations that—

(1) each lead agent under the TRICARE program—

(A) designate a person to serve full-time as a beneficiary advocate for TRICARE beneficiaries; and

(B) provide for toll-free telephone communication between TRICARE beneficiaries and the beneficiary advocate; and

(2) the commander of each medical care facility under chapter 55 of title 10, United States Code, designate a person to serve, as a primary or collateral duty, as beneficiary advocate for TRICARE beneficiaries serving at that facility.

(b) DUTIES.—The Secretary shall prescribe the duties of the position of beneficiary advocate in the regulations.

(c) INITIAL DESIGNATIONS.—Each beneficiary advocate required under the regulations shall be designated not later than January 15, 2000.

SEC. 705. OPEN ENROLLMENT DEMONSTRATION PROGRAM.

Section 724 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended by adding at the end the following:

OPEN ENROLLMENT DEMONSTRATION PROGRAM.—(1) The Secretary of Defense shall conduct a demonstration program under which covered beneficiaries shall be permitted to enroll at any time in managed care plans offered 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). Any demonstration program under this subsection shall be designated by the Department of Defense, and the service areas of the designated providers.

(2) The demonstration program carried out under this section shall commence on October 1, 1999, and end on September 30, 2001.

(3) Not later than March 15, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and
SEC. 715. AUTHORITY TO ORDER RESERVE COMPONENT MEMBERS TO ACTIVE DUTY FOR HEALTH SURVEILLANCE STUDIES.

Section 12301 of title 10, United States Code, is amended by adding at the end the following:

"(e)(1) A member of a uniformed service on active duty, so as to result in 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, is entitled to medical and dental care on the same terms and to the same extent as members covered by section 1074(a) of this title while the member remains on active duty.

(2) Paragraph (1) applies to a member described in paragraph (a) who, while being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty, is entitled to benefits under subsection (a) of section 1074(a) of this title, or if so entitled, is not entitled to care under section 1074a of that title, only if the Secretary determines that the care provided under section 1074(a) of that title is inadequate to meet the needs of, and unjust to, the member.

SEC. 717. ENHANCEMENT OF DENTAL BENEFITS FOR RETIRES.

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

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

SEC. 718. MEDICAL, AND DENTAL CARE FOR CERTAIN MEMBERS INCURRING INJURIES OR DISABILITIES ON ACTIVE DUTY FOR HEALTH AFFAIRS IN EFFORTS—

(a) PURPOSE.—It is the purpose of this section to ensure that the Department of Defense addresses issues of medical, dental, and other health affairs in efforts—

"(1) The Secretary of Defense shall establish a Department of Defense Center for Medical Informatics to carry out a program to support the Assistant Secretary of Defense for Health Affairs in efforts—"
(A) to develop parameters for assessing the quality of health care information;
(B) to develop the defense digital patient record;
(C) to develop a repository for data on quality of health care services;
(D) to develop the capacity for conducting research on quality of health care;
(E) to conduct research on matters of quality of health care;
(F) to develop decision support tools for health care providers;
(G) to refine medical performance report cards;
(H) to conduct educational programs on medical informatics to meet identified needs.

(2) The Center shall serve as a primary resource for the Department of Defense for matters concerning the capture, processing, and dissemination of data on health care quality.

(c) Automation and Capture of Clinical Data.—(1) The Secretary of Defense shall establish a Medical Informatics Council consisting of the following:
(A) The Assistant Secretary of Defense for Health Affairs
(B) The Director of the TRICARE Management Activity of the Department of Defense.
(C) The Surgeon General of the Army.
(D) The Surgeon General of the Air Force.
(E) Representatives of the Department of Veterans Affairs, whom the Secretary of Veterans Affairs shall designate.
(F) Representatives of the Department of Health and Human Services, whom the Secretary of Health and Human Services shall designate.

(H) Any additional members that the Secretary of Defense may appoint to represent health care providers and managed care organizations, academic health institutions, health care providers (including representatives of physicians and representatives of hospital associations), and other users of health care plans and organizations.

(2) The primary mission of the Medical Informatics Council shall be to coordinate the development, deployment, and maintenance of health care information systems that allow for the collection, exchange, and processing of health care quality information for the Department of Defense in coordination with other departments and agencies of the Federal Government and with the private sector. Specific areas of responsibility shall include:
(A) Evaluation of the ability of the medical informatics systems at the Department of Defense and Veterans Affairs to monitor, evaluate, and improve the quality of care provided to beneficiaries.
(B) Coordination of key components of medical informatics systems including digital patient records both within the Federal Government and between the Federal Government and the private sector.
(C) Coordination of the development of operational capabilities for executive information and clinical decision support systems within the Departments of Defense and Veterans Affairs.

(D) Standardization of processes used to collect, evaluate, and disseminate health care quality information.
(E) Refinement of methodologies by which the quality of health care provided within the Departments of Defense and Veterans Affairs is measured.
(F) Protecting the confidentiality of personal health information.

(3) The Council shall transmit to Congress an annual report on the activities of the Council on the coordination of development, deployment, and maintenance of health care information within the Federal Government and between the Federal Government and the private sector.

(A) The Assistant Secretary of Defense for Health Affairs shall consult with the Council on the issues described in paragraph (2).
(B) A member of the Council is not, by reason of service on the Council, an officer or employee of the United States.
(C) No compensation shall be paid to members of the Council for service on the Council.

(5) Any other health care services or pharmacy services, including the provision of such services to field hospitals of the Armed Forces and Department of Veterans Affairs outpatient health care clinics, by means of telecommunications.

(TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS)

SEC. 801. EXTENSION OF TEST PROGRAM FOR NEGOTIATION OF COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.


SEC. 802. MENTOR-PROTEGE PROGRAM IMPROVEMENTS.

(a) Program Participation Term.—Subsection (e)(2) of section 831 of the National Defense Authorization Act for Fiscal Year 1992 (10 U.S.C. 637 note) is amended to read as follows:

“(2) A program participation term for any period of not more than three years, except that the term may be extended by the Secretary of Defense for one or more additional periods, if the Secretary determines in writing that unusual circumstances justify a program participation term in excess of three years.”.

(b) Incentives Authorized for Mentor Firms.—Subsection (g) of such section is amended—

(1) in paragraph (1), by striking “shall” and inserting “may”;

(2) in paragraph (2)—

(A) by striking subparagraph (A) and inserting—

(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”; and

(iii) by striking the semicolon preceding clause (ii) and inserting ;

(3) in paragraph (3) by striking clauses (ii), (iii), and (iv); and

(B) by striking the proviso that such determinations made in annual performance reviews of a mentor firm’s mentor-protege agreement under subsection (j)(2)
shall be a major factor in the determinations of amounts of reimbursement, if the mentor firm is eligible to receive in the remaining years of the program participation term under the agreement.

"(C) The total amount reimbursed to mentor firms pursuant to subsection (g) during the fiscal year.

"(D) Each mentor-protege agreement, if any, that was approved during the fiscal year in accordance with such paragraph (e) to provide a program participation term in excess of 3 years, together with the justification for the approval.

"(E) Each reimbursement of a mentor firm in excess of the limitation in subsection (g)(2)(C) that was made during the fiscal year pursuant to an approval granted in accordance with such paragraph (e) to provide a program participation term in excess of 2 fiscal years.

"(f) REPEAL OF LIMITATION ON AVAILABILITY OF FUNDING.—Subsection (n) of such section is repealed.

"(g) EFFECTIVE DATE AND SAVINGS PROVISION.—(1) The amendments made by this section shall apply to each fiscal year beginning on or after October 1, 2003, and shall not be construed to apply with respect to mentor-protege agreements that are entered into under section 831(e) of the National Defense Authorization Act for Fiscal Year 1993 on or after that date.

"(2) Section 831 of the National Defense Authorization Act for Fiscal Year 1993, as in effect on September 30, 1999, shall continue to apply with respect to mentor-protege agreements entered into before October 1, 1999.

SEC. 806. 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 an annual report on the progress made by the protege firm in employment, revenues, and participation in Department of Defense contracts during the fiscal year covered by the report. The requirement for submission of an annual report applies with respect to each fiscal year covered by the program participation term under the agreement and each of the two fiscal years following the expiration of the program participation term. The Secretary shall prescribe the timing and form of the annual report.

"(2)(A) The Secretary shall conduct an annual performance review of each mentor-protege agreement that provides for reimbursement under section 831(e) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–486), and shall report the results of the review to Congress.

"(B) The report shall include the following:

"(1) The reasons for the provision not having been implemented.

"(2) A schedule, with specific milestones, for the implementation of the provisions of section 169B 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 105–85).

"(C) The total amount reimbursed to each mentor firm participating in the program during the fiscal year and the protege firms that completed or otherwise terminated participation in the program during the preceding two fiscal years.

"(f) COMPTROLLER GENERAL REVIEW.—(1) The Comptroller General of the United States may carry out a pilot program to treat procurements of commercial services as procurements of commercial items. The Secretary of Defense may designate the following categories of services as commercial services covered by the pilot program:

"(A) Utilities and housekeeping services.

"(B) Education and training services.

"(C) Transportation, travel and relocation services.

"(D) C TREATMENT AS COMMERCIAL ITEMS.—A Department of Defense contract for the procurement of commercial services designated by the Secretary of Defense for the pilot program shall begin on the date that the Secretary issues the guidance required by subsection (b) 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 not modified during the term of the pilot program, regardless of whether the contracts are performed during the period.

"(f) REPORT TO CONGRESS.—(1) 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 pilot program; and

"(B) the quality and timeliness of the services provided under such contracts;
SEC. 806. STREAMLINED APPLICABILITY OF COST ACCOUNTING STANDARDS.

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

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

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

"(B) The cost accounting standards shall not apply to a contractor or subcontractor for a fiscal year (or other one-year period used for cost accounting by the contractor or subcontractor) if the total value of all of the contracts or subcontractors covered by such standards is—

"(i) less than $5,000,000; or

"(ii) less than $10,000,000 if the contractor or subcontractor would not otherwise be subject to the cost accounting standards.".

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

"(1) Criteria for selecting an official to be delegated authority to grant waivers under subparagraph (A) or (B); and

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

SEC. 807. GUIDANCE ON USE OF TASK ORDER AND DELIVERY ORDER CONTRACTS.

(a) GUIDANCE IN THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to provide guidance to agencies on the appropriate use of task order and delivery order contracts for the purposes of—

"(1) providing a seamless process by which agencies may acquire commercial items with respect to the same time as the item; and

"(2) including the appropriate use of task order and delivery order contracts for the purposes of—

"(A) the requirement to order a single item, in accordance with the provisions of law referred to in that subsection; and

"(B) the requirement in section 2304(b) of title 10, United States Code, and section 363(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b) for comprehensively and consistently, 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 contracts or subcontractors covered by such standards is—

"(i) the specific circumstances under which a waiver may be granted;

"(ii) the contractor or subcontractor would not otherwise be subject to the cost accounting standards; and

"(iii) the contractor or subcontractor would otherwise be subject to the cost accounting standards.

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

"(1) Criteria for selecting an official to be delegated authority to grant waivers under subparagraph (A) or (B); and

"(2) Any contract with a nonprofit entity that provides research and development and related products or services to the Department of Defense.".
(b) GAO REPORT.—Not later than March 1, 2003, the Comptroller General shall submit to Congress an evaluation of the test program authorized by section 4204 of the Clinger-Cohen Act of 1996, together with any recommendations that the Comptroller General considers appropriate regarding the test program or the use of special simplified procedures for purchases of commercial items in excess of the simplified acquisition threshold.

SEC. 810. EXTENSION OF INTERIM REPORTING RULE FOR CERTAIN PROCUREMENTS.

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

SEC. 811. CONTRACT GOAL FOR SMALL DISADVANTAGED BUSINESSES AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

Subsection (k) of section 2323 of title 10, United States Code, is amended by striking “2000” both places it appears and inserting “2003”.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—General

SEC. 901. NUMBER OF MANAGEMENT HEADQUARTERS, MAJOR DEPARTMENTS, AND MAJOR HEADQUARTERS SUPPORT ACTIVITIES PERSONNEL.

(a) REVISED LIMITATION.—Section 130a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “10 percent” and inserting “65 percent”; and

(B) by striking “65 percent”; and

(2) in subsection (b)—

(A) by striking “October 1, 1999” and inserting “October 1, 2004.”

(b) REPEAL OF PHASED REDUCTION REQUIREMENT.—Subsection (b) of such section is repealed.

(c) CONFIRMING REPEAL.—Subsection (g) of such section is repealed.

(d) TECHNICAL AMENDMENT.—Subsections (c), (d), (e), and (f) are redesignated as subsections (b), (c), (d), and (e), respectively.

SEC. 902. ADDITIONAL MATTERS FOR ANNUAL REPORTS ON JOINT WARFIGHTING EXPERIMENTATION.

Section 485(b) of title 10, United States Code, is amended by adding at the end the following:

“(5) Not later than February 15, 2000, the Secretary of Defense shall be updated and revised at least every three years, except that the strategic plan for the Department of Defense shall be updated and revised at least every four years.”.

SEC. 903. 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) CIRCULAR AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“§ 459. Acceptance of guarantees with gifts for major projects.”.

SEC. 904. MINIMUM INTERVAL FOR UPDATING AND REVISING THE DEFENSE STRATEGIC PLAN.

Section 306(b) of title 10, United States Code, is amended by inserting “, and shall be updated and revised at least every three years,” and inserting a period at the end and the following:

“The strategic plan shall be updated and revised at least every three years, except that the strategic plan for the Department of Defense shall be updated and revised at least every four years.”.

SEC. 905. PERMANENT REQUIREMENT FOR QUADRENNIAL DEFENSE REVIEW.

(a) REVIEW REQUIRED.—Chapter 2 of title 10, United States Code, is amended by inserting after section 117 the following:

“§ 118. Quadrennial defense review.

“(a) REVIEW REQUIRED.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall conduct in each year in which a President is inaugurated a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program
and policies with a view toward determining and assessing the 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) NATIONAL DEFENSE PANEL.—In conducting the review, the Secretary shall take into consideration the reports of the National Defense Panel submitted under section 184(d) of this title.

"(c) REPORT TO CONGRESS.—The Secretary shall submit a report on each review to the Committees on Armed Services of the Senate and the House of Representatives not later than September 30 of the year in which the review is conducted. The report shall include the following:

"(1) The results of the review, including a comprehensive discussion of the defense strategy of the United States and the force structure best suited to implement that strategy, expressed in terms of size, characteristics, and organization, or in other terms suitable for characterizing the force structure.

"(2) The size, characteristics, and organization of an alternative force structure that is suited for implementing the strategy but is significantly smaller than the force structure discussed under paragraph (1), together with the benefits and risks associated with the larger force structure.

"(3) The size, characteristics, and organization of an alternative force structure that is suited for implementing the strategy but is significantly larger 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 conclusions developed in the examination of such threats.

"(5) The assumptions used in the review, including assumptions relating to the cooperation 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 propelling forces and nuclear participation in peace operations and military operations other than war.

"(7) The effect on the force structure of the utilization of 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 ground to air components and other necessary military forces.

"(11) The air-lift and sea-lift capabilities required to support the defense strategy.

"(12) The contribution of the reserve components to the defense strategy.

"(13) The extent to which resources must be shifted among two or more theaters under the defense strategy in the event of conflict in each of such 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:

"§ 184. National Defense Panel

"(a) ESTABLISHMENT.—Not later than January 1 of each year immediately preceding a year in which a President is to be inaugurated, the Secretary of Defense shall establish a nonpartisan, independent panel to be known as the National Defense Panel. The Panel shall have the duties set forth in this section.

"(b) MEMBERSHIP AND CHAIRMAN.—(1) The Panel shall be composed of nine members appointed from among persons in the private sector who are recognized experts in matters relating to the national security of the United States.

"(A) Three members appointed by the Secretary of Defense.

"(B) Three members appointed by the Chairman of the Committee on Armed Services of the Senate, in consultation with the ranking member of the committee.

"(C) Three members appointed by the Chairman of the Committee on Armed Services of the House of Representatives, in consultation with the ranking member of the committee.

"(2) The 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.

"(c) DUTIES.—(1) The Panel shall—

"(A) assess the matters referred to in paragraph (2);

"(B) assess the current and projected strategic environment, together with the progress made by the armed forces in transforming to that environment;

"(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 any issues that the Panel recommends for assessment during the next quadrennial review to be conducted under section 118 of such 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 strategy established since the previous quadrennial defense review under section 118 of this title.

"(3) The Panel shall conduct the assessments required under paragraph (1) with a view toward recommending—

"(A) the most critical changes that should be made to the defense strategy of the United States for the ensuing 10 years and the most critical changes that should be made to the defense strategy of the United States for the ensuing 20 years; and

"(B) any changes considered appropriate by the Panel regarding the major weapon systems programmed for the force, including any alternatives to those weapon systems.

"(d) REPORT.—(1) Not later than the year that it is conducting an assessment under subsection (c), the Panel 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 (b) a copy of the report together with the Secretary’s comments on the report.

"(e) INFORMATION FROM FEDERAL AGENCIES.—The Panel may secure directly from the Department of Defense and any of its components and from any other Federal department and agency such information as the Panel considers necessary in order to carry out its duties under this section. The head of the department or agency concerned shall ensure that information requested by the Panel under this subsection is promptly provided.

"(f) PERSONNEL MATTERS.—(1) Each member of the Panel shall be compensated at a rate equal to the daily rate of basic pay for level IV of the Executive Schedule under section 5315 of title 5 for each day 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) The 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 III of chapter 53 of title 5 relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director may not exceed the rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5.

"(4) Any Federal Government employee may be detailed to the Panel without reimbursement of the employee’s agency, and such detail shall be without interruption or
loss of civil service status or privilege. The Secretary of Defense shall detail to the Panel to enable the Panel to carry out its duties effectively.

(5) To the maximum extent practicable, the members and staff of the Panel shall travel on military aircraft, military ships, military vehicles, or other military conveyances when travel is necessary in the performance of a duty of the Panel, except that no such aircraft, ship, vehicle, or other conveyance may be scheduled primarily for the transportation of any such member or employee when commercial conveyance 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 of civilian employees of the Department. The other expenses of the Panel shall be paid out of funds available to the Department for the payment of similar expenses incurred by the Department.

(i) 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 157 the following:

"118. Quadrennial defense review.

(2) The table of sections at the beginning of chapter 7 of such title is amended by adding the following:


Subtitle B—Commission To Assess United States National Security Space Management and Organization

SEC. 911. ESTABLISHMENT OF COMMISSION.

(a) Establishment.—There is hereby established a commission known as the "Commission on United States National Security Space Management and Organization" (hereafter in this subtitle referred to as the "Commission").

(b)组成.—The Commission shall be composed of nine members appointed by the Secretary of Defense. In selecting individuals for appointment to the Commission, the Secretary shall consider:

(1) The Speaker of the House of Representatives concerning the appointment of three of the members of the Commission;

(2) The minority leader of the Senate concerning the appointment of three of the members of the Commission; and

(3) The minority leader of the House of Representatives concerning the appointment of three of the members of the Commission.

(c) Qualifications.—Members of the Commission shall be among private citizens of the United States who have knowledge and expertise in the areas of national security space policy, programs, organizations, and future national security concepts.

(d) Chairman.—The Speaker of the House of Representatives and the minority leader of the Senate shall designate one of the members of the Commission to serve as chairman of the Commission.

(e) Period of Appointment; Vacancies.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(f) Security Clearances.—All members of the Commission shall hold appropriate security clearances.

(g) Internal Organization Requirements.—(1) All appointments to the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting not later than 60 days after the date of which all members of the Commission have been appointed, but not earlier than October 15, 1999.

SEC. 912. DUTIES 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 these 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) The benefits of establishing a new major force program, or other budget mechanism, for managing national security space funding within the Department of Defense.

(c) Cooperation of the Government Officials.—In carrying out its duties, the Commission should receive the full and timely cooperation of the Director of Central Intelligence, and any other United States Government official responsible for providing the Commission with analyses, briefings, and other information necessary for the fulfillment of its responsibilities.

SEC. 913. REPORT.

The Commission shall, not later than six months after the date of its first meeting, submit to Congress a report on its findings and conclusions.

SEC. 914. 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 title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary for the Commission to perform its duties. The appointment of a staff director shall be subject to the approval of the Commission.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(d) Detail of Government Employees.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(e) Procurement of Temporary and Intermittent Services.—The chairman of the Commission may, for the purpose of carrying out the provisions of this subtitle, 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 considered advisable.
the Commission may procure temporary and intermittent services under section 3304(b) of title 5, United States Code, at rates for indi-
viduals which do not exceed the daily equiva-
lent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5302 of title 5, United States Code.

SEC. 917. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) Postal and Printing Services.—The Commission may use the United States mails and obtain printing and binding serv-
ces in the same manner and under the same conditions as for departments and agen-
cies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of De-
fense shall furnish the Commission, on a re-
imbursable basis, any administrative and sup-
support services requested by the Commis-
sion.

SEC. 918. FUNDING.

Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2000 between the dates of such authorizations. The Commission, from such amounts, the funds required by the Commission as stated in such authorizations shall be merged with and be available for the fiscal year for which appropriated.

SEC. 919. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 913.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZA-
tions.—(1) Upon determination by the Sec-
retary of Defense that such action is nec-
essary in the national interest, the Sec-
retary may transfer amounts of authoriza-
tions made available to the Department of Defense in this division for fiscal year 2000 between such authorizations for that fis-
cal year (or any subdivisions thereof).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is trans-
f erred; and

(2) may not be used to provide authority for an item that has been denied authoriza-
tion 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 trans-
ferred by an amount equal to the amount trans-
ferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each trans-
fer made under this section.

SEC. 1002. SECOND BIENNIAL FINANCIAL MAN-
AGEMENT IMPROVEMENT PLAN.

The second biennial financial management improvement plan submitted to Congress under section 2222 of title 10, United States Code, shall include the following matters:

(1) An inventory of the finance and ac-
counting systems and data feeder systems of the Department of Defense and, for each such system—

(A) a statement regarding whether the sys-

(2) may not be used to provide authority for an item that has a higher priority than the items from which authority is trans-
f erred; and

(3) may not be used to provide authority for an item that has been denied authoriza-
tion 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 trans-
ferred by an amount equal to the amount trans-
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(3) may not be used to provide authority for an item that has been denied authoriza-
tion 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 trans-
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(2) may not be used to provide authority for an item that has a higher priority than the items from which authority is trans-
f erred; and

(3) may not be used to provide authority for an item that has been denied authoriza-
tion 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 trans-
ferred by an amount equal to the amount trans-
ferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each trans-
fer made under this section.

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(A) a statement regarding whether the sys-

(2) may not be used to provide authority for an item that has a higher priority than the items from which authority is trans-
f erred; and

(3) may not be used to provide authority for an item that has been denied authoriza-
tion 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 trans-
ferred by an amount equal to the amount trans-
ferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each trans-
fer made under this section.

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counting systems and data feeder systems of the Department of Defense and, for each such system—

(A) a statement regarding whether the sys-

(2) may not be used to provide authority for an item that has a higher priority than the items from which authority is trans-
f erred; and

(3) may not be used to provide authority for an item that has been denied authoriza-
tion 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 trans-
ferred by an amount equal to the amount trans-
ferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each trans-
fer made under this section.
SEC. 1004. AUTHORITY TO REQUIRE USE OF ELECTRONIC FUND TRANSFERS FOR DEPARTMENT OF DEFENSE PERSONNEL PAYMENTS.

(a) Authorization.—Chapter 465 of title 10, United States Code, is amended by adding at the end the following:

"§ 2784. Payments to personnel: electronic transfers of funds

"(a) In general.—The Secretary of Defense may require that pay, allowances, retired or retainer pay, and any other payments out of funds available to the Department of Defense to one or more members of the armed forces, former members of the armed forces, employees or former employees of the Department of Defense, or dependents of such personnel be transferred as electronic transfers of funds.

(b) General authority.—Effective as of the effective date of this Act, the Secretary of Defense shall submit a report to the Secretary of the Treasury containing the results of the study required by paragraph (1).

(c) Exceptions.—The authority provided under section 3332 of title 31 and may be exercised without regard to any exception provided under that section.

(d) Implementation.—The Department of Defense may prescribe in regulations any exceptions that the Secretary considers appropriate.

SEC. 1005. PAYMENT OF FOREIGN LICENSING FEES OUT OF PROCEEDS OF SALES OF MAPS, CHARTS, AND NAVIGATIONAL PUBLICATIONS: USE OF PROCEEDS OF SALE FOR FOREIGN LICENSING AND OTHER FEES.

(a) Authority to pay foreign licensing fees.—The Secretary of Defense may pay, out of the proceeds of sales of maps, charts, and other publications of the National Imagery and Mapping Agency (which are hereinafter referred to in this section as the "Agency") to foreign countries or international organizations for the acquisition or use of data or products by the Agency.

(b) Disposition of other proceeds.—Any proceeds of sales not paid under the authority in subsection (a) shall be deposited by the Secretary of Defense in the Treasury as miscellaneous receipts.

SEC. 1006. AUTHORITY FOR DISBURSING OFFICERS TO PAY SALARIES AND OTHER FEES.

(a) In general.—Subchapter II of chapter 354 of title 31, United States Code, is amended by striking the item relating to the Secretary of Defense and inserting in its place the following:

"(b) Authorized receipts.—Any fees or other payments receive by the Secretary of Defense and accepted under section 457 of the Servicemen's Readjustment Act of 1924 (41 U.S.C. 357) and the amounts authorized to be appropriated under section 2501 shall be deposited under the control of any successor or additional account or program of the Military Budget, the Security Investment Program, and the Civil Budget of the Department of Defense as determined by the Secretary of Defense.

(b) Disposition of other fees.—Any fees or other payments received by the Secretary of Defense and accepted under section 457 shall be deposited in the Military Budget, the Security Investment Program, and the Civil Budget of the Department of Defense as determined by the Secretary of Defense.

SEC. 1007. CENTRAL TRANSFER ACCOUNT FOR COMBATTING 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, $20,000 shall be available from the sources and in the amounts specified in paragraph (2) for the purposes of combating terrorism.

(b) Amount for fiscal year 2001.—(1) Of the amounts authorized to be appropriated under this Act for the Department of Defense for fiscal year 2001, $20,000 shall be available from the sources and in the amounts specified in paragraph (2) for the purposes of combating terrorism.

(c) Amount for fiscal year 2002.—(1) Of the amounts authorized to be appropriated under this Act for the Department of Defense for fiscal year 2002, $20,000 shall be available from the sources and in the amounts specified in paragraph (2) for the purposes of combating terrorism.

(d) Amount for fiscal year 2003.—(1) Of the amounts authorized to be appropriated under this Act for the Department of Defense for fiscal year 2003, $20,000 shall be available from the sources and in the amounts specified in paragraph (2) for the purposes of combating terrorism.

(e) Amount for fiscal year 2004.—(1) Of the amounts authorized to be appropriated under this Act for the Department of Defense for fiscal year 2004, $20,000 shall be available from the sources and in the amounts specified in paragraph (2) for the purposes of combating terrorism.

SEC. 1008. UNITED STATES CONTRIBUTION TO NATO COMMON-FUNDED BUDGETS IN FISCAL YEAR 2000.

(a) Fiscal year 2000 limitation.—The total amount contributed by the United States for fiscal year 2000 for the common-funded budgets of NATO may be any amount up to, but not in excess of, the amount specified in subsection (b) (rather than the maximum amount that would otherwise be applicable to those contributions for fiscal year 1998 baseline limitation).

(b) Total amount.—The amount of the limitation applicable under subsection (a) is the sum of the following:

(1) The amounts of unexpended balances, as of the end of fiscal year 1999, of funds appropriated for fiscal years before fiscal year 2000 for payments for those budgets.

(2) The amount authorized to be appropriated under section 301(a)(1) that is available in fiscal year 1999 for the NATO common-funded military budget under section 311.

(3) The amount authorized to be appropriated under section 201 that is available for contribution for the NATO common-funded civil budget under section 211.

(c) Titles.—The total amount authorized to be appropriated under this Act for the common-funded budgets of NATO may be any amount up to, but not in excess of, the amount specified in subsection (b) (rather than the maximum amount that would otherwise be applicable to those contributions for fiscal year 1998 baseline limitation).

SEC. 1009. RESPONSIBILITIES AND ACCOUNTABILITY FOR FINANCIAL MANAGEMENT.

(a) Under Secretary of Defense (Comptroller).—(1) Section 135 of title 10, United States Code, is amended—
(3) Subsection (c)(1) of such section is amended by inserting “and to ensure accountability to the citizens of the United States, Congress, the President, and managers within the Department of Defense” before the semicolon at the end.

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

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

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

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

(C) Reimbursements and disbursements are recorded in the manner prescribed in the applicable Government-wide credit card contracts entered into by the Administrator of General Services.

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

(2) Subsection (c)(1) of such section is amended by inserting after the item relating to section 7290a, the following:

“7300. Contracts for nuclear ships: sales of naval shipyard articles and services to nuclear ship contractors.”

SEC. 1012. PERIOD OF DELAY AFTER NOTICE OF PROPOSED TRANSFER OF VESSEL STRICKEN FROM NAVAL VESSEL REGISTER.

Section 7306(d) of title 10, United States Code, is amended—

(1) by striking “(1)”;

(2) by striking “(A)” and inserting “(1)”;

and

(3) by striking “(B)” and all that follows and inserting the following:

“(2) following the notice to Congress, there has elapsed 60 days on which at least one of the Houses of Congress has been in session.”.

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

(a) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the CYCLONE class coastal patrol craft CYCLONE (PC1) or a craft with a similar hull. The transfer shall be made on a sale, lease, lease/buy, or grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2311).

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

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

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

Subtitle C—Miscellaneous Report Requirements and Repeals

SEC. 1021. PRESERVATION OF CERTAIN DEFENSE REPORT REQUIREMENTS.

(a) PRESERVATION.—Any provision of law specified in subsections (b) through (i) that requires the submittal to Congress (or any committee of 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) TITLE 10.—Subtitle (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.

(2) Sections 115(a), listed on page 57 of the Clerk's Report as 10 U.S.C. 115(b)(5)(A).

(3) Section 139(f), listed on page 62 of the Clerk's Report as 10 U.S.C. 138(g)(1).

(4) Sections 2006(e)(3), listed on page 76 of the Clerk's Report.


(6) Sections 662(b), listed on page 58 of the Clerk's Report.

(7) Section 146(c), listed on page 60 of the Clerk's Report.

(8) Sections 2006(c)(3), listed on page 76 of the Clerk's Report.

(9) Section 10, listed on page 57 of the Clerk's Report.

(10) Section 1111(e), listed on page 56 of the Clerk's Report as Pub. L. 102–190, Sec. 1023(a).

(11) Section 2208(q), listed on page 64 of the Clerk's Report as 10 U.S.C. 2208(q).

(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).

(16) Section 2461(g), listed on page 62 of the Clerk's Report as 10 U.S.C. 2430 note.

(17) Section 2662(b), listed on pages 69, 74, and 76 of the Clerk's Report.

(18) Section 2667(b), listed on page 62 of the Clerk's Report.

(19) Section 2706, listed on page 60 of the Clerk's Report.

(20) Section 2859, listed on page 58 of the Clerk's Report.

(21) Section 2902(g)(2), specified on page 148 of the Clerk's Report as section 1804(a) of Public Law 101–510.

(22) Section 10541(a), listed on page 57 of the Clerk's Report as 10 U.S.C. 115(a).

(23) Section 12303(d), listed on page 14 of the Clerk's Report as 10 U.S.C. 673(d).


(c) TITLE 37.—Subsection (a) applies with respect to sections 1008(a) and 1008(b) of title 37, United States Code, listed on page 14 of the Clerk's Report (defined in subsection (j)), as follows:

(1) Fiscal Year 1932.—The following provisions of the Military Construction Authorization Act, 1982 (Public Law 97–99):
any other official of the Department of Energy,

(b) NATIONAL DEFENSE AUTHORIZATION ACTS.—The following provisions of laws:


(c) Section 704(a) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 42 U.S.C. 7274(c)) (listed on page 87 of the Clerk’s Report).

(4) TITLE 13, UNITED STATES CODE.—Sections 742(b), 742(b), and 743(c) of title 10, United States Code (listed on page 89 of the Clerk’s Report).

(5) ENERGY POLICY AND CONSERVATION ACT.—Section 1658(b) of the Energy Policy and Conservation Act (Public Law 94-163; 42 U.S.C. 2225(a)) (listed on page 89 of the Clerk’s Report).

(h) OTHER TITLES OF THE UNITED STATES CODE.—Subsection (a) applies with respect to provisions of the United States Code listed in the Clerk’s Report (defined in subsection (j)), as follows:

(1) TITLE 31.—The following provisions of title 31:

(A) Section 3545(e)(2) of title 31, United States Code (listed on page 8 of the Clerk’s Report as 31 U.S.C. 3545(e)(2)).

(B) Section 9504(a) (listed on page 151 of the Clerk’s Report as 31 U.S.C. 9503(a)(1)(B)).

(2) TITLE 36.—Section 30011(b) of title 36, listed on page 65 of the Clerk’s Report as 36 U.S.C. 6.

(i) OTHER LAWS.—Subsection (a) applies with respect to the following laws listed in the Clerk’s Report (defined in subsection (j)):

(1) SUPPLEMENTAL APPROPRIATIONS ACT, 1989.—Section 503(f) of the Supplemental Appropriations Act, 1987 (Public Law 100-75; 101 Stat. 471; 5 U.S.C. 7301 note) (listed on page 151 of the Clerk’s Report), inseparably a part of the report under the heading of activities of the Department of Defense.

(2) BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION ACT.—Section 141(b) of the Barry Goldwater Scholarship and Excellence in Education Act (title XIV of Public Law 99-661 (20 U.S.C. 471(b)) (listed on page 174 of the Clerk’s Report).

(3) FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949.—Section 205(b) of the Federal Property and Administrative Services Act of 1949 (listed on page 8 of the Clerk’s Report as 40 U.S.C. 486(b)).

(4) UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.—Section 101(b)(6) of the Uniformed and Overseas Citizens Absentee Voting Act (listed on page 151 of the Clerk’s Report as 22 U.S.C. 7373(f)(b)(6)).


(6) LAWS REQUIRING MARITIME ADMINISTRATION REPORTS.—Provisions of law listed in the heading “Maritime Administration” on page 151 of the Clerk’s Report, relating to reports to be submitted by the Secretary of Transportation (or any other official of the Department of Transportation), listed on page 151 of the Clerk’s Report.

(7) CLERK’S REPORT DEFINED.—For the purposes of this section, the term “Clerk’s Report” means the document submitted by the Clerk of the House of Representatives to the Speaker of the House of Representatives on January 5, 1993 (designated as House Document No. 103-7) for the first session of the 103d Congress pursuant to clause 2 of Rule III of the Rules of the House of Representatives, requiring the Clerk to prepare, at the commencement of every regular session of Congress, a list of reports which it is the duty of any officer or department to make to Congress.

SEC. 1022. ANNUAL REPORT ON COMBATANT COMMAND REQUIREMENTS.—Section 153 of title 10, United States Code, is amended by adding at the end the following:

(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. The report shall contain the following:

(A) All models used by the Joint Chiefs of Staff to assess the capability of the United States to execute the strategy and all other models used by the Armed Forces to assess the capability.

(B) The assessments that would result from the use of those models if it were necessary to execute the National Military Strategy under the scenario set forth in paragraph (2), including the levels of the casualties that the United States would be projected to incur.

(C) The increasing levels of the casualties that would be projected under that scenario over a range of risks of prosecuting two major theater wars that proceeds from low to moderate risk under the scenario.

(D) An estimate of—

(i) the total resources needed to attain a moderate-high risk under the scenario;

(ii) the total resources needed to attain a low-moderate risk under the scenario; and

(iii) the incremental resources needed to decrease the level of risk from moderate-high to low-moderate.

(E) The scenario to be used for purposes of subparagraphs (B), (C), and (D) of paragraph (1) assumes that—

(A) while the Armed Forces are engaged in operations at the level of the ongoing as of the date of the enactment of this Act, international armed conflict begins in Southwest Asia and on the Korean peninsula; and

(B) the Armed Forces are equipped, supplied, manned, and trained at levels current as of such date.

(b) REPORT ON USE OF FUNDS PENDING SUBMITTAL REPORT.—Of the funds authorized to be appropriated under section 153, 100 percent is specifically that Appropriations Act.
of the potential for cooperative investment and technological development with other departments and agencies of the United States and with private sector entities.

(d) Utilization of Previous Studies and Reports.—The report shall take into consideration previously completed studies and reports that may be relevant to the development of the guide, including the United States Government's Consequence Management Plan, March 1998 and the Air Force Space Command's Strategic Master Plan of December 1997.

(e) Report.—Not later than April 15, 2000, the Secretary shall submit a report on the space technology guide to the congressional defense committees.

SEC. 1026. REPORT AND REGULATIONS ON DEPARTMENT OF DEFENSE POLICIES ON PROTECTING THE CONFIDENTIALITY OF COMMUNICATIONS WITH PROFESSIONALS PROVIDING THERAPEUTIC OR RELATED SERVICES REQUIRING PROTECTION FOR SEXUAL OR DOMESTIC ABUSE.

(a) Study and Report.—(1) The Comptroller General shall study the policies, procedures, and any other matters relating to the military departments for protecting the confidentiality of communications between—

(A) a dependent of a member of the Armed Forces who is—

(i) a victim of sexual harassment, sexual assault, or intrafamily abuse; or

(ii) engaged in such misconduct; and

(B) a therapist, counselor, advocate, or other professional from whom the dependent seeks professional services in connection with effects of such misconduct.

(2) Not later than 60 days after the date of the enactment of this Act, the Comptroller General shall conclude the study and submit a report on the results of the study to Congress and the Secretary of Defense.

(b) Regulations.—The Secretary of Defense shall prescribe in regulations the policies and procedures that the Secretary considers appropriate to provide the maximum protections for the confidentiality of communications described in subsection (a) relating to misconduct described in that subsection, consistent with—

(1) the findings of the Comptroller General;

(2) the standards of confidentiality and ethical standards issued by relevant professional organizations; and

(3) applicable requirements of Federal and State law;

(4) the best interest of victims of sexual harassment, sexual assault, or intrafamily abuse;

(5) military necessity; and

(6) such other factors as the Secretary, in consultation with the Attorney General, may consider appropriate.

(c) Report by Secretary of Defense.—Not later than January 1, 2000, the Secretary of Defense shall submit to Congress a report on the actions taken under subsection (b) and any other actions taken by the Secretary to provide the maximum possible protections for confidentiality described in that subsection.

SEC. 1027. COMPTROLLER GENERAL REPORT ON ANTICIPATED EFFECTS OF PROPOSED CHANGES IN OPERATION OF STORAGE SITES FOR LETHAL CHEMICAL AGENTS AND MUNITIONS.

(a) Report Required.—Not later than March 31, 2000, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the proposed changes in the latest quadrennial defense review to reduce the Federal civilian workforce involved in the operation of the eight storage sites for lethal chemical agents and munitions in the continental United States and to convert to contractor operation of the storage sites. The workforce reductions addressed in the report of this title “that are to be effected by fiscal year 2002.”

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

(1) For each site, a description of the assigned chemical storage, chemical demilitarization, and industrial missions.

(2) A description of the criteria and reporting systems applied to ensure that the storage and the workforce operating the storage sites have—

(A) the capabilities necessary to respond effectively to emergencies involving chemical accidents; and

(B) the industrial capabilities necessary to meet replenishment and surge requirements.

(3) The risks associated with the proposed workforce reductions, particularly the potential for reduced performance, particularly regarding chemical accidents, incident response capabilities, community-wide emergency preparedness plans, and current and planned chemical demilitarization programs.

(4) The effects of the proposed workforce reductions and contractor performance on the capability to perform assigned industrial missions, in particular implementation missions for chemical or biological defense or for chemical munitions.

(5) Recommendations for mitigating the risks and adverse effects identified in the report.

SEC. 1028. REPORT ON DEPLOYMENTS OF RAPID ASSESSMENT AND INITIAL DETECTION TEAMS ACROSS STATE BOUNDARIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the utilization of rapid assessment and initial detection teams for out-of-state use of Rapid Assessment and Initial Detection Teams for responses to incidents involving a weapon of mass destruction. The report shall include a description and analysis of the procedures that have been established or agreed to by States for the use in one State of a team that is based in another State.

SEC. 1029. REPORT ON CONSEQUENCE MANAGEMENT PROGRAM INTEGRATION OF FUTURE UNIT READINESS.

(a) Joint Readiness Review.—(1) The Secretary of Defense shall include in the quarterly report submitted to Congress under section 482 of title 10, United States Code, for the first quarter beginning after the date of the enactment of this Act an assessment of the readiness, training status, and future funding requirements of all active and reserve component units that are considered assets of the Consequence Management Program Integration Office of the Department of Defense.

(2) The Secretary of Defense shall set forth the assessment in an annex to the quarterly report. The Secretary shall include in the annex a detailed description of how the active and reserve component units are integrated with the Rapid Assessment and Initial Detection Teams in the overall Consequence Management Program Integration Office of the Department of Defense.
PORT.

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 and the activities conducted during the visits.

(3) The involvement, if any, of the general and flag officers referred to in paragraph (1) in the Tiananmen Square massacre of June 1989.

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

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

(6) Any official documentation, such as memoranda for the record, after-action reports, and final trip reports, 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.

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

(b) Minimum Levels for Certain Systems.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking “71” and inserting “76”; and
SEC. 1042. LIMITATION ON REDUCTION IN UNITED STATES STRATEGIC NUCLEAR FORCES.

(a) LIMITATION ON REDUCTION OF UNITED STATES STRATEGIC NUCLEAR FORCES.—None of the funds authorized to be appropriated by this or any other Act for fiscal year 2000 may be used for the reduction in the number of United States strategic nuclear forces below the maximum number of those forces, for each category of nuclear arms, permitted the United States by the START II Treaty unless the President submits to Congress a report containing an assessment indicating that such reductions would not impede the capability of the United States to respond militarily to any militarily significant increase in the challenge to United States security or strategic stability posed by nuclear weapon modernization programs of the People’s Republic of China or any other nation.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize the retirement or dismantlement, or the preparation for retirement or dismantlement, of any strategic nuclear delivery system or missile system that is designated under section 302 of the Nuclear Nonproliferation Act of 1980 (22 U.S.C. 5955 note) as 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. 1043. COUNTERPROLIFERATION PROGRAMS.

(a) EXTENSION OF COMMITTEE.—Section 1605(f)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 22 U.S.C. 5892 note) is amended to read as follows:

“(1) In addition to being concerned with actions to reduce the threat of nonproliferation programs to enhance the capability of the United States to respond to the proliferation of weapons of mass destruction, the Secretary of Defense shall develop an information assurance guide applicable for the Federal Government concerned to identify areas in which the Department of Defense might provide assistance for a country under any Cooperative Threat Reduction Program specified under section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–106; 110 Stat. 471; 22 U.S.C. 5892 note) the President certifies to Congress that the government of that country is committed to:

1. complying with all relevant arms control agreements;
2. facilitating United States verification of weapons destruction;
3. forgoing any use of fissionable and other components of destroyed nuclear weapons in new nuclear weapons;
4. forgoing the replacement of destroyed weapons of mass destruction; and
5. forgoing any modernization program that exceeds legitimate defense requirements.

SEC. 1045. PERIOD COVERED BY ANNUAL REPORT ON UNITED STATES ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.

Section 1206(a)(2) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 471; 22 U.S.C. 5892 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.—(1) Subject to subsection (b), the amount of the assistance for fiscal year 2000 that is provided by the Secretary of Defense for the purposes of implementing the Iraq Liberation Act of 1999 (Public Law 106–56) is limited to $15,000,000.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize 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 infrastructure beyond the direct oversight and control of the Secretary of Defense.

SEC. 1047. INFORMATION ASSURANCE INITIATIVE.

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

(1) The United States is increasingly dependent upon systems for national security, economic security, and a broad range of other vital national interests.

(2) The President, in his National Security Strategy of 1999 (Public Law 105–85), 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.

(b) 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 this Act and the plan that 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) INFORMATION ASSURANCE TESTBED.—(1) The Secretary of Defense shall establish an information assurance testbed to study the conduct of daily operations and the conduct of operations in crises.

(2) An assessment of the threats to information systems and infrastructures on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises, including an assessment of technical and other vulnerabilities in Department of Defense information and communications systems.

(d) INFORMATION ASSURANCE TESTBED.—(1) The Secretary of Defense shall establish an information assurance testbed. In developing the testbed, the Secretary shall consult with all departments and agencies of the Federal Government concerning the vulnerabilities of the information systems and other infrastructures, within and outside of the Department of Defense, on which the information assurance testbed depends for the conduct of daily operations and the conduct of operations in crises.

(e) INFORMATION ASSURANCE TESTBED.—(1) The Secretary of Defense shall establish an information assurance testbed. In developing the testbed, the Secretary shall consult with the heads of the other departments and agencies of the Federal Government concerning the vulnerabilities of the information systems and other infrastructures, within and outside of the Department of Defense, on which the information assurance testbed depends for the conduct of daily operations and the conduct of operations in crises.

(f) Any proposal for legislation that the Secretary considers necessary for implementing the Department of Defense information assurance program or for otherwise responding to information warfare threats.

(g) Any other information that the Secretary determines relevant.

(2) The information assurance testbed shall be open to proposals to participate in the testbed.

(A) An integrated organizational structure within the Department of Defense to plan
and facilitate the conduct of simulations, wargames, exercise experiments, and other activities designed to prepare and inform the Department of Defense regarding information warfare threats.

(b) Organizational and planning means for the conduct by the Department of Defense of integrated or joint exercises and experiments with the commercial organizations and other non-DOD entities that are responsible for the oversight and management of critical information systems and infrastructures on which the Department of Defense conducts deployments for the conduct of daily operations and the conduct of operations in crises.

(3) Other issues relating to the use of television and radio as a propaganda instrument in time of conflict.

(c) Report.—The task force shall submit to the Secretary of Defense a report containing the recommendations not later than February 1, 2000. The Secretary shall submit the report, together with the comments and recommendations of the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, to the congressional defense committees not later than March 1, 2000.

(d) Federal Republic of Yugoslavia Defense Use of Frequency Spectrum.—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 not designed to interfere with and to not receive any other 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 that is reserved for exclusively nongovernment 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) Effectiveness of Section.—This section does not apply to any upgrades, modifications, or system redesign to a Department of Defense communication system made after the date of enactment of this Act where that modification, upgrade or redesign would result in interference with or receiving interference from a non-Department of Defense system.

SEC. 1050. DEFENSE SCIENCE BOARD TASK FORCE ON TELEVISION AND RADIO AS A PROPAGANDA INSTRUMENT IN TIME OF MILITARY CONFLICT.

(a) Definitions.—In this section:

(1) The term ‘Department of Defense’ means the Department of Defense or any of its components.

(2) The term ‘Department of Defense task force’ means a task force established by the Secretary of Defense to conduct, 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) joint operations units; or

(ii) special operations units; or

(C) Any other unit that is designated by the Secretary of Defense for the conduct of, or conducting, special activities or classified missions.

(b) Duties of the Task Force.—The task force shall assess and develop recommendation as to the appropriate capabilities, if any, that the United States Armed Forces should have to broadcast radio and television into an area so as to ensure that the general public in that area is exposed to the facts of the conflict. In making the assessment and developing the recommendations, the task force shall review the following:

(1) The capabilities of the Department of Defense to develop and deploy operating TV and radio broadcasting facilities that can reach the general public in a country like the Federal Republic of Yugoslavia.

(2) The potential of various airborne or land-based platforms to have capabilities described in paragraph (1), including but not limited to desireable improvements to the EC-130 Commando Solo aircraft, and the utilization of unmanned aerial vehicles, and land-based transmitters in conjunction with satellites.

(3) Other issues relating to the use of television and radio as a propaganda instrument in time of conflict.

(c) Report.—The task force shall submit to the Secretary of Defense a report containing the recommendations not later than February 1, 2000. The Secretary shall submit the report, together with the comments and recommendations of the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, to the congressional defense committees not later than March 1, 2000.

(d) Federal Republic of Yugoslavia Defense Use of Frequency Spectrum.—In this section, the term ‘Federal Republic of Yugoslavia’ means the Federal Republic of Yugoslavia (Serbia and Montenegro).
SEC. 1053. NONDISCLOSURE OF OPERATIONAL FILES FROM THE NATIONAL IMAGERY AND MAPPING AGENCY.

(a) AUTHORITY TO WITHHOLD.—Subchapter II of chapter 22 of title 10, United States Code, as amended by section 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 the National Security Act of 1947 (50 U.S.C. 431).

'(b) COVERED OPERATIONAL FILES.—The authority under subsection (a) applies to operational files in the possession of the National Imagery and Mapping Agency that—

'(1) as of September 22, 1996, were maintained by the National Photographic Interpretation Center; or

'(2) concern the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center.

'(c) OPERATIONAL FILES DEFINED.—In this section, the term 'operational files' has the meaning given the term in section 701(b) of the National Security Act of 1947 (50 U.S.C. 431(b))."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter, as amended by section 1053, is further amended by adding at the end the following:

"§ 458. Withholding of operational files from public disclosure."

SEC. 1054. NONDISCLOSURE OF INFORMATION OF THE NATIONAL IMAGERY AND MAPPING AGENCY HAVING COMMERCIAL VALUE.

(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 of the National Imagery and Mapping Agency if the Secretary determines in writing that

'(1) the disclosure of the information would compete with or otherwise adversely affect commercial operations in any existing or emerging commercial industry or the operation of any existing or emerging commercial market; and

'(2) withholding the information from public disclosure is consistent with the national security interests of the United States.

'(b) RELATIONSHIP TO DCI AUTHORITY.—(1) Nothing in this section shall be construed as superseding, limiting, or otherwise affecting the authority and responsibilities of the Director of Central Intelligence to withhold or require the withholding of imagery and intelligence information from public disclosure under the National Security Act of 1947 (50 U.S.C. 401 et seq.), Executive Order No. 12951 or any successor Executive order, or directives of the President.

'(2) the administration of the authority under subsection (a) with respect to imagery and intelligence information, the Secretary of Defense shall be subject to the policies and directives of the Director of Central Intelligence for the public disclosure of such information.

'(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter, as amended by section 1053, is further amended by adding at the end the following:

"§ 459. Withholding of certain commercially significant information from public disclosure."

(a) Extension of Termination Date.—Section 711(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking “September 30, 1999” and inserting “September 30, 2000”.


SEC. 1060. EXTENSION TO NAVAL AIRCRAFT OF COAST GUARD AUTHORITY FOR PROGRAMS OF INVESTIGATION ACTIVITIES.

Section 577(c) of title 14, United States Code, is amended—

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

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

(3) by adding at the end the following new paragraph:

“(3) it is a naval aircraft on which one or more members of the Coast Guard are assigned.”

SEC. 1061. REGARDING THE NEED FOR VIGOROUS PROSECUTION OF WAR CRIMES, GENOCIDE, AND CRIMES AGAINST HUMANITY FOR THE FORMER REPUBLIC OF YUGOSLAVIA.

(a) The Senate finds that—

(1) the United Nations Security Council created the International Criminal Tribunal for the former Yugoslavia (in this section referred to as the “ICTY”) by resolution on May 25, 1993;

(2) although the ICTY has indicted 84 people since its creation, these indictments have only resulted in the trial and conviction of 8 criminals;

(3) the ICTY has jurisdiction to investigate: Grave breaches of the 1949 Geneva Conventions (Article 2); violations of the laws or customs of war (Article 3); genocide (Article 4); and crimes against humanity (Article 5);

(4) the Chief Prosecutor of the ICTY, Justice Louise Arbour, stated on July 7, 1998, to the Contact Group for the former Yugoslavia that “[t]he Prosecutor believes that the nature and scale of the fighting indicate that the ‘armed conflict’, as defined by international law, exists in Kosovo. As a consequence, she intends to bring charges for crimes against humanity or war crimes, if evidence of such crimes is established.”

(5) reports from Kosovar Albanian refugees provide detailed accounts of systematic efforts to displace the entire Muslim population of Kosovo;

(6) in furtherance of this plan, Serbian troops, police, and paramilitary forces have engaged in detention and summary execution of innocent persons, wanton destruction of civilian housing, forcible expulsions, mass executions in at least 60 villages and towns, as well as widespread organized rape of women and young girls;

(7) these reports of atrocities provide prima facie evidence of war crimes, crimes against humanity, as well as genocide;

(8) any criminal investigation is best served by the depositions and interviews of witnesses as soon after the commission of the crime as possible;

(9) the indictment, arrest, and trial of war criminals would provide a significant deterrent to further atrocities;

(10) the ICTY has issued 14 international warrants for the arrest of suspects that have yet to be served, despite knowledge of the suspects’ whereabouts;

(b) Extension of Authorization.—Section 1112(c)(2) of title 38, United States Code, is amended by adding at the end the following:

“(P) Lung cancer.

“(Q) Colon cancer.

“(R) Tumors of the brain and central nervous system.”

SEC. 1063. LEGAL EFFECT OF THE NEW STRATEGIC CONCEPT OF NATO.

(a) Certification Required.—Not later than 30 days after the date of enactment of this Act, the President shall certify to the Senate whether or not the new Strategic Concept of NATO imposes any new commitment or obligation on the United States.

(b) Sense of the Senate.—It is the sense of the Senate that, if the President certifies under subsection (a) that the new Strategic Concept of NATO imposes any new commitment or obligation on the United States, the President should submit the new Strategic Concept of NATO to the Senate as a treaty for the Senate’s advice and consent to ratification under Article II, Section 2, Clause 2 of the Constitution of the United States.

(c) Report.—Together with the certification made under subsection (a), the President shall submit to the Senate a report containing an analysis of the potential threats facing NATO in the first decade of the next millennium, with particular reference to those threats facing a member nation, or several member nations, where the commitment of NATO forces will be “out of area” or in the defense of the borders of NATO member nations.

(d) Definition.—For the purposes of this section, the term “new Strategic Concept of NATO” means the document approved by the Heads of State and Government participating in the meeting of the North Atlantic
SEC. 1064. MULTINATIONAL ECONOMIC EMBARGOES AGAINST GOVERNMENTS IN ARMED CONFLICT WITH THE UNITED STATES.

(a) POLICY ON THE ESTABLISHMENT OF EMBARGOES.—

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

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

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

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

(I) the specific steps the United States has taken and will continue to take to institute the embargo and financial asset seizures pursuant to this section, and

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

SEC. 1065. CONDITIONS FOR LENDING OBSOLETE OR CONDEMNED RIFLES FOR FUTURE CEREMONIES.

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

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

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

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

(C) was brought to the United States from abroad for ceremonial purposes.

SEC. 1066. MILITARY ASSISTANCE TO CIVIL AUTHORITIES FOR RESPONDING TO TERRORISM.

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

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

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

(b) NATURE OF ASSISTANCE.—Assistance provided under subsection (a) may include—

(1) special capabilities and resources of the 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.

(2) REIMBURSEMENT.—(A) The Secretary of Defense shall be reimbursed out of such funds for the costs incurred by the Department in providing the assistance without regard to whether the assistance was provided on a reimbursable basis. Notwithstanding any other provision of law, the amounts of reimbursement shall be limited to the amounts of departmental funds necessary to providing the assistance. In extraordinary circumstances, the Secretary of Defense may waive reimbursement upon determining that a waiver is in the national security interests of the United States and submitting to Congress a notification of the determination.

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

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

(d) PERSONNEL RESTRICTIONS.—In carrying out this section, a member of the Army, Navy, Air Force, or Marine Corps may not be required to—

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

(2) collect intelligence for law enforcement purposes.

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

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

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

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

SEC. 1067. 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) The United States indicted two Libyan intelligence agents, Abd al-Baset Ali al-Megrahi and Al-Amin Khalifa 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 Muammar Qadhafi had refused to transfer the suspects to either the United States or the United Kingdom to stand trial.

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

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

(A) a worldwide ban on Libyan nationals entering the United States; and

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

(c) PROHIBITION ON SUPPLYING ARMS, AIRCRAFT PARTS, AND MILITARY EQUIPMENT TO LIBYA.—Notwithstanding any other provision of law, the Secretary of Defense is prohibited from transferring to Libya any amount of weapons, fighter aircraft, advanced training equipment, or military equipment.

SEC. 1068. SENSE OF THE CONGRESS REGARDING THE CONTINUATION OF SANCTIONS AGAINST LIBYA.

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

(1) The term ‘weapon of mass destruction’ has come to mean any object designed to kill or injure in the course of an act of terrorism or in the course of war, as defined in Section 1403 of the Defense Against Weapons of Mass Destruction Act of 1996 (66 U.S.C. 2302(1)).

(b) INTERESTS.—It is in the national interest of the United States for the United States to continue its efforts to engage in meaningful negotiations with Libya designed to end its support for terrorism, to lift sanctions against Libya, and to institute any further appropriate actions as necessary to enhance national security and to promote national economic interests.

(c) SUPPORT.—Supporting nations of the United States should support measures to continue this national policy against Libya, and against any other nation that supports terrorism.
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 PIJ and PFLP-GC.

(16) United States Government sanctions (other than sanctions on food or medicine) should be maintained on Libya, and in accordance with United States Law, the Secretary of State should keep Libya on the list of countries of which the United States Government has repeatedly provided support for acts of international terrorism.

SEC. 1069. INVESTIGATIONS OF VIOLATIONS OF EXPORT CONTROLS.

(a) NOTICE TO CONGRESS OF CERTAIN EXPORT WAIVERS.—The President shall promptly notify Congress whenever an investigation is undertaken of an alleged violation of United States export control laws in connection with a commercial satellite of United States origin.

(b) NOTICE TO CONGRESS OF CERTAIN EXPORT WAIVERS.—The President shall promptly notify Congress whenever an export waiver is granted for a commercial satellite of United States origin.

(c) NOTICE TO APPLICANTS.—In 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 establish, by rule, the resolution of such House, procedures to protect from unauthorized disclosure classified information, information relating to intelligence sources and methods, and sensitive information that is furnished to Congress pursuant to this section.

(e) EXCEPTION.—The requirements of subsection (b) shall not apply if the President determines that notification of Congress would jeopardize an on-going criminal investigation. If the President makes such a determination, the President shall provide written notification to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Majority Leader of the House of Representatives. Such notification shall include a justification for any such determination.

SEC. 1070. ENHANCEMENT OF ACTIVITIES OF DEFENSE THREAT REDUCTION AGENCY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations—

(1) to authorize the personnel of the Defense Threat Reduction Agency (DTRA) who monitor satellite launch campaigns overseas to suspend such campaigns at any time if the suspension is required for purposes of the national security of the United States;

(2) to establish appropriate professional and technical qualifications for such personnel;

(3) to allocate funds and other resources to the Agency at levels sufficient to prevent any shortfalls in the number of such personnel;

(4) to establish mechanisms in accordance with the provisions of section 1514a(23)(A) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2175; 22 U.S.C. 2778 note) that provide for—

(A) the allocation to the Agency, in advance of a launch campaign, of an amount equal to the amount estimated to be required by the Agency to monitor the launch campaign; and

(B) the reimbursement of the Department, at the end of a launch campaign, of 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, technology and technical information that should not be included in such discussions;

(7) to provide, on at least an annual basis, briefings to agency employees of United States commercial satellite entities on United States export license standards, guidelines, and restrictions, and encourage such officers and employees to participate in such briefings;

(8) to establish a system for—

(A) the preparation and filing by personnel of the 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 law; 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 applicable to the implementation of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, the following:

(A) A summary of the satellite launch campaigns overseas monitored by the Defense Threat Reduction Agency during the preceding year.

(B) A description of any license infractions or violations that may have occurred during such campaigns and activities.

(C) A description of the personnel, funds, and other resources dedicated to the satellite launch monitoring program of the Agency during that year.

(D) An assessment of the record of United States satellite makers in cooperating with the DTRA, and with United States export control laws, during that year.

(2) Each report under paragraph (1) shall be submitted in classified form and unclassified form.

SEC. 1071. IMPROVEMENT OF LICENSING ACTIVITIES BY THE DEPARTMENT OF STATE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prescribe regulations that provide, consistent with the need to protect classified, law enforcement, or other sensitive information, timely notice to the manufacturer of a commercial satellite of United States origin of the reasons for a denial or approval with conditions, as may be consistent with the law involving the overseas launch of such satellite.

SEC. 1072. ENHANCEMENT OF INTELLIGENCE COMMUNITY ACTIVITIES.

(a) CONSULTATION 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 TECHNICAL INFORMATION.—The Director of Central Intelligence shall submit each year to Congress and appropriate officials of the executive branch a report on the efforts of foreign governments 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 3(4) of the National Security Act of 1947 (50 U.S.C. 403a(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 obtain 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 demonstrated a sustained and verified commitment to the nonproliferation of missiles and missile technology; and
The United States Commercial Space Launch Capacity.

It is the sense of Congress—

(1) Congress and the President should work together to stimulate and encourage the expansion of a commercial space launch capacity in the United States, including by taking actions to eliminate legal or regulatory barriers that inhibit or impede long-term competitiveness in the United States commercial space launch industry; and

(2) Congress and the President should—

(A) reexamine the current United States policy of permitting the export of commercial satellites of United States origin to the People’s Republic of China for launch;

(B) review the advantages and disadvantages of phasing out the policy over time, including advantages and disadvantages identified by Congress, the executive branch, the United States satellite industry, the United States space launch industry, the United States telecommunications industry, and other interested persons; and

(C) adopt a responsible policy of the United States to launch commercial satellites of the United States origin by the People’s Republic of China only if—

(i) such launches are licensed as of the commencement of the phase out of the policy; and

(ii) additional actions are taken to minimize the security threats to the United States or to the People’s Republic of China during the course of such launches.

1075. ANNUAL REPORTS ON SECURITY IN UNITED STATES SATellites.

SEC. 1075. ANNUAL REPORTS ON SECURITY IN UNITED STATES SATellites.

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

(1) It is the National Security Strategy of the United States to “deter and defeat large-scale, cross-border aggression in two distant theaters in the Pacific and Europe”;

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

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

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

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

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

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

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

(9) The Army has 10 active-duty divisions today, down from 18 in 1991, while on an average day in 1991, 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.

(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 additions during the preceding year to the offensive military capabilities of the People’s Republic of China; and

(3) an assessment of any challenges during the preceding year to the deterrent forces of the Republic of China on Taiwan, consistent with analysis made by the United States in the Taiwan Relations Act (Public Law 96–8).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on International Relations and the Committee on Armed Services of the House of Representatives.
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“an agency named in section 2303 of this title.”

SEC. 1081. ATTENDANCE AT PROFESSIONAL MILITARY EDUCATION SCHOOLS BY MILITARY PERSONNEL OF THE NEW MEMBER NATIONS OF 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) PROVISION AND TRAINING PROGRAMS.—The Secretary of each military department shall give due consideration to acceding a high priority to the attendance of military personnel of the new member nations of NATO at professional military education schools and training programs in the United States, including the United States Army War College, the Naval War College, the United States Military Academy, the United States Air Force Academy, the National Defense University, the war colleges of the Armed Forces, the command and general staff officer courses of the Armed Forces, and other schools and training programs of the Armed Forces that admit personal of the new member nations of NATO.

SEC. 1082. SENSE OF CONGRESS REGARDING UNITED STATES-RUSSIAN COOPERATION IN COMMERCIAL SPACE LAUNCH SERVICES.

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

(1) the United States should agree to 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) PROHIBITIONS.—

(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, 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, signed in Washington, D.C., on September 2, 1993, as amended by the agreement between the United States and the Russian Federation done at Washington, D.C., on January 30, 1996.

(3) TO COMMERCIAL SPACE LAUNCH SERVICES.—The term “commercial space launch services” means services contained in paragraph (1).
costly struggle for democracy and freedom in the hour of need.

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

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

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

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

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

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

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

(b) DESIGNATION OF VICTORY IN THE COLD WAR.—(1) Subject to paragraphs (2) and (3), amounts authorized to be appropriated for the purposes of this subsection, whether such funds are appropriated for the Armed Forces of the United States or from amounts contributed by the private sector under paragraph (3)(A) of that subsection.

(2) The table of sections at the beginning of such chapter is amended by striking ''noncombat''.
TITLE XII—NATIONAL MILITARY MUSEUM AND RELATIVE MATTERS

Subtitle A—Commission on National Military Museum

SEC. 1201. ESTABLISHMENT.

(a) ESTABLISHMENT.—There is hereby established a commission known as the “Commission on the National Military Museum” (in this subtitle referred to as the “Commission”).

(b) COMPOSITION.—(1) The Commission shall be composed of 10 individuals appointed from among individuals who have an expertise in military or museum matters, of whom—

(A) six shall be selected by the President;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) The following shall be ex officio members of the Commission:

(A) The Secretary of Defense.

(B) The Secretary of the Army.

(C) The Secretary of the Navy.

(D) The Secretary of the Air Force.

(E) The Commandant of the Marine Corps.

(F) The Commandant of the Coast Guard.

(G) The Secretary of the Smithsonian Institution.

(H) The Chairman of the National Capital Planning Commission.

(I) The Chairperson of the Commission of Fine Arts.

(j) ORIGINAL CHAIRPERSON.—The President shall designate one of the individuals first appointed to the Commission under subsection (b)(1) as the chairperson of the Commission.

(d) PERIOD OF 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 the original appointment.

(e) INITIAL ORGANIZATION REQUIREMENTS.—

(1) All appointments to the Commission shall be made not later than 60 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting not later than 60 days after the date of the enactment of this Act.

(f) COMMISSION.—The Commission may establish panels composed of less than full panels to carry out its responsibilities under this subtitle.

(g) COMMISSION.—The Commission shall conduct a study in order to make recommendations to Congress regarding an authorization for the construction of a national military museum in the National Capital Area.

(b) STUDY ELEMENTS.—In conducting the study, the Commission shall—

(1) determine whether existing military museums, historic sites, and memorials in the United States are adequate—

(A) to provide in a cost-effective manner for display of, and interaction with, adequately visited and adequately preserved artifacts and representations of the Armed Forces and of the wars in which the United States has been engaged;

(B) to honor the service to the United States of the active and reserve members of the Armed Forces and the veterans of the United States;

(C) to educate current and future generations regarding the Armed Forces and the sacrifices of members of the Armed Forces and the Nation in furtherance of the defense of freedom; and

(D) to foster public pride in the achievements and activities of the Armed Forces;

(2) determine whether adequate inventories of artifacts and representations of the Armed Forces and of the wars in which the United States has been engaged are available, either in current inventories or in private or public collections, for loan or other provision to a national military museum; and

(3) develop preliminary proposals for—

(A) the dimensions and design of a national military museum in the National Capital Area;

(B) the location of the museum in that Area; and

(C) the approximate cost of the final design and construction of the museum and of the costs of operating the museum.

(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, States, 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. 1202. POWERS.

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. 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, 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 PROCEEDURES.

(a) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum other than for the purpose of executing the powers granted in paragraph (2).

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

SEC. 1206. ESTABLISHMENT.

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 panels shall be subject to the review and control of the Commission. Any findings and determinations
SEC. 1206. PERSONNEL MATTERS.
(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

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

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of 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 be subject to the approval of the Commission.

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

(3) The rate of pay for other personal may not exceed the maximum rate payable for grade GS-15 of the General Schedule.

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

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of the Commission 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 equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 1207. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.
(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 1208. FUNDING.
(a) IN GENERAL.—Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2000.

(b) CERTIFICATION.—The chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall provide 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 1204(c).

SEC. 1209. TERMINATION OF COMMISSION.
The Commission shall terminate 60 days after the date of the submission of its report under section 1205.

SEC. 1211. FUTURE USE OF NAVY ANNEX PROPERTY, ARLINGTON, VIRGINIA.
(a) LIMITATION ON FUTURE USE.—No transfer of any real property of the Navy Annex property, or other use of that property not authorized as of the date of the enactment of this Act, may be carried out until 2 years after the later of—

(1) the date of the submittal of the study on the expansion of Arlington Cemetery required by the Joint Explanatory Statement of the Committee of Conference to accompany the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261); or

(2) the date on the submittal of the report of the Commission on the National Military Museum under section 1203.

(b) NAVY ANNEX PROPERTY DESCRIBED.—For purposes of subsection (a), the Navy Annex property is the parcels of real property under the jurisdiction of the Federal Government located in Arlington, Virginia, as follows:

(1) A parcel bounded by Columbia Plank to the south and east, the rear property line of the residential properties fronting Oak Street to the west, and the southern limit of Southgate Road to the north.

(2) A parcel bounded by Shirley Memorial Boulevard (Interstate Route 395) to the south, the eastern edge of the Department of Transportation of the Commonwealth of Virginia to the west, Columbia Plank 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 any other State; or

(2) be deemed to have acquired a residence or domicile in any other State; or

(3) be deemed to have become resident in or a resident of another State.

(b) In this section, the term 'State' includes a territory or possession of the United States, a political subdivision of a State, territory, 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—"; and

(2) by adding at the end the following:

"(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each valid voter registration application from an absent uniformed services voter 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."

MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 2000

SEC. 2. TABLE OF CONTENTS.
The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Congressional defense committees defined.

TITLE XXI—ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Improvements to military family housing units.
Sec. 2104. Authorization of appropriations, Army.

TITLE XXII—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Technical modification of authority relating to certain fiscal year 1997 project.

TITLE XXIII—AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.

TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Improvements to military family housing units.