HOUSE OF REPRESENTATIVES—*Monday, June 7, 1999*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 7, 1999.

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

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

MESSAGE FROM THE SENATE

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

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

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

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

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

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

S. 1061. An act to authorize appropriations for fiscal year 2000 for military construction, and for other purposes.

S. 1062. An act to authorize appropriations for fiscal year 2000 for defense activities of the Department of Energy, and for other purposes.

MORNING HOUR DEBATES

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

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

GUN SAFETY LEGISLATION

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

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

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

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

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

An important bill which I was pleased to cosponsor with the gentlewoman from New York (Mrs. MCCARTHY) includes several measures designed to keep guns out of kids' hands. H.R. 1342 is being supported by a growing number of people of conscience on both sides of the aisle. It should be the vehicle that deals comprehensively with these concerns.

Another important approach is legislation that I just introduced today that takes a page from our successful efforts at reducing death and injury on our highways. Thirty years ago Congress started simple, common-sense legislation that has cut the death rate on our highways in half. We can do the same with handguns.

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

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

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

PRICE CONTROLS DO NOT WORK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

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

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

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

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

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

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

By simply enacting the Medicare Plus Choice program as part of the Balanced Budget Act of 1997 that we passed, Congress sought to expand Medicare beneficiaries' access to prescription drugs by allowing them to join HMOs that offer these benefits. Congress' goal in the Balanced Budget Act was to extend to Medicare beneficiaries the same range of choices that exist for all working Americans. Choosing between competing health care plans provides greater promise than price controls, giving them greater access. It is better than telling the pharmaceutical companies that they have to meet a price.

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

So why are we talking about this? We should stop talking about socialized medicine and the age-old false hope of price controls that have never worked.

Medicare beneficiaries need more from their Members of Congress than false promises of cheap drugs through price controls. We need to help them gain access to affordable prescriptions through insurance coverage and the truly effective price competition of an active marketplace. We also need to make sure that whatever reform we pass does not hurt those to whom we owe a great debt: veterans. Veterans should not be put at risk to give someone in this body a political win.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETRI) at 2 p.m.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

With gratefulness and praise we begin a new week imploring Your mercy upon us, O God, and seeking Your blessings. We especially pray for those who have committed themselves to the work of ending hostilities in our world, and we pray for all those who seek to alleviate suffering or hunger or loneliness. For all those who are involved in bringing food to the hungry, shelter for the homeless, a comforting word to those who are alone, we offer these words of thanksgiving and appreciation.

Bless, O God, those good people who in our own communities or in the world are agents of reconciliation and messengers of peace. For them we offer our prayer. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. GIBBONS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker pro tempore's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

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

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. KUCINICH) come forward and lead the House in the Pledge of Allegiance.

Mr. KUCINICH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 3, 1999.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 1, 1999 at 9:20 a.m.: That the Senate passed without amendment H.R. 1379.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bills on Thursday, May 27, 1999:

H.R. 1034, to declare a portion of the James River and the Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of the United States for purposes of title 46, United States Code, and other maritime laws of the United States;

H.R. 1121, to designate the Federal building and United States courthouse located at 18 Greenville Street in Newman, Georgia, as the ''Lewis R. Morgan Federal Building and United States Courthouse''; and,

H.R. 1183, to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes.

APPOINTMENT OF MEMBERS TO CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of 22 U.S. Code 276d, the Chair announces the Speaker's appointment on May 20, 1999, of the following Members of the House to the Canada-United States Interparliamentary Group, in addition to Mr. Houghton of New York, Chairman, appointed on February 11, 1999:

Mr. GILMAN, New York, Vice Chairman;
Mr. OBERSTAR, Minnesota;
Mr. SHAW, Florida;
Mr. LIPINSKI, Illinois;
Ms. SLAUGHTER, New York;
Mr. UPTON, Michigan;
Mr. STEARNS, Florida;
Mr. PETERSON, Minnesota;
Ms. DANNER, Missouri;
Mr. MANZULLO, Illinois; and
Mr. ENGLISH, of Pennsylvania.

There was no objection.

APPOINTMENT AS MEMBER OF TWENTY-FIRST CENTURY WORKFORCE COMMISSION

The SPEAKER pro tempore. Pursuant to section 334(b)(1) of Public Law 105–220 and the order of the House of Thursday, May 27, 1999, and upon the recommendation of the minority leader, the Speaker on that day appointed the following member on the part of the House to the Twenty-First Century Workforce Commission:

Mr. David L. Stewart, St. Louis, Missouri.

CONGRATULATING ANDRE AGASSI ON WINNING FOUR GRAND SLAM VICTORIES

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

Mr. GIBBONS. Mr. Speaker, it is my great honor and pleasure to come to the floor today and congratulate one of my constituents for his efforts in the French Open, and one effort which was described as one of the greatest moments ever seen in sports.

Nevada's most famous tennis superstar, Andre Agassi, yesterday earned a very special spot in tennis history, becoming the fifth man in history to win four Grand Slam victories.

Yesterday millions around the world watched Andre's impressive two-sets-down come-from-behind victory. In his own words, Andre, a No. 1 who dropped out of the top 100 not long ago and has steadily climbed back into the top 25 said, ''What I have managed to accomplish is astounding. This was the greatest thing I could ever do.''

So to Andre Agassi and his proud parents, Mike and Betty, and on behalf of the very proud State of Nevada, I want to congratulate you and wish you continued success. Nevada is indeed very proud of your accomplishments, and proud to call you one of our own.

SLEEPWALKING MURDERER NEEDS TO CATCH A FEW Z'S IN ELECTRIC CHAIR

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

Mr. TRAFICANT. Mr. Speaker, Scott Falater does not deny it. He admits that he stabbed his wife 44 times. He then held her underwater while she bled to death, and then he hid the evidence. But, after all that, Falater says he is not guilty because he was sleepwalking.

Unbelievable, Mr. Speaker. Are we to believe that Falater was just dreaming through his wife's screams? Are we to believe he was just walking in the park when he stabbed her 44 times?

Beam me up. I say it is time for Scott Falater to sleepwalk down murderer's row and catch a few Z's right in the electric chair. Sleep on that, Falater.

CHALLENGE TO NATO'S CONTINUED BOMBING, DESPITE RUSSIAN-FINNISH PEACE PLAN AND VICTORY TALK

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

Mr. KUCINICH. Mr. Speaker, NATO is risking reigniting a wider war by simultaneously insisting on troop withdrawals and continuing bombing attacks on the troops. If acceptance of the Russian-Finnish peace plan by the Serb Government means anything, then the bombing should have stopped. If it means nothing, then why did NATO officials declare victory because such a plan had been accepted?

Either NATO has a peace plan in its hand or it does not. If it does, then it should stop the bombing instead of this approach of putting one foot on the accelerator of war and the other on the brake of peace. When Japan sued for peace after the atomic bombs were dropped, the U.S. did not keep bombing.

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

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

CONGRATULATING PEOPLE OF GUAM ON CONTRIBUTIONS TO SOUTH PACIFIC GAMES

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

Mr. UNDERWOOD. Mr. Speaker, I take this time on the floor to congratulate the people of Guam for their

exemplary contributions to the management and the operation of the South Pacific Games.

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

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

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 1999

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

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Miscellaneous Trade and Technical Corrections Act of 1999''.

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

Sec. 1. Short title; table of contents.

TITLE I—MISCELLANEOUS TRADE CORRECTIONS

Sec. 1001. Clerical amendments.
Sec. 1002. Obsolete references to GATT.
Sec. 1003. Tariff classification of 13-inch televisions.

TITLE II—TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS; OTHER TRADE PROVISIONS

Subtitle A—Temporary Duty Suspensions and Reductions

CHAPTER 1—REFERENCE

Sec. 2001. Reference.

CHAPTER 2—DUTY SUSPENSIONS AND REDUCTIONS

Sec. 2101. Diiodomethyl-p-tolylsulfone.
Sec. 2102. Racemic dl-menthol.
Sec. 2103. 2,4-Dichloro-5-hydrazinophenol monohydrochloride.
Sec. 2104. ACM.
Sec. 2105. Certain snowboard boots.
Sec. 2106. Ethofumesate singularly or in mixture with application adjuvants.
Sec. 2107. 3-Methoxycarbonylaminophenyl-3′-methylcarbanilate (phenmedipham).
Sec. 2108. 3-Ethoxycarbonylaminophenyl-N-phenylcarbamate (desmedipham).
Sec. 2109. 2-Amino-4-(4-aminobenzoylamino)benzenesulfonic acid, sodium salt.
Sec. 2110. 5-Amino-N-(2-hydroxyethyl)-2,3-xylenesulfonamide.
Sec. 2111. 3-Amino-2′-(sulfatoethylsulfonyl) ethyl benzamide.
Sec. 2112. 4-Chloro-3-nitrobenzenesulfonic acid, monopotassium salt.
Sec. 2113. 2-Amino-5-nitrothiazole.
Sec. 2114. 4-Chloro-3-nitrobenzenesulfonic acid.
Sec. 2115. 6-Amino-1,3-naphthalenedisulfonic acid.
Sec. 2116. 4-Chloro-3-nitrobenzenesulfonic acid, monosodium salt.
Sec. 2117. 2-Methyl-5-nitrobenzenesulfonic acid.
Sec. 2118. 6-Amino-1,3-naphthalenedisulfonic acid, disodium salt.
Sec. 2119. 2-Amino-p-cresol.
Sec. 2120. 6-Bromo-2,4-dinitroaniline.
Sec. 2121. 7-Acetylamino-4-hydroxy-2-naphthalenesulfonic acid, monosodium salt.
Sec. 2122. Tannic acid.
Sec. 2123. 2-Amino-5-nitrobenzenesulfonic acid, monosodium salt.
Sec. 2124. 2-Amino-5-nitrobenzenesulfonic acid, monoammonium salt.
Sec. 2125. 2-Amino-5-nitrobenzenesulfonic acid.
Sec. 2126. 3-(4,5-Dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)benzenesulfonic acid.
Sec. 2127. 4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid.
Sec. 2128. 4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid, monosodium salt.
Sec. 2129. Pigment Yellow 154.
Sec. 2130. Pigment Yellow 175.
Sec. 2131. Pigment Red 187.
Sec. 2132. 2,6-Dimethyl-m-dioxan-4-ol acetate.
Sec. 2133. β-Bromo-β-nitrostyrene.
Sec. 2134. Textile machinery.
Sec. 2135. Deltamethrin.
Sec. 2136. Diclofop-methyl.
Sec. 2137. Resmethrin.
Sec. 2138. N-phenyl-N′-1,2,3-thiadiazol-5-ylurea.
Sec. 2139. (1R,3S)3[(1′RS)(1′,2′,2′,2′,-Tetrabromoethyl)]-2,2-dimethylcyclopro-panecarboxylic acid, (S)-α-cyano-3-phenoxybenzyl ester.
Sec. 2140. Pigment Red 177.
Sec. 2141. Textile printing machinery.
Sec. 2142. Substrates of synthetic quartz or synthetic fused silica.
Sec. 2143. 2-Methyl-4,6-bis[(octylthio)methyl]phenol.
Sec. 2144. 2-Methyl-4,6-bis[(octylthio)methyl]phenol; epoxidized triglyceride.
Sec. 2145. 4-[[4,6-Bis(octylthio)-1,3,5-triazin-2-yl]amino]-2,6-bis(1,1-dimethylethyl)phenol.
Sec. 2146. (2-Benzothiazolylthio)butanedioic acid.
Sec. 2147. Calcium bis[monoethyl(3,5-di-tert-butyl-4-hydroxybenzyl) phosphonate].
Sec. 2148. 4-Methyl-γ-oxo-benzenebutanoic acid compounded with 4-ethylmorpholine (2:1).
Sec. 2149. Weaving machines.
Sec. 2150. Certain weaving machines.
Sec. 2151. DEMT.
Sec. 2152. Benzenepropanal, 4-(1,1-dimethylethyl)-alpha-methyl-.
Sec. 2153. 2H–3,1-Benzoxazin-2-one, 6-chloro-4-(cyclopropylethynyl)-1,4-dihydro-4-(trifluoromethyl)-.
Sec. 2154. Tebufenozide.
Sec. 2155. Halofenozide.
Sec. 2156. Certain organic pigments and dyes.
Sec. 2157. 4-Hexylresorcinol.
Sec. 2158. Certain sensitizing dyes.
Sec. 2159. Skating boots for use in the manufacture of in-line roller skates.
Sec. 2160. Dibutylnaphthalenesulfonic acid, sodium salt.
Sec. 2161. O-(6-Chloro-3-phenyl-4-pyridazinyl)-S-octylcarbonothioate.
Sec. 2162. 4-Cyclopropyl-6-methyl-2-phenylaminopyrimidine.
Sec. 2163. O,O-Dimethyl-S-[5-methoxy-2-oxo-1,3,4-thiadiazol-3(2H)-yl-methyl]-dithiophosphate.
Sec. 2164. Ethyl [2-(4-phenoxy phenoxy)ethyl]carbamate.
Sec. 2165. [(2S,4R)/(2R,4S)]/[(2R,4R)/(2S,4S)]-1-[2-[4-(4-chlorophenoxy)-2-chlorophenyl]-4-methyl-1,3-dioxolan-2-ylmethyl]-1H-1,2,4-triazole.
Sec. 2166. 2,4-Dichloro-3,5-dinitrobenzotrifluoride.
Sec. 2167. 2-Chloro-N-[2,6-dinitro-4-(trifluoromethyl)phenyl]-N-ethyl-6-fluorobenzenemethanamine.
Sec. 2168. Chloroacetone.
Sec. 2169. Acetic acid, [(5-chloro-8-quinolinyl)oxy]-, 1-methylhexyl ester.
Sec. 2170. Propanoic acid, 2-[4-[(5-chloro-3-fluoro-2-pyridinyl)oxy]phenoxy]-, 2-propynyl ester.
Sec. 2171. Mucochloric acid.
Sec. 2172. Certain rocket engines.
Sec. 2173. Pigment Red 144.
Sec. 2174. (S)-N-[[5-[2-(2-Amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b] [1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-l-glutamic acid, diethyl ester.
Sec. 2175. 4-Chloropyridine hydrochloride.
Sec. 2176. 4-Phenoxypyridine.
Sec. 2177. (3S)-2,2-Dimethyl-3-thiomorpholine carboxylic acid.
Sec. 2178. 2-Amino-5-bromo-6-methyl-4-(1H)-quinazolinone.
Sec. 2179. 2-Amino-6-methyl-5-(4-pyridinylthio)-4(1H)-quinazolinone.
Sec. 2180. (S)-N-[[5-[2-(2-amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-l-glutamic acid.
Sec. 2181. 2-Amino-6-methyl-5-(4-pyridinylthio)-4-(1H)-quinazolinone dihydrochloride.
Sec. 2182. 3-(Acetyloxy)-2-methylbenzoic acid.
Sec. 2183. [R-(R,R*)]-1,2,3,4-butanetetrol-1,4-dimethanesulfonate.*
Sec. 2184. 9-[2-[[Bis[(pivaloyloxy)methoxy]-phosphinyl]methoxy] ethyl]adenine (also known as Adefovir Dipivoxil).
Sec. 2185. 9-[2-(R)-[[Bis[(isopropoxycarbonyl)oxymethoxy]-phosphinoyl]methoxy]-propyl]adenine fumarate (1:1).
Sec. 2186. (R)-9-(2-Phosphonomethoxypropyl)adenine.
Sec. 2187. (R)-1,3-Dioxolan-2-one, 4-methyl-.
Sec. 2188. 9-(2-Hydroxyethyl)adenine.
Sec. 2189. (R)-9H-Purine-9-ethanol, 6-amino-α-methyl-.
Sec. 2190. Chloromethyl-2-propyl carbonate.

Sec. 2191. (R)-1,2-Propanediol, 3-chloro-.
Sec. 2192. Oxirane, (S)-((triphenylmethoxy)methyl)-.
Sec. 2193. Chloromethyl pivalate.
Sec. 2194. Diethyl (((p-toluenesulfonyl)oxy)-methyl)phosphonate.
Sec. 2195. Beta hydroxyalkylamide.
Sec. 2196. Grilamid tr90.
Sec. 2197. IN–W4280.
Sec. 2198. KL540.
Sec. 2199. Methyl thioglycolate.
Sec. 2200. DPX–E6758.
Sec. 2201. Ethylene, tetrafluoro copolymer with ethylene (ETFE).
Sec. 2202. 3-Mercapto-D-valine.
Sec. 2203. p-Ethylphenol.
Sec. 2204. Pantera.
Sec. 2205. p-Nitrobenzoic acid.
Sec. 2206. p-Toluenesulfonamide.
Sec. 2207. Polymers of tetrafluoroethylene, hexafluoropropylene, and vinylidene fluoride.
Sec. 2208. Methyl 2-[[[[[4-(dimethylamino)-6-(2,2,2- trifluoroethoxy)-1,3,5-triazin-2-yl]amino]-carbonyl]amino]sulfonyl]-3-methylbenzoate (triflusulfuron methyl).
Sec. 2209. Certain manufacturing equipment.
Sec. 2210. Textured rolled glass sheets.
Sec. 2211. Certain HIV drug substances.
Sec. 2212. Rimsulfuron.
Sec. 2213. Carbamic acid (V–9069).
Sec. 2214. DPX–E9260.
Sec. 2215. Ziram.
Sec. 2216. Ferroboron.
Sec. 2217. Acetic acid, [[2-chloro-4-fluoro-5-[(tetrahydro-3-oxo-1H,3H-[1,3,4] thiadiazolo[3,4-a]pyridazin-1-ylidene)amino]phenyl]- thio]-, methyl ester.
Sec. 2218. Pentyl[2-chloro-5-(cyclohex-1-ene-1,2-dicarboximido)-4-fluorophenoxy]acetate.
Sec. 2219. Bentazon (3-isopropyl)-1H-2,1,3-benzothiadiazin-4(3H)-one-2,2-dioxide).
Sec. 2220. Certain high-performance loudspeakers not mounted in their enclosures.
Sec. 2221. Parts for use in the manufacture of certain high-performance loudspeakers.
Sec. 2222. 5-tert-Butyl-isophthalic acid.
Sec. 2223. Certain polymer.
Sec. 2224. 2-(4-Chlorophenyl)-3-ethyl-2, 5-dihydro-5-oxo-4-pyridazine carboxylic acid, potassium salt.
Sec. 2225. Pigment Red 185.
Sec. 2226. Pigment Red 208.
Sec. 2227. Pigment Yellow 95.
Sec. 2228. Pigment Yellow 93.

CHAPTER 3—EFFECTIVE DATE

Sec. 2301. Effective date.

Subtitle B—Other Trade Provisions

Sec. 2401. Extension of United States insular possession program.
Sec. 2402. Tariff treatment for certain components of scientific instruments and apparatus.
Sec. 2403. Liquidation or reliquidation of certain entries.
Sec. 2404. Drawback and refund on packaging material.
Sec. 2405. Inclusion of commercial importation data from foreign-trade zones under the National Customs Automation Program.
Sec. 2406. Large yachts imported for sale at United States boat shows.
Sec. 2407. Review of protests against decisions of Customs Service.
Sec. 2408. Entries of NAFTA-origin goods.
Sec. 2409. Treatment of international travel merchandise held at customs-approved storage rooms.
Sec. 2410. Exception to 5-year reviews of countervailing duty or antidumping duty orders.
Sec. 2411. Water resistant wool trousers.
Sec. 2412. Reimportation of certain goods.
Sec. 2413. Treatment of personal effects of participants in certain world athletic events.
Sec. 2414. Reliquidation of certain entries of thermal transfer multifunction machines.
Sec. 2415. Reliquidation of certain drawback entries and refund of drawback payments.
Sec. 2416. Clarification of additional U.S. note 4 to chapter 91 of the Harmonized Tariff Schedule of the United States.
Sec. 2417. Duty-free sales enterprises.
Sec. 2418. Customs user fees.
Sec. 2419. Duty drawback for methyl tertiary-butyl ether (''MTBE'').
Sec. 2420. Substitution of finished petroleum derivatives.
Sec. 2421. Duty on certain importations of mueslix cereals.
Sec. 2422. Expansion of Foreign Trade Zone No. 143.
Sec. 2423. Marking of certain silk products and containers.
Sec. 2424. Extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Mongolia.
Sec. 2425. Enhanced cargo inspection pilot program.
Sec. 2426. Payment of education costs of dependents of certain Customs Service personnel.

TITLE III—AMENDMENTS TO INTERNAL REVENUE CODE OF 1986

Sec. 3001. Property subject to a liability treated in same manner as assumption of liability.

TITLE I—MISCELLANEOUS TRADE CORRECTIONS

SEC. 1001. CLERICAL AMENDMENTS.

(a) TRADE ACT OF 1974.—(1) Section 233(a) of the Trade Act of 1974 (19 U.S.C. 2293(a)) is amended—

(A) by aligning the text of paragraph (2) that precedes subparagraph (A) with the text of paragraph (1); and

(B) by aligning the text of subparagraphs (A) and (B) of paragraph (2) with the text of subparagraphs (A) and (B) of paragraph (3).

(2) Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended—

(A) in paragraph (3) by striking ''LIMITATION ON APPOINTMENTS.—''; and

(B) by aligning the text of paragraph (3) with the text of paragraph (2).

(3) The item relating to section 410 in the table of contents for the Trade Act of 1974 is repealed.

(4) Section 411 of the Trade Act of 1974 (19 U.S.C. 2441), and the item relating to section 411 in the table of contents for that Act, are repealed.

(5) Section 154(b) of the Trade Act of 1974 (19 U.S.C. 2194(b)) is amended by striking ''For purposes of'' and all that follows through ''90-day period'' and inserting ''For purposes of sections 203(c) and 407(c)(2), the 90-day period''.

(6) Section 406(e)(2) of the Trade Act of 1974 (19 U.S.C. 2436(e)(2)) is amended by moving subparagraphs (B) and (C) 2 ems to the left.

(7) Section 503(a)(2)(A)(ii) of the Trade Act of 1974 (19 U.S.C. 2463(a)(2)(A)(ii)) is amended by striking subclause (II) and inserting the following:

''(II) the direct costs of processing operations performed in such beneficiary developing country or such member countries,

is not less than 35 percent of the appraised value of such article at the time it is entered.''.

(8) Section 802(b)(1)(A) of the Trade Act of 1974 (19 U.S.C. 2492(b)(1)(A)) is amended—

(A) by striking ''481(e)'' and inserting ''489''; and

(B) by inserting ''(22 U.S.C. 2291h)'' after ''1961''.

(9) Section 804 of the Trade Act of 1974 (19 U.S.C. 2494) is amended by striking ''481(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(1))'' and inserting ''489 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h)''.

(10) Section 805(2) of the Trade Act of 1974 (19 U.S.C. 2495(2)) is amended by striking ''and'' after the semicolon.

(11) The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

''TITLE VIII—TARIFF TREATMENT OF PRODUCTS OF, AND OTHER SANCTIONS AGAINST, UNCOOPERATIVE MAJOR DRUG PRODUCING OR DRUG-TRANSIT COUNTRIES

''Sec. 801. Short title.
''Sec. 802. Tariff treatment of products of uncooperative major drug producing or drug-transit countries.
''Sec. 803. Sugar quota.
''Sec. 804. Progress reports.
''Sec. 805. Definitions.''.

(b) OTHER TRADE LAWS.—(1) Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended—

(A) in subsection (e) by aligning the text of paragraph (1) with the text of paragraph (2); and

(B) in subsection (f)(3)—

(i) in subparagraph (A)(ii) by striking ''subsection (a)(1) through (a)(8)'' and inserting ''paragraphs (1) through (8) of subsection (a)''; and

(ii) in subparagraph (C)(ii)(I) by striking ''paragraph (A)(i)'' and inserting ''subparagraph (A)(i)''.

(2) Section 3(a) of the Act of June 18, 1934 (commonly referred to as the ''Foreign Trade Zones Act'') (19 U.S.C. 81c(a)) is amended by striking the second period at the end of the last sentence.

(3) Section 9 of the Act of June 18, 1934 (commonly referred to as the ''Foreign Trade Zones Act'') (19 U.S.C. 81i) is amended by striking ''Post Office Department, the Public Health Service, the Bureau of Immigration'' and inserting ''United States Postal Service, the Public Health Service, the Immigration and Naturalization Service''.

(4) The table of contents for the Trade Agreements Act of 1979 is amended—

(A) in the item relating to section 411 by striking ''Special Representative'' and inserting ''Trade Representative''; and

(B) by inserting after the items relating to subtitle D of title IV the following:

''Subtitle E—Standards and Measures Under the North American Free Trade Agreement

''CHAPTER 1—SANITARY AND PHYTOSANITARY MEASURES

''Sec. 461. General.
''Sec. 462. Inquiry point.
''Sec. 463. Chapter definitions.

''CHAPTER 2—STANDARDS-RELATED MEASURES

''Sec. 471. General.
''Sec. 472. Inquiry point.
''Sec. 473. Chapter definitions.

''CHAPTER 3—SUBTITLE DEFINITIONS

''Sec. 481. Definitions.

''Subtitle F—International Standard-Setting Activities

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

''Sec. 492. Equivalence determinations.

''Sec. 493. Definitions.''.

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

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

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

(7) Section 584(a) of the Tariff Act of 1930 (19 U.S.C. 1584(a)) is amended—

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

(B) in paragraph (3)—

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

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

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

(9) Section 558(b) of the Tariff Act of 1930 (19 U.S.C. 1558(b)) is amended by striking ''(c)'' each place it appears and inserting ''(h)''.

(10) Section 441 of the Tariff Act of 1930 (19 U.S.C. 1441) is amended by striking paragraph (6).

(11) General note 3(a)(ii) to the Harmonized Tariff Schedule of the United States is amended by striking ''general most-favored-nation (MFN)'' and by inserting in lieu thereof ''general or normal trade relations (NTR)''.

SEC. 1002. OBSOLETE REFERENCES TO GATT.

(a) FOREST RESOURCES CONSERVATION AND SHORTAGE RELIEF ACT OF 1990.—(1) Section 488(b) of the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620(b)) is amended—

(A) in paragraph (3) by striking ''General Agreement on Tariffs and Trade'' and inserting ''GATT 1994 (as defined in section 2(1)(B) of the Uruguay Round Agreements Act)'' ; and

(B) in paragraph (5) by striking ''General Agreement on Tariffs and Trade'' and inserting ''WTO Agreement and the multilateral trade agreements (as such terms are defined in paragraphs (9) and (4), respectively, of section 2 of the Uruguay Round Agreements Act)''.

(2) Section 491(g) of that Act (16 U.S.C. 620c(g)) is amended by striking ''Contracting Parties to the General Agreement on Tariffs and Trade'' and inserting ''Dispute Settlement Body of the World Trade Organization (as the term 'World Trade Organization' is defined in section 2(8) of the Uruguay Round Agreements Act)''.

(b) INTERNATIONAL FINANCIAL INSTITUTIONS ACT.—Section 1403(b) of the International Financial Institutions Act (22 U.S.C. 262n–2(b)) is amended—

(1) in paragraph (1)(A) by striking ''General Agreement on Tariffs and Trade or Article 10'' and all that follows through ''Trade'' and inserting ''GATT 1994 as defined in section 2(1)(B) of the Uruguay Round Agreements Act, or Article 3.1(a) of the Agreement on Subsidies and Countervailing Measures referred to in section 101(d)(12) of that Act''; and

(2) in paragraph (2)(B) by striking ''Article 6'' and all that follows through ''Trade'' and inserting ''Article 15 of the Agreement on Subsidies and Countervailing Measures referred to in subparagraph (A)''.

(c) BRETTON WOODS AGREEMENTS ACT.—Section 49(a)(3) of the Bretton Woods Agreements Act (22 U.S.C. 286gg(a)(3)) is amended by striking ''GATT Secretariat'' and inserting ''Secretariat of the World Trade Organization (as the term 'World Trade Organization' is defined in section 2(8) of the Uruguay Round Agreements Act)''.

(d) FISHERMEN'S PROTECTIVE ACT OF 1967.—Section 8(a)(4) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978(a)(4)) is amended by striking ''General Agreement on Tariffs and Trade'' and inserting ''World Trade Organization (as defined in section 2(8) of the Uruguay Round Agreements Act) or the multilateral trade agreements (as defined in section 2(4) of that Act)''.

(e) UNITED STATES-HONG KONG POLICY ACT OF 1992.—Section 102(3) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5712(3)) is amended—

(1) by striking ''contracting party to the General Agreement on Tariffs and Trade'' and inserting ''WTO member country (as defined in section 2(10) of the Uruguay Round Agreements Act)''; and

(2) by striking ''latter organization'' and inserting ''World Trade Organization (as defined in section 2(8) of that Act)''.

(f) NOAA FLEET MODERNIZATION ACT.—Section 607(b)(8) of the NOAA Fleet Modernization Act (33 U.S.C. 891e(b)(8)) is amended by striking ''Agreement on Interpretation'' and all that follows through ''trade negotiations'' and inserting ''Agreement on Subsidies and Countervailing Measures referred to in section 101(d)(12) of the Uruguay Round Agreements Act, or any other export subsidy prohibited by that agreement''.

(g) ENERGY POLICY ACT OF 1992.—(1) Section 1011(b) of the Energy Policy Act of 1992 (42 U.S.C. 2296b(b)) is amended—

(A) by striking ''General Agreement on Tariffs and Trade'' and inserting ''multilateral trade agreements (as defined in section 2(4) of the Uruguay Round Agreements Act)''; and

(B) by striking ''United States-Canada Free Trade Agreement'' and inserting ''North American Free Trade Agreement''.

(2) Section 1017(c) of such Act (42 U.S.C. 2296b–6(c)) is amended—

(A) by striking ''General Agreement on Tariffs and Trade'' and inserting ''multilateral trade agreements (as defined in section 2(4) of the Uruguay Round Agreements Act)''; and

(B) by striking ''United States-Canada Free Trade Agreement'' and inserting ''North American Free Trade Agreement''.

(h) ENERGY POLICY CONSERVATION ACT.—Section 400AA(a)(3) of the Energy Policy Conservation Act (42 U.S.C. 6374(a)(3)) is amended in subparagraphs (F) and (G) by striking ''General Agreement on Tariffs and Trade'' each place it appears and inserting ''multilateral trade agreements as defined in section 2(4) of the Uruguay Round Agreements Act''.

(i) TITLE 49, UNITED STATES CODE.—Section 50103 of title 49, United States Code, is amended in subsections (c)(2) and (e)(2) by striking ''General Agreement on Tariffs and Trade'' and inserting ''multilateral trade agreements (as defined in section 2(4) of the Uruguay Round Agreements Act)''.

SEC. 1003. TARIFF CLASSIFICATION OF 13-INCH TELEVISIONS.

(a) IN GENERAL.—Each of the following subheadings of the Harmonized Tariff Schedule of the United States is amended by striking ''33.02 cm'' in the article description and inserting ''34.29 cm'':

(1) Subheading 8528.12.12.

(2) Subheading 8528.12.20.

(3) Subheading 8528.12.62.

(4) Subheading 8528.12.68.

(5) Subheading 8528.12.76.

(6) Subheading 8528.12.84.

(7) Subheading 8528.21.16.

(8) Subheading 8528.21.24.

(9) Subheading 8528.21.55.

(10) Subheading 8528.21.65.

(11) Subheading 8528.21.75.

(12) Subheading 8528.21.85.

(13) Subheading 8528.30.62.

(14) Subheading 8528.30.66.

(15) Subheading 8540.11.24.

(16) Subheading 8540.11.44.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section apply to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

(2) RETROACTIVE APPLICATION.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the Customs Service not later than 180 days after the date of enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in a subheading listed in paragraphs (1) through (16) of subsection (a)—

(A) that was made on or after January 1, 1995, and before the date that is 15 days after the date of enactment of this Act;

(B) with respect to which there would have been no duty or a lesser duty if the amendments made by subsection (a) applied to such entry; and

(C) that is—

(i) unliquidated;

(ii) under protest; or

(iii) otherwise not final,

shall be liquidated or reliquidated as though such amendment applied to such entry.

TITLE II—TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS; OTHER TRADE PROVISIONS

Subtitle A—Temporary Duty Suspensions and Reductions

CHAPTER 1—REFERENCE

SEC. 2001. REFERENCE.

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

CHAPTER 2—DUTY SUSPENSIONS AND REDUCTIONS

SEC. 2101. DIIODOMETHYL-p-TOLYLSULFONE.

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

‘‘	9902.32.90	Diiodomethyl-p-tolylsulfone (CAS No. 20018–09–1) (provided for in subheading 2930.90.10)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2102. RACEMIC DL-MENTHOL.

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

‘‘	9902.29.06	Racemic dl-menthol (intermediate (E) for use in producing menthol) (CAS No. 15356–70–4) (provided for in subheading 2906.11.00)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2103. 2,4-DICHLORO-5-HYDRAZINOPHENOL MONOHY- DROCHLORIDE.

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

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

SEC. 2104. ACM.

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

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

SEC. 2105. CERTAIN SNOWBOARD BOOTS.

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

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

SEC. 2106. ETHOFUMESATE SINGULARLY OR IN MIXTURE WITH APPLICATION ADJUVANTS.

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

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

SEC. 2107. 3-METHOXYCARBONYLAMINOPHENYL-3′-METHYL-CARBANILATE (PHENMEDIPHAM).

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

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

SEC. 2108. 3-ETHOXYCARBONYLAMINOPHENYL-N-PHENYL-CARBAMATE (DESMEDIPHAM).

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

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

SEC. 2109. 2-AMINO-4-(4-AMINOBENZOYLAMINO)BENZENE-SULFONIC ACID, SODIUM SALT.

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

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

SEC. 2110. 5-AMINO-N-(2-HYDROXYETHYL)-2,3-XYLENESUL- FONAMIDE.

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

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

SEC. 2111. 3-AMINO-2′-(SULFATOETHYLSULFONYL) ETHYL BENZAMIDE.

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

‘‘	9902.30.90	3-Amino-2′-(sulfatoethylsulfonyl) ethyl benzamide (CAS No. 121315–20–6) (provided for in subheading 2930.90.29)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2112. 4-CHLORO-3-NITROBENZENESULFONIC ACID, MONOPOTASSIUM SALT.

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

''	9902.30.92	4-Chloro-3-nitrobenzenesulfonic acid, monopotassium salt (CAS No. 6671–49–4) (provided for in subheading 2904.90.47)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2113. 2-AMINO-5-NITROTHIAZOLE.

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

''	9902.29.46	2-Amino-5-nitrothiazole (CAS No. 121–66–4) (provided for in subheading 2934.10.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2114. 4-CHLORO-3-NITROBENZENESULFONIC ACID.

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

''	9902.30.04	4-Chloro-3-nitrobenzenesulfonic acid (CAS No. 121–18–6) (provided for in subheading 2904.90.47)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2115. 6-AMINO-1,3-NAPHTHALENEDISULFONIC ACID.

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

''	9902.29.21	6-Amino-1,3-naphthalenedisulfonic acid (CAS No. 118–33–2) (provided for in subheading 2921.45.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2116. 4-CHLORO-3-NITROBENZENESULFONIC ACID, MONOSODIUM SALT.

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

''	9902.29.24	4-Chloro-3-nitrobenzenesulfonic acid, monosodium salt (CAS No. 17691–19–9) (provided for in subheading 2904.90.40)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2117. 2-METHYL-5-NITROBENZENESULFONIC ACID.

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

''	9902.29.23	2-Methyl-5-nitrobenzenesulfonic acid (CAS No. 121–03–9) (provided for in subheading 2904.90.20)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2118. 6-AMINO-1,3-NAPHTHALENEDISULFONIC ACID, DISODIUM SALT.

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

''	9902.29.45	6-Amino-1,3-naphthalenedisulfonic acid, disodium salt (CAS No. 50976–35–7) (provided for in subheading 2921.45.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2119. 2-AMINO-P-CRESOL.

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

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

SEC. 2120. 6-BROMO-2,4-DINITROANILINE.

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

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

SEC. 2121. 7-ACETYLAMINO-4-HYDROXY-2-NAPHTHALENE-SULFONIC ACID, MONOSODIUM SALT.

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

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

SEC. 2122. TANNIC ACID.

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

''	9902.32.01	Tannic acid (CAS No. 1401–55–4) (provided for in subheading 3201.90.10)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2123. 2-AMINO-5-NITROBENZENESULFONIC ACID, MONOSODIUM SALT.

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

''	9902.29.53	2-Amino-5-nitrobenzenesulfonic acid, monosodium salt (CAS No. 30693–53–9) (provided for in subheading 2921.42.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2124. 2-AMINO-5-NITROBENZENESULFONIC ACID, MONOAMMONIUM SALT.

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

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

SEC. 2125. 2-AMINO-5-NITROBENZENESULFONIC ACID.

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

''	9902.29.54	2-Amino-5-nitrobenzenesulfonic acid (CAS No. 96–75–3) (provided for in subheading 2921.42.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2126. 3-(4,5-DIHYDRO-3-METHYL-5-OXO-1H-PYRAZOL-1-YL)BENZENESULFONIC ACID.

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

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

SEC. 2127. 4-BENZOYLAMINO-5-HYDROXY-2,7-NAPHTHA- LENEDISULFONIC ACID.

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

''	9902.29.65	4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid (CAS No. 117–46–4) (provided for in subheading 2924.29.75)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2128. 4-BENZOYLAMINO-5-HYDROXY-2,7-NAPHTHA- LENEDISULFONIC ACID, MONOSODIUM SALT.

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

''	9902.29.72	4-Benzoylamino-5-hydroxy-2,7-naphthalenedisulfonic acid, monosodium salt (CAS No. 79873–39–5) (provided for in subheading 2924.29.70)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2129. PIGMENT YELLOW 154.

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

''	9902.32.18	Pigment Yellow 154 (CAS No. 068134–22–5) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2002	''.

SEC. 2130. PIGMENT YELLOW 175.

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

''	9902.32.19	Pigment Yellow 175 (CAS No. 035636–63–6) (provided for in subheading 3204.17.60) to be used in the coloring of motor vehicles and tractors	Free	No change	No change	On or before 12/31/2002	''.

SEC. 2131. PIGMENT RED 187.

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

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

SEC. 2132. 2,6-DIMETHYL-M-DIOXAN-4-OL ACETATE.

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

''	9902.32.94	2,6-Dimethyl-m-dioxan-4-ol acetate (CAS No. 000828–00–2) (provided for in subheading 2932.99.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2133. B-***BROMO***-B-***NITROSTYRENE.***

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

''	9902.32.92	β-Bromo-β-nitrostyrene (CAS No. 7166–19–0) (provided for in subheading 2904.90.47)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2134. TEXTILE MACHINERY.

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

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

SEC. 2135. DELTAMETHRIN.

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

''	9902.30.18	(S)-α-Cyano-3-phenoxybenzyl (1R,3R)-3-(2,2-dibromovinyl)-2,2-dimethylcyclopropanecarboxylate (deltamethrin) in bulk or in forms or packings for retail sale (CAS No. 52918–63–5) (provided for in subheading 2926.90.30 or 3808.10.25)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2136. DICLOFOP-METHYL.

Subchapter II of chapter 99 is amended by striking heading 9902.30.16 and inserting the following:

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

SEC. 2137. RESMETHRIN.

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

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

SEC. 2138. N-PHENYL-N′-1,2,3-THIADIAZOL-5-YLUREA.

Subchapter II of chapter 99 is amended by striking heading 9902.30.17 and inserting the following:

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

SEC. 2139. (1R,3S)3[(1′RS)(1′,2′,2′,2′,-TETRABROMOETHYL)]-2,2-DIMETHYLCYCLOPROPANECARBOXYLIC ACID, (S)-A-CYANO-3-PHENOXYBENZYL ESTER.

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

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

SEC. 2140. PIGMENT RED 177.

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

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

SEC. 2141. TEXTILE PRINTING MACHINERY.

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

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

SEC. 2142. SUBSTRATES OF SYNTHETIC QUARTZ OR SYNTHETIC FUSED SILICA.

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

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

SEC. 2143. 2-METHYL-4,6-BIS[(OCTYLTHIO)METHYL]PHENOL.

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

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

SEC. 2144. 2-METHYL-4,6-BIS[(OCTYLTHIO)METHYL]PHENOL; EPOXIDIZED TRIGLYCERIDE.

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

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

SEC. 2145. 4-[[4,6-BIS(OCTYLTHIO)-1,3,5-TRIAZIN-2-YL]AMINO] -2,6-BIS(1,1-DIMETHYLETHYL)PHENOL.

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

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

SEC. 2146. (2-BENZOTHIAZOLYLTHIO)BUTANEDIOIC ACID.

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

''	9902.32.31	(2-Benzothiazolylthio)butane-dioic acid (CAS No. 95154–01–1) (provided for in subheading 2934.20.40)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2147. CALCIUM BIS[MONOETHYL(3,5-DI-TERT-BUTYL-4-HYDROXYBENZYL) PHOSPHONATE].

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

''	9902.32.16	Calcium bis[monoethyl(3,5-di-tert-butyl-4-hydroxybenzyl) phosphonate] (CAS No. 65140–91–2) (provided for in subheading 2931.00.30)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2148. 4-METHYL-Γ-OXO-BENZENEBUTANOIC ACID COMPOUNDED WITH 4-ETHYLMORPHOLINE (2:1).

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

''	9902.38.26	4-Methyl-γ-oxo-benzenebutanoic acid compounded with 4-ethylmorpholine (2:1) (CAS No. 171054–89–0) (provided for in subheading 3824.90.28)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2149. WEAVING MACHINES.

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

''	9902.84.46	Weaving machines (looms), shuttleless type, for weaving fabrics of a width exceeding 30 cm but not exceeding 4.9 m (provided for in subheading 8446.30.50), entered without off-loom or large loom take-ups, drop wires, heddles, reeds, harness frames, or beams	3.3%	No change	No change	On or before 12/31/2001	''.

SEC. 2150. CERTAIN WEAVING MACHINES.

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

''	9902.84.10	Power weaving machines (looms), shuttle type, for weaving fabrics of a width exceeding 30 cm but not exceeding 4.9m (provided for in subheading 8446.21.50), if entered without off-loom or large loom take-ups, drop wires, heddles, reeds, harness frames or beams	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2151. DEMT.

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

''	9902.32.12	N,N-Diethyl-m-toluidine (DEMT) (CAS No. 91–67–8) (provided for in subheading 2921.43.80)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2152. BENZENEPROPANAL, 4-(1,1-DIMETHYLETHYL)-ALPHA-METHYL-.

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

''	9902.29.57	Benzenepropanal, 4-(1,1-dimethylethyl)-alpha-methyl- (CAS No. 80–54–6) (provided for in subheading 2912.29.60)	6%	No change	No change	On or before 12/31/2001	''.

SEC. 2153. 2H–3,1-BENZOXAZIN-2-ONE, 6-CHLORO-4-(CYCLO-PROPYLETHYNYL)-1,4-DIHYDRO-4-(TRIFLUOROMETHYL)-.

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

''	9902.32.56	2H–3,1-Benzoxazin-2-one, 6-chloro-4-(cyclopropylethynyl)-1,4-dihydro-4-(trifluoromethyl)- (CAS No. 154598–52–4) (provided for in subheading 2934.90.30)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2154. TEBUFENOZIDE.

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

''	9902.29.32	N-tert-Butyl-N'-(4-ethylbenzoyl)-3,5-Dimethylbenzoylhydrazide (Tebufenozide) (CAS No. 112410–23–8) (provided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2155. HALOFENOZIDE.

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

''	9902.29.36	Benzoic acid, 4-chloro-2-benzoyl-2-(1,1-dimethylethyl) hydrazide (Halofenozide) (CAS No. 112226–61–6) (provided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2156. CERTAIN ORGANIC PIGMENTS AND DYES.

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

''	9902.32.07	Organic luminescent pigments and dyes for security applications excluding daylight fluorescent pigments and dyes (provided for in subheading 3204.90.00)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2157. 4-HEXYLRESORCINOL.

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

''	9902.29.07	4-Hexylresorcinol (CAS No. 136–77–6) (provided for in subheading 2907.29.90) ..	Free	No change	No change	On or before 12/31/2001	''

SEC. 2158. CERTAIN SENSITIZING DYES.

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

''	9902.29.37	Polymethine photo-sensitizing dyes (provided for in subheadings 2933.19.30, 2933.19.90, 2933.90.24, 2934.10.90, 2934.20.40, 2934.90.20, and 2934.90.90)	Free	No change	No change	On or before 12/31/2001	''

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

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

''	9902.64.05	Boots for use in the manufacture of in-line roller skates (provided for in subheadings 6402.19.90, 6403.19.40, 6403.19.70, and 6404.11.90)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2160. DIBUTYLNAPHTHALENESULFONIC ACID, SODIUM SALT.

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

''	9902.34.02	Surface active preparation containing 30 percent or more by weight of dibutylnaphthalenesulfonic acid, sodium salt (CAS No. 25638–17–9) (provided for in subheading 3402.90.30)	Free	No change	No change	On or before 12/31/2001	''

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

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

''	9902.38.08	O-(6-Chloro-3-phenyl-4-pyridazinyl)-S-octyl-carbonothioate (CAS No. 55512–33–9) (provided for in subheading 3808.30.15)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2162. 4-CYCLOPROPYL-6-METHYL-2-PHENYLAMINOPY-RIMIDINE.

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

''	9902.29.50	4-Cyclopropyl-6-methyl-2-phenylaminopyrimidine (CAS No. 121552–61–2) (provided for in subheading 2933.59.15)	Free	No change	No change	On or before 12/31/2001	''

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

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

''	9902.29.51	O,O-Dimethyl-S-[5-methoxy-2-oxo-1,3,4-thiadiazol-3(2H)-yl-methyl]dithiophosphate (CAS No. 950–37–8) (provided for in subheading 2934.90.90)	Free	No change	No change	On or before 12/31/2001	''

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

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

''	9902.29.52	Ethyl [2-(4-phenoxyphenoxy)-ethyl]carbamate (CAS No. 79127–80–3) (provided for in subheading 2924.10.80)	Free	No change	No change	On or before 12/31/2001	''

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

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

''	9902.29.74	[(2S,4R)/(2R,4S)]/[(2R,4R)/(2S,4S)]-1-[2-[4-(4-Chloro-phenoxy)-2-chlorophenyl]-4- methyl-1,3-dioxolan-2-yl- methyl]-1H-1,2,4-triazole (CAS No. 119446–68–3) (provided for in subheading 2934.90.12)	Free	No change	No change	On or before 12/31/2001	''

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

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

''	9902.29.12	2,4-Dichloro-3,5-dinitrobenzotrifluoride (CAS No. 29091–09–6) (provided for in subheading 2910.90.20)	Free	No change	No change	On or before 12/31/2001	''.

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

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

''	9902.29.15	2-Chloro-N-[2,6-dinitro-4-(trifluoromethyl)phenyl]-N-ethyl-6-fluorobenzenemethanamine (CAS No. 62924–70–3) (provided for in subheading 2921.49.45)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2168. CHLOROACETONE.

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

''	9902.29.11	Chloroacetone (CAS No. 78–95–5) (provided for in subheading 2914.19.00)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2169. ACETIC ACID, [(5-CHLORO-8-QUINOLINYL)OXY]-, 1-METHYLHEXYL ESTER.

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

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

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

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

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

SEC. 2171. MUCOCHLORIC ACID.

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

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

SEC. 2172. CERTAIN ROCKET ENGINES.

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

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

SEC. 2173. PIGMENT RED 144.

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

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

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

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

''	9902.32.33	(S)-N-[[5-[2-(2-Amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b] [1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-L-glutamic acid, diethyl ester (CAS No. 177575–19–8) (provided for in subheading 2934.90.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2175. 4-CHLOROPYRIDINE HYDROCHLORIDE.

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

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

SEC. 2176. 4-PHENOXYPYRIDINE.

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

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

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

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

''	9902.32.36	(3S)-2,2-Dimethyl-3-thiomorpholine carboxylic acid (CAS No. 84915–43–5) (provided for in subheading 2934.90.90)	Free	No Change	No Change	On or before 12/31/2001	''

SEC. 2178. 2-AMINO-5-BROMO-6-METHYL-4-(1H)-QUINAZOLI-NONE.

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

''	9902.32.37	2-Amino-5-bromo-6-methyl-4-(1H)-quinazolinone (CAS No. 147149–89–1) (provided for in subheading 2933.59.70)	Free	No Change	No Change	On or before 12/31/2001	''

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

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

''	9902.32.38	2-Amino-6-methyl-5-(4-pyridinylthio)-4(1H)-quinazolinone (CAS No. 147149–76–6) (provided for in subheading 2933.59.70)	Free	No Change	No Change	On or before 12/31/2001	''

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

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

''	9902.32.39	(S)-N-[[5-[2-(2-Amino-4,6,7,8-tetrahydro-4-oxo-1H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]-2-thienyl]carbonyl]-L-glutamic acid (CAS No. 177575–17–6) (provided for in subheading 2934.90.90)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2181. 2-AMINO-6-METHYL-5-(4-PYRIDINYLTHIO)-4-(1H)-QUINAZOLINONE DIHYDROCHLORIDE.

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

''	9902.32.40	2-Amino-6-methyl-5-(4-pyridinylthio)-4-(1H)-quinazolinone dihydrochloride (CAS No. 152946–68–4) (provided for in subheading 2933.59.70)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2182. 3-(ACETYLOXY)-2-METHYLBENZOIC ACID.

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

''	9902.32.41	3-(Acetyloxy)-2-methylbenzoic acid (CAS No. 168899–58–9) (provided for in subheading 2918.29.65)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2183. [R-(R*,R*)]-1,2,3,4-BUTANETETROL-1,4-DIMETH- ANESULFONATE.

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

''	9902.32.42	[R-(R*,R*)]-1,2,3,4-Butanetetrol-1,4-dimethanesulfonate (CAS No. 1947–62–2) (provided for in subheading 2905.49.50)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2184. 9-[2-[[BIS[(PIVALOYLOXY) METHOXY]PHOS- PHINYL]METHOXY] ETHYL]ADENINE (ALSO KNOWN AS ADEFOVIR DIPIVOXIL).

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

''	9902.33.01	9-[2-[[Bis[(pivaloyloxy)-methoxy]phosphinyl]- methoxy] ethyl]adenine (also known as Adefovir Dipivoxil) (CAS No. 142340–99–6) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2185. 9-[2-(R)-[[BIS[(ISOPROPOXYCARBONYL)OXY- METHOXY]-PHOSPHINOYL]METHOXY]-PROPYL]ADENINE FUMARATE (1:1).

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

''	9902.33.02	9-[2-(R)-[[Bis[(isopropoxy-carbonyl)oxymethoxy]-phosphinoyl]methoxy]-propyl]adenine fumarate (1:1) (CAS No. 202138–50–9) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2186. (R)-9-(2-PHOSPHONOMETHOXYPROPYL)ADE- NINE.

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

''	9902.33.03	(R)-9-(2-Phosphono-methoxypropyl)adenine (CAS No. 147127–20–6) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	''

SEC. 2187. (R)-1,3-DIOXOLAN-2-ONE, 4-METHYL-.

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

''	9902.33.04	(R)-1,3-Dioxolan-2-one, 4-methyl- (CAS No. 16606–55–6) (provided for in subheading 2920.90.50)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2188. 9-(2-HYDROXYETHYL)ADENINE.

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

''	9902.33.05	9-(2-Hydroxyethyl)adenine (CAS No. 707–99–3) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2189. (R)-9H-PURINE-9-ETHANOL, 6-AMINO- α-METHYL-.

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

''	9902.33.06	(R)-9H-Purine-9-ethanol, 6-amino-α-methyl- (CAS No. 14047–28–0) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2190. CHLOROMETHYL-2-PROPYL CARBONATE.

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

''	9902.33.07	Chloromethyl-2-propyl carbonate (CAS No. 35180–01–9) (provided for in subheading 2920.90.50)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2191. (R)-1,2-PROPANEDIOL, 3-CHLORO-.

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

''	9902.33.08	(R)-1,2-Propanediol, 3-chloro- (CAS No. 57090–45–6) (provided for in subheading 2905.50.60)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2192. OXIRANE, (S)-((TRIPHENYLMETHOXY)METHYL)-.

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

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

SEC. 2193. CHLOROMETHYL PIVALATE.

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

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

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

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

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

SEC. 2195. BETA HYDROXYALKYLAMIDE.

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

''	9902.38.25	N,N,N',N'-Tetrakis-(2-hydroxyethyl)-hexane diamide (beta hydroxyalkylamide) (CAS No. 6334–25–4) (provided for in subheading 3824.90.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2196. GRILAMID TR90.

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

''	9902.39.12	Dodecanedioic acid, polymer with 4,4[1]-methylenebis (2-methylcyclohexanamine) (CAS No. 163800–66–6) (provided for in subheading 3908.90.70)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2197. IN–W4280.

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

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

SEC. 2198. KL540.

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

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

SEC. 2199. METHYL THIOGLYCOLATE.

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

''	9902.32.55	Methyl thioglycolate (CAS No. 2365–48–2) (provided for in subheading 2930.90.90)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2200. DPX–E6758.

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

''	9902.33.59	Phenyl (4,6-dimethoxy-pyrimidin-2-yl) carbamate (CAS No. 89392–03–0) (provided for in subheading 2933.59.70)	Free	No change	No change	On or before 12/31/2001	''.

SEC. 2201. ETHYLENE, TETRAFLUORO COPOLYMER WITH ETHYLENE (ETFE).

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

''	9902.29.68	Ethylene-tetrafluoro ethylene copolymer (ETFE) (provided for in subheading 3904.69.50)	3.3%	No change	No change	On or before 12/31/2001	''.

SEC. 2202. 3-MERCAPTO-D-VALINE.

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

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

SEC. 2203. P-ETHYLPHENOL.

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

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

SEC. 2204. PANTERA.

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

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

SEC. 2205. P-NITROBENZOIC ACID.

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

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

SEC. 2206. P-TOLUENESULFONAMIDE.

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

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

SEC. 2207. POLYMERS OF TETRAFLUOROETHYLENE, HEXAFLUOROPROPYLENE, AND VINYLIDENE FLUORIDE.

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

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

SEC. 2208. METHYL 2-[[[[[4-(DIMETHYLAMINO)-6-(2,2,2- TRI- FLUOROETHOXY)-1,3,5-TRIAZIN-2-YL]AMINO]- CARBONYL]AMINO]SULFONYL]-3-METHYL- BENZOATE (TRIFLUSULFURON METHYL).

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

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

SEC. 2209. CERTAIN MANUFACTURING EQUIPMENT.

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

''	*9902.84.79*	*Calendaring or other rolling machines for rubber to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8420.10.90, 8420.91.90 or 8420.99.90) and material holding devices or similar attachments thereto*	*Free*	*No change*	*No change*	*On or before 12/31/2001*	''
	9902.84.81	*Shearing machines to be used to cut metallic tissue for use in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8462.31.00 or subheading 8466.94.85)*	*Free*	*No change*	*No change*	*On or before 12/31/2001*	''
	9902.84.83	*Machine tools for working wire of iron or steel to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8463.30.00 or 8466.94.85)*	*Free*	*No change*	*No change*	*On or before 12/31/2001*	''
	9902.84.85	*Extruders to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8477.20.00 or 8477.90.85)*	*Free*	*No change*	*No change*	*On or before 12/31/2001*	''
	9902.84.87	*Machinery for molding, retreading, or otherwise forming uncured, unvulcanized rubber to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8477.51.00 or 8477.90.85)*	*Free*	*No change*	*No change*	*On or before 12/31/2001*	''
	9902.84.89	*Sector mold press machines to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8477.51.00 or subheading 8477.90.85)*	*Free*	*No change*	*No change*	*On or before 12/31/2001*	''
	9902.84.91	*Sawing machines to be used in the production of radial tires designed for off-the-highway use and with a rim measuring 86 cm or more in diameter (provided for in subheading 4011.20.10 or subheading 4011.91.50 or subheading 4011.99.40), numerically controlled, or parts thereof (provided for in subheading 8465.91.00 or subheading 8466.92.50)*	*Free*	*No change*	*No change*	*On or before 12/31/2001*	''

SEC. 2210. TEXTURED ROLLED GLASS SHEETS.

Subchapter II of chapter 99 is amended by striking heading 9902.70.03 and inserting the following:

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

SEC. 2211. CERTAIN HIV DRUG SUBSTANCES.

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

''	*9902.32.43*	*(S)-N-tert-Butyl-1,2,3,4-tetrahydro-3-isoquinoline carboxamide hydrochloride salt (CAS No. 149057–17–0)(provided for in subheading 2933.40.60)*	*Free*	*No change*	*No change*	*On or before 6/30/99*	

	9902.32.44	(S)-N-tert-Butyl-1,2,3,4-tetrahydro-3-isoquinoline carboxamide sulfate salt (CAS No. 186537–30–4)(provided for in subheading 2933.40.60)	Free	No change	No change	On or before 6/30/99	
	9902.32.45	(3S)-1,2,3,4-Tetrahydroisoquinoline-3-carboxylic acid (CAS No. 74163–81–8)(provided for in subheading 2933.40.60)	Free	No change	No change	On or before 6/30/99	''.

SEC. 2212. RIMSULFURON.

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

''	9902.33.60	N-[[(4,6-Dimethoxy-2-pyrimidinyl)amino] carbonyl]-3-(ethylsulfonyl)-2-pyridinesulfonamide (CAS No. 122931–48–0) (provided for in subheading 2935.00.75)	7.3%	No change	No change	On or before 12/31/99	''.

(b) RATE ADJUSTMENT FOR 2000.—Heading 9902.33.60, as added by subsection (a), is amended—
(1) by striking ''7.3%'' and inserting ''Free''; and
(2) by striking ''12/31/99'' and inserting ''12/31/2000''.
(c) EFFECTIVE DATE FOR ADJUSTMENT.—The amendments made by subsection (b) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1999.

SEC. 2213. CARBAMIC ACID (V–9069).

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

''	9902.33.61	((3-((Dimethylamino)carbonyl)-2-pyridinyl)sulfonyl) carbamic acid, phenyl ester (CAS No. 112006–94–7) (provided for in subheading 2935.00.75)	8.3%	No change	No change	On or before 12/31/99	''.

(b) RATE ADJUSTMENT FOR 2000.—Heading 9902.33.61, as added by subsection (a), is amended—
(1) by striking ''8.3%'' and inserting ''7.6%''; and
(2) by striking ''12/31/99'' and inserting ''12/31/2000''.
(c) EFFECTIVE DATE FOR ADJUSTMENT.—The amendments made by subsection (b) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1999.

SEC. 2214. DPX–E9260.

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

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

(b) RATE ADJUSTMENT FOR 2000.—Heading 9902.33.63, as added by subsection (a), is amended—
(1) by striking ''6%'' and inserting ''5.3%''; and
(2) by striking ''12/31/99'' and inserting ''12/31/2000''.
(c) EFFECTIVE DATE FOR ADJUSTMENT.—The amendments made by subsection (b) apply to goods entered, or withdrawn from warehouse for consumption, after December 31, 1999.

SEC. 2215. ZIRAM.

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

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

SEC. 2216. FERROBORON.

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

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

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

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

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

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

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

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

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

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

‘‘	9902.29.67	Bentazon (3-Isopropyl)-1H-2,1,3-benzothiadiazin-4(3H)-one-2,2-dioxide) (CAS No. 50723–80–3) (provided for in subheading 2934.90.11)	5.0%	No change	No change	On or before 12/31/2001	’’.

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

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

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

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

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

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

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

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

‘‘	9902.33.12	5-tert-Butyl-iso-phthalic acid (CAS No. 2359–09–3) (provided for in subheading 2917.39.70)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2223. CERTAIN POLYMER.

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

‘‘	9902.39.07	A polymer of the following monomers: 1,4-benzenedicarboxylic acid, dimethyl ester (dimethyl terephthalate) (CAS No. 120–61–6); 1,3-Benzenedicarboxylic acid, 5-sulfo-, 1,3-dimethyl ester, sodium salt (sodium dimethyl sulfoisophthalate) (CAS No. 3965–55–7); 1,2-ethanediol (ethylene glycol) (CAS No. 107–21–1); and 1,2-propanediol (propylene glycol) (CAS No. 57–55–6); with terminal units from 2-(2-hydroxyethoxy) ethanesulfonic acid, sodium salt (CAS No. 53211–00–0) (provided for in subheading 3907.99.00)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2224. 2-(4-CHLOROPHENYL)-3-ETHYL-2, 5-DIHYDRO-5-OXO-4-PYRIDAZINE CARBOXYLIC ACID, POTASSIUM SALT.

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

‘‘	9902.33.16	2-(4-Chlorophenyl)-3-ethyl-2, 5-dihydro-5-oxo-4-pyridazine carboxylic acid, potassium salt (CAS No. 82697–71–0) (provided for in subheading 2933.90.79)	Free	No change	No change	On or before 12/31/2001	’’.

SEC. 2225. PIGMENT RED 185.

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

‘‘	9902.32.26	Pigment Red 185 (CAS No. 51920–12–8) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2002	’’.

SEC. 2226. PIGMENT RED 208.

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

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

SEC. 2227. PIGMENT YELLOW 95.

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

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

SEC. 2228. PIGMENT YELLOW 93.

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

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

CHAPTER 3—EFFECTIVE DATE

SEC. 2301. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in subsection (b) and in this subtitle, the amendments made by this subtitle apply to goods entered, or withdrawn from warehouse for consumption, after the date that is 15 days after the date of enactment of this Act.

(b) RELIQUIDATION.—

(1) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper written request filed with

the Customs Service not later than 120 days after the date of the enactment of this Act, any entry of an article described in heading 9902.32.18, 9902.32.19, 9902.32.22, 9902.32.26, or 9902.32.27 of the Harmonized Tariff Schedule of the United States (as added by sections 2129, 2130, 2131, 2225, and 2226, respectively) that was made—

(A) after December 31, 1996, and

(B) before the date that is 15 days after the date of enactment of this Act,

shall be liquidated or reliquidated as though such entry occurred after the date that is 15 days after the date of enactment of this Act.

(2) REQUIREMENTS FOR REQUEST.—For purposes of paragraph (1), the request shall contain sufficient information to enable the Customs Service to—

(A) locate the entry relevant to the request, or

(B) if the entry cannot be located, reconstruct the entry.

Subtitle B—Other Trade Provisions

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

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

''3.(a) Notwithstanding any provision in additional U.S. note 5 to chapter 91, any article of jewelry provided for in heading 7113 which is the product of the Virgin Islands, Guam, or American Samoa (including any such article which contains any foreign component) shall be eligible for the benefits provided in paragraph (h) of additional U.S. note 5 to chapter 91, subject to the provisions and limitations of that note and of paragraphs (b), (c), and (d) of this note.

''(b) Nothing in this note shall result in an increase or a decrease in the aggregate amount referred to in paragraph (h)(iii) of, or the quantitative limitation otherwise established pursuant to the requirements of, additional U.S. note 5 to chapter 91.

''(c) Nothing in this note shall be construed to permit a reduction in the amount available to watch producers under paragraph (h)(iv) of additional U.S. note 5 to chapter 91.

''(d) The Secretary of Commerce and the Secretary of the Interior shall issue such regulations, not inconsistent with the provisions of this note and additional U.S. note 5 to chapter 91, as the Secretaries determine necessary to carry out their respective duties under this note. Such regulations shall not be inconsistent with substantial transformation requirements but may define the circumstances under which articles of jewelry shall be deemed to be 'units' for purposes of the benefits, provisions, and limitations of additional U.S. note 5 to chapter 91.

''(e) Notwithstanding any other provision of law, during the 2-year period beginning 45 days after the date of enactment of this note, any article of jewelry provided for in heading 7113 that is assembled in the Virgin Islands, Guam, or American Samoa shall be treated as a product of the Virgin Islands, Guam, or American Samoa for purposes of this note and General Note 3(a)(iv) of this Schedule.''.

(b) CONFORMING AMENDMENT.—General Note 3(a)(iv)(A) of the Harmonized Tariff Schedule of the United States is amended by inserting ''and additional U.S. note 3(e) of chapter 71,'' after ''Tax Reform Act of 1986,''.

(c) EFFECTIVE DATE.—The amendments made by this section take effect 45 days after the date of enactment of this Act.

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

(a) IN GENERAL.—U.S. note 6 of subchapter X of chapter 98 of the Harmonized Tariff Schedule of the United States is amended in subdivision (a) by adding at the end the following new sentence: ''The term 'instruments and apparatus' under subheading 9810.00.60 includes separable components of an instrument or apparatus listed in this subdivision that are imported for assembly in the United States in such instrument or apparatus where the instrument or apparatus, due to its size, cannot be feasibly imported in its assembled state.''.

(b) APPLICATION OF DOMESTIC EQUIVALENCY TEST TO COMPONENTS.—U.S. note 6 of subchapter X of chapter 98 of the Harmonized Tariff Schedule of the United States is amended—

(1) by redesignating subdivisions (d) through (f) as subdivisions (e) through (g), respectively; and

(2) by inserting after subdivision (c) the following:

''(d)(i) If the Secretary of Commerce determines under this U.S. note that an instrument or apparatus is being manufactured in the United States that is of equivalent scientific value to a foreign-origin instrument or apparatus for which application is made (but which, due to its size, cannot be feasibly imported in its assembled state), the Secretary shall report the findings to the Secretary of the Treasury and to the applicant institution, and all components of such foreign-origin instrument or apparatus shall remain dutiable.

''(ii) If the Secretary of Commerce determines that the instrument or apparatus for which application is made is not being manufactured in the United States, the Secretary is authorized to determine further whether any component of such instrument or apparatus of a type that may be purchased, obtained, or imported separately is being manufactured in the United States and shall report the findings to the Secretary of the Treasury and to the applicant institution, and any component found to be domestically available shall remain dutiable.

''(iii) Any decision by the Secretary of the Treasury which allows for duty-free entry of a component of an instrument or apparatus which, due to its size cannot be feasibly imported in its assembled state, shall be effective for a specified maximum period, to be determined in consultation with the Secretary of Commerce, taking into account both the scientific needs of the importing institution and the potential for development of comparable domestic manufacturing capacity.''.

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

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

SEC. 2403. LIQUIDATION OR RELIQUIDATION OF CERTAIN ENTRIES.

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

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

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

Entry number	Date of entry	Port
322 00298563	12/11/86	Los Angeles, California
322 00300567	12/11/86	Los Angeles, California
86–2909242	9/2/86	New Orleans, Louisiana
87–05457388	1/9/87	New Orleans, Louisiana

SEC. 2404. DRAWBACK AND REFUND ON PACKAGING MATERIAL.

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

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

''(1) IN GENERAL.—Packaging material'';

(2) by moving the remaining text 2 ems to the right; and

(3) by adding at the end the following:

''(2) ADDITIONAL ELIGIBILITY.—Packaging material produced in the United States, which is used by the manufacturer or any other person on or for articles which are exported or destroyed under subsection (a) or (b), shall be eligible under such subsection for refund, as drawback, of 99 percent of any duty, tax, or fee imposed on the importation of such material used to manufacture or produce the packaging material.''.

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

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

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

''(c) FOREIGN-TRADE ZONES.—Not later than January 1, 2000, the Secretary shall provide for the inclusion of commercial importation data from foreign-trade zones under the Program.''.

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

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

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

''(a) IN GENERAL.—Notwithstanding any other provision of law, any vessel meeting the definition of a large yacht as provided in subsection (b) and which is otherwise dutiable may be imported without the payment of duty if imported with the intention to offer for sale at a boat show in the United States. Payment of duty shall be deferred, in accordance with this section, until such large yacht is sold.

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

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

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

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

of the Harmonized Tariff Schedule of the United States.

''(d) PROCEDURES UPON SALE.—

''(1) DEPOSIT OF DUTY.—If any large yacht (which has been imported for sale at a boat show in the United States with the deferral of duties as provided in this section) is sold within the 6-month period after importation—

''(A) entry shall be completed and duty (calculated at the applicable rates provided for under subheading 8903.91.00 or 8903.92.00 of the Harmonized Tariff Schedule of the United States and based upon the value of the large yacht at the time of importation) shall be deposited with the Customs Service; and

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

''(e) PROCEDURES UPON EXPIRATION OF BOND PERIOD.—

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

''(A) entry shall be completed and duty (calculated at the applicable rates provided for under subheading 8903.91.00 or 8903.92.00 of the Harmonized Tariff Schedule of the United States and based upon the value of the large yacht at the time of importation) shall be deposited with the Customs Service; and

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

''(2) ADDITIONAL REQUIREMENTS.—No extensions of the bond period shall be allowed. Any large yacht exported in compliance with the bond period may not be reentered for purposes of sale at a boat show in the United States (in order to receive duty deferral benefits) for a period of 3 months after such exportation.

''(f) REGULATIONS.—The Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section.''.

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

SEC. 2407. REVIEW OF PROTESTS AGAINST DECISIONS OF CUSTOMS SERVICE.

Section 515(a) of the Tariff Act of 1930 (19 U.S.C. 1515(a)) is amended by inserting after the third sentence the following: ''Within 30 days from the date an application for further review is filed, the appropriate customs officer shall allow or deny the application and, if allowed, the protest shall be forwarded to the customs officer who will be conducting the further review.''.

SEC. 2408. ENTRIES OF NAFTA-ORIGIN GOODS.

(a) REFUND OF MERCHANDISE PROCESSING FEES.—Section 520(d) of the Tariff Act of 1930 (19 U.S.C. 1520(d)) is amended in the matter preceding paragraph (1) by inserting ''(including any merchandise processing fees)'' after ''excess duties''.

(b) PROTEST AGAINST DECISION OF CUSTOMS SERVICE RELATING TO NAFTA CLAIMS.—Section 514(a)(7) of such Act (19 U.S.C. 1514(a)(7)) is amended by striking ''section 520(c)'' and inserting ''subsection (c) or (d) of section 520''.

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

SEC. 2409. TREATMENT OF INTERNATIONAL TRAVEL MERCHANDISE HELD AT CUSTOMS-APPROVED STORAGE ROOMS.

Section 557(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1557(a)(1)) is amended in the first sentence by inserting ''(including international travel merchandise)'' after ''Any merchandise subject to duty''.

SEC. 2410. EXCEPTION TO 5-YEAR REVIEWS OF COUNTERVAILING DUTY OR ANTIDUMPING DUTY ORDERS.

Section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) is amended by adding at the end the following:

''(7) EXCLUSIONS FROM COMPUTATIONS.—

''(A) IN GENERAL.—Subject to subparagraph (B), there shall be excluded from the computation of the 5-year period described in paragraph (1) and the periods described in paragraph (6) any period during which the importation of the subject merchandise is prohibited on account of the imposition, under the International Emergency Economic Powers Act or other provision of law, of sanctions by the United States against the country in which the subject merchandise originates.

''(B) APPLICATION OF EXCLUSION.—Subparagraph (A) shall apply only with respect to subject merchandise which originates in a country that is not a WTO member.''.

SEC. 2411. WATER RESISTANT WOOL TROUSERS.

Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the Customs Service within 180 days after the date of enactment of this Act, any entry or withdrawal from warehouse for consumption—

(1) that was made after December 31, 1988, and before January 1, 1995; and

(2) that would have been classifiable under subheading 6203.41.05 or 6204.61.10 of the Harmonized Tariff Schedule of the United States and would have had a lower rate of duty, if such entry or withdrawal had been made on January 1, 1995,

shall be liquidated or reliquidated as if such entry or withdrawal had been made on January 1, 1995.

SEC. 2412. REIMPORTATION OF CERTAIN GOODS.

(a) IN GENERAL.—Subchapter I of chapter 98 is amended by inserting in numerical sequence the following new heading:

''	9801.00.26	Articles, previously imported, with respect to which the duty was paid upon such previous importation, if (1) exported within 3 years after the date of such previous importation, (2) sold for exportation and exported to individuals for personal use, (3) reimported without having been advanced in value or improved in condition by any process of manufacture or other means while abroad, (4) reimported as personal returns from those individuals, whether or not consolidated with other personal returns prior to reimportation, and (5) reimported by or for the account of the person who exported them from the United States within 1 year of such exportation	Free		Free		''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods described in heading 9801.00.26 of the Harmonized Tariff Schedule of the United States (as added by subsection (a)) that are reimported into the United States on or after the date that is 15 days after the date of enactment of this Act.

SEC. 2413. TREATMENT OF PERSONAL EFFECTS OF PARTICIPANTS IN CERTAIN WORLD ATHLETIC EVENTS.

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

''	9902.98.08	Any of the following articles not intended for sale or distribution to the public: personal effects of aliens who are participants in, officials of, or accredited members of delegations to, the 1999 International Special Olympics, the 1999 Women's World Cup Soccer, the 2001 International Special Olympics, the 2002 Salt Lake City Winter Olympics, and the 2002 Winter Paralympic Games, and of persons who are immediate family members of or servants to any of the foregoing persons; equipment and materials imported in connection with the foregoing events by or on behalf of the foregoing persons or the organizing committees of such events; articles to be used in exhibitions depicting the culture of a country participating in any such event; and, if consistent with the foregoing, such other articles as the Secretary of Treasury may allow	Free	No change	Free	On or before 12/31/2002	''.

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

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

(d) EFFECTIVE DATE.—

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

(2) RELIQUIDATION.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon a request filed with the Customs Service on or before the 90th day after the date of enactment of this Act, any

entry, or withdrawal from warehouse for consumption, of any article described in subheading 9902.98.08 of the Harmonized Tariff Schedule of the United States (as added by subsection (a)) that was made—

(A) after May 15, 1999, and

(B) before the date of enactment of this Act,

shall be liquidated or reliquidated as though such entry or withdrawal occurred on the date of enactment of this Act.

SEC. 2414. RELIQUIDATION OF CERTAIN ENTRIES OF THERMAL TRANSFER MULTIFUNCTION MACHINES.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to the provisions of subsection (b), the United States Customs Service shall, not later than 180 days after the receipt of the request described in subsection (b), liquidate or reliquidate each entry described in subsection (d) containing any merchandise which, at the time of the original liquidation, was classified under subheading 8517.21.00 of the Harmonized Tariff Schedule of the United States (relating to indirect electrostatic copiers) or subheading 9009.12.00 of such Schedule (relating to indirect electrostatic copiers), at the rate of duty that would have been applicable to such merchandise if the merchandise had been liquidated or reliquidated under subheading 8471.60.65 of the Harmonized Tariff Schedule of the United States (relating to other automated data processing (ADP) thermal transfer printer units) on the date of entry.

(b) REQUESTS.—Reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Customs Service within 90 days after the date of enactment of this Act and the request contains sufficient information to enable the Customs Service to locate the entry or reconstruct the entry if it cannot be located.

(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.

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

Date of entry	Entry number	Liquidation date
01/17/97	112–9638417–3	02/21/97
01/10/97	112–9637684–9	03/07/97
01/03/97	112–9636723–6	04/18/97
01/10/97	112–9637686–4	03/07/97
02/21/97	112–9642157–9	09/12/97
02/14/97	112–9641619–9	06/06/97
02/14/97	112–9641693–4	06/06/97
02/21/97	112–9642156–1	09/12/97
02/28/97	112–9643326–9	09/12/97
03/18/97	112–9645336–6	09/19/97
03/21/97	112–9645682–3	09/19/97
03/21/97	112–9645681–5	09/19/97
03/21/97	112–9645698–9	09/19/97
03/14/97	112–9645026–3	09/19/97
03/14/97	112–9645041–2	09/19/97
03/20/97	112–9646075–9	09/19/97
04/04/97	112–9647309–1	09/19/97
04/04/97	112–9647312–5	09/19/97
04/04/97	112–9647316–6	09/19/97
04/11/97	112–9300151–5	10/31/97
04/11/97	112–9300287–7	09/26/97
04/11/97	112–9300308–1	02/20/98
04/10/97	112–9300356–0	09/26/97
04/16/97	112–9301387–4	09/26/97
04/22/97	112–9301602–6	09/26/97
04/18/97	112–9301627–3	09/26/97
04/25/97	112–9301615–8	09/26/97
04/25/97	112–9302445–9	10/31/97
04/25/97	112–9302298–2	09/26/97
04/04/97	112–9302371–7	09/26/97
05/30/97	112–9306718–5	09/26/97
05/19/97	112–9304958–9	09/26/97
05/16/97	112–9305030–6	09/26/97
05/09/97	112–9303707–1	09/26/97
05/31/97	112–9306470–3	09/26/97
05/02/97	112–9302717–1	09/19/97
06/20/97	112–9308793–6	09/26/97

SEC. 2415. RELIQUIDATION OF CERTAIN DRAWBACK ENTRIES AND REFUND OF DRAWBACK PAYMENTS.

(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, the Customs Service shall, not later than 180 days after the date of enactment of this Act, liquidate or reliquidate the entries described in subsection (b) and any amounts owed by the United States pursuant to the liquidation or reliquidation shall be refunded with interest, subject to the provisions of Treasury Decision 86–126(M) and Customs Service Ruling No. 224697, dated November 17, 1994.

(b) ENTRIES DESCRIBED.—The entries described in this subsection are the following:

Entry number:	Date of entry:
855218319	July 18, 1985
855218429	August 15, 1985
855218649	September 13, 1985
866000134	October 4, 1985
866000257	November 14, 1985
866000299	December 9, 1985
866000451	January 14, 1986
866001052	February 13, 1986
866001133	March 7, 1986
866001269	April 9, 1986
866001366	May 9, 1986
866001463	June 6, 1986
866001573	July 7, 1986
866001586	July 7, 1986
866001599	July 7, 1986
866001913	August 8, 1986
866002255	September 10, 1986
866002297	September 23, 1986
03200000010	October 3, 1986
03200000028	November 13, 1986
03200000036	November 26, 1986.

SEC. 2416. CLARIFICATION OF ADDITIONAL U.S. NOTE 4 TO CHAPTER 91 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

Additional U.S. note 4 of chapter 91 of the Harmonized Tariff Schedule of the United States is amended in the matter preceding subdivision (a), by striking the comma after ''stamping'' and inserting ''(including by means of indelible ink),''.

SEC. 2417. DUTY-FREE SALES ENTERPRISES.

Section 555(b)(2) of the Tariff Act of 1930 (19 U.S.C. 1555(b)(2)) is amended—

(1) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(2) by adding at the end the following new subparagraph:

''(C) a port of entry, as established under section 1 of the Act of August 24, 1912 (37 Stat. 434), or within 25 statute miles of a staffed port of entry if reasonable assurance can be provided that duty-free merchandise sold by the enterprise will be exported by individuals departing from the customs territory through an international airport located within the customs territory.''.

SEC. 2418. CUSTOMS USER FEES.

(a) ADDITIONAL PRECLEARANCE ACTIVITIES.—Section 13031(f)(3)(A)(iii) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)(A)(iii)) is amended to read as follows:

''(iii) to the extent funds remain available after making reimbursements under clause (ii), in providing salaries for up to 50 full-time equivalent inspectional positions to provide preclearance services.''.

(b) COLLECTION OF FEES FOR PASSENGERS ABOARD COMMERCIAL VESSELS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended—

(1) in subsection (a), by amending paragraph (5) to read as follows:

''(5)(A) Subject to subparagraph (B), for the arrival of each passenger aboard a commercial vessel or commercial aircraft from a place outside the United States (other than a place referred to in subsection (b)(1)(A)(i) of this section), $5.

''(B) For the arrival of each passenger aboard a commercial vessel from a place referred to in subsection (b)(1)(A)(i) of this section, $1.75''; and

(2) in subsection (b)(1)(A), by striking ''(A) No fee'' and inserting ''(A) Except as provided in subsection (a)(5)(B) of this section, no fee''.

(c) USE OF MERCHANDISE PROCESSING FEES FOR AUTOMATED COMMERCIAL SYSTEMS.—Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)) is amended by adding at the end the following:

''(6) Of the amounts collected in fiscal year 1999 under paragraphs (9) and (10) of subsection (a), $50,000,000 shall be available to the Customs Service, subject to appropriations Acts, for automated commercial systems. Amounts made available under this paragraph shall remain available until expended.''.

(d) ADVISORY COMMITTEE.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(k) ADVISORY COMMITTEE.—The Commissioner of Customs shall establish an advisory committee whose membership shall consist of representatives from the airline, cruise ship, and other transportation industries who may be subject to fees under subsection (a). The advisory committee shall not be subject to termination under section 14 of the Federal Advisory Committee Act. The advisory committee shall meet on a periodic basis and shall advise the Commissioner on issues related to the performance of the inspectional services of the United States Customs Service. Such advice shall include, but not be limited to, such issues as the time periods during which such services should be performed, the proper number and deployment of inspection officers, the level of fees, and the appropriateness of any proposed fee. The Commissioner shall give consideration to the views of the advisory committee in the exercise of his or her duties.''.

(e) NATIONAL CUSTOMS AUTOMATION TEST REGARDING RECONCILIATION.—Section 505(c) of the Tariff Act of 1930 (19 U.S.C. 1505(c)) is amended by adding at the end the following: ''For the period beginning on October 1, 1998, and ending on the date on which the 'Revised National Customs Automation Test Regarding Reconciliation' of the Customs Service is terminated, or October 1, 2000, whichever occurs earlier, the Secretary may prescribe an alternative mid-point interest accounting methodology, which may be employed by the importer, based upon aggregate data in lieu of accounting for such interest from each deposit data provided in this subsection.''.

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

SEC. 2419. DUTY DRAWBACK FOR METHYL TERTIARY-BUTYL ETHER ("MTBE").

(a) IN GENERAL.—Section 313(p)(3)(A)(i)(I) of the Tariff Act of 1930 (19 U.S.C. 1313(p)(3)(A)(i)(I)) is amended by striking ''and 2902'' and inserting ''2902, and 2909.19.14''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act, and shall apply to drawback claims filed on and after such date.

SEC. 2420. SUBSTITUTION OF FINISHED PETROLEUM DERIVATIVES.

(a) IN GENERAL.—Section 313(p)(1) of the Tariff Act of 1930 (19 U.S.C. 1313(p)(1)) is amended in the matter following subparagraph (C) by striking ''the amount of the duties paid on, or attributable to, such qualified article shall be refunded as drawback to the drawback claimant.'' and inserting ''drawback shall be allowed as described in paragraph (4).''.

(b) REQUIREMENTS.—Section 313(p)(2) of such Act (19 U.S.C. 1313(p)(2)) is amended—

(1) in subparagraph (A)—

(A) in clauses (i), (ii), and (iii), by striking ''the qualified article'' each place it appears and inserting ''a qualified article''; and

(B) in clause (iv), by striking ''an imported' and inserting ''a''; and

(2) in subparagraph (G), by inserting ''transferor,'' after ''importer,''.

(c) QUALIFIED ARTICLE DEFINED, ETC.—Section 313(p)(3) of such Act (19 U.S.C. 1313(p)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (i)(II), by striking ''liquids, pastes, powders, granules, and flakes'' and inserting ''the primary forms provided under Note 6 to chapter 39 of the Harmonized Tariff Schedule of the United States''; and

(B) in clause (ii)—

(i) in subclause (I) by striking ''or'' at the end;

(ii) in subclause (II) by striking the period and inserting '', or''; and

(iii) by adding after subclause (II) the following:

''(III) an article of the same kind and quality as described in subparagraph (B), or any combination thereof, that is transferred, as so certified in a certificate of delivery or certificate of manufacture and delivery in a quantity not greater than the quantity of articles purchased or exchanged.

The transferred merchandise described in subclause (III), regardless of its origin, so designated on the certificate of delivery or certificate of manufacture and delivery shall be the qualified article for purposes of this section. A party who issues a certificate of delivery, or certificate of manufacture and delivery, shall also certify to the Commissioner of Customs that it has not, and will not, issue such certificates for a quantity greater than the amount eligible for drawback and that appropriate records will be maintained to demonstrate that fact.'';

(2) in subparagraph (B), by striking ''exported article'' and inserting ''article, including an imported, manufactured, substituted, or exported article,''; and

(3) in the first sentence of subparagraph (C), by striking ''such article.'' and inserting ''either the qualified article or the exported article.''.

(d) LIMITATION ON DRAWBACK.—Section 313(p)(4)(B) of such Act (19 U.S.C. 1313(p)(4)(B)) is amended by inserting before the period at the end the following: ''had the claim qualified for drawback under subsection (j)''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendment made by section 632(a)(6) of the North American Free Trade Agreement Implementation Act. For purposes of section 632(b) of that Act, the 3-year requirement set forth in section 313(r) of the Tariff Act of 1930 shall not apply to any drawback claim filed within 6 months after the date of enactment of this Act for which that 3-year period would have expired.

SEC. 2421. DUTY ON CERTAIN IMPORTATIONS OF MUESLIX CEREALS.

(a) BEFORE JANUARY 1, 1996.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the Customs Service before the 90th day after the date of the enactment of this Act, any entry or withdrawal from warehouse for consumption made after December 31, 1991, and before January 1, 1996, of mueslix cereal, which was classified in subheading 2008.92.10 of the Harmonized Tariff Schedule of the United States and to which the column 1 special rate of duty applicable for goods of Canada applied—

(1) shall be liquidated or reliquidated as if the column one special rate of duty applicable for goods of Canada in subheading 1904.10.00 of such Schedule applied to such mueslix cereal at the time of such entry or withdrawal; and

(2) any excess duties paid as a result of such liquidation or reliquidation shall be refunded, including interest at the appropriate applicable rate.

(b) AFTER DECEMBER 31, 1995.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the Customs Service before the 90th day after the date of the enactment of this Act, any entry or withdrawal from warehouse for consumption made after December 31, 1995, and before January 1, 1998, of mueslix cereal, which was classified in subheading 1904.20.10 of the Harmonized Tariff Schedule of the United States and to which the column 1 special rate of duty applicable for goods of special column rate applicable for Canada applied—

(1) shall be liquidated or reliquidated as if the column 1 special rate of duty applicable for goods of Canada in subheading 1904.10.00 of such Schedule applied to such mueslix cereal at the time of such entry or withdrawal; and

(2) any excess duties paid as a result of such liquidation or reliquidation shall be refunded, including interest at the appropriate applicable rate.

SEC. 2422. EXPANSION OF FOREIGN TRADE ZONE NO. 143.

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

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

SEC. 2423. MARKING OF CERTAIN SILK PRODUCTS AND CONTAINERS.

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

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

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

''(h) MARKING OF CERTAIN SILK PRODUCTS.—The marking requirements of subsections (a) and (b) shall not apply either to—

''(1) articles provided for in subheading 6214.10.10 of the Harmonized Tariff Schedule of the United States, as in effect on January 1, 1997; or

''(2) articles provided for in heading 5007 of the Harmonized Tariff Schedule of the United States as in effect on January 1, 1997.''.

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

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

SEC. 2424. EXTENSION OF NONDISCRIMINATORY TREATMENT (NORMAL TRADE RELATIONS TREATMENT) TO THE PRODUCTS OF MONGOLIA.

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

(1) has received normal trade relations treatment since 1991 and has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974;

(2) has emerged from nearly 70 years of communism and dependence on the former Soviet Union, approving a new constitution in 1992 which has established a modern parliamentary democracy charged with guaranteeing fundamental human rights, freedom of expression, and an independent judiciary;

(3) has held 4 national elections under the new constitution, 2 presidential and 2 parliamentary, thereby solidifying the nation's transition to democracy;

(4) has undertaken significant market-based economic reforms, including privatization, the reduction of government subsidies, the elimination of most price controls and virtually all import tariffs, and the closing of insolvent banks;

(5) has concluded a bilateral trade treaty with the United States in 1991, and a bilateral investment treaty in 1994;

(6) has acceded to the Agreement Establishing the World Trade Organization, and extension of unconditional normal trade relations treatment to the products of Mongolia would enable the United States to avail itself of all rights under the World Trade Organization with respect to Mongolia; and

(7) has demonstrated a strong desire to build friendly relationships and to cooperate fully with the United States on trade matters.

(b) TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO MONGOLIA.—

(1) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(A) determine that such title should no longer apply to Mongolia; and

(B) after making a determination under subparagraph (A) with respect to Mongolia, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(2) TERMINATION OF APPLICATION OF TITLE IV.—On or after the effective date of the extension under paragraph (1)(B) of nondiscriminatory treatment to the products of Mongolia, title IV of the Trade Act of 1974 shall cease to apply to that country.

SEC. 2425. ENHANCED CARGO INSPECTION PILOT PROGRAM.

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

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

(1) is located near a seaport; and

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

SEC. 2426. PAYMENT OF EDUCATION COSTS OF DEPENDENTS OF CERTAIN CUSTOMS SERVICE PERSONNEL.

Notwithstanding section 2164 of title 10, United States Code, the Department of Defense shall permit the dependent children of deceased United States Customs Aviation Group Supervisor Pedro J. Rodriquez attending the Antilles

Consolidated School System in Puerto Rico, to complete their primary and secondary education within this school system without cost to such children or any parent, relative, or guardian of such children. The United States Customs Service shall reimburse the Department of Defense for reasonable education expenses to cover these costs.

TITLE III—AMENDMENTS TO INTERNAL REVENUE CODE OF 1986

SEC. 3001. PROPERTY SUBJECT TO A LIABILITY TREATED IN SAME MANNER AS ASSUMPTION OF LIABILITY.

(a) REPEAL OF PROPERTY SUBJECT TO A LIABILITY TEST.—

(1) SECTION 357.—Section 357(a)(2) of the Internal Revenue Code of 1986 (relating to assumption of liability) is amended by striking '', or acquires from the taxpayer property subject to a liability''.

(2) SECTION 358.—Section 358(d)(1) of such Code (relating to assumption of liability) is amended by striking ''or acquired from the taxpayer property subject to a liability''.

(3) SECTION 368.—

(A) Section 368(a)(1)(C) of such Code is amended by striking '', or the fact that property acquired is subject to a liability,''.

(B) The last sentence of section 368(a)(2)(B) of such Code is amended by striking '', and the amount of any liability to which any property acquired from the acquiring corporation is subject,''.

(b) CLARIFICATION OF ASSUMPTION OF LIABILITY.—

(1) IN GENERAL.—Section 357 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) DETERMINATION OF AMOUNT OF LIABILITY ASSUMED.—

''(1) IN GENERAL.—For purposes of this section, section 358(d), section 362(d), section 368(a)(1)(C), and section 368(a)(2)(B), except as provided in regulations—

''(A) a recourse liability (or portion thereof) shall be treated as having been assumed if, as determined on the basis of all facts and circumstances, the transferee has agreed to, and is expected to, satisfy such liability (or portion), whether or not the transferor has been relieved of such liability; and

''(B) except to the extent provided in paragraph (2), a nonrecourse liability shall be treated as having been assumed by the transferee of any asset subject to such liability.

''(2) EXCEPTION FOR NONRECOURSE LIABILITY.—The amount of the nonrecourse liability treated as described in paragraph (1)(B) shall be reduced by the lesser of—

''(A) the amount of such liability which an owner of other assets not transferred to the transferee and also subject to such liability has agreed with the transferee to, and is expected to, satisfy; or

''(B) the fair market value of such other assets (determined without regard to section 7701(g)).

''(3) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection and section 362(d). The Secretary may also prescribe regulations which provide that the manner in which a liability is treated as assumed under this subsection is applied, where appropriate, elsewhere in this title.''.

(2) LIMITATION ON BASIS INCREASE ATTRIBUTABLE TO ASSUMPTION OF LIABILITY.—Section 362 of such Code is amended by adding at the end the following new subsection:

''(d) LIMITATION ON BASIS INCREASE ATTRIBUTABLE TO ASSUMPTION OF LIABILITY.—

''(1) IN GENERAL.—In no event shall the basis of any property be increased under subsection (a) or (b) above the fair market value of such property (determined without regard to section 7701(g)) by reason of any gain recognized to the transferor as a result of the assumption of a liability.

''(2) TREATMENT OF GAIN NOT SUBJECT TO TAX.—Except as provided in regulations, if—

''(A) gain is recognized to the transferor as a result of an assumption of a nonrecourse liability by a transferee which is also secured by assets not transferred to such transferee; and

''(B) no person is subject to tax under this title on such gain,

then, for purposes of determining basis under subsections (a) and (b), the amount of gain recognized by the transferor as a result of the assumption of the liability shall be determined as if the liability assumed by the transferee equaled such transferee's ratable portion of such liability determined on the basis of the relative fair market values (determined without regard to section 7701(g)) of all of the assets subject to such liability.''.

(c) APPLICATION TO PROVISIONS OTHER THAN SUBCHAPTER C.—

(1) SECTION 584.—Section 584(h)(3) of the Internal Revenue Code of 1986 is amended—

(A) by striking '', and the fact that any property transferred by the common trust fund is subject to a liability,'' in subparagraph (A); and

(B) by striking clause (ii) of subparagraph (B) and inserting:

''(ii) ASSUMED LIABILITIES.—For purposes of clause (i), the term 'assumed liabilities' means any liability of the common trust fund assumed by any regulated investment company in connection with the transfer referred to in paragraph (1)(A).

''(C) ASSUMPTION.—For purposes of this paragraph, in determining the amount of any liability assumed, the rules of section 357(d) shall apply.''.

(2) SECTION 1031.—The last sentence of section 1031(d) of such Code is amended—

(A) by striking ''assumed a liability of the taxpayer or acquired from the taxpayer property subject to a liability'' and inserting ''assumed (as determined under section 357(d)) a liability of the taxpayer''; and

(B) by striking ''or acquisition (in the amount of the liability)''.

(d) CONFORMING AMENDMENTS.—

(1) Section 351(h)(1) of the Internal Revenue Code of 1986 is amended by striking '', or acquires property subject to a liability,''.

(2) Section 357 of such Code is amended by striking ''or acquisition'' each place it appears in subsection (a) or (b).

(3) Section 357(b)(1) of such Code is amended by striking ''or acquired''.

(4) Section 357(c)(1) of such Code is amended by striking '', plus the amount of the liabilities to which the property is subject,''.

(5) Section 357(c)(3) of such Code is amended by striking ''or to which the property transferred is subject''.

(6) Section 358(d)(1) of such Code is amended by striking ''or acquisition (in the amount of the liability)''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers after October 18, 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Washington (Ms. DUNN) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

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

GENERAL LEAVE

Ms. DUNN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 435.

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

There was no objection.

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

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

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

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

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

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

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

The provisions that remain in the bill are completely noncontroversial. The Senate amendment would strike eight duty suspension provisions related to pigments. It would make one technical correction, and it would make adjustments to certain other pigment provisions. In addition, the amendment would ensure that all athletes participating in the Women's World Cup soccer and other sporting events are able to bring their equipment duty free.

Apart from these changes, the Senate amendment to H.R. 435 is essentially identical to the version of H.R. 435 passed by the House on February 9, 1999. I urge my colleagues to support this time-sensitive legislation.

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

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

Mr. Speaker, I rise in support of H.R. 435, the Miscellaneous Trade and Technical Corrections Act of 1999. The bill was passed by the House on February 9 of this year by a vote of 414 to 0. On May 27, the Senate passed the bill by unanimous consent.

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The Senate made only two amendments to the bill, neither of which should create concern for us in the House.

The first is that 8 dyes were deleted from the bill's duty suspension provisions. These eight provisions were not sought by Members of the House. Accordingly, their deletion under a compromise agreement in the other body should not present any concerns for us.

The second change is to make retroactive to May 15 provisions for ensuring the entry of the personal effects of athletes participating in the Women's Road Cup Soccer Tournament, the Special Olympics, and the 2000 Olympics.

As the gentlewoman from Washington (Ms. DUNN) mentioned, H.R. 435 is a bipartisan effort representing the collective input of many Members on both sides of the aisle, as well as the administration. The U.S. Customs Service, the Department of Commerce, the U.S. Trade Representative, and the U.S. ITC all have reviewed and commented on this bill to ensure that no domestic producers or other private sector interests would be adversely affected. Public input also has been incorporated into this bill.

The provisions of H.R. 435 fall into three categories.

First, the bill makes certain clerical corrections to the trade laws, such as amending and updating outdated provisions;

Second, the bill contains 112 various duty suspensions and tariff reductions. These suspensions and reductions relate to duties on certain anti-HIV, AIDS and cancer drugs and duties on chemicals, raw materials, and miscellaneous equipment. Suspension of these duties reduces prices for consumers and improves the competitiveness of domestic manufacturers by reducing their input costs.

H.R. 435 also allows for the duty-free entry of equipment and personal effects of participants in the 1999 Special Olympics, the Women's World Cup, and the 2002 Winter Olympics.

Let me just say a word about the efforts here. A number of Members on both sides of the aisle have worked hard to see this provision become law, including the ranking member of the Committee on Ways and Means, the gentleman from New York (Mr. RANGEL), another member of the committee, the gentlewoman from Florida (Mrs. THURMAN), and others, such as the gentleman from Massachusetts (Mr. MOAKLEY) and the gentlewoman from California (Ms. PELOSI).

Third, the bill includes additional tariff and trade provisions, such as authorization of custom user fees to maintain existing preclearance services for air and sea passengers arriving from Canada, the Caribbean, and Mexico.

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

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

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

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

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

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

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

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

This past year, Mr. Speaker, I introduced H.R. 4190 and H.R. 4191, legislation which temporarily suspends duties on the importation of pharmaceuticals which inhibit cancer and the spread of HIV and AIDS. This is important legislation. It is compassionate legislation which deserves bipartisan support, legislation which will help families reduce the cost of treating AIDS and cancer, benefiting thousands upon thousands of American families.

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

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

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

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

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

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

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

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

In closing, I want to again express my thanks to the Leadership of the Ways and Means Committee for their efforts on H.R. 425. In addition to Mr. CRANE and Mr. MATSUI, I also must thank the cosponsors of my original bill, the gentleman from New York, Mr. RANGEL, and the gentleman from Louisiana, Mr. JEFFERSON. I also want to thank, the Chairman of the full Ways and Means Committee, Mr. ACHER, for his support as well.

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

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

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

The question was taken.

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

The yeas and nays were ordered.

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

JENNIFER'S LAW

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

The Clerk read as follows:

H.R. 1915

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

SECTION 1. SHORT TITLE.

This Act may be cited as ''Jennifer's Law''.

SEC. 2. PROGRAM AUTHORIZED.

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

SEC. 3. ELIGIBILITY.

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

(b) CONTENTS.—Each such application shall include assurances that the State shall, to the greatest extent possible—

(1) report to the National Crime Information Center and when possible, to law enforcement authorities throughout the State regarding every deceased unidentified person, regardless of age, found in the State's jurisdiction;

(2) enter a complete profile of such unidentified person in compliance with the guidelines established by the Department of Justice for the National Crime Information Center Missing and Unidentified Persons File, including dental records, x-rays, and fingerprints, if available;

(3) enter the National Crime Information Center number or other appropriate number assigned to the unidentified person on the death certificate of each such unidentified person; and

(4) retain all such records pertaining to unidentified persons until a person is identified.

SEC. 4. USES OF FUNDS.

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

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

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

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

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

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

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

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

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

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

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

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

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

In theory, data on a missing person should be entered into the Missing Persons File at the time a missing persons report is filed with local law enforcement officials, and the same is true for John or Jane Does.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Speaker, I thank the gentleman from Texas (Mr. LAMPSON) not just for his support for this particular piece of legislation, but for his work on behalf of missing and exploited children.

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

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

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

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

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

In 1995, 26-year-old Robert Rock, son of JoAnn and Carl Rock, disappeared, and he has not yet been found. Because he is a missing person over the age of 18, Missing Persons Agencies have given Robert's case a low priority. Robert's parents believe that their son may be an unidentified body in New York. JoAnn and Carl Rock's hope of discovering the fate of their son relies upon this Congress passing a bill encouraging all law enforcement agencies to report every unidentified body to a federal computer database.

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

I urge my colleagues to offer aid to all parents who may be on a search to locate a missing daughter or son by supporting H.R. 1915. Jennifer's Law is essential in bringing relief to families such as the Rock family, that face the pain inflicted by a life full of unanswered questions about the whereabouts of their child. H.R. 1915 provides invaluable hope to families whose sons and daughters have vanished and remain missing. I therefore ask that all my colleagues vote today in support of Jennifer's Law.

Mr. Speaker, Jennifer's Law is an example of exceptional legislation resulting in better government. The tragic story of Carl and JoAnn Rock demonstrates the need for comprehensive action on the behalf of the thousands of families searching for missing loved ones. H.R. 1915, Jennifer's Law, costs little, but it gives in return the priceless gift of human compassion.

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

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

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

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

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

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

I am pleased that Congress has made it a priority to support efforts to locate and identify

all missing persons. This critical legislation will require all law enforcement agencies to cross reference missing person files with unidentified person files, which believe it or not is rarely done. It will also authorize $2 million in competitive grants so that states can cover the costs of providing this well needed service.

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

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

Mr. Speaker, as an original cosponsor of this important legislation, I wholeheartedly urge my colleagues to support this crucial legislation today. The Jennifer's Law Act is a step in the right direction that will help more and more American families locate their loved ones and I strongly urge its adoption.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to strongly support the H.R. 1915 that would Improve Reporting of Unidentified & Missing Persons.

Aptly nicknamed ''Jennifer's Law,'' this bill will provide much needed assistance to the National Crime Information Center (NCIC) and will help ease the pain of families who admirably continue to search for lost loved ones. I empathize with the families such as the family of the young woman this bill was named after. As a mother, I can understand the anguish of having a child move across the country, only to have that child disappear without a trace.

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

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

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

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

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

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

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

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

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

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

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

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

The question was taken.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. LAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 1915.

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

There was no objection.

RECESS

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

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

□ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. EWING) at 6 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Approval of the Journal, de novo;

H.R. 435, concurring in Senate amendment, by the yeas and nays;

H.R. 1915, by the yeas and nays.

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

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question de novo of the Speaker pro tempore's approval of the Journal of the last day's proceedings.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 325, nays 42, answered ''present'' 3, not voting 63, as follows:

[Roll No. 167]

YEAS—325

Abercrombie	Ballenger	Bentsen
Allen	Barcia	Bereuter
Armey	Barr	Berkley
Bachus	Barrett (NE)	Berry
Baird	Barrett (WI)	Biggert
Baker	Bartlett	Bilirakis
Baldacci	Barton	Bishop
Baldwin	Bass	Blagojevich

Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Callahan
Calvert
Camp
Campbell
Canady
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Clayton
Clement
Coble
Collins
Combest
Condit
Cook
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Paul
Payne
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tauscher
Tauzin
Terry
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Upton
Vento
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Whitfield
Wicker
Wilson
Woolsey
Wynn
Young (FL)

NAYS—42

Aderholt
Bilbray
Bonior
Brown (OH)
Clyburn
Costello
Crane
DeFazio
Dingell
English
Filner
Gephardt
Gibbons
Green (TX)
Gutknecht
Hastings (FL)
Hefley
Hilleary
Hilliard
Jackson-Lee (TX)
Kucinich
LoBiondo
McDermott
McNulty
Moran (KS)
Oberstar
Pallone
Peterson (MN)
Pombo
Ramstad
Schaffer
Slaughter
Stupak
Tancredo
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (NM)
Velázquez
Visclosky
Weller
Wolf

ANSWERED ''PRESENT''—3

Carson
Conyers
Smith (MI)

NOT VOTING—63

Ackerman
Andrews
Archer
Bateman
Becerra
Berman
Bliley
Bono
Borski
Brown (CA)
Brown (FL)
Burton
Buyer
Cannon
Chenoweth
Clay
Coburn
Cooksey
Danner
DeGette
Ehrlich
Fletcher
Gejdenson
Gilchrest
Gillmor
Hall (OH)
Hulshof
Hunter
John
Kasich
Kilpatrick
Kingston
LaFalce
Largent
Lipinski
Lowey
Maloney (NY)
Martinez
McCollum
Meeks (NY)
Miller, George
Moore
Oxley
Pelosi
Pickett
Rangel
Rogers
Rush
Sabo
Sanders
Scarborough
Serrano
Sweeney
Tanner
Taylor (NC)
Thomas
Towns
Waters
Waxman
Weiner
Wise
Wu
Young (AK)

□ 1828

Mr. TERRY changed his vote from ''nay'' to ''yea.''

□ 1830

So the Journal was approved.

The result of the vote was announced as above recorded.

MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 1999

The SPEAKER pro tempore (Mr. EWING). The pending business is the question of suspending the rules and concurring in the Senate amendment to the bill, H.R. 435.

The Clerk read the title of the bill.

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

The vote was taken by electronic device, and there were—yeas 375, nays 1, not voting 57, as follows:

[Roll No. 168]

YEAS—375

Abercrombie
Aderholt
Allen
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Callahan
Calvert
Camp
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky

Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauscher
Tauzin
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Barr

NOT VOTING—57

Ackerman
Andrews
Bateman
Becerra
Berman
Bliley
Bono
Borski
Brown (CA)
Brown (FL)
Burr
Burton
Buyer
Cannon
Chenoweth
Clay
Coburn
Cooksey
Danner
DeGette
Ehrlich
Fletcher
Gejdenson
Gilchrest
Gillmor
Hall (OH)
Hulshof
Hunter
John
Kasich
Kilpatrick
Kingston
LaFalce
Largent
Lipinski
Maloney (NY)
Martinez
McCollum
Miller, George
Moore
Oxley
Pickett
Rogers
Rush
Sabo
Sanders
Scarborough
Serrano
Tanner
Taylor (NC)
Thomas
Towns
Waters
Waxman
Weiner
Wise
Young (AK)

□ 1845

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

JENNIFER'S LAW

The SPEAKER pro tempore (Mr. EWING). The pending business is the question of suspending the rules and passing the bill, H.R. 1915.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

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

[Roll No. 169]

YEAS—370

Abercrombie
Aderholt
Allen
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Callahan
Calvert
Camp
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tauscher
Tauzin
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—4

Metcalf
Paul
Royce
Sanford

NOT VOTING—59

Ackerman
Andrews
Bateman
Becerra
Berman
Bliley
Bono
Borski
Brown (CA)
Brown (FL)
Burton
Buyer
Cannon
Chenoweth
Clay
Coburn
Cooksey
Cox
Danner
DeGette
Dooley
Ehrlich
Fletcher
Frank (MA)
Gejdenson
Gilchrest
Gillmor
Hall (OH)
Hulshof
John
Kasich
Kilpatrick
Kingston
LaFalce
Largent
Lipinski
Maloney (NY)
Martinez
McCollum
Miller, George
Moakley
Moore
Oxley
Pickett
Rogers
Rush
Sabo
Sanders
Scarborough
Sweeney
Tanner
Taylor (NC)
Thomas
Towns
Waters
Waxman
Weiner
Wise
Young (AK)

□ 1853

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

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

PERSONAL EXPLANATION

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

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, during rollcall votes No. 167, 168, and 169 I was unavoidably detained. Had I been here I would have voted "yea" on rollcall vote No. 167, "yea" on rollcall No. 168, and "yea" on rollcall vote No. 169.

APPOINTMENT OF MEMBER TO BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 5580 and 5581 of the Revised Statutes (20 U.S.C. 42–43), the Chair announces the Speaker's appointment of the following Member of the House to the Board of Regents of the Smithsonian Institution:

Mr. MATSUI, California.

There was no objection.

IN SUPPORT OF H.R. 435 REGARDING 1999 WOMEN'S WORLD CUP

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

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

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

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

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

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

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

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

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

As a courtesy to participants in international athletic events, Congress has historically voted to temporarily suspend customs duties on the personal effects of participants in such athletic events and participants in the Women's World Cup deserve the same treatment. Suspending these duties will allow for a smoother entry process by ensuring that participants and their families do not have to pay entry duties on the equipment and other items they bring with them.

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

I urge my colleagues to vote in favor of H.R. 435 and thus help ensure that the Women's World Cup is one of the most successful sporting events ever held.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 111

Mr. FARR of California. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 111.

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

There was no objection.

□ 1900

SPECIAL ORDERS

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

THE SITUATION IN KASHMIR

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

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

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

Mr. Speaker, I find it a little ironic that the Pakistani Ambassador complained about a pro-India tilt at the State Department, since for years the State Department has demonstrated what I consider to be a pronounced pro-Pakistan tilt. In fact, in the first few days of the current conflict, the State Department seemed to be going out of its way to suggest that both countries were equally guilty. At last week's briefing, the State Department spokesman was just stating the facts, describing the situation in Kashmir as it truly is. I hope that the State Department and other administration officials will not bow to Pakistani pressure in characterizing the current conflict in Kashmir. It is clear that Pakistan has had a major role in precipitating this current conflict. Pakistan has for years tried to internationalize its bilateral dispute with India over Kashmir, and it is a strategy we cannot allow to succeed.

Officially, Pakistan claims that it only provides political and moral support for militants in Kashmir, although I think it is highly inappropriate to use the term ''moral'' for a campaign of terror that has claimed thousands of victims, both Hindu and Muslim, and has made refugees of hundreds of thousands of Kashmiri pundits. Mr. Rubin's statement indicates a recognition of the obvious fact that the militants have crossed over from Pakistan. Indeed, Mr. Speaker, there are reports indicating that these well-trained mercenaries are not only supported by

the Pakistani Army, but that Pakistani Army regulars may be participating in the infiltration of India.

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

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

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

The current situation in Kashmir should have nothing to do with our efforts to lift the sanctions imposed by the Glenn amendment.

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

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

Now, Pakistan's involvement in supporting the militants that continually infiltrate India's territory is an example of how Pakistan promotes regional instability and commits or supports aggression against its neighbors. India is not involved in these kinds of hostile, destabilizing activities.

Mr. Speaker, our priority should be to do what we can to promote stability and economic opportunities in South Asia. The best way we can do that is to lift the sanctions imposed under the Glenn Amendment. While I obviously oppose repealing the Pressler Amendment, in any case we should be focusing now on lifting the sanctions imposed by the Glenn Amendment. We must not be pulled into intervening in the Kashmir issue, since India and Pakistan must resolve this conflict on a bilateral basis.

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

CALLING FOR CREATION OF THE NUCLEAR SECURITY ADMINISTRATION

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

Mr. THORNBERRY. Mr. Speaker, there has been a lot of discussion about the loss of sensitive military information to China. We must take steps to make sure these losses do not happen again, but that responsibility is not just the administration's, it also falls on us in Congress to fix what is broken.

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

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

As serious as those lapses are, they are only one detrimental effect of the DOE management structure. The challenge of making sure that our nuclear weapons remain safe and reliable well beyond their design life without nuclear testing is enormously daunting. We simply will not be able to do the job, and our national security will not be protected if we fail to correct the management problems that have plagued DOE for 20 years. It is time to act. This is an opportunity we cannot afford to miss.

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

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

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

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

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

I think there is one other point that is important. If the last year has

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

WHITE HOUSE CONFERENCE ON MENTAL HEALTH

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, today I had the great honor of taking part in the landmark White House Conference on Mental Health. This conference brought together mental health providers, consumers and people from the private sector, and our goal was to develop strategies to eliminate the existing stigmas and encourage an environment of health where people with mental illness can thrive. The conference highlighted promising practices to limit discrimination, improve prevention and treatment and explore new steps so that we can take positive direction in helping people with mental illness. The conference was downlinked to over 6,000 sites around this country, including one in Santa Barbara, California, so that communities can come together in these important issues.

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

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

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

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

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

School violence is the tip of the iceberg, but of course it catches our attention, and it should. I have proposed increasing the funding within the Safe and Drug-Free Schools Act to provide more counselors for our middle schools. In California, we have the fewest number per student in the Nation.

At this time there are 10 million adults in our Nation who suffer serious and chronic effects from mental illness, but for years the problem of mental illness has been swept under the rug. Sadly, people in need of help fall through the cracks of our mental health system every day.

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

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

□ 1915

A POSITIVE SPIN ON AN UGLY WAR

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

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

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

Number two, NATO is on the verge of self-destruction. Since the purpose of NATO to defend against a ruthless Soviet system no longer exists, that is good, NATO, in choosing to break its own rules looks totally ineffective and has lost credibility. The U.S. can get out of NATO, come home, save some money and let Europe tend to its own affairs, and we can then contribute to peace, not war.

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

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

Number five, the ill-gotten war has shown once again that air power alone, and especially when pursued without a declaration of war and a determination

to win, serves no useful purpose. Although most military experts have stated this for years, it is now readily apparent to anyone willing to study the issue. Many more Americans now agree that war not fought for the defense of one's country and for the preservation of liberty is immoral and rarely brings about victory. If we remember that in the future, that would be good.

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

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

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

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

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

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

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

12. Another lesson that will be learned from this misadventure, but unfortunately not soon enough, is that empires self-destruct out of their own weighty arrogance and blindness to the truth. Inevitably powerful empires—and it is said we are the only super power left and have great world-wide responsibilities—pursue a march of folly, a course upon which we inextricably find ourselves.

If these lessons are remembered, we will have a much better chance of achieving peace and prosperity throughout the world.

THE TRUE MEANING OF MEMORIAL DAY

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

Mr. FOSSELLA. Mr. Speaker, Congress has just returned from the Memorial Day recess, and it allowed, I think, every Member and all Americans to reflect upon what Memorial Day really was all about. In Staten Island and Brooklyn, which I represent, we had the great fortune of honoring our veterans, many of whom died to save us and save the world for freedom, and many of the things that came up in conversations, aside from, clearly, our support and commitment to those troops in harm's way right now, whether it be in Kosovo or Iraq, was to remind us all what it was all about. For example, those World War II veterans or veterans from Korea, Vietnam, essentially what they were fighting for was freedom, whether to bring freedom to others or to protect our own.

I think what too often we forget here in Washington is that ultimately the strengthening of personal freedom and individual liberty is really what we should be all about.

Right now, there are people back home that are paying the highest tax rates since World War II. That is just not right. There are people working two and three jobs just to put food on their table or pay for their child's education. That is not right.

What is right is that we reduce the tax burden on hard-working American people to promote economic growth and essentially allow them the freedom to spend, to save and to invest their hard-earned money as they see fit. Because there is an American spirit out there, whether it is in Staten Island or Brooklyn or anywhere across this country, that when given the right incentives, when given the right advice and guidance from the Federal Government, people will go out there and work hard, and they will produce wonders for the American economy, and they will produce wonders for businesses, both small and large.

And you know what? Congress does not have to intervene in every little decision-making. They do not need to look to raise taxes every chance they get. We should be pursuing a course of lowering the burden, really emphasizing limited government, truly articulating the need to remember what we all really should be supporting, and that is more freedom.

Frankly, the more we tax, whether it be at the Federal level, the State level or the local level, the more freedom we take away; and if we are committed to sending the right signal, not just to the people today but to future generations, that what the American spirit is all about, the notion of personal responsibility, of coming to our shores with hope and opportunity and hard work, when you do those things, the Federal Government will not penalize you or take away the fruits of your labor, that is when we will be sending a signal that America will remain strong and free forever; and the sacrifices of those veterans, too many of whom died to preserve freedom, too many of whom died to bring freedom to others, we will remind them that they did not die in vain.

REPORT ON CONFERENCE ON MENTAL HEALTH ISSUES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to join my colleague, the gentlewoman from California (Mrs. CAPPS) and acknowledge that today we had a very momentous day. It was the first conference held by the White House on mental health and mental health issues.

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

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

In our session we found many interesting points that were made, and I would like to share some of those with you. One, we need to collaborate more,

from the Department of Education, to Health and Human Resources, to the Department of Justice, but as well we need to collaborate with local and State government. All of us need to be concerned about providing more mental health services and more services to the American public.

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

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

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

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

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

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

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

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

□ 1930

It is important that we talk to HCFA and others so that the continuing of funding sources will be provided.

Mr. Speaker, let me say that this was an eye-opening day. I will be offering a piece of legislation, Give a Kid a Chance omnibus mental health legislation for our children of America.

It is time to get to work. It is time to pass good health care and good mental health care.

TIME TO PASS COMMONSENSE GUN SAFETY LEGISLATION

The SPEAKER pro tempore (Mr. GREEN of Wisconsin). Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Connecticut (Ms. DELAURO) is recognized for 60 minutes as the designee of the minority leader.

THE WHITE HOUSE CONFERENCE ON MENTAL HEALTH

Ms. DELAURO. Mr. Speaker, before we begin our commentary this evening, I want to congratulate my colleague, the gentlewoman from Texas (Ms. JACKSON-LEE) and my colleague from California who spoke earlier about the White House Conference on Mental Health.

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

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

We need to provide, most essentially, insurance coverage in the same way that we provide insurance coverage for physical illnesses. There needs to be parity for mental illnesses. We should consider that good mental health is good public health, and we need to promote that effort. So I compliment my colleague on her comments.

Mr. Speaker, this evening I am pleased to join with other colleagues, because we recognize that this is an important week for this Congress. Two weeks ago the United States Senate did the right thing. It is now time for the House of Representatives to do the right thing. That is to pass gun safety legislation for children in our country.

Thirteen children every single day are killed by guns in America. By comparison, there was an interesting statistic, that we lose one police officer every other day. That means it is more dangerous to be a child in America than it is to be a law enforcement officer. That is wrong. We need to pass commonsense gun safety laws in order to protect the children in this country.

Democrats in this body are a minority. We need votes from Republicans, from the other side of the aisle, to pass any piece of legislation. I believe that 85 percent of the Democrats in this body will vote for commonsense gun safety legislation to protect our youngsters. We need 20 percent of our Republican colleagues in the House to say no to their leadership and to join us to try to do the right thing.

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

What we have seen in the last couple of weeks, there were a number of us who wanted to try to pass this legislation before we left for the Memorial Day break, but we were told that we needed to come back to have hearings, that there needed to be a more thoughtful approach to how we dealt with this.

What has happened in the interim, and I think it is important to note this, unfortunately, the National Rifle Association, they asked for this delay and they received a two-week delay from the Republican leadership in this House.

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

The NRA has generated that campaign of fear. That is what they have been doing. I just want to read briefly from a letter that was sent out over

the weekend from the NRA. It is an astounding example of big money propaganda, but it has little relationship to the truth.

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

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

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

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

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

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

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

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

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

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

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

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

I remember reading a story in the wake of the Littleton shooting where a Colorado parent said that his 5-year-old asked him, and I quote, ''Dad, are they just shooting the big kids, or are they shooting the little kids, too?'' Do we want to live in a country where 5-year-olds fear for their lives? Our 5-year-olds should be learning the ABCs. They should be playing outside at recess. They should not be worrying about gun violence.

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

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

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

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

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

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

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

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

□ 1945

That day I lost my husband. That day my son almost died, and my world became upside down.

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

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

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

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

But I would have to say it would have helped three young people on the other end of the car because Colin Ferguson used a clip that had 15 bullets in it. He was able to get two clips off before courageous people were able to tackle him. With the assault weapons bill, we brought that down to 10 bullets a clip.

I will be very honest with my colleagues, I did not know enough about guns, I did not know enough about what was going on out there. But one of the things I did find out from asking my hunters, ''Do you use these large capacity clips? Do you use these to go hunting?'' They said ''Oh, absolutely not. You are not allowed to. You have to be a sportsman.'' I said, ''Well let me get this right. Large capacity clips, people can buy them up to 15, 30, sometimes 60, sometimes 90 clips in one round, but we will give the animals in the forest, we will give the birds a better chance than a human being.''

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

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

We should be focusing on so many different issues. The gentlewoman from Texas (Ms. JACKSON-LEE) talked about mental health. As a nurse, I can tell my colleagues that is something that we have to work with especially in our schools. Our children seem to be under so much pressure today. We have a lot of things that we can work on together, working with the parents, working with the schools, working with our community police to try and stop these tragedies. But people are forgetting because they do not make the newspapers. When we lose 13 young people a day, that is a Littleton every single day. We cannot lose focus on that.

But one of the things that upsets me, again, the NRA leadership. I keep saying the word ''leadership'' for a reason, because I have a lot of NRA members in my district. I talked to them, and I said, ''This is what we are trying to do. Do you see anything wrong with this? Is there anything wrong with a child safety lock?'' They said, ''CAROLYN, we already store our guns correctly. We take those precautions.'' Do my colleagues know what, almost every hunter does.

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

What we are trying to do is modest, and they will say, the NRA leadership, that it is not going to save anyone's life. I have heard this debate for so long, and, yet, when I look at other countries, other countries that do not have the killings like we do, they have the same social problems as we do, they have drug problems, they have alcohol problems, they have mental health problems, and yet they are not losing over 30,000 people a year or they are not losing over 5,000 children under the age of 18 every single year.

There is something wrong here. All I am asking is for this House to put forward what the Senate put forward. All I am asking, let us try to see if we can bring gun violence down in this country. Let us see if we can do this.

As I said, what the Senate has put forward are modest steps. Do I think that we should be able to do more? Yes. Will that debate hopefully come in the future? I hope so. But this week let us see where the House is, because a week ago Thursday, I sat with the gentlewoman from Texas (Ms. JACKSON-LEE) on the juvenile justice committee, and I sat there. I am usually a very optimistic person, but by the time we left that committee hearing, I said, oh, my God. We are not going to get anything done. The NRA leadership is going to come into this committee and water down those modest bills that were passed. Child safety locks. Closing the loopholes in our shows, our gun shows.

Yet, if my colleagues listen to the NRA leadership, and unfortunately so many of their members will read this and get scared, they will get scared because they will say they are trying to take away my right to own a gun, there is nothing in the bills that we are trying to be passed, hopefully this week, that will take away the right of a legal citizen, a legal person to buy a gun.

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

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

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

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

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

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

What I am asking the American people, what I am asking every mother, every father, we need to hear from your voice starting now and going through until we get good legislation passed that could hopefully save a child's life, hopefully save a family from going through the grief that so many families go through, because I have to tell everyone I think, there are so many of us as victims that have been fighting so long for this, many victims before me, and the only reason we got involved is because we did not want another family to go through this.

That is my job. That is why I am here. It is a job that I would love to be able to finish and go home to my garden, go home and maybe have some time to go skiing. But until that job is done, I am going to stay here, and I am going to fight tooth and nail, because that is what the people of my area voted me in for.

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

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

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

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

□ 2000

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

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

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

I thank the gentlewoman for making a difference.

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

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

And so I yield to my colleague from Texas.

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

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

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

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

I believe, as I see my colleague here from New York, that there is a need for us to be in a movement. And why is that? Because I grew up in the generation that saw John F. Kennedy shot dead with a gun, the same generation that saw Robert Kennedy shot dead with a gun, and then saw Martin Luther King shot dead with a gun. Yet I did not rise up and castigate the second amendment, as my friends in the National Rifle Association suggest that we have done.

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

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

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

I would almost say to the gentlewoman from Connecticut that we appear on this floor every single day and that we reach out to those who would come by train or bus, or however we do this, to be part of a movement, because I believe if we lose this time, all the work that I may do, that we may do collectively on mental health, with the entertainment industry, working with parents and teachers and providing more school counselors, which many of my colleagues have been involved in, along with the gentlewoman from Connecticut; people like the gentleman

from California (Mr. MILLER), so instrumental; the gentleman from Wisconsin (Mr. OBEY); the gentleman from Michigan (Mr. BONIOR); the gentleman from Texas (Mr. FROST), my colleague, we could call the role.

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

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

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

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

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

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

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

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

I wonder how many members of the NRA would step aside from their leadership and stand with us.

Listen to some of these points that they are saying that our bill will do.

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

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

So I would just simply say to my friends in the National Rifle Association, when they write someone like Michael, and I am reading a letter they have sent out across the country, that they should tell Michael the truth. When they send a letter to tell Michael that he needs to act immediately, and I am reading a letter from the National Rifle Association of America to Dear Michael. ''In the next 2 weeks your Congressman, Congresswoman is going to cast the most critical gun vote in over 5 years.''

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

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

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

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

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

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

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

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

I thank the gentlewoman for her leadership and her time.

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

I, too, hope and believe that there are people out there even who receive that

letter, who understand probably better than most about the necessity for safety and gun safety legislation, that they will understand the hyperbole, understand the rhetoric, but also understand that they are caring Americans and care about the safety of their families, which they do, and of other families.

It gives me great pleasure to yield to the gentlewoman from New York (Mrs. LOWEY). And I want to continue to emphasize the point that those of us who stand here tonight are not one-dimensional. We do not react to this issue of youth violence in a cavalier or kneejerk way that says that the only resolve is gun legislation.

The gentlewoman from New York (Mrs. LOWEY) has spent her career fighting for lowering the blood alcohol level to lower the incidence of drunk driving. She works tirelessly on promoting after-school programs in our schools, which is part of this issue, so that young people have a place to go and a place to be during those hours where the greatest amount of crime occurs. She has spent time talking about lessening the size of our classrooms for safety and accountability in education and of providing safer schools for our youngsters so that they can, in fact, achieve their desires and their dreams.

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

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

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

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

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

Every once in a while in our congressional career we feel that there is an urgency to do something and do it now. I think of the pain of the gentlewoman from New York (Mrs. CAROLYN MCCARTHY) when she lost her husband, the pain of the gentlewoman from New York as she watches her son Kevin fight back, the pain of all those parents in Littleton, in Conyers, the pain of all those family members.

Every day 13 youngsters are killed because of guns. We have a responsibility and an obligation to do something and to do it now. And each week and nearly every day since the tragic shootings in Littleton, Democrats have called for urgent passage of meaningful gun legislation. We filed discharge petitions. We held press conferences. We raised our voices loud and clear. The NRA just cannot be allowed to write our gun laws anymore.

I want to assure my colleagues that I, along with my colleagues, the gentlewoman from Connecticut (Ms. DELAURO), the gentlewoman from New York (Mrs. CAROLYN MCCARTHY), the gentlewoman from Texas (Ms. SHEILA JACKSON-LEE) and the gentleman from Maryland (Mr. STENY HOYER), we are going to address this every moment we can.

The gentlewoman and I and the gentleman from Maryland (Mr. HOYER) came prepared to offer gun control legislation to the Treasury, Postal Appropriations bill. It was hard to believe. We had on our desk the wires from Conyers that had just happened that morning. And yet the GOP leadership stalled. They did not act. They did not heed our calls. They did not take up the meaningful legislation that our Senate colleagues have passed. They even canceled the Treasury, Postal markup rather than consider our common sense gun control amendments.

Hard to believe, is it not, that the GOP leadership could be more afraid of the NRA than they are of violence in our schools?

Now the leadership's delay has given the NRA the chance to strategize and mobilize. My colleagues referred to the letter that the NRA sent to their members in a fund-raising drive. Undaunted, the NRA is back in full force. The letter says, and I quote, ''pulling out all the stops to win this battle.'' But we have news for them. We will not let them win. We will not back down. This battle is over the safety of our children at home, in our schools, on the playground, and it is a cause worth fighting for.

Mr. Speaker, we cannot back down in the face of the NRA. We must stand firm. Like our Senate colleagues, we must have the courage to reach across the aisle and pass meaningful bipartisan gun control legislation. The American people want action now. We have got to get the guns off of our streets and away from our children.

I cannot tell my colleagues how many people came up to me during this recent work period in our district and said, ''how could you not do something? You were elected to do something? Nita, I know you are a leader on modernizing our schools. I know you want to put computers on everyone's desk.'' And then they tell me that the kids are afraid to go to school.

We are going to continue to make sure that we have after-school programs to tutor our youngsters to provide them with the academic support they need so they can be what they want to be, so they can reach for the sky and fulfill their dreams. But they are afraid to go to school. These kids have to go to school with gun detectors. This is madness.

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

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

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

So let us make sure that we pass the common sense legislation that passed the Senate. And as we are doing that, let us talk about the larger issue and pass more comprehensive legislation. But let us not wait.

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

I want to thank my friend and colleague the gentlewoman from Connecticut (Ms. ROSA DELAURO) for her leadership on just so many issues. I know how she cares about Head Start and pre-K and how she is fighting to

make sure our young people are nurtured all the way through, and this is part of that great effort. Let us deal with this now.

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

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

I happen to view, as my colleague does, that this is an historic opportunity. We are not so glued and fixed in a calendar and in a schedule that we cannot move when a need arises in the country for us to move.

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

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

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

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

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NATIONAL SECURITY

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

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

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

In Congress, Mr. Speaker, I have taken great pride in working with Members of the other side on national security issues, and I have been the first to acknowledge that many of the struggles that we have won in this body against the White House involving national security were won only because we had the support of strong leadership on the Democrat side as well as the Republican side. I give those comments today, Mr. Speaker, because I want to focus on what is happening with the debate surrounding the Cox Commission of which I was a member and the resultant information that has been put forward to the American people about a matter that needs to be thoroughly investigated.

Mr. Speaker, it is my contention that when the administration got a preliminary view of the Cox Committee report in early January, in fact we gave it to the administration sometime around January 2nd or 3rd, they got a chance to see a document that nine of us, Democrats and Republicans, had worked on together for 7 months in a very nonpartisan way. We did not care where problems had occurred, in which administrations they were in. If we saw evidence of our security being harmed or potentially harmed, we laid the facts basically where they were. We did not attempt to spin them or distort them or attempt to have them be other than what they in fact were. We did that because we wanted to have the integrity of our report kept intact once it was completed. No member of the Cox Committee released any information to the media. We swore to ourselves that we would not in fact jeopardize our findings. We gave it to the White House the first week of January and we asked for a very quick response to assist us in making that report available in a declassified version so the American people and our colleagues could read it and talk about it. As we all know, that took 5 months. But what gave me the first indication that this report was going to be spun politically was about a month later, in February. In fact it was February the 1st. Sandy Berger, the National Security Adviser to the White House, issued a statement that I have a copy of to selective members of the Washington media, responding to the 38 recommendations that we made in our Cox Committee report that were still classified. Without asking any member of the Cox Commission, Sandy Berger released the White House's spin in response to those recommendations.

Two days after he released that spin, I had the occasion of asking the Director of Central Intelligence, George Tenet, in a closed National Security Committee hearing in front of 40 Members from both parties if he agreed as the head of the CIA with our findings that our security had been harmed. Now, Mr. Speaker, this was 2 days after Sandy Berger released public information about our still classified report. George Tenet said, ''Congressman, we at the CIA haven't finished reading the document yet.'' Which meant, Mr. Speaker, that the White House, before the CIA had even completed reading our report, was spinning it publicly to try to deflect attention away from the White House and any responsibility of this administration. That is not what the nine members of the Cox Committee did and that is not the approach we used. We did not spin anything. Yet that was my first inclination that this White House was not going to deal in an honorable way with the findings and the conclusions that we drew from our extensive research into the results of the transfer of technology both legally and illegally to China.

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

I am here tonight, Mr. Speaker, to challenge that notion and to offer to debate Secretary Richardson anytime anyplace in a public format on the issues that I am about to unveil. First of all, Mr. Speaker, even though the Cox Committee report did not just focus on the nuclear laboratories and their security, let us talk about the labs for a few moments, because if you listen to Secretary Bill Richardson traveling around the country, he would have us believe that the only problems with the labs were problems that started under previous administrations which he has now cleaned up. That is hogwash, Mr. Speaker. Let us look at the facts.

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

Now, Mr. Speaker, if that was a good decision back in 1993 and 1994 which maybe the President would say was the case, why then did this administration 2 weeks ago move to reinstate the policy that Hazel O'Leary did away with in 1993 and 1994? If it was good back in 1993 and 1994 and if the color-coded ID system was not necessary, why did they all of a sudden 2 weeks ago tell the labs, ''You're now going to put back into place a color-coded ID system'' at a tremendous cost to taxpayers. That was under this administration, Mr. Speaker.

Number two, it was this administration and Hazel O'Leary who decided that FBI background checks, which had been the case under previous administrations, before people could gain access to our labs, that FBI background checks had to be done so that we could determine whether or not those people were spies or whether or not they were appropriately entitled to have access to classified information. Again it was Secretary O'Leary, Bill Clinton's appointee, who in 1993 and 1994 put a hold in at least two of our labs on FBI background checks, allowing scores of people to get access to our labs, not just Chinese or Asian nationals but a whole host of people because they were not being required to have FBI background checks.

Number three, Mr. Speaker. It was in the 1993–1994 time frame when an employee of the Lawrence Livermore Laboratory who had retired was accused of releasing sensitive and classified information in a public setting. The Oakland office of the Department of Energy did an investigation of that employee and they found out, and in fact accused him of violating the requirements of security at our labs. What did they do? They penalized that retiree by removing the access he had to classified information even as a retiree. They took the appropriate steps. What did Hazel O'Leary do, Mr. Speaker? When that removal of that retiree's classified status was undertaken and when he appealed it, all the way up to the Secretary's office, Secretary O'Leary overruled the Oakland office of the Department of Energy and reinstated the employee's classification status. Every employee in every laboratory in America saw the signal being sent by this administration, ''We don't need color-coded IDs, we don't need to have FBI background checks, and when employees give out classified information, we're not going to consider that a major issue.''

One more point, Mr. Speaker. And you do not hear Bill Richardson talking about these facts, but I am offering to debate him here tonight, anytime, anyplace. Mr. Richardson says that when this administration found out, in 1995, that the Chinese had stolen the designs to one of our most sophisticated warheads, the W–88 and the W–87, that they immediately took action, they began a process of closing in on the security, and he said that began in 1995.

Mr. Speaker, I want to call particular attention to my colleagues and to the American people this two-page spread that was in the July 31st, 1995 issue of U.S. News and World Report entitled ''Shockwave'' documenting the annihilation and destruction that would be caused by a nuclear attack or a nuclear bomb going off. In this document, Mr. Speaker, is an illustration of the W–87 warhead. Mr. Speaker, in 1995, this was classified. Mr. Speaker, this administration, in 1995, leaked this document to U.S. News and World Report, giving the entire populace of the world, through U.S. News and World Report, access to the design of the W–87 nuclear warhead, the same year that Bill Richardson is saying they were putting the clamps on the control of our technology.

But it does not stop there, Mr. Speaker. Because when this occurred, the Department of Energy began an internal investigation as to who would have leaked this design of this W–87 nuclear warhead, who would have given this information out to a national magazine. Mr. Speaker, I have the name of the person that was conducting that investigation, and I have been told that he was told to stop the investigation because they knew where it was going to lead to, that it was Hazel O'Leary herself who gave U.S. News and World Report the actual diagram of the W–87 nuclear warhead in 1995. Yet Secretary Richardson, on the Sunday morning news shows, is saying, ''We have taken the steps to close these gaps.''

Mr. Speaker, I am today asking for a full investigation as to whether or not the Department of Energy did such an internal investigation and I want to know whether or not the individual who was overseeing this was told by his superiors not to pursue finding out who leaked this information in 1995. And, Mr. Speaker, if this administration was so intent on controlling access to these kinds of secrets, then they would surely be able to give us the answers to the questions I am posing tonight. Who did the investigation, and who did they find out leaked this particular diagram to U.S. News and World Report in 1995? It was not the Reagan administration, Mr. Speaker, and it was not the Bush administration. It was this administration.

Mr. Speaker, the comments of Bill Richardson around the country are hollow, they are shallow, and they are nothing more than political rhetoric being spun to deflect attention away from one of the most gravest issues that has confronted this Nation in this century, and, that is, the overall loss of our technology, in many cases where we relaxed standards to allow people to take information or where we lowered the thresholds to give people information. Today we have the Secretary telling us that our labs are secure. I can tell you right now, Mr. Speaker, there are no controls on e-mails that are being sent out of our labs at this very moment. They will tell you they have a software system that looks for keywords, that if an e-mail is sent to Beijing or some other city and a keyword is in that e-mail, it raises a flag and that person then will be investigated. Raising a flag after the e-mail leaves the laboratory does us no good, Mr. Speaker.

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So for Richardson to say that secure measures are in place today is wrong, it is factually wrong, it is not correct, and he needs to be honest with the American people.

Secondarily, Mr. Speaker, we have just learned that later on this year China will be testing the newest version of their long-range ICBM missile with a range of 13,000 kilometers that can be launched from a submarine that has the potential for a MIRV or a multiple reentry capability. This rocket, this long-range ICBM, the JL–2, is beyond anything they have had in the past, and it is almost a replica of the trident class ICBMs that we have used in this Nation.

We did not think China would have this capability until several years down the road. We now have word they will test that missile, that ICBM, this year.

Mr. Speaker, this is a very serious issue. The American people need to understand what is happening to their country. They need to understand the blame game cannot stop by firing lower level employees who are only following

directions. The blame game cannot stop by saying it was industries' fault. Industry was only abiding by the rules set by this government, and they cannot blame Chinese or Asian Americans, many of whom are some of our finest citizens. It was this government and this administration that failed the American people, and the American people need to see the factual information.

With that in mind, Mr. Speaker, the following two charts are now available on my web site nationally:

The first chart, Mr. Speaker, for the first time ever gives the complete linkage between those agencies and entities of the Peoples Liberation Army and the Central Military Commission of the PLA which are all indicated by the red boxes, and you cannot read them, our colleagues cannot read them, but you can get this off of our web site, and I have offered to give copies of this chart in a smaller form to every Member of Congress regardless of party.

The red boxes indicate Chinese arms of the PLA. The green boxes, Mr. Speaker, which are again too small to read, are the financing entities that were established to finance the acquisition of technologies for the arms of the PLA and the Central Military Commission. They would identify the technology, and the green financing entities would then finance the purchase of that.

How would they finance the purchase of it? Through the blue boxes or the front companies. Literally hundreds of front companies were established in this country, in Hong Kong, in Macao, all over the world, whose sole purpose it was, was to acquire western and American technology.

Mr. Speaker, in this chart our colleagues and the American people can read for themselves who all of these players are and who all of these characters and all these organizations are, but there is something new here, Mr. Speaker:

For the first time that I am aware of each of these boxes are interconnected with solid and dotted lines. The solid lines indicate direct working relationships between financing entities, PLA organizations and Chinese front companies. The dotted lines indicate working relationships.

I am asking now to enter in the RECORD, Mr. Speaker, a document I entitled sources and references:

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(20) Reed Business Information Limited. ''The Bank of East Asia Limited.'' The Bankers Almanac. Reed Business Information Limited. 1998. Standard business reference material on the Bank of East Asia including profile and personnel information.

(21) Sun, Lena H.; Pomfret, John. ''The Curious Cast of Asian Donors.'' The Washington Post. January 27, 1997: p a1. A Washington Post article on the Clinton connection to Asian Donors.

(22) China Charity Federation. ''Founders of China Charity Federation and Permanent Members to the Executive Council.''<http://www.philiphayden.org/ccf/aboutus/permanent_members.html> January 6, 1999. Promotional Materials that link the Hong Kong and Shanghai Banking Corporation to Silver Faith Holding.

(23) Liang, Hsiao-chi and Ma, Chien-hsing. ''In a Major Reversal of Fortune in Struggle for Supremacy, Marketplace Wai Lands Himself in a Predicament.'' Hong Kong Yi Chou Kan. February 20, 1998: pp 38–42. Article in Hong Kong newspaper on CPC Officials and Triad links.

(24) Op. Cit. Liu, Melinda.

(25) The Hughes Corporation. ''China Programs Starting from 1/1/96.'' Hughes Network Systems. Internal company document specifying programs in China.

(26) Gerth, Jeff and Golden, Tim. ''China Set Cash to U.S. Bank, With Suspicions Slow to Rise.'' The New York Times. May 12, 1999: p a1. New York Times article on money sent to the United States from Chinese banks.

Mr. Speaker, this 4-page document gives 28 specific unclassified documents or 26 unclassified documents that are studied on this chart that provide all the linkages so the American people in unclassified form can read how all of these link together for the first time ever, and I encourage everyone of our colleagues and every person across this country to turn on the web site, get access to this, and then get access to these unclassified documents, and I would say to our colleagues, ''If you can't locate them, I have a master copy of each of these documents in my office. In fact I have several master copies. I will give you copies of whatever one of these documents you can't find.''

Now, as extensive as this is, Mr. Speaker, I can tell you this is only scratching the surface. In one of our House hearings one of our colleagues asked the FBI when they were doing the investigation of these linkages how much of what they know is now available in public form with all the reports, all the investigations, how much of what the FBI and the CIA knows is available to the public, and this was the answer:

Less than 1 percent.

So, as broad as this is, as documented as this is, we only know publicly less than 1 percent of what the FBI and the CIA know about the linkages between PLA front organizations, front companies and financing mechanisms, and the bottom line question has to be asked, Mr. Speaker, is:

What made this happen? What was the grease that caused these transactions to take place? What caused these proliferation controls to be lowered? What caused these accesses to take place?

And that gets to my second chart, Mr. Speaker, which is the time line. This chart, Mr. Speaker, for the first time that I know of gives a detailed analysis of what has happened in this country since 1993.

Now my colleagues on the other side are going to say, ''Well, a minute, Kurt. You picked 1993. You are being partisan because that is when Clinton took office.''

That is not the case, Mr. Speaker. I picked 1993 because two things happened.

Up until 1993, Mr. Speaker, under Democrats and Republican Presidents alike, there was a process in place to control technology from Nations like America to be sent abroad to what we consider to be Tier 3 nations or nations that are not allowed or were not supposed to have very capable technology that could come back to hurt us. This process was called COCON. COCON was an international organization of allied nations, the U.S. and Japan, that met on a regular basis, and they decided collectively what kind of technology would be allowed to be sold and to which countries it could be sold to.

In 1993, without pre-approval of any of the other countries, France, Great Britain, Japan or any of the other ones, this administration ended COCON, ended it, and the doors opened up.

Now they put into place something called the Wassanar agreement which everyone has acknowledged is a total failure, yet COCON worked. In 1993 COCON ended, and the floodgates opened.

Something else happened in that year, Mr. Speaker. I would like to enter in the RECORD at this point in time, Mr. Speaker, a letter from the White House dated September 15, 1993, to Edward McCracken, Chief Executive Officer of Silicon Graphics from Bill Clinton. Mr. Speaker, every American needs to read this letter because this letter was sent by the President of the United States September 15, 1993, and who did he send it to? To one of his biggest contributors and one of those blocks of people who supported his candidacy, Edward McCracken, Chief Executive Officer, Silicon Graphics, Mountain View, California.

THE WHITE HOUSE,
Washington, September 15, 1993.

Hon. EDWARD MCCRACKEN,
Chief Executive Officer,
Silicon Graphics, Mountain View, CA.

DEAR EDWARD: Thanks for taking the time to come by for lunch on Wednesday. It was good to see you—and it was a pleasure to get your insights.

I wanted to bring you up to date on a topic we were not able to discuss at lunch; the issue of export controls. As you know, for some time the United States has imposed stringent exports controls on many of our most competitive exports. By some estimates, unnecessary export controls cost U.S. companies $9 billion a year in lost sales. One reason I ran for President was to tailor export controls to the realities of a post-Cold War world.

Let me be clear. We will continue to need strong controls to combat the growing threat of proliferation of weapons of mass destruction and dangerous conventional weapons, as well as to send a strong signal to countries that support international terrorism. But we also need to make long overdue reforms to ensure that we do not unfairly and unnecessarily burden our important commercial interests.

In that regard, I wanted you to know that we hope to announce some important reforms by September 30. As you may know, Commerce Secretary Ron Brown has been leading a process within the Trade Promotion Coordinating Committee (IPCC) to examine how we might better promote U.S. exports. As part of that process, the National Security Council has led an effort to develop specific export control reforms. I hope to announce those when the TPCC issues its report on September 30.

We have not yet finalized all of these reforms, because I want to be sure that they get a full interagency review. But I am optimistic that the steps we take will help liberalize controls on many of our most competitive exports, while protecting our important national security concerns. Let me give you a sense of the reform we are considering:

Liberalize Computer and Telecommunications Controls. When this Administration began, the U.S. controlled any computer with a capacity above 12.9 MTOPs. My administration is in the process of raising that level to 67 MTOPs for most free world countries, relieving well over 13 billion of computer exports each year from the need for a license. By September 30, I hope to raise that level further—and also announce important liberalizations for telecommunications exports to most free world destinations.

Reduce Processing Time. Delays in processing export control licenses is a burden on business—and a legitimate gripe against the Federal government. I hope to announce significant reductions in the time it takes the government to process export license applications.

Expand Distribution Licenses. We hope to expand significantly the availability of distribution licenses for controlled computers so that exporters need not come back repeatedly to the Federal government for a license.

Eliminate Unnecessary Unilateral Controls. Controls imposed only by the U.S. (and not by competitor countries) at times can put our exporters at an unfair disadvantage as competitor companies export like products freely. I expect to announce that, by December 31, my administration will identify and eliminate wherever possible unnecessary U.S. unilateral export control policies.

I expect that these reforms will help liberalize controls on tens of billions of dollars worth of U.S. exports. It can help unleash our companies to compete successfully in the global market.

These reforms fit into a broader framework. Soon we will complete our review of nonproliferation and export control policy, which will set guidelines for further steps we should take. I am also currently engaged in seeking major reforms to COCOM, which should lead to significant liberalization of controls on computers, telecommunications and machine tools, while establishing a more effective structure for addressing the changing national security threats we will face in the years ahead.

Let me assure you that I am personally committed to developing a more intelligent export control policy, one that prevents dangerous technologies from falling into the wrong hands without unfairly burdening American commerce. It is important. It is the right thing to do. And many of these changes are long overdue. I look forward to working with you in building a new consensus around an effective exports control policy that meets these objectives.

Sincerely,

BILL CLINTON.

But what is the content of the letter, Mr. Speaker? The letter outlines the administration's plans to liberalize, liberalize the availability of technology to nations abroad.

So here it is in black and white where the President is telling the CEO of Silicon Graphics this is what we are going to do for you over the next 6 years.

Guess what, Mr. Speaker. They did it.

What were some of the highlights? Let me read from the letter. Quote:

Liberalize computer and telecommunication controls, reduce processing times, expand distribution licenses, eliminate unnecessary unilateral controls, and it goes into detail in describing.

Now, Mr. Speaker, I am a free trader, and I believe in allowing our companies to compete. But what you had in 1993 was the wholesale opening of the flood gates. At the same time Hazel O'Leary is saying we do not have to worry about the people who work in our labs, they do not need color-coded IDs, they do not need to have FBI background checks, and when they give out classified information, we are going to ignore that and not worry about it. And, oh, by the way, US News, if you want this chart of the W–87, we will give it to you, and you can run it nationwide.

Mr. Speaker, these stories need to be told across America.

This time line from 1993 to 1999 shows every decision made by this administration that allowed a new technology to flow, in this case to China. It also shows activities of China in violation of arms control regimes. In fact, Mr. Speaker, I would ask at this time to insert Chronology of Chinese Weapons Related Transfers:

[From the Los Angeles Times, May 21, 1998]

INDIGNATION RINGS SHALLOW ON NUKE TESTS

(By Curt Weldon)

Escalating tensions between India and Pakistan should come as no surprise to the Clinton administration. Since the president took office, there have been dozens of reported transfers of sensitive military technology by Russia and China—in direct violation of numerous international arms control agreements—to a host of nations, including Pakistan and India.

Yet the Clinton administration has repeatedly chosen to turn a blind eye to this proliferation of missile, chemical-biological and nuclear technology, consistently refusing to impose sanctions on violators. And in those handful of instances where sanctions were imposed, they usually were either quickly waived by the administration or allowed to expire. Rather than condemn India for current tensions, the blame for the political powder keg that has emerged in Asia should be laid squarely at the feet of President Clinton. It is his administration's inaction and refusal to enforce arms control agreements that have allowed the fuse to grow so short.

In November 1992, the United States learned that China had transferred M–11 missiles to Pakistan. The Bush administration imposed sanctions for this violation but Clinton waived them a little more than 14 months later. Clearly, the sanctions did not have the desired effect: Reports during the first half of 1995 indicated that M–11 missiles, additional M–11 missile parts, as well as 5,000 ring magnets for Pakistan nuclear enrichment programs were transferred from China. Despite these clear violations, no sanctions were imposed. And it gets worse.

Not to be outdone by its sworn foe, India aggressively pursued similar technologies and obtained them, illicitly, from Russia. From 1991 to 1995, Russian entities transferred cryogenic liquid oxygen-hydrogen rocket engines and technology to India. While sanctions were imposed by President Bush in May 1992, the Clinton administration allowed them to expire after only two years. And in June 1993, evidence surfaced that additional Russian enterprises were involved in missile technology transfers to India. The administration imposed sanctions in June 1993, and then promptly waived them for a month, never following up on the issue.

Meanwhile, Pakistan continued to aggressively pursue technology transfers from China. In August 1996, the capability to manufacture M–11 missile or missile components was transferred from China to Pakistan. No sanctions. In November 1996, a special industrial furnace and high-tech diagnostic equipment were transferred from China to an unprotected Pakistani nuclear facility. No sanctions. Also during 1996, the director of the Central Intelligence Agency issued a report stating that China had provided a ''tremendous variety'' of technology and assistance for Pakistan's ballistic missile program and was the principal supplier of nuclear equipment for Pakistan's program. Again, the Clinton administration refused to impose sanctions.

Finally, in recent months we have learned that China may have been responsible for the transfer of technology for Pakistan's Ghauri medium-range ballistic missile. Flight tested on April 6, 1998, the Ghauri missile has been widely blamed as the impetus for India's decision to detonate five nuclear weapons in tests earlier this month. Again, no sanctions were imposed on China.

Retracing the history of these instances of proliferation, it is obvious that Pakistan and India have been locked in an arms race since the beginning of the decade. And the race has been given repeated jump-starts by China and Russia, a clear violation of a number of arms control agreements. Yet rather than enforce these arms control agreements, the Clinton administration has repeatedly acquiesced, fearing that the imposition of sanctions could either strain relations with China and Russia or potentially hurt U.S. commercial interests in those countries.

Now the Clinton administration has announced a get-tough policy, threatening to impose sanctions on India for testing its nuclear weapons. But what about Russia and China, the two nations that violated international arms agreements? Shouldn't they also be subject to U.S. sanctions for their role in this crisis? Sadly, the Clinton administration is likely to ignore the proliferators and impose sanctions solely on India. In the meantime, China and Russia will continue their proliferation of missile and nuclear technology to other nations, including rogue states such as Iran, Iraq and Syria.

Date of transfer or report	Reported transfer by China	Possible violation	Administration's response
Nov. 1992	M–11 missiles or related equipment to Pakistan (The Administration did not officially confirm reports that M–11 missiles are in Pakistan.).	MTCR; Arms Export Control Act; Export Administration Act.	sanctions imposed on Aug. 24, 1993, for transfers of M–11 related equipment (not missiles); waived on Nov. 1, 1994
Mid-1994 to mid-1995	dozens or hundreds of missile guidance systems and computerized machine tools to Iran.	MTCR; Iran-Iraq Arms Nonproliferation Act; Arms Export Control Act; Export Administration Act.	no sanctions
2nd quarter of 1995	parts for the M–11 missile to Pakistan	MTCR; Arms Export Control Act; Export Administration Act.	no sanctions
Dec. 1994 to mid-1995	5,000 ring magnets for an unsafeguarded nuclear enrichment program in Pakistan.	NPT; Export-Import Bank Act; Nuclear Proliferation Prevention Act; Arms Export Control Act.	considered sanctions under the Export-Import Bank Act; but announced on May 10, 1996, that no sanctions would be imposed
July 1995	more than 30 M–11 missiles stored in crates at Sargodha Air Force Base in Pakistan.	MTCR; Arms Export Control Act; Export Administration Act.	no sanctions
Sept. 1995	calutron (electromagnetic isotope separation system) for uranium enrichment to Iran.	NPT; Nuclear Proliferation Prevention Act; Export-Import Bank Act; Arms Export Control Act.	no sanctions
1995–1997	C–802 anti-ship cruise missiles and C–801 air-launched cruise missiles to Iran.	Iran-Iraq Arms Nonproliferation Act	no sanctions
Before Feb. 1996	dual-use chemical precursors and equipment to Iran's chemical weapon program.	Arms Export Control Act; Export Administration Act	sanctions imposed on May 21, 1997
Summer 1996	400 tons of chemicals to Iran	Iran-Iraq Arms Nonproliferation Act;[1] Arms Export Control Act; Export Administration Act.	no sanctions
Aug. 1996	plant to manufacture M–11 missiles or missile components in Pakistan.	MTCR; Arms Export Control Act; Export Administration Act.	no sanctions
Aug. 1996	gyroscopes, accelerometers, and test equipment for missile guidance to Iran.	MTCR; Iran-Iraq Arms Nonproliferation Act; Arms Export Control Act; Export Administration Act.	no sanctions
Sept. 1996	special industrial furnace and high-tech diagnostic equipment to unsafeguarded nuclear facilities in Pakistan.	NPT; Nuclear Proliferation Prevention Act; Export-Import Bank Act; Arms Export Control Act.	no sanctions
July–Dec. 1996	Director of Central Intelligence (DCI) reported ''tremendous variety'' of technology and assistance for Pakistan's ballistic missile program.	MTCR; Arms Export Control Act; Export Administration Act.	no sanctions
July–Dec. 1996	DCI reported ''tremendous variety'' of assistance for Iran's ballistic missile program.	MTCR; Iran-Iraq Arms Nonproliferation Act; Arms Export Control Act; Export Administration Act.	no sanctions
July–Dec. 1996	DCI reported principal supplies of nuclear equipment, material, and technology for Pakistan's nuclear weapon program.	NPT; Nuclear Proliferation Prevention Act; Export-Import Bank Act; Arms Export Administration Act.	no sanctions
July–Dec. 1996	DCI reported key supplies of technology for large nuclear projects in Iran.	NPT; Iran-Iraq Arms Nonproliferation Act; Nuclear Proliferation Prevention Act; Export-Import Bank Act; Arms Export Administration Act.	no sanctions
July–Dec. 1996	DCI reported ''considerable'' chemical weapon-related transfers of production equipment and technology to Iran.	Iran-Iraq Arms Nonproliferation Act; Arms Export Control Act; Export Administration Act.	no sanctions
Jan. 1997	dual-use biological items to Iran	BWC; Iran-Iraq Arms Nonproliferation Act; Arms Export Control Act; Export Administration Act.	no sanctions

Date of transfer or report	Reported transfer by China	Possible violation	Administration's response
1997	chemical precursors, production equipment, and production technology for Iran's chemical weapon program, including a plant for making glass-lined equipment.	Iran-Iraq Arms Nonproliferation Act; Arms Export Control Act; Export Administration Act.	no sanctions
Sept. to Dec. 1997	China Great Wall Industry Corp. provided telemetry equipment used in flight-tests to Iran for its development of the Shahab-3 and Shahab-4 medium range ballistic missiles.	MTCR; Iran-Iraq Arms Nonproliferation Act; Arms Export Control Act; Export Administration Act.	no sanctions
Nov. 1997/April 1998	may have transferred technology for Pakistan's Ghauri medium-range ballistic missile that was flight-tested on April 6, 1998.	MTCR; Arms Export Control Act; Export Administration Act.	no sanctions

[1] Additional provisions on chemical, biological, or nuclear weapons were not enacted until February 10, 1996.

ABWC—Biological Weapons Convention; MTCR—Missile Technology Control Regime; NPT—Nuclear Nonproliferation Treaty.

Mr. Speaker, this CRS document, which I had prepared a year ago, outlines approximately 17 cases where we caught the Chinese selling technology illegally. This administration knew about it, and it is all documented here. They imposed the required sanctions twice and waived them each time. All of those or most of those transfers are documented here.

Something else is on this chart, Mr. Speaker: White House presidential visits. I could only complete it up through 1995, the number of times that key people involved in this massive scheme were able to get into the White House.

Now, I can tell my colleagues my constituents cannot ever get in the White House. We cannot even get White House tour tickets which are available for schools because we only allow four a year. These are American schoolchildren.

Let me read you, Mr. Speaker. John Huang; he visited the White House four times in March of 1993, four times in April of 1993, two times in May, one time in June, one time in November, all in 1993.

Now my constituents cannot do that. Yet this White House opened the floodgates to welcome selected people in who were a part of this network, Mr. Speaker.

In fact, Mr. Speaker, I am asking the House Clerks Office tonight to give me the price of what it would take to put this document in the CONGRESSIONAL RECORD. I am not going to put it in tonight until I get the price. What is this document, Mr. Speaker? These are the FBI wiretap transcripts of conversations between Chung and Robert Lu, the FBI wire tapped transcripts that took place from May 6 of 1998 all the way through August of 98. In these transcripts in the words of these key players in this process, the American people, Mr. Speaker, for themselves can see what was going on and can read with their own eyes about the discussions that were taking place.

Before I yield to my good friend, Mr. Speaker, I want to say what the rallying cry of this Member, and I would ask for, if I could, a price for that for the next day so I can decide whether or not to put it in the CONGRESSIONAL RECORD, but I would tell the American people it is available. It was given to me by Carl Cameron from Fox News. It is running nationwide, and I would encourage every American person, every colleague of mine, to read the transcripts contained in here of conversations as documented by the FBI.

Mr. Speaker here is the real story:

If this administration has nothing to hide, they can do one very simple thing: release the entire text of the memos sent by Louis Freeh and his subordinate investigator to Janet Reno requesting that a special prosecutor be named to handle this whole situation. If there is no other question we need to ask as Americans, for the next year and a half it is this one question because Louis Freeh, the head of the FBI, and his top investigator recommended Janet Reno, but because of all this data, and they have a lot more than I have shown my colleagues; in fact, I have seen a lot more as a member of the Cox Committee that I cannot put on here because it is classified. But they seen all of this data, the other 99 percent we cannot show, and they made their recommendations, and Janet Reno choose not to follow their recommendations.

The American people are owed, owed an explanation as to why Janet Reno choose not to follow the advice of her chief law enforcement agent for this country. Every person in this country needs to send a card to the White House, every Member of Congress needs to ask the question why the White House will not release the FBI internal memos that Louie Freeh and his assistant sent to ask for a fully completed investigation of this network, of this operation, because that will tell us, Mr. Speaker, whether or not there were motives behind the transfer of technology that caused America's security harm, and that question needs to be asked by everyone in this country.

Mr. Speaker, my hope is that all of our colleagues in this body and the other body will have literally tens of thousands of letter writing campaigns, post cards to the White House asking, and Janet Reno asking one simple question.

This can be very confusing, and I do not expect the American public or even our colleagues to understand every nuance of what is explained here. It is very confusing, but they can ask one question:

Why will you not release the Louis Freeh memos to Janet Reno in regard to the investigation of the connections between the PLA and the Central Military Commission, the Chinese front companies, the financing mechanisms including the donations of campaign funds to certain individuals to see whether or not there really was a tie and a connection in each of these cases?

□ 2100

That question needs to be answered more than any other single question that I can think of. Mr. Speaker, I would urge all of our colleagues to make that their rallying cry over the next year and a half.

Mr. Speaker, I would like to yield to my good friend and colleague, the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I would be remiss at the outset of my remarks if I did not publicly acknowledge a debt of gratitude to the gentleman from Pennsylvania (Mr. WELDON), who has been at the forefront of explaining to the American people and many of his colleagues in Congress the necessity, the imperative of a strategic missile defense, who has been among the leaders in understanding a prospective missile defense system, who has gone many times to the former Soviet Union, now the Russian Republic, to establish dialogue with the members of the Duma there, so, in the words of Dwight Eisenhower, once Americans and Russians get together they can understand what is at stake here.

But more compellingly tonight, Mr. Speaker, our colleague at the outset of his remarks framed the question most appropriately and eloquently when he said, Mr. Speaker, this is a problem that does not confront us as Republicans or Democrats; this is a security concern for all Americans.

Indeed, as the gentleman points out, the inadequate, shallow and incomplete responses of our former colleague from New Mexico, Mr. Richardson, now the Secretary of Energy; as he points out the misguided, to say the least, efforts, if you will, of former Energy Secretary Hazel O'Leary; as he points out the curious selective investigations by this Justice Department and Attorney General Reno, as he offers, and, Mr. Speaker, I will move with my staff to make available on my web site as well the China connection that my colleague from Pennsylvania has remarkably put together and the time-line that he also offers.

This is something that should concern every American, for what we have

seen, Mr. Speaker, is a quantum leap in technological prowess by the Communist Chinese, with our know-how, with our expertise.

Indeed, I would just say to my friend from Pennsylvania, whatever price it might cost to include those transcripts of the FBI wiretaps in the CONGRESSIONAL RECORD, it is a small price to pay on behalf of the American people to understand the width and breadth of this scandal. ''Scandal'' is an overused term, we have seen so many, and yet, again, we have this remarkable, troubling, dangerous development in our national security.

I have said before, Mr. Speaker, this is as if we are in an Allan Drury novel come to life. But you cannot close the book on this. This is a problem of incredible magnitude that goes to the security of every family.

Mr. Speaker, as the President of the United States stood at the podium just in front of the Speaker's Chair and in a State of the Union message bragged that no American child went to sleep a target of Russian missiles, how sad it is that now the Communist Chinese have the technology and have aimed their missiles at America, to the extent that we had the Chinese defense minister in defending a provocative action against Taiwan say, ''Oh, we believe you,'' meaning the United States, ''value Los Angeles more than you do Taiwan.''

The bellicose nature of the threats and, more than rhetoric, the reality of the technology transfer, is inexcusable, and we, not as Republicans nor as Democrats, but as Americans, need to follow the lead of my colleague from Pennsylvania and get to the bottom of this, because it is an outrage.

As my colleague from Pennsylvania pointed out, it does not only concern former Energy Secretary O'Leary; it does not only concern Attorney General Reno; it does not only concern the spin offered by our former colleague, current Energy Secretary Mr. Richardson; it goes all the way to 1600 Pennsylvania Avenue.

U.S. News & World Report put that document in, as shocking as that was. I wonder, Mr. Speaker, how many of the American people have seen the videotapes of the Communist Chinese leaders who contributed to the Clinton-Gore campaign in 1996 in the Oval Office? People who are part of these front groups.

Mr. Speaker, we do not have too many ducks on the lakes in Arizona, but if it walks like a duck and quacks like a duck, Mr. Speaker, a preponderance of the evidence seems to indicate that it is in fact a duck. What we have here is a serious problem.

I would also note the outrageous and curious behavior of our so-called National Security Adviser, Mr. Sandy Berger, a former lobbyist for the Communist Chinese on trade issues. In April of 1996 we know for certain that he was informed of the Chinese penetration of our labs in Los Alamos, and apparently he did nothing.

Interestingly enough, Mr. Speaker, April of 1996, that was when Vice President GORE went to Southern California for his campaign fund-raiser, what he first described as a community outreach event at the Buddhist temple in Southern California.

The American people have simple questions that need to be answered. Are we safe? Are those who took the oath of office to uphold and defend the Constitution of the United States and thereby provide for the common defense in fact being good stewards and good custodians of that trust? As my colleague from Pennsylvania eloquently and substantively explains tonight, that is a serious question for which there may be troubling answers.

Mr. WELDON of Pennsylvania. I thank my colleague for joining me. I would like to stay here and engage the gentleman, but I am supposed to do a TV shot, so, unfortunately, I have to yield back my time. But I would like to thank the gentleman for coming over and joining me.

HMO REFORM NEEDED NOW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes.

Mr. GANSKE. Mr. Speaker, before I came to Congress I was a reconstructive surgeon. I took care of a lot of children who were born with cleft lips and pallets, similar to this little baby here. Unfortunately, Mr. Speaker, about half of the reconstructive surgeons in the country in the last couple of years have had proposed surgeries to correct conditions related to this birth defect turned down by HMOs because they are ''cosmetic.''

Mr. Speaker, when you have a normal process like aging and you do an operation to make it better, that is cosmetic. But, Mr. Speaker, when a baby is born with a birth defect in the middle of their face, like this, that is not a cosmetic procedure. I can give you many functional reasons why this should be fixed. But there are children in this country in the last several years who have been denied medically necessary treatment by HMOs.

Mr. Speaker, I closed my medical practice when I came to Congress, but I still go overseas to do surgeries to correct birth defects like this. I remember a few years ago I was down in Guatemala and a 30 year old man came in with an unrepaired cleft lip just like this. He lived all his life with an unrepaired cleft lip. So we fixed him the next day.

He had come in with his mother, who was probably about 50, but she looked like she was about 80. They were of Indian extraction. When we took him back to the recovery area in this small hospital up in northeast Guatemala, his mother broke down and started crying. She said in Spanish, ''Ahora el va a Dios con felicidad,'' now he will go to heaven happy.

Now, Mr. Speaker, one of the Members of this Congress, the gentleman from Texas (Mr. DELAY), should be commended, because he has helped raise funds for those surgical trips abroad, many of them done by Dr. Bill Riley, to help correct this type of birth defect. But we have a situation in this country where even if you are paying a lot of money for your insurance, you are getting turned down because your HMO arbitrarily declares this not medically necessary.

When HMO reform comes to the floor, I hope my colleagues who have participated in helping children get charitable care to correct this type of birth defect will vote for legislation that makes it necessary for insurers in this country to cover correction of this type of birth defect.

Mr. Speaker, the clock continues to tick. Another week has gone by without legislative action in the House on HMO reform. The gentleman from Virginia (Mr. BLILEY), the chairman of the Committee on Commerce, has promised the gentleman from Georgia (Mr. NORWOOD) that we would have a subcommittee markup ''sometime in June.'' But where is a firm commitment to a date certain, and where is the commitment for a full committee markup, and where is the commitment from the Republican leadership in this House to move HMO reform to the floor? Or do we just continue to delay?

Managed care reform should be on the floor by July 4th. There are four weeks until the July 4th recess. So, colleagues, let us get moving.

Now, why is it so important to move this legislation in a timely fashion? Because, Mr. Speaker, people are being hurt every day by decisions by managed care health plans that they make when they know they cannot be held responsible for those decisions.

I recently read an account of a gruesome crime, and I saw an analogy in that crime to what we have with Federal law as it relates to HMOs.

Mr. Speaker, in late 1978 a woman by the name of Mary Vincent made a fateful decision. She jumped into a blue van on a freeway while hitchhiking in Berkley, California. Later the driver pulled off the highway and, in a flash, Mary saw a hammer swinging at her head. Her attacker then tied her hands behind her back and he raped her viciously, repeatedly. She screamed for her release. Finally, he untied her hands, only to sink an ax, an ax, into her left forearm. Then he did it again, and again, and her left arm was off in three blows. Four blows later, and he

had cut off her other arm. This sadist then dumped her molested and violated and mutilated body into a culvert off of a lonely road, where she was found the next morning, miraculously, still alive.

Mary was in the hospital for a month and was eventually fitted with prosthetic arms that have crab-like pinchers for her hands. She later testified against her attacker, and when she left the witness stand, he swore at her, ''If it is the last thing I do, I am going to finish the job.''

Eight years later Mary was living in Puget Sound when she heard on her wedding day that her attacker had been freed from San Quentin after serving only eight years. She lived in fear for years that this rapist would return to finish the job.

Finally, in February 1997, her mother called her with more bad news. Her attacker had killed a Florida woman. Last year she flew to Florida to testify against her attacker again.

□ 2115

This time he got the treatment he deserved. He is now on death row.

Parenthetically, Mr. Speaker, it is crimes like those done to Mary Vincent that caused me and many other of our colleagues to support the death penalty. Any person who is not criminally insane should be responsible for his or her actions.

So what does the horrendous tragedy that befell Mary Vincent have to do with managed care reform? Mr. Speaker, unfortunately, it reminded me of an equally tragic event that happened to a little 6-month-old baby named Jimmy Adams.

At 3:30 one morning Lamona Adams found her 6-month-old boy Jimmy panting, sweating, moaning, with a temperature of 104, so she phoned her HMO to ask for permission to go to the emergency room. The voice at the other end of the 1–800 number, probably 1,000 miles away, told her to go to Scottish Rite Hospital. Where is it, asked Lamona? I don't know, find a map, came the reply. It turns out that the Adams family lived south of Atlanta, Georgia, and Scottish Rite was an hour away on the other side of the Atlanta metro area.

Lamona held little baby Jimmy while his dad drove as fast as he could. Twenty miles into the trip, while driving through Atlanta, they passed Emory Hospital's emergency room, Georgia Baptist's emergency room, then Grady Memorial's emergency room. But they still pushed on to Scottish Rite Medical Center, still 22 miles away, because they knew if they stopped at an unauthorized hospital, their HMO would deny coverage for any unauthorized treatment, and they would be left with possibly thousands of dollars of bills.

They knew Jimmy was sick, they just didn't know how sick. After all, they were not trained medical professionals. While still miles away from Scottish Rite hospital, Jimmy's eyes fell shut. Lamona frantically called out to him, but she couldn't get him to respond. His heart had stopped. Can you imagine Jimmy's dad driving as fast as he can while his mother is trying to keep him alive?

They finally pulled into the emergency room entrance. Lamona leaped out of the car. She raced to the emergency room with Jimmy in her arms. She was screaming, help my baby, help my baby. The nurse gave him mouth-to-mouth resuscitation while the pediatric crash cart was rushed into the room. Doctors and nurses raced to see if modern medicine could revive this little infant. He was intubated, intravenous medicines were given, and he was cardiopulmonary resuscitated.

This is little Jimmy Adams, tugging at his big sister's sleeve before he got sick. Well, little Jimmy turned out to be a tough little guy. He survived, despite the delay in treatment caused by his HMO. But he didn't survive whole. He ended up with gangrene in both hands and both feet, and doctors had to amputate both of Jimmy's hands and both of his feet.

Now Jimmy is learning how to put on his leg prostheses with his arm stumps, but it is tough for him to get on both of his arm hook prostheses by himself. For the rest of his life this anecdote, quote unquote, as HMO defenders are so likely to call a victim like Jimmy; they just say, they are just anecdotes. Well, little Jimmy will never play basketball, and little Jimmy will never caress the face of the woman that he loves with his hands.

A judge looked into this case of James Adams and he said that the HMO's margin of safety was ''razor thin.'' I would add it is about as razor thin as the scalpel that had to amputate little Jimmy's hands and his feet.

What do little Jimmy's amputations have to do with Mary Vincent's amputations? The person responsible for cutting off her arms is now on death row. But if your child had an experience like little Jimmy's and you received your health insurance through your employer's self-insured plan, the health plan would be responsible for nothing.

The health plan, let me repeat that as we look at little Jimmy, if Jimmy's parents received their insurance through their employer who has a self-insured plan, and that plan has made the medical decision that has resulted in a little Jimmy Adams losing both hands and both feet, under Federal law that plan is responsible for nothing other than the cost of care given; in this case, the amputations.

We say, how can that be? How can a health plan that makes medical decisions that result in the loss of hands and feet be free of responsibility? We would say, that is an outrage. We do not allow that to happen with victims of crime like Mary Vincent. How do we let an insurance company off scot-free when they make the kind of medically negligent decision that results in this?

Do not get me wrong, I am not advocating criminal prosecution of medical malpractice. But just as I, as a doctor, am responsible for my actions, HMOs should be responsible for their actions.

There are many Members of Congress like myself who support the death penalty because we believe in personal responsibility. How can, I ask the Members, how can we not at least support financial responsibility for an HMO when they make a medically negligent decision that results in the loss of a limb like this? Should they not at least be responsible for damages?

Under a current Federal law called ERISA, the Employee Retirement and Income Security Act, if you receive your insurance from your employer and you have a tragedy like Jimmy Adams, your plan which makes decisions is liable for nothing other than the care that was not given. Not only did Congress give HMOs legal immunity for their decisions, but ERISA allows those health plans to define as ''medically necessary'' any damned thing they want to say it is.

Do Members not quite see the parallel between Mary Vincent and Jimmy Adams yet? Listen to the words of a former HMO reviewer as she testified before Congress. It was May 30, 1996, when a small, nervous woman testified before the Committee on Commerce. Her testimony came after a long day of testimony on the abuses of managed care.

This woman was Linda Peeno, a claims reviewer for several health care plans. She told of the choices that plans are making every day when they determine the medical necessity of treatment options.

I am going to recount her story for the Members as she testified: ''I wish to begin by making a public confession. In the spring of 1987, I caused the death of a man. Although this was known to many people, I have not been taken before any court of law or called to account for this in any professional or public forum. In fact, just the opposite occurred. I was rewarded for this. It brought me an improved reputation in my job, and contributed to my advancement afterwards. Not only did I demonstrate I could do what was expected of me, I exemplified the good company doctor. I had saved a half million dollars.''

Her anguish over harming patients as a managed care reviewer had caused this woman to come forth and bare her soul in tearful and husky-voiced account. The audience in that room shifted uncomfortably and they became very quiet as her story continued. Industry representatives averted their eyes.

She continued: ''Since that day, I have lived with this act and many others eating into my heart and soul. For me, a physician is a professional charged with the care of the healing of his or her fellow human beings. The primary ethical norm is, do no harm. I did worse. I caused death. Instead of using a clumsy, bloody weapon,'' those are her word, ''Instead of using a clumsy, bloody weapon, I used the simplest, cleanest of tools, my words. This man died because I denied him a necessary operation to save his heart.

''I felt little pain or remorse at the time. The man's faceless distance,'' remember that 1–800 number that Lamona Adams, little Jimmy's mother, had to phone, ''because of that faceless distance, it soothed my conscience. Like a skilled soldier, I was trained for the moment. When any moral qualms arose, I was to remember I was not denying care, I was only denying payment.''

She continued: ''At the time, this helped me avoid any sense of responsibility for my decisions. Now I am no longer willing to accept the escapist reasoning that allowed me to rationalize this decision. I accept my responsibility now for this man's death, as well as for the immeasurable pain and suffering many other decisions of mine caused.''

At this point, Mrs. Peeno described many ways that health care plans deny care, but she emphasized one in particular, the right to decide what care is medically necessary.

She said, ''There is one last activity that I think deserves a special place on this list, and this is what I call the smart bomb of cost containment, and that is medical necessities denials. Even when medical criteria is used,'' she continued, ''It is rarely developed in any kind of standard traditional clinical process. It is rarely standardized across the field. The criteria are rarely available for prior review by the physicians or the members of the plan. And we have enough experience from history to demonstrate the consequences of secretive, unregulated systems that go awry.''

Mr. Speaker, the man who cut off Mary Vincent's arms sits on death row, but HMOs which deny care with similar consequences, what happens to them? They increase their profits. Under Federal laws, HMOs can cause a Jimmy Adams to lose his hands or his feet, and then they can justify their decision by defining ''medically necessary'' any way they choose.

When I think of Mary Vincent and Jimmy Adams, I rail at the injustice of their pain, but at least in Mary Vincent's case we know that her attacker is getting his just due, his just desserts.

But does it not send a chill up our spine to hear an HMO medical reviewer describe how she caused the death of a man, and then got rewarded for it? Does it not cause a sense of outrage to find out that for years Congress has been shielding health plans from the consequences of their decisions like those that affected Jimmy Adams?

It is time for Congress to defuse the smart bomb of HMOs. It is time for Congress to repeal the liability protection for ERISA health plans. They should function under the same liability that insurers in the individual market operate under, under regulations that would prevent tragedy like this.

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Those protections should apply, Mr. Speaker, to everyone.

Now, Mr. Speaker, personal responsibility has been a watchword in this Republican Congress and should be applied to this issue. Health plans that recklessly deny needed medical service should be made to answer for their conduct. Laws that shield entities from their responsibility only encourage them to cut corners. Congress created the ERISA loophole, and Congress should fix it.

So I have now come full circle to what brings me to the floor tonight. I find us at a crossroads. HMO reform will either suffer slow legislative death as the House continues to do nothing, or we will take our responsibility for past congressional mistakes and pass a bill like my Managed Care Reform Act of 1999, H.R. 719.

I urge my colleagues to cosponsor H.R. 719, the Managed Care Reform Act of 1999. It would fix the type of conditions that have caused this type of loss to a little boy.

This bill is endorsed by the American Cancer Society and other consumer groups. It is endorsed by many professional groups, including the American Academy of Family Physicians. This weekend, it was endorsed by the American College of Surgeons.

Mr. Speaker, I beg my colleagues, no I implore my colleagues, we cannot let even one more little boy or girl become a victim for the sake of making profits for an HMO. Let us have a fair debate under an open rule on the floor of this House by the July 4th recess. We should all be for the little guy. We should not be in the pockets of the HMO corporate CEOs.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of official business.

Mrs. WATERS (at the request of Mr. GEPHARDT) for today on account of official business.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for Monday, June 7, and Tuesday, June 8, on account of official business.

Mr. ROGERS (at the request of Mr. ARMEY) for today on account of personal reasons.

Mr. BLILEY (at the request of Mr. ARMEY) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. FOSSELLA) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes each day, on June 8 and June 9.

Mr. GUTKNECHT, for 5 minutes, on June 9.

Mr. ISAKSON, for 5 minutes, on June 9.

Mr. JONES of North Carolina, for 5 minutes, on June 8.

Mr. THORNBERRY, for 5 minutes, today.

Mr. PAUL, for 5 minutes, today.

Mr. FOSSELLA, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

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

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1034. An act to declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of the United States for purposes of title 46, United States Code, and the other maritime laws of the United States.

H.R. 1121. An act to designate the Federal building and United States courthouse located at 18 Greenville Street in Newman, Georgia, as the ''Lewis R. Morgan Federal Building and United States Courthouse.''

H.R. 1183. An act to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following titles:

On May 27, 1999:

H.R. 1034. To declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of the United States for purpose of title 46, United States Code, and the other maritime laws of the United States.

H.R. 1121. To designate the Federal building and United States courthouse located at 18 Greenville Street in Newman, Georgia, as the ''Lewis R. Morgan Federal Building and United States Courthouse.''

H.R. 1183. To amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes.

ADJOURNMENT

Mr. GANSKE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until tomorrow, June 8, 1999, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2413. A letter from the Manager, Federal Crop Insurance Corporation, Department of Agriculture, transmitting the Department's final rule—Common Crop Insurance Regulations; Grape Crop Insurance Provisions—received May 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2414. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Asian Longhorned Beetle; Addition to Quarantined Areas [Docket No. 99–033–1] received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2415. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Milk in the Iowa Marketing Area; Revision [DA–99–02] received May 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2416. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Difenoconazole; Pesticide Tolerance [OPP–300863; FRL–6081–5] (RIN: 2070–AB78) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2417. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Terbacil; Extension of Tolerance for Emergency Exemptions [OPP–300862; FRL–6080–5] (RIN: 2070–AB78) received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2418. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Fenhexamid; Pesticide Tolerance [OPP–300866; FRL–6082–7] (RIN: 2070–AB78) received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2419. A communication from the President of the United States, transmitting a request to make available previously appropriated emergency funds for the Departments of Agriculture, Defense, the Interior, and State; the Federal Emergency Management Agency; International Assistance Programs; and, the United States Holocaust Memorial Council; (H. Doc. No. 106—79); to the Committee on Appropriations and ordered to be printed.

2420. A letter from the Secretary of Defense, transmitting the Fiscal Year 1998 Annual Report of the Reserve Forces Policy Board, pursuant to 10 U.S.C. 113 (c) and (e); to the Committee on Armed Services.

2421. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Contracts Crossing Fiscal Years [DFARS Case 99–D008] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2422. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Work Stoppage Report [DFARS Case 99–D003] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2423. A letter from the Secretary of the Army, transmitting a determination that four Army programs have breached Nunn-McCurdy unit cost thresholds; to the Committee on Armed Services.

2424. A letter from the Secretary of Defense, transmitting a report on the number of general and flag officers holding both a position external to that officer's armed force and another position not external to that officer's armed force; to the Committee on Armed Services.

2425. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize consent to and authorize appropriations for the United States subscription to additional shares of the capital of the Multilateral Investment Guarantee Agency; to the Committee on Banking and Financial Services.

2426. A letter from the President and Chairman, Export-Import Bank, transmitting a report involving U.S. exports to Tunisia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

2427. A letter from the Law Office Manager, Office of the General Counsel, Corporation For National Service, transmitting the Corporation's final rule—Retired and Senior Volunteer Program (RIN: 3045–AA19) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2428. A letter from the Law Office Manager, Office of the General Counsel, Corporation For National Service, transmitting the Corporation's final rule—Foster Grandparent Program (RIN: 3045–AA18) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2429. A letter from the Law Office Manager, Office of the General Counsel, Corporation For National Service, transmitting the Corporation's final rule—Senior Companion Program (RIN: 3045–AA17) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2430. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of Funding Priority for Fiscal Years 1999–2000 for a Disability and Rehabilitation Research Project—received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2431. A letter from the Administrator, Office of Juvenile Justice and Deliquency Prevention, Department of Justice, transmitting the Department's final rule—Juvenile Justice and Deliquency Prevention [OJP (OJJUDP)–1158] (RIN: 1121–AA46) received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2432. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits—received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2433. A letter from the Acting Assistant, General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of the State, transmitting the Department's final rule—Safeguards and Security Independent Oversight Program—received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2434. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Alternative Fuel Transportation Program; P-Series Fuels [Docket No. EE–RM–98–PURE] (RIN: 1904–AA99) received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2435. A letter from the Acting Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—Startup and Restart of Nuclear Facilities—received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2436. A letter from the Acting Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—Extension of DOE N 441.1, Radiological Protection For DOE Activities—received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2437. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Underground Storage Tank Program: Approved State Petroleum Program for Tennessee [FRL–6334–7] received May 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2438. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Grant Application Guidance to Improve Small Business Assistance—received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2439. A letter from the Director, Office of Regulatory Management and Information,

Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Florida [FL–79–9918a; FRL–6352–7] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2440. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Alabama [AL–40–2–9909a; FRL–6352–5] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2441. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and promulgation of State Implementation Plans; Minnesota [MN38–01–6971a; FRL–6339–5] received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2442. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—List of Regulated Substances and Thresholds for Accidental Release Prevention; Stay of Effectiveness for Flammable Hydrocarbon Fuels [FRL–6351–1] received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2443. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Kern County Air Pollution Control District, Modoc County Air Pollution Control District, Northern Sonoma County Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, Santa Barbara County Air Pollution Control District and Siskiyou County Air Pollution Control District [CA 009–0130a; FRL–6331–8] received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2444. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting a Quality Assurance Document that the EPA recently issued related to their regulatory programs; to the Committee on Commerce.

2445. A letter from the Special Assistant Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (La Fayette, Georgia) [MM Docket No. 97–196 RM–9151] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2446. A letter from the Associate Chief, IB, Federal Communications Commission, transmitting the Commission's final rule—1998 Biennial Regulatory Review Reform of the International Settlements Policy and Associated Filing Requirements [IB Docket No. 98–148] Regulation of International Accounting Rates [CC Docket No. 90–337 (Phase II)] Market Entry and Regulation of Foreign-affiliated Entities [IB Docket No. 95–22] received May 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2447. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services [PR Docket No. 92–235] received May 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2448. A letter from the Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Federal-State Joint Board on Universal Service [CC Docket No. 96–45] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2449. A letter from the Chief, Policy and Program Planning Division, Federal Communications Commission, transmitting the Commission's final rule—Deployment of Wireline Services Offering Advanced Telecommunications Capability [CC Docket No. 98–147] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2450. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Conforming Regulations Regarding Removal of Section 507 of the Federal Food, Drug, and Cosmetic Act; Confirmation of Effective Date [Docket No. 98N–0720] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2451. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 98F–0824] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2452. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Polymers [Docket No. 95F–0191] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2453. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Regulations for in Vivo Radiopharmaceuticals Used for Diagnosis and Monitoring [Docket No. 98N–0040] (RIN: 0910–AB52) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2454. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 92F–0285] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2455. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Paper and Paperboard Components [Docket No. 98F–0584] received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2456. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Polymers [Docket No. 98F–0730] received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2457. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Poland [Transmittal No. DTC 28–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2458. A letter from the Assistant Secretary for Export Administration, Bureau of Export Administration, transmitting the Bureau's final rule—Export of Firearms [Docket No. 981222316–8316–01] (RIN: 0694–AB68) received April 19, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2459. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Cuban Assets Control Regulations: Sales of Food and Agricultural Inputs; Remittances; Educational, Religious, and Other Activities; Travel-Related Transactions; U.S. Intellectual Property—received May 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2460. A letter from the Under Secretary for Export Administration, Department of Commerce, transmitting a report regarding new foreign policy-based export controls; to the Committee on International Relations.

2461. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled ''Audit of Advisory Neighborhood Commission 5A for the Period October 1, 1995 Through September 30, 1998,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform.

2462. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions and Deletion—received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2463. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Interagency Career Transition Assistance for Displaced Former Panama Canal Zone Employees (RIN: 3206–AI56) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2464. A letter from the Director, Office of Personnel Management, transmitting a report about the desirability of offering Federal employees new life insurance products; to the Committee on Government Reform.

2465. A letter from the Director, Office of Workforce Relations, Office of Personnel Management, transmitting the Office's final rule—Authorization of Solicitations During the Combined Federal Campaign (RIN: 3206–AI53) received May 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2466. A letter from the Executive Director, Advisory Council on Historic Preservation, transmitting the Council's final rule—Protection of Historic Properties—received May 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2467. A letter from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Final 1999 ABC, OY, and Tribal and Nontribal Allocations for Pacific Whiting [Docket No. 981231333–9127–03; I.D. 122898E] (RIN: 0648–AM12) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2468. A letter from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the

Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 27 [Docket No. 990318076–9109–02; I.D. 030599A] (RIN: 0648–AL72) received May 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2469. A letter from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Halibut and Sablefish Fisheries Quota-Share Loan Program; Final Program Notice and Announcement of Availability of Federal Financial Assistance [Docket No. 990408090–9090–01; I.D. 022399C] (RIN: 0648–ZA63) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2470. A letter from the Assistant Secretary, Legislative Affairs, Department of the State, transmitting the Department's final rule—Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act—Amendment of Transit Without Visa (TWOV) List [Public Notice 3036] (RIN: 1400–AA48) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2471. A letter from the Director, Federal Judicial Center, transmitting the Federal Judicial Center's Annual Report for 1998, pursuant to 28 U.S.C. 623(b); to the Committee on the Judiciary.

2472. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, transmitting the Service's final rule—Adjustment of Status for Certain Nationals of Haiti [INS No. 1963–98; AG Order No. 2221–99] (RIN: 1115–AF33) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2473. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model SA–365N, N1, N2, N3, and SA–366G1 Helicopters [Docket No. 98–SW–47–AD; Amendment 39–11182; AD 99–11–11] (RIN: 2120–AA64) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2474. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Mooney Aircraft Corporation Model M20R Airplanes [Docket No. 99–CE–14–AD; Amendment 39–11178; AD 99–11–07] (RIN: 2120–AA64) received May 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2475. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 98–NM–383–AD; Amendment 39–11175; AD 99–11–05] (RIN: 2120–AA64) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2476. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Crockett, Texas [Airspace Docket No. 99–ASW–03] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2477. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS 332L2 Helicopters [Docket No. 98–SW–61–AD; Amendment 39–11181; AD 99–11–10] (RIN: 2120–AA64) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2478. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Pampa, Texas [Airspace Docket No. 98–ASW–57] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2479. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace and Class E Airspace; Rochester, MN [Airspace Docket No. 99–AGL–13] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2480. A letter from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting the Department's final rule—Safety Zone: Unity Electric Co. Fireworks Display, Shinnecock Bay, Hampton Bays, NY [CGD01–99–038] (RIN: 2115–AA97) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2481. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace and Class E Airspace; Minot, ND [Airspace Docket No. 99–AGL–12] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2482. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Modification of Class D and Class E Airspace; Wilmington, OH [Airspace Docket No. 99–AGL–14] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2483. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule—Passenger Equipment Safety Standards [FRA Docket No. PCSS–1, Notice No. 5] (RIN: 2130–AA95) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2484. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, –200, –300, –400, and –500 Series Airplanes [Docket No. 99–NM–68–AD; Amendment 39–11165; AD 99–10–12] (RIN: 2120–AA64) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2485. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300, –400, –500, –600, –700, and –800 Series Airplanes Equipped with Vickers Combined Stabilizer Trim Motors [Docket No. 99–NM–97–AD; Amendment 39–11166; AD 99–10–13] (RIN: 2120–AA64) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2486. A letter from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials: Revision to Regulations Governing Transportation and Unloading of Liquefied Compressed Gases [Docket No. RSPA–97–2718(HM–225A)] (RIN: 2137–AD07) received May 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2487. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400, 757, 767, and 777 Series Airplanes Equipped with AlliedSignal RIA–35B Instrument Landing System (ILS) Receivers [Docket No. 98–NM–232–AD; Amendment 39–11167; AD 99–10–14] (RIN: 2120–AA64) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2488. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Colstrip, MT [Airspace Docket No. 99–ANM–02] received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2489. A letter from the Program Support Specialist, Aircraft Certification Service, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT8D–200 Series Turbofan Engines [Docket No. 96–ANE–02; Amendment 39–11164; AD 99–10–11] (RIN: 2120–AA64) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2490. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Jackson, MI [Airspace Docket No. 99–AGL–15] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2491. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Muskegon, MI [Airspace Docket No. 99–AGL–16] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2492. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Chico, CA [Airspace Docket No. 98–AWP–4] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2493. A letter from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting the Department's final rule—Special Local Regulation: Harvard-Yale Regatta, Thames River, New London, CT [CGD01–99–054] (RIN: 2115–AE46) received May 27, 1999, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2494. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Establishment of Class D Airspace and Modification of Class E Airspace, Bozeman, MT; Correction [Airspace Docket No. 98–ANM–19] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2495. A letter from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting the Department's final rule—Safety Zone: Fire Island Tourist Bureau Fireworks Display, Great South Bay, Cherry Grove, New York [CGD01–99–047] (RIN: 2115–AA97) received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2496. A letter from the Chief, Regs and Admin Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Pepsi Gala Fireworks, New York Harbor, Upper Bay [CGD01–99–048] (RIN: 2115–AA97) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2497. A letter from the Chief, Regs and Admin Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Gulf Intracoastal Waterway, LA [CGD 08–99–028] received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2498. A letter from the Chief, Regs and Admin Law, USCG, Department of Transportation, transmitting the Department's final rule—Implementation of the National Invasive Species Act of 1996 (NISA) [USCG 1998–3423] (RIN: 2115–AF55) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2499. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Stockton, MO [Airspace Docket No. 99–ACE–7] received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2500. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model BAC 1–11 200 and 400 Series Airplanes [Docket No. 98–NM–307–AD; Amendment 39–11157; AD 99–10–03] (RIN: 2120–AA64) received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2501. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes [Docket No. 98–NM–308–AD; Amendment 39–11158; AD 99–10–04] (RIN: 2120–AA64) received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2502. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145 Series Airplanes [Docket No. 99–NM–93–AD; Amendment 39–11159; AD 99–10–05] (RIN: 2120–AA64) received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2503. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Harlen, IA [Airspace Docket No. 99–ACE–22] received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2504. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Galveston, TX [Airspace Docket No. 99–ASW–09] received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2505. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes [Docket No. 98–CE–81–AD; Amendment 39–11156; AD 99–10–02] (RIN: 2120–AA64) received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2506. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Avions Pierre Robin Model R2160 Airplanes [Docket No. 98–CE–79–AD; Amendment 39–11155; AD 99–10–01] (RIN: 2120–AA64) received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2507. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportion, transmitting the Department's final rule—Revision of Class E Airspace; Shreveport, LA [Airspace Docket No. 99–ASW–10] received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2508. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Disaster Assistance; Cost-share Adjustment (RIN: 3067–AC72) received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2509. A letter from the Chairman, Federal Maritime Commission, transmitting the 37th Annual Report of the Federal Maritime Commission for fiscal year 1998, pursuant to 46 U.S.C. app. 1118; to the Committee on Transportation and Infrastructure.

2510. A letter from the Chairman, Bureau of Tariffs, Certification, and Licensing, Federal Maritime Commission, transmitting the Commission's final rule—Licensing, Financial Responsibility Requirements, and General Duties For Ocean Transportation Intermediaries [Docket No. 98–28] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2511. A letter from the Director, Office of Personnel Management, transmitting a draft of proposed legislation to designate the facility known as the ''Federal Executive Institute Annex'' located at 1301 Emmet Street in Charlottesville, Virginia, the ''Pamela B. Gwin Hall''; to the Committee on Transportation and Infrastructure.

2512. A letter from the Director of the Experimental Program to Stimulate Competitive Technology, Technology Administration, Department of Commerce, transmitting the Department's final rule—Announcement of Availability of Funding for Competitions-Experimental Program To Stimulate Competitive Technology (EPSCoT) [Docket No. 990122027–9027–01] (RIN: 0692–ZA02) received April 19, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2513. A letter from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Small Disadvantaged Business Participation Evaluation and Incentives—received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2514. A letter from the Veterans Benefits Administration, Veterans Affairs, transmitting the Department's final rule—Reservists Education: Increase in Educational Assistance Rates (RIN: 2900–AJ38) received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2515. A communication from the President of the United States, transmitting notification of his determination that continuation of the waiver currently in effect for the Republic of Belarus will substantially promote the objectives of section 402 of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 106–76); to the Committee on Ways and Means and ordered to be printed.

2516. A communication from the President of the United States, transmitting notification of his determination that continuation of the waiver currently in effect for the People's Republic of China will substantially promote the objectives of section 402 of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 106–77); to the Committee on Ways and Means and ordered to be printed.

2517. A communication from the President of the United States, transmitting notification of his determination that continuation of the waiver currently in effect for Vietnam will substantially promote the objectives of section 402 of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 106–78); to the Committee on Ways and Means and ordered to be printed.

2518. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last in, first out inventories [Rev. Rul. 99–26] received May 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2519. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax forms and instructions [Rev. Proc. 99–25] received May 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2520. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Renewable Electricity Production Credit, Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 1999—received May 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2521. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Use of Actuarial Tables in Valuing Annuities, Interests for Life or Terms of Years, and Remainder or Reversionary Interests [TD8819] (RIN: 1545–AX14)

received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2522. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Effective Date of Regulations Under Section 1441 and Qualified Intermediary [Notice 99–25]—received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2523. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Extension of Time to File FSC Grouping Redeterminations Under Transition Rule to be Included in Final Regulations [Notice 99–24] received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2524. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Revisions to Schedule P (Form 1120–FSC) [Notice 99–23] received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2525. A letter from the Secretary of Defense, transmitting a report on the results of research conducted and the plan addressing the health consequences of military service in the Gulf War; jointly to the Committees on Armed Services and Veterans' Affairs.

2526. A communication from the President of the United States, transmitting a report to Congress regarding the humanitarian crisis in Kosovo and the surrounding area; (H. Doc. No. 106—80); jointly to the Committees on Armed Services, International Relations, and Appropriations and ordered to be printed.

2527. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation to provide for public disclosure of accidental release scenario information in risk management plans; jointly to the Committees on Commerce, Government Reform, and the Judiciary.

2528. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to address various management concerns of the Department; jointly to the Committees on Small Business, Armed Services, and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on May 27, 1999 the following report was filed on May 28, 1999]

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1000. A bill to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes; with an amendment (Rept. 106–167 Pt. 1). Ordered to be printed.

[Submitted June 7, 1999]

Mr. BURTON: Committee on Government Reform. H.R. 1074. A bill to provide Governmentwide accounting of regulatory costs and benefits, and for other purposes; with an amendment (Rept. 106–168). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. H.R. 206. A bill to provide for greater access to child care services for Federal employees (Rept. 106–169). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. Making the Federal Government Accountable: Enforcing the Mandate for Effective Financial Management (Rept. 106–170). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

[The following action occurred on June 2, 1999]

Pursuant to clause 5 of rule X, the Committees on Resources and the Budget discharged. H.R. 45 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[The following action occurred on May 28, 1999]

H.R. 1000. Referral to the Committees on the Budget and Rules extended for a period ending not later than June 11, 1999.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

72. The SPEAKER presented a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2002 memorializing the President and Congress of the United States and the Department of Defense to increase the salary of military personnel; to the Committee on Armed Services.

73. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 162 memorializing the Congress of the United States to promptly enact legislation authorizing the President of the United States to award a Congressional Gold Medal to Rosa Parks in recognition of her contributions to the nation; to the Committee on Banking and Financial Services.

74. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 130 memorializing the Congress of the United States to urge the Department of Housing and Urban Development to carefully consider the needs of all residents of a complex or building with respect to placing new tenants in areas previously considered to be senior citizen housing; to the Committee on Banking and Financial Services.

75. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 30 memorializing the Congress of the United States to enact legislation to prohibit banking transaction screening practices that threaten personal privacy; to the Committee on Banking and Financial Services.

76. Also, a memorial of the Senate of the State of Maine, relative to Senate Paper No. 772 memorializing the United States Congress to increase funding to support special education at a level originally envisioned in the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

77. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 106 memorializing the United States Congress to oppose U.S. Food and Drug Administration rules requiring post-harvest treatment of oysters and other shellfish; to the Committee on Commerce.

78. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 208 HD1, memorializing all citizens and governments of the Earth to join with the people of Hawaii in the spirit of Aloha to dedicate the celebrations of the third millennium to peace and understanding as ''The Millennium of Peace'' for all of Earth's children; to the Committee on International Relations.

79. Also, a memorial of the General Assembly of the State of Nevada, relative to Assembly Joint Resolution No. 19 memorializing the Secretary of the Interior to comply with the intent of Congress as stated in the Omnibus Appropriations Act of 1998 which requires a study of the issue by the National Academy of Sciences and prohibits final revision of 43 C.F.R. Part 3809, the 3809 Regulations, before September 30, 1999; to the Committee on Resources.

80. Also, a memorial of the House of Representatives of the State of Washington, relative to House Joint Memorial No. 4008 memorializing the President and Congress to recognize the destructive potential of aquatic nuisance species and act to minimize the destruction by supporting appropriation of the four million dollars authorized to fund state aquatic species management plans in fiscal year 2000 and future years; to the Committee on Resources.

81. Also, a memorial of the House of Representatives of the State of Washington, relative to House Joint Memorial No. 4012 memorializing Congress to pass legislation to restore and revitalize federal funding for the Land and Water Conservation Fund; to the Committee on Resources.

82. Also, a memorial of the House of Representatives of the State of Washington, relative to House Joint Memorial No. 4015 memorializing the President, the Congress, and the appropriate agencies to continue to look closely at current immigration law and INS policies and practices, and that necessary changes be made so that problems surrounding immigration may be resolved as soon as possible; to the Committee on the Judiciary.

83. Also, a memorial of the General Assembly of the State of Iowa, relative to House Concurrent Resolution 23 memorializing the Congress to provide adequate funding for major rehabilitation efforts on the Upper Mississippi River; to the Committee on Transportation and Infrastructure.

84. Also, a memorial of the House of Representatives of the State of Maine, relative to House Paper 1547 memorializing the Congress of the United States to enact legislation to limit the use of social security account numbers for only the purpose of receiving public assistance benefits, paying social security taxes and receiving social security payments and refunds; to the Committee on Ways and Means.

85. Also, a memorial of the Senate of the Commonwealth of Massachusetts, relative to Resolutions memorializing the Congress of the United States to reject any proposal to reform social security that includes mandatory coverage for public employees; to the Committee on Ways and Means.

86. Also, a memorial of the General Assembly of the State of Nevada, relative to Assembly Joint Resolution No. 10 memorializing Congress to oppose all efforts to extend mandatory Social Security coverage to

newly hired state and local government employees; to the Committee on Ways and Means.

87. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Concurrent Resolution No. 5021 memorializing the President and the United States Congress to take action to provide funds for independent research into illnesses suffered by Gulf War veterans and to initiate more effective programs to assist Gulf War veterans and their families, and urging the Governor of Kansas and appropriate heads of Kansas state agencies to continue efforts in support of the Kansas Persian Gulf War Veterans Health Initiative; jointly to the Committees on Commerce and Veterans' Affairs.

88. Also, a memorial of the General Assembly of the State of Iowa, relative to House Concurrent Resolution 24 memorializing the Congress of the United States to amend the OASIS system requirements to apply them only to patients who are recipients of Medicare and not to all patients of Medicare-certified home health agencies; jointly to the Committees on Ways and Means and Commerce.

89. Also, a memorial of the Legislature of the State of Kansas, relative to House Concurrent Resolution No. 5041 memorializing the Congress of the United States to require Health Care Financing Administration OASIS reporting and data reporting requirements to apply only to Medicare patients and not ot all patients of Medicare-certified home health agencies; jointly to the Committees on Ways and Means and Commerce.

90. Also, a memorial of the Senate of the State of Kansas, relative to Senate Concurrent Resolution No. 1616 memorializing Congress to remove or restrict the use of trade sanctions as they apply to agricultural products and that Congress ensure that the use of trade sanctions will result in meaningful results; jointly to the Committees on Agriculture, International Relations, the Judiciary, and Ways and Means.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1401

OFFERED BY: MR. DELAY

AMENDMENT NO. 8: Strike section 1203 (page 310, line 22 through page 314, line 7) and insert the following:

SEC. 1203. LIMITATION ON MILITARY-TO-MILITARY EXCHANGES WITH CHINA'S PEOPLE'S LIBERATION ARMY.

(a) LIMITATION.—The Secretary of Defense may not authorize any military-to-military exchange or contact described in subsection (b) to be conducted by the Armed Forces with representatives of the People's Liberation Army of the People's Republic of China.

(b) COVERED EXCHANGES AND CONTACTS.—Subsection (a) applies to any military-to-military exchange or contact that includes any of the following:

(1) Force projection operations.

(2) Nuclear operations.

(3) Field operations.

(4) Logistics.

(5) Chemical and biological defense and other capabilities related to weapons of mass destruction.

(6) Surveillance, and reconnaissance operations.

(7) Joint warfighting experiments and other activities related to warfare.

(8) Military space operations.

(9) Other warfighting capabilities of the Armed Forces.

(10) Arms sales or military-related technology transfers.

(11) Release of classified or restricted information.

(12) Access to a Department of Defense laboratory.

(c) EXCEPTIONS.—Subsection (a) does not apply to any search and rescue exercise or any humanitarian exercise.

(d) CERTIFICATION BY SECRETARY.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Service of the House of Representatives, not later than December 31 of each year, a certification in writing as to whether or not any military-to-miltary exchange or contact during that calandar year was conducted in violation of subsection (a).

(e) ANNUAL REPORT.—Not later than June 1 each year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Service of the House of Representatives a report providing the Secretary's assessment of the current state of military-to-military contacts with the People's Liberation Army. The report shall include the following:

(1) A summary of all such military-to-military contacts during the period since the last such report, including a summary of topics discussed and questions asked by the Chinese participants in those contacts.

(2) A description of the military-to-military contacts scheduled for the next 12-month period and a five-year plan for those contacts.

(3) The Secretary's assessment of the benefits the Chinese expect to gain from those military-to-military contacts.

(4) The Secretary's assessment of the benefits the Department of Defense expects to gain from those military-to-military contacts.

(5) The Secretary's assessment of how military-to-military contacts with the People's Liberation Army fit into the larger security relationship between United States and the People's Republic of China.

H.R. 1401

OFFERED BY: MRS. FOWLER

AMENDMENT NO. 9: At the end of title XII (page 317, after line 17), insert the following new section:

SEC. 1206. PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR DEPLOYMENT OF UNITED STATES GROUND FORCES TO THE FEDERAL REPUBLIC OF YUGOSLAVIA WITHOUT SPECIFIC AUTHORIZATION BY LAW.

(a) IN GENERAL.—None of the funds appropriated or otherwise available to the Department of Defense may be obligated or expended for the deployment of United States ground forces in the Federal Republic of Yugoslavia unless such deployment is specifically authorized by a law enacted after the date of the enactment of this Act.

(b) RULE OF CONSTRUCTION.—The prohibition in subsection (a) shall not apply with respect to the initiation of missions specifically limited to rescuing United States military personnel or United States citizens in the Federal Republic of Yugoslavia or rescuing military personnel of another member nation of the North Atlantic Treaty Organization in the Federal Republic of Yugoslavia as a result of operations as a member of an air crew.

H.R. 1401

OFFERED BY: MR. SHAYS

AMENDMENT NO. 10: At the end of title XII (page 317, after line 17), add the following new section:

SEC. 1206. REDUCTION AND CODIFICATION OF NUMBER OF MEMBERS OF THE ARMED FORCES AUTHORIZED TO BE ON PERMANENT DUTY ASHORE IN EUROPEAN MEMBER NATIONS OF NATO.

(a) IN GENERAL.—(1) Section 123b of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

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

''(b) EUROPEAN END-STRENGTH LIMITATION.—(1) Within the limitation prescribed by subsection (a), the strength level of members of the armed forces assigned to permanent duty ashore in European member nations of the North Atlantic Treaty Organization may not exceed approximately—

''(A) 100,000 at the end of fiscal year 1999;

''(B) 85,000 at the end of fiscal year 2000;

''(C) 55,000 at the end of fiscal year 2001; and

''(D) 25,000 at the end of fiscal year 2002 and each fiscal year thereafter.

''(2) For purposes of paragraph (1), the following members are not counted:

''(A) Members assigned to permanent duty ashore in Iceland, Greenland, and the Azores.

''(B) Members performing duties in Europe for more than 179 days under a military-to-military contact program under section 168 of this title.

''(3) In carrying out the reductions required by paragraph (1), the Secretary of Defense may not reduce personnel assigned to the Sixth Fleet.'';

(3) in subsection (c), as redesignated by paragraph (2), by adding at the end the following new sentence: ''Subsection (b) does not apply in the event of declaration of war or an armed attack on any member nation of the North Atlantic Treaty Organization.''; and

(4) in subsection (d), as redesignated by paragraph (2), by striking ''The President may waive'' and all that follows and inserting ''The President may waive the operation of subsection (a) or (b) if the President declares an emergency. The President shall immediately notify Congress of any such waiver.''.

(b) CONFORMING REPEAL.—Section 1002 of the Department of Defense Authorization Act, 1985 (22 U.S.C. 1928 note), is repealed.

H.R. 1401

OFFERED BY: MR. SKELTON

AMENDMENT NO. 11: In section 1006—

(1) strike subsection (a) (page 270, lines 21 through 24);

(2) in the section heading (page 270, line 20), strike **''BUDGETING FOR''** and insert **''SUPPLEMENTAL APPROPRIATIONS REQUEST FOR''**; and

(3) in subsection (b), strike ''(b) SUPPLEMENTAL APPROPRIATIONS REQUEST FOR OPERATIONS IN YUGOSLAVIA.—''.

H.R. 1401

OFFERED BY: MR. TAYLOR OF MISSISSIPPI

AMENDMENT NO. 12: At the end of title XII (page 317, after line 17), insert the following new section:

SEC. ___. OPERATIONS IN THE FEDERAL REPUBLIC OF YUGOSLAVIA.

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

(1) Article I, section 8 of the United States Constitution provides that: ''The Congress

shall have Power To . . . provide for the common Defence . . . To declare War. . . To raise and support Armies . . . To provide and maintain a Navy . . . To make Rules for the Government and Regulation of the land and naval Forces . . .''.

(2) On April 28, 1999, the House of Representatives by a vote of 139 to 290, failed to agree to House Concurrent Resolution 82, which, pursuant to section 5(c) of the War Powers Resolution, would have directed the President to remove United States Armed Forces from their positions in connection with the present operations against the Federal Republic of Yugoslavia.

(3) In light of the failure to agree to House Concurrent Resolution 82, as described in paragraph (2), Congress hereby acknowledges that a conflict involving United States Armed Forces does exist in the Federal Republic of Yugoslavia.

(b) GOALS FOR THE CONFLICT WITH YUGOSLAVIA.—Congress declares the following to be the goals of the United States for the conflict with the Federal Republic of Yugoslavia:

(1) Cessation by the Federal Republic of Yugoslavia of all military action against the people of Kosovo and termination of the violence and repression against the people of Kosovo.

(2) Withdrawal of all military, police, and paramilitary forces of the Federal Republic of Yugoslavia from Kosovo.

(3) Agreement by the Government of the Federal Republic of Yugoslavia to the stationing of an international military presence in Kosovo to ensure the peace.

(4) Agreement by the Government of the Federal Republic of Yugoslavia to the unconditional and safe return to Kosovo of all refugees and displaced persons.

(5) Agreement by the Government of the Federal Republic of Yugoslavia to allow humanitarian aid organizations to have unhindered access to these refugees and displaced persons.

(6) Agreement by the Government of the Federal Republic of Yugoslavia to work for the establishment of a political framework agreement for Kosovo which is in conformity with international law.

(7) President Slobodan Milosevic will be held accountable for his actions while President of the Federal Republic of Yugoslavia in initiating four armed conflicts and taking actions leading to the deaths of tens of thousands of people and responsibility for murder, rape, terrorism, destruction, and ethnic cleansing.

(8) Bringing to justice through the International Criminal Tribunal of Yugoslavia individuals in the Federal Republic of Yugoslavia who are guilty of war crimes in Kosovo.

H.R. 1401

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT NO. 13: At the end of subtitle B of title III (page 45, after line 13), insert the following new section:

SEC. 312. OPERATION AND MAINTENANCE OF AIR FORCE SPACE LAUNCH FACILITIES.

(a) ADDITIONAL AUTHORIZATION.—In addition to the funds otherwise authorized in this Act for the operation and maintenance of the space launch facilities of the Department of the Air Force, there is hereby authorized to be appropriated $7,300,000 for space launch operations at such launch facilities.

(b) CORRESPONDING REDUCTION.—The amount authorized to be appropriated in section 301(4) for operation and maintenance for the Air Force is hereby reduced by $7,300,000, to be derived from other service-wide activities.

(c) STUDY OF SPACE LAUNCH RANGES AND REQUIREMENTS.—(1) The Secretary of Defense shall conduct a study—

(A) to access anticipated military, civil, and commercial space launch requirements;

(B) to examine the technical shortcomings at the space launch ranges;

(C) to evaluate oversight arrangements at the space launch ranges; and

(D) to estimate future funding requirements for space launch ranges capable of meeting both national security space launch needs and civil and commercial space launch needs.

(2) The Secretary shall conduct the study using the Defense Science Board of the Department of Defense.

(3) Not later than February 15, 2000, the Secretary shall submit to the congressional defense committees a report containing the results of the study.

SENATE—*Monday, June 7, 1999*

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, thank You for the grand assurances that inspire confidence and build courage. It is what we believe about You that brings us back to the work of the Senate with enthusiasm and expectation. You are Lord of all, the Source of wisdom and guidance, the Author of creative and innovative thinking, the Answer to life's most challenging problems. You choose and call leaders and equip them with insight and vision. This Nation has been given a special place in the family of nations to display democracy and maintain Your justice. In response, may the Senators choose to be chosen and believe they are blessed to be a blessing and rejoice in the realization that You will provide exactly what is needed as they work together for Your glory. You are our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

Mr. BUNNING. I thank the Chair.

SCHEDULE

Mr. BUNNING. Today the Senate will be in a period of morning business from 12 noon to 2 p.m. Following morning business, the Senate will begin consideration of S. 1122, the Department of Defense appropriations bill. Completion of that bill is expected early in the week. Therefore, Senators should be prepared to offer amendments to the bill as early as possible.

Further, it is the intention of the majority leader to move to proceed to the Y2K legislation today. It is expected that a cloture motion will be filed on that motion today with a cloture vote to occur on Wednesday at a time to be determined by the majority leader. Tomorrow, it is the intention of the majority leader to move to proceed to the Social Security lockbox legislation with a cloture vote to occur on that legislation on Thursday.

I thank my colleagues for their attention.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(Mr. BUNNING assumed the Chair.)

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m., with the time being equally divided between the two leaders or their designees.

PRIVILEGE OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent an intern in my office, Jessica Shultz, be permitted the privilege of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I will speak in just a moment about a bill I have introduced. I, at this point, suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HAGEL). Without objection, it is so ordered.

GALISTEO BASIN ARCHAEOLOGICAL PROTECTION ACT OF 1999

Mr. BINGAMAN. Mr. President, I rise today to speak about a bill, S. 1093, which I introduced on May 20 of this year for the protection of various historic sites in the Galisteo Basin in my home State of New Mexico. The basin is located in Santa Fe County, NM. As shown on this map—it is very hard for anyone to see this map I understand—this is Santa Fe and the Galisteo Basin is this area south of Santa Fe where the various dots are shown. These dots identify the location of the various historical sites that are talked about in the bill. To understand the importance of these sites, it is important to understand a little history about this basin.

When the Spanish Conquistadors arrived in New Mexico in 1598, they found a thriving native pueblo culture with its own unique traditions, its own religion, and its own architecture and art, which was enriched and influenced by an extensive system of trade. The subsequent history of conflict and coexistence between these two cultures—the pueblo Indian culture on the one hand and the Spanish culture—shaped much of the language and the art and cultural world view of the people in my State today.

The initial history of cultural interaction in New Mexico encompassed a period of a little over 100 years from 1598 through the pueblo revolt in 1680 and also the period of recolonization by the Spanish in the early 1700s. Among these sites, which are shown on this map and which are discussed in the bill, are examples of both the stone and the adobe architectural styles which typified Native American pueblo communities prior to and during early Spanish colonization, including two of the largest of these ancient towns, San Marcos and San Lazaro Pueblos. Each of these large towns had thousands of rooms at their peak.

Also included in these sites are spectacular examples of Native American petroglyph art, as well as historic missions which were constructed as part of the Spaniards' drive to convert the native populace to Catholicism. The 26 archaeological sites addressed in this bill provide a cohesive picture of this crucial nexus of New Mexican history depicting the culture of the pueblo people and illustrating how it was affected by the Spanish settlers.

Through these sites, we have an opportunity to truly understand the simultaneous growth and the coexistence of these two cultures. Unfortunately, this is an opportunity we may soon lose. Most of these sites are currently not part of any preservation program, and through weathering, erosion, vandalism, and amateur excavations, they are losing their ability to be interpreted at a later date.

This legislation creates a program under the Department of the Interior to preserve these sites and to provide interpretive research in an integrated manner. While many of these sites are on Federal public land, many are privately owned, and there are a few on State trust lands. The vision behind the legislation is that an integrated preservation program at sites on Federal lands could serve as a foundation for archaeological research that could be augmented with voluntary cooperative agreements with State agencies and with private landowners. These agreements will provide landowners with the opportunity for technical and financial assistance to preserve the sites on their property. Where the parties deem it appropriate, the legislation would also allow for the purchase

or exchange of property to acquire these very valuable sites. With such a program, we should be able to preserve the history embodied in these sites for future generations.

I add that this legislation is supported by the Cochiti Pueblo, which is culturally and historically tied to these sites. I have received a letter from Isaac Herrera, the Governor of Cochiti Pueblo, expressing his support and that of the tribal council for the legislation. Governor Herrera notes that this tribe has already donated $10,000 to the preservation of one of these sites. So this legislation has the support of the pueblo. It also has the support of our State land commissioner, Ray Powell.

I conclude by showing some examples from these magnificent sites. The first two charts are from the Comanche Gap site. They are outstanding examples of petroglyph art, of which we have a lot in our State of New Mexico. These are examples of very intricate work that has been done by the pueblo Indians on the rock formations.

The next three charts are of the various pueblo sites. The first is Pueblo Blanco. As you can see, the drywash at the top of this picture and the road at the bottom are the types of erosion threats which I mentioned earlier.

The next picture is Arroyo Hondo. Again, you have a drywash at the top. This is probably the most extensively excavated of the various sites. The School of American Research in Santa Fe has done a tremendous amount of work to try to interpret and understand this site.

Finally is the Pueblo of Colorado which, once again, shows the threat of erosion from the drywashes above the site.

So these are examples of what we are trying to preserve through this legislation.

I did have a chance this Saturday—2 days ago—to visit the San Marcos site and saw the damage that is being done there by erosion. I also saw the value of preserving the site to show where the Spanish conquistadors came in and built a church right on a part of that pueblo. Trying to understand the interaction of the two cultures at that site is a very worthwhile endeavor.

I also particularly thank Jessica Schultz who has been an intern in my office this past year. She has done yeoman work providing research for the bill and helping to get the bill drafted.

I feel strongly that it will be a major contribution if we can pass this legislation and make it law.

I ask unanimous consent that the text of the bill that I referred to be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The bill (S. 1093) is printed in the CONGRESSIONAL RECORD of Thursday, May 20, 1999.)

Mr. BINGAMAN. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

KOSOVO

Mr. DORGAN. Mr. President, there has been a great deal of information given the American people in recent days about a potential settlement or at least progress with respect to ending the airstrikes in Yugoslavia. It appears from the reports I have received, both from the administration sources and also press reports, that the airstrikes have had a significant impact on Mr. Slovodan Milosevic, on his Serb troops, and on their ability to continue the reign of terror that has been committed against the Albanians in Kosovo.

But as I read all of the reports, I am concerned about one element, and that is, if the airstrikes are terminated and if some kind of negotiated circumstance exists by which the Serbs withdraw from Kosovo and Mr. Milosevic remains in power, in my judgment, it remains unfinished business.

We have in this decade been through a circumstance with Saddam Hussein where a war was concluded with the country of Iraq and Saddam Hussein retained his power. We have year after year after year had to deal with the consequences of Saddam Hussein remaining in power in the country of Iraq. It doesn't make any sense to me that we should do the same thing with Mr. Milosevic.

With Mr. Saddam Hussein, we knew who he was, we knew what he had done, and this country should well have known that the conclusion of the war with Iraq should have resulted in his departure, or his leaving the leadership of that country. He is, I think, one of the only men in the world who has used weapons of mass destruction to murder people in his own land. We knew that about Saddam Hussein, and yet the war was concluded with Iraq, and he remained in power. The result has been problem after problem and consequence after consequence. We ought to learn from that.

However we conclude this terrible chapter of violence committed against the Albanians in Kosovo, in my judgment, it will always be unfinished business if it is concluded in a manner that leaves Mr. Milosevic in power. We must find a way, it seems to me, for the protection not only of the Albanians in Kosovo but for some basic understanding we might have, that we will not have to revisit this issue very soon after the airstrikes cease. The only way that will occur, in my judgment, is if Mr. Milosevic is driven from office.

I have spoken on the floor of the Senate a number of times suggesting that it is time to try Mr. Milosevic as a war criminal. I am pleased to say that he was indicted within the past 2 weeks and that indictment will likely result in trial. My hope is that trial—at least seeing the evidence that I have seen about the atrocities committed by Mr. Milosevic and the Serb troops—will result in his conviction as a war criminal. The atrocities are really quite unusual. He visited a reign of horror on these people in a manner that drove one to one and a half million of them from their homeland, often with their villages burning, with story after story of mass murder, ethnic cleansing, gang rape, and torture.

The question for this country and the NATO allies is, Could we go 2 years, or 5 years, or 10 years down the road and look in our rearview mirror and say that we knew that happened but it didn't matter, that it wasn't our business? Our country and the NATO allies said no, it was our business; it does matter. We have the resources and the capability, through NATO, together to try to do something to put a stop to it. That has been the effort. Is the effort perfect? No. Have there been mistakes? Of course. But will we, by the judgment of history, be seen as a country and a group of countries attempting to do something in the face of ethnic cleansing, in the face of a ruthless leader who packs people into train cars and hauls them off to an uncertain fate, who, in the words of all of the refugees who have shown up at the border of Albania and Montenegro and other areas, has permitted mass rape and torture and murder against the citizens of Kosovo? Do we understand the consequences of that and the requirement to respond to it? The answer is yes.

But I hope at the end of this chapter, Mr. Milosevic will not be a part of an agreement that leaves him in power. That will not, in my judgment, be finished business.

THE COMPREHENSIVE NUCLEAR TEST BAN TREATY

Mr. DORGAN. Mr. President, I want to talk for a moment about the Comprehensive Nuclear Test Ban Treaty. That is a subject I suppose will glaze over the eyes of many, the Comprehensive Nuclear Test Ban Treaty. I was in my home State of North Dakota last week. The Senate was not in session. We did not have votes. I guess I was in

20 or 25 different communities all across the State, probably at three dozen different events, town meetings and speeches and various things. It will not surprise anyone to learn that the Comprehensive Nuclear Test Ban Treaty did not come up. We talked about farm policy. We talked about virtually every other thing. We talked about water policy, we talked about welfare, but at none of the meetings in which we discussed public issues did anyone raise the issue of the Comprehensive Nuclear Test Ban Treaty.

I want to raise the question about this treaty because the President of the United States signed this treaty 2½ years ago and sent it to the Senate for ratification. This Senate did not hold a hearing on it during the 105th Congress, no hearing at all. It is now 6 months into the new Congress, with no hearing. I, with some of my colleagues, am organizing a letter to the appropriate committee and key people on the committee to say we would like to see movement here. If one Senator opposes this country joining the Comprehensive Nuclear Test Ban Treaty, then bring it out here and let's have that debate. I cannot conceive of significant opposition to a determination by so many countries in the world that we ought to prevent nuclear testing; we ought to have an agreement that we do not want the spread of nuclear weapons to additional countries.

In the past year or so we have seen activities that concern me and many of my colleagues a great deal. We know how many countries possess nuclear weapons. Among those countries that are understood to possess nuclear weapons we can now add India and Pakistan, because each of them exploded nuclear weapons under each other's noses. These are two countries that do not like each other a great deal. There are great tensions. In fact, yesterday on the news you would have seen shelling on the border between Pakistan and India. Each of these countries exploded nuclear weapons, apparently just to show the other country they possess nuclear bombs.

North Korea is testing medium-range missiles, firing missiles down range. The country of Iran is testing medium-range missiles. Are these things ominous? Of course they are. Terrorist states acquiring delivery mechanisms for long-range missiles and potentially, I assume, to send weapons of mass destruction to other parts of the world; is that an ominous development? You bet it is.

We spent a lot of time here in the Senate talking about a national missile defense; if we could just get a national missile defense put in place in this country so if someone shoots a missile at our country we can go up and hit that bullet with a bullet. I guess we have spent $100 billion over the years trying to do that. There is not much talk about the other things that have been far more successful, and that is arms reduction and test ban treaties banning nuclear tests, reducing nuclear weapons.

With consent, I hold up here the part that was taken from the wing of a backfire bomber. This is the piece of a wing strut from a backfire bomber which had its wings sawed off at a former Soviet airbase in Priluki, Ukraine. During the cold war, when the Soviet Union was considered our adversary, the only way I could hold up a piece of the wing of one of their bombers was if we had shot the bomber down. So how does it happen I hold up a portion of a wing of a Soviet backfire bomber? That wing was cut off. Why was it cut off? This country helped provide the funds to cut the wings off bombers in the Soviet Union and now Russia and now the Ukraine.

Why did they agree to that? Because we have an arms control reduction agreement in which missiles with nuclear warheads aimed at the United States of America that used to be buried in the ground in the Ukraine are now taken out of the ground and dismantled with the warhead still on. I displayed a picture on the floor of the Senate showing where a missile used to rest in a silo in the Ukraine with the warhead aimed at the United States of America. A sunflower field now exists there. No missile, no nuclear bomb—sunflowers. How did that missile get taken out? How did this backfire Soviet bomber wing get chopped off? We have arms reduction agreements with the Soviet Union, the old Soviet Union, and now Russia and the Ukraine, and they are working.

We have people here who say: We do not care about those agreements. We want to build a national missile defense system. It doesn't matter what it costs. It doesn't matter whether it will work. We just want to spend the money so we will feel good.

One part of what works in arms control, in my judgment, is the Nunn-Lugar funds which we have spent that accomplished this. The second part, in my judgment, is to pass pieces of legislation that we know make sense for this country's future and for the safety of the world. One of those is the Comprehensive Nuclear Test Ban Treaty. This country needs to pass it. This Senate needs to ratify it. That is the way, as a country, we make judgments about it.

I want to hold up a chart that shows the support for it. This was polling done in a range of States around the country: Oregon, Nebraska, Utah, Ohio, Kansas, Colorado, Tennessee—support for the Comprehensive Nuclear Test Ban Treaty. Look at it. Mr. President, 86 percent in favor to 10 percent in Oregon who believe we should not ratify this treaty. This country signed it; so have many other countries around the world, 152 countries.

This country has a responsibility, in my judgment, to provide leadership, and leadership will mean this Senate ought to ratify it. In order to do that, we must get this treaty out of the committee and get it to the floor and have a debate on it. I urge my colleagues who feel strongly about this to join me and say to the committee it is time, long past the time, when this Senate should ratify the Nuclear Test Ban Treaty.

I will, in coming days, speak again on the floor on this issue and the importance of it. I hope I will be joined by plenty of colleagues who will encourage and urge and push, if necessary, the committee to bring this treaty to the floor. Give us a chance to debate this treaty and give us a chance to produce the votes to ratify this treaty, for this country's sake and for the sake of added security and safety in the world. We must prevent the spread of nuclear weapons. We must prevent the spread of technology that allows the delivery of nuclear weapons. One way to do that, in my judgment, is to prevent additional nuclear testing, and the way to do it is to ratify this treaty.

It is long past the time to do it, and we ought to do it now and we ought to expect that be reported to the floor for debate in the next 2 to 3 months.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the morning hour be extended for 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE COMPREHENSIVE NUCLEAR TEST BAN TREATY

Mr. REID. Mr. President, my colleague who just spoke on the Senate floor is the chairman of the Democratic Policy Committee. This is the educational arm of the Democratic Senators. He has done an outstanding job during his 6 months as chairman of the Policy Committee, hoping to educate not only Democrats but Republicans as to some of our responsibilities. The statement that was just made by the chairman of the committee, the Senator from North Dakota, is certainly appropriate.

I agree in every way. The fact is, it is very important that we do everything we can to ratify this treaty, and also the Nunn-Lugar money has been some of the money that has been most well spent. I do not know of any money we have spent in recent years that has done more good than that money spent to make sure the former Soviet Union is helped to retire some of their weapons of mass destruction. It has been a

cooperative agreement that has worked well for the United States and worked well for Russia. So I compliment and applaud my friend, the Senator from North Dakota.

HONORING ANDRE AGASSI

Mr. REID. Mr. President, yesterday, I got up very early. I had a 6:30 a.m. flight leaving from Reno, NV. I was very concerned because that same day, that same time, my friend and someone who is very important to the State of Nevada, Andre Agassi, was playing for the championship of the French Open. This is a tournament that is world renowned. My friend and one of Nevada's favorite citizens was playing in that championship.

Just a few months ago, he had a series of injuries, and people said he was not going to compete anymore on the high scale he had in the past. He surprised everyone, except himself and the people from the State of Nevada. We have seen this young man time and time again do things that were said could not be done. There were people who said over the years he did not have the basic skills great tennis players have, but he, of course, has shown them that simply is not true.

When I arrived in Denver, one of the first things I did was run to a television set to see how Andre was doing. How disappointed I was. He had lost the first two sets, and lost them overwhelmingly; he had been beaten, and he was behind in the third set. If you lose the third set, it is all over. On the entire trip from Denver to Washington, I was very despondent. This opportunity for Andre Agassi to make world history was slowly dissipating as I traveled the skies. I knew the news would be bad when I arrived at Dulles.

I asked the first person whom I had a chance: What happened to Andre? He said he won. He won the French Open.

I rise today to honor the accomplishments of Andre Agassi. As I have already mentioned, he is a prominent Nevadan who has become the first man in 30 years to win tennis' four grand slam events. Andre, who lost the first two sets to Ukrainian Andrei Medvedev, rallied in dramatic form, to say the least, to win the French Open on June 6, 1999, yesterday. He won at Wimbledon in 1992, the U.S. Open in 1994, and the Australian Open in 1995. Andre Agassi now joins the ranks of tennis immortals Fred Perry, Don Budge, Roy Emerson, and Rod Laver. Not only does this assure him of a place in the record books, but also marks a successful resurgence into the very elite of the tennis world.

Andre in previous years has been ranked No. 1. He started a few months ago, ranked 140th in the Nation. He now, of course, is in the top 10 and is rising to where he will be ranked No. 1 again. He was ranked as high as No. 3 about a year ago.

Andre Agassi has proven himself to be not only a world-class athlete but a great citizen of the State of Nevada who has continually given back to his community. He should be recognized not only for his athletic prowess, but he should be recognized for what he has done in charitable endeavors in the State of Nevada.

In April of 1998, the Andre Agassi Boys and Girls Club in west Las Vegas, a minority community, was chartered as the 2,000th Boys and Girls Club in the Nation. This club provides a positive alternative to time on the streets for the youth of Las Vegas and is dedicated to the aid and education of children who are at risk of becoming involved with gangs, drugs, or both.

Not only has Andre Agassi done this, but he has also founded the Andre Agassi Charitable Foundation dedicated to the continued support of children's organizations, as well as domestic violence support programs.

Andre Agassi has done more than make appearances. He personally has given and raised millions of dollars to these charities. He is an outstanding example of an athlete and demonstrates how they should return to their communities.

I admire Andre Agassi for a number of reasons, some of which I have laid out today. He is a great athlete and, of course, we all admire great athletes. He is a great athlete who has returned much to his community. But one of the reasons I admire Andre Agassi is he has not forgotten from where he came. He recognizes the millions he has made in endorsements, and playing tennis did not come, in effect, because he was born with a silver spoon in his mouth. He recognizes he came from a family that had very little. He came from a family that worked in the restaurants and hotels of Las Vegas. He has not forgotten his roots. It is this trait I admire more than any other of this world renowned athlete. I am pleased to acknowledge the achievements of this great athlete, great Nevadan, great American, Andre Agassi.

PRIVILEGE OF THE FLOOR

Mr. STEVENS. Mr. President, I ask unanimous consent that the individuals on the list which I send to the desk be granted the privilege of the floor during the consideration of the defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list is as follows:

Sid Ashworth, Dan Elwell, Tom Hawkins, Bob Henke, Susan Hogan, Mazie Mattson, Gary Reese, Candice Rogers, Kraig Siracuse, John Young, Charlie Houy, and Emelie East.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 1122, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1122) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes.

The Senate proceeded to consider the bill.

Mr. STEVENS. I thank the Chair for bringing the Department of Defense appropriations bill for fiscal year 2000 before the Senate.

It is my privilege to once again bring this defense bill to the Members of the Senate in partnership with my distinguished colleague, the Senator from Hawaii.

I hope all Senators were able to see or at least learn of the very distinguished memorial that was created to honor the 442nd, which was the most decorated unit of World War II; our colleague, Senator INOUYE, was part of that unit. I am very pleased we are once again able to come before the Senate to pursue a matter of great concern to each of us, and that is the defense of our country.

We have served together on this subcommittee now for more than 20 years, and we have been chairman or ranking member, depending upon the political tides of this country. I want the Senate to know that I could not have brought this bill to the Senate so early this year without the wisdom, experience, and judgment of my good friend from Hawaii.

I also commend Senator LEVIN and Senator WARNER of the authorization committee for their handling of the defense authorization bill. We have worked closely together with that committee to stay close to the budget and the policy determinations which were made in the armed services bill. Amendments which we will offer later today reflect adjustments made to that bill to make this appropriations bill fully compatible with the authorization process.

As Senator INOUYE and I reported to the committee when we considered this bill in the committee, and as reflected by the Armed Services Committee in their bill, the military has faced a difficult challenge in meeting critical readiness and quality-of-life needs while modernizing our total force for the 21st century.

The armed services have sought to maintain that balance while undertaking contingency operations in the Balkans, southwest Asia, and the heightened alert on the Korean peninsula. Last month, the Congress, at our request, provided a second emergency supplemental bill for the fiscal year 1999 to meet some of those contingency requirements.

For fiscal year 2000, our committee was presented a budget that reflected real progress compared to the original forecast for the upcoming fiscal year.

More realistic estimates for the Bosnia operations and procurement and development of a national missile defense system established a better baseline for our national defense program.

Initiatives by OMB did leave real holes in the budget for fiscal year 2000, with incremental funding for MILCON, the military construction bill, and a $1.65 billion unspecified rescission recommended by the Office of Management and Budget.

The budget resolution adopted by Congress has provided adjustments for the defense function that offset some of those defense gaps.

The $8.3 billion increase in the new defense budget authority enabled the committee to restore the military construction reduction and to offset the suggested rescission. In addition, needed increases were provided for defense functions of the Energy and Water and Transportation Subcommittees.

Our bill reported by the Appropriations Committee is within the 302(B) allocation for the Defense Subcommittee. That is an allocation made pursuant to the budget resolution.

As I noted at the outset, the bill before the Senate follows closely the Defense Department authorization bill that passed this Senate by a vote of 94–4. Our bill fully funds the authorized 4.8-percent pay raise for military personnel. This bill adds $598 million to the O&M accounts, the operation and maintenance accounts, and provides flexibility to accommodate a larger civilian pay raise, if that is authorized. The increase in O&M spending will also protect the readiness of our forces and the quality of life for military personnel and their families.

This bill before the Senate does not include any funding for the war in Kosovo; no assumptions are made concerning either extension of the air war or a ground campaign or peacekeeping force. At this tense moment in the peace negotiations in Europe, I hope all Members of the Senate will be cognizant of these efforts in their comments and the amendments offered to this bill.

We will probably have another supplemental yet for peacekeeping operations in Kosovo for fiscal year 2000. That additional funding will be essential to avoid reductions in readiness and modernization for the armed services next year, if there is a peacekeeping operation, which we all expect.

To achieve the modernization goals by Secretary Cohen and the Joint Chiefs of Staff, the recommendation increases procurement spending by $2.7 billion.

Looking further out in the future to the next generation of weapons systems, the bill before the Senate recommends an increase of $2.1 billion in research and development.

Funding for the defense health program continues to be the fastest growing component of our defense budget. The request for fiscal year 2000 grew by 7 percent compared to the appropriation of 1999. And the recommendation provides an increase of more than $1 billion for fiscal year 2000.

Included in that defense health program is $300 million for medical research, with $175 million allocated to breast cancer research and $75 million allocated for prostate cancer research.

One new initiative is the transfer of the responsibility for the soldiers, sailors, and airmen homes from the Labor, Health, and Human Services Subcommittee to our Defense Subcommittee. These facilities are more appropriately funded in conjunction with the Department of Defense, in our judgment. I hope the Senate will approve that recommendation.

To reflect fact-of-life economic assumption changes since the budget was prepared last autumn, our bill makes a series of adjustments. These changes are based upon the Department of Defense authorization bill and revised Office of Management Budget estimates. These estimates and items include adjusted prior year inflation rates, fuel costs, foreign currency rates, and underexecution of civilian personnel allowances. All of those are adjustments that must be made to the bill.

The bill also includes a general provision, section 8108, that reduces funding to reflect the amounts anticipated to carry over from the recently enacted Kosovo supplemental.

Mr. President, $3.1 billion is reduced from this bill and was shifted to the Deficiencies Subcommittee of our Committee. Those funds will be reallocated to other subcommittees as we proceed with the remaining fiscal year 2000 bills.

This adjustment holds the total defense funding for the fiscal year at roughly the level set in the budget resolution that was adopted by Congress earlier this year.

The Appropriations Committee also reported S. 1186, the Department of Energy appropriations bill for fiscal year 2000. That bill contains nearly $12 billion in defense funding. Our committee will also report the military construction bill later this week.

Again, let me thank Senator INOUYE for his support and input in this bill and thank him again for his cooperation.

I yield to the distinguished Senator from Hawaii for any statement he wishes to make.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Hawaii.

Mr. INOUYE. Mr. President, before I proceed, I thank my colleague from Alaska for his very generous remarks.

I will take a few moments to discuss the DOD appropriations bill for fiscal year 2000. Let me begin by congratulating our chairman, Senator TED STEVENS of Alaska.

To meet our Senate leaders' desire, the chairman and his staff expedited the review and preparation time and put this bill together. Then, after they had crafted a very good package, as you know, we were told to reduce this package by $3 billion. We had to go back to the drawing board again.

When one takes into consideration how this package was reshaped to meet those very difficult goals, I believe the committee has prepared the best bill that could have been recommended.

First of all, if adopted, it will fulfill the committee's No. 1 priority. It will provide adequate funding to ensure that our men and women in the armed services are fairly compensated. It also will provide sufficient funding so that they can be well prepared, trained, and ready to meet the Nation's requirements.

This bill funds a 4.8-percent pay raise, the largest percentage increase since the early 1980s. This increase is between 2 and 3 percent more than current forecasts of inflation. The bill also funds changes in the military retirement system and reforms the pay table sought by the administration.

The total funding in the bill represents an increase of $1.4 billion above the President's budget request. In addition to fully funding the needs of our military personnel, the bill provides $300 million for additional medical research: As the chairman indicated, $175 million for breast cancer research; $75 million for prostate cancer research, and $50 million to cover many of the high-priority medical research programs of interest to the Members.

More than $2.8 billion is added for procurement for two more F–16 aircraft, 15 more Black Hawk helicopters, and a half-billion-dollar downpayment in the next Marine amphibious assault ship, the LXD–8.

For research for new technology, the bill is $2 billion over the President's request. This includes $400 million for missile defense and related programs.

The bill before us does not match, dollar for dollar, the authorization bill we approved last month, but it is in general quite consistent with the recommendations of the authorizing committee.

To my colleagues on my side of the aisle, I realize that the bill provides funds in some areas which you may not all endorse fully. But, in total, the bill offers a good balance between current operations and future modernization. It funds both the needs of the military and the priorities of the Congress. I believe it is a very good bill that we should all support.

In closing, may I just add a footnote to my remarks.

Senator STEVENS and I are two of the few remaining Members who served in

World War II, the ''ancient'' war. In that war, over 10 percent of our Nation's population stepped forward to put on the uniform of the armed services. Today, fewer than 1 percent have done so.

Today's military force is an All Volunteer Force. But beyond that, there are other vast differences.

In my youth, only 4 percent of my regiment had dependents. The remaining 96 percent were single men. Today, the average is about 70 percent with dependents. Therefore, it is essential that we provide in areas that were not considered during World War II, such as day care centers and hospitals.

In the hospital in which Senator STEVENS and I spent some time, there were just men—men in uniform. It may be of interest to Members to note that today at Walter Reed, 14 percent of the beds are occupied by active-duty personnel, and 86 percent are occupied by dependents and retirees. There are more gynecologists in hospitals today than orthopedic surgeons, and there are more pediatricians than orthopedic surgeons. That is a difference of which most Members of the Senate, and I believe most Americans, are not aware.

The largest cost of defense is not missiles; it is not bullets; it is not ships; it is personnel; it is people. If we want the best military, men and women who are willing to step forward in harm's way and, if necessary, give their lives for our Nation, then we should be able to provide the very best—not just in pay, but make certain that their health care and educational system are the finest.

We use the phrase ''quality of life'' quite often. If quality of life is not what the people receive, then I don't think we can anticipate the very best of our Nation volunteering to serve. After all, I want my son to go to college; I am certain that a man in uniform wants his son or his daughter to go to college. We should give them the same opportunity.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that a staff member, Patricia Boyle, be given the privilege of the floor during this debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 540

(Purpose: To reduce to $500,000 the threshold amount for the applicability of the requirement for advance matching of Department of Defense disbursements to particular obligations)

Mr. STEVENS. Mr. President, on behalf of Senator GRASSLEY, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. GRASSLEY, proposes an amendment numbered 540.

Mr. STEVENS. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the general provisions, add the following:

SEC. . Section 8106(a) of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under section 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note), is amended—

(1) by striking ''not later than June 30, 1997,''; and

(2) by striking ''$1,000,000'' and inserting ''$500,000''.

Mr. STEVENS. I ask unanimous consent that the amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I ask unanimous consent to speak for a few minutes in morning business.

Mr. STEVENS. Mr. President, we have no objection. How long does the Senator desire?

Mr. WELLSTONE. I think I can do this in 5 minutes.

Mr. STEVENS. I remind Members of the Senate desiring to offer amendments that we could discuss today, we are prepared to take some. There will be no votes on this bill today, but we do hope to have a vote on an amendment starting in the morning so we can get the bill expedited.

We have no objection to the Senator's request.

The PRESIDING OFFICER. The Senator from Minnesota.

TRIBUTE TO ROBERT F. KENNEDY

Mr. WELLSTONE. Mr. President, I call the Senate's attention to the fact that yesterday, June 6, marked the 31st anniversary of the death of a former Member of this body, Senator Robert F. Kennedy. I can think of no more fitting way to remember Robert Kennedy's legacy than to recall some of the words he delivered to students at the annual Day of Reaffirmation of Academic and Human Freedom at the University of Cape Town in South Africa.

Ironically, this speech was delivered June 6, 1966, just 2 years before Robert Kennedy's death. I will read portions of the speech:

Our answer is . . . to rely on youth. The cruelties and obstacles of this swiftly changing planet will not yield to obsolete dogmas and outworn slogans. It cannot be moved by those . . . who prefer the illusion of security to the excitement and danger which comes with even the most peaceful progress.

This world demands the qualities of youth; not a time of life but a state of mind, a temper of the will, a quality of the imagination, a predominance of courage over timidity, of the appetite for adventure over the love of ease . . . .

These [people] moved the world, and so can we all.

I am reading portions of the speech.

Few will have the greatness to bend history itself; but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation.

This is perhaps my favorite quote from what anyone has ever said.

It is from numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance.

Robert Kennedy's brother, our colleague, Senator TED KENNEDY, has said that his brother ''need not be idealized or enlarged in death beyond what he was in life, to be remembered simply as a good and decent man who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.''

I do not presume to improve upon either Robert Kennedy's own words or upon his brother's tribute. I recall the words today only to mark June 6 1968, as a tragic and sad day in the history of our country. As TED has said, to pray that what Robert Kennedy ''was to us and what he wished for others will some day come to pass for all the world.''

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I ask unanimous consent for an additional 5 minutes to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS

Mr. WELLSTONE. I listened to my colleague, Senator INOUYE, in his opening remarks. He reminded me of an issue that I think is extremely important. Over this Memorial Day recess, the DAV, Disabled American Veterans, organized a big forum in Minnesota. I think they had 130 forums over the recess period. The veterans wanted to focus attention on our commitment—hopefully, our commitment—to veterans.

They were saying there is a whole set of issues that are really important to their lives. Some of them have to do with the ever-aging veteran's population and how we will deal with these needs. Some of them have to do with veterans, a third of the homeless population being veterans, which I think is

just a national disgrace. Many of those veterans are struggling with substance abuse problems and they were saying: Where is the treatment for these veterans? But some of what they were saying was, even if you put aside some of these challenges and the flatline budget proposed by the President—and then they were looking at our budget resolution and what we have come up with—it doesn't even keep up with medical inflation.

The point was: We are worried about access to services. We are worried about much longer waits. We are worried about a lot of the staffs at medical centers having to work double shifts. We are worried about some of the facilities having to close. We are worried about not being able to get the care that we so desperately need and, I argue, so clearly deserve.

I just wanted to say, since I heard my colleague from Hawaii speak—as he knows, I am critical of the Pentagon budget. I admire the Senator from Hawaii, and I absolutely mean that, but I don't usually agree with these budgets. I usually disagree with some portions. As long as we are talking about our Armed Forces, I hope when we get to the veterans appropriations bill, we will get this right, and I hope we will make the investment we should make.

There is a considerable amount of indignation on the part of veterans. And they are right; I wish they were wrong, but I have had a chance to see some of this firsthand. They just feel a sense of betrayal. I hope we are going to rectify what I think is a real injustice to veterans.

WELFARE REFORM

Mr. WELLSTONE. Mr. President, the other matter I wanted to bring up is the amendment to the DOD authorization bill which lost on a 50–49 vote. I don't know whether I will do an amendment on this bill or whether I will wait for the bankruptcy bill, but my amendment had to do with the compelling need for all of us as responsible policymakers to do some systematic and systemic evaluation of what is going on with welfare reform.

I want to know about those mothers and those children. I have come to the floor and I have said it is fine that we have reduced the caseload by a third, or thereabouts, but the question is; has the reduction in welfare led to a reduction in poverty? Where are the women and children? What kind of jobs do they have? What kind of wages do they earn? Is there decent child care?

I bring to the attention of my colleagues the General Accounting Office report of May 27, 1999, and I point out a quote on page 2 at the beginning of this report:

Because there are no Federal requirements for States to report on the status of former welfare recipients, the only systematic data currently available on families who have left welfare come from research efforts initiated by States to meet their own information needs.

Then they go on to point out that only States currently provide adequate data. So I will be coming to the floor again and taking up a considerable amount of time. I will be drawing from a lot of reports about some pretty brutal conditions, because I am determined to win this vote. I really do believe that it is not too much to ask that the Senate—for that matter, the House of Representatives—go on record calling on the Secretary of Health and Human Services to call on States to provide the data as to what is happening to these families. Yes, they are poor families, and I understand that sometimes to be poor and to be on welfare is to be despised in America, but I think we ought to know what is going on with these women and children. That is what we are talking about—women and children.

So I thought, since I had a moment, I would announce that maybe on this bill, or maybe on the next bill, I am going to come back with this amendment, and I will bring out some of the important reports by the Conference of Mayors, the Catholic Church's Network Organization, which has done some wonderful work, and what the Conference of State Legislatures is saying, and the reports on the rise of homelessness with a special emphasis on the population of women and children. Then, after going through all of that, and also talking about some of my own observations as a Senator who has done a lot of work with low- and moderate-income people, one more time, I will call on the Senate to vote for this very reasonable amendment.

We ought to know what is going on in the country. It is irresponsible for us not to have the information to see whether or not this legislation is really working. I say that because pretty soon, over the next couple of years, we are going to reach a drop-dead date where, in all of the States—5 years being the maximum period of time from when we pass this bill—everybody is going to be driven off the rolls. There is going to be no assistance any longer. Of course, we are talking about a lot of women who have been battered, who have struggled with substance abuse, and who have struggled with mental illness. It is not clear whether they are going to be able to work or what will happen to them and their children. It is not at all clear what is happening right now to some women and children in this country. Have we made it possible for them to move to economic self-sufficiency, to live more independent lives?

I say to the Chair, who cares an awful lot about children, are these children better off? We need to know. I want to bring to the attention of my colleagues that I want to come back with this amendment, and I am hoping that a couple of Senators, this time around, will be willing to vote for it on a different piece of legislation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

UNANIMOUS CONSENT AGREEMENT—S. 1122

Mr. COCHRAN. Mr. President, with clearance on both sides of the aisle, I ask unanimous consent that at 9:30 a.m., on Tuesday, the Senate resume consideration of the defense appropriations bill and there be 15 minutes remaining for debate relative to amendment No. 540, and at the hour of 9:45 a.m. the Senate proceed to vote on the amendment, with no amendments in order to the Grassley amendment.

I further ask that all first-degree amendments to the defense appropriations bill must be offered by 2:30 p.m. on Tuesday, and that at the hour of 2:15 p.m. Senator INOUYE be recognized to offer and lay aside amendments on behalf of Members on his side of the aisle, and at 2:20 p.m. Senator STEVENS be recognized to offer and lay aside amendments for Members on the Republican side of the aisle, and that all amendments must be relevant to the defense appropriations bill and subject to relevant second-degree amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, under this agreement, a rollcall vote will occur at 9:45 a.m. on Tuesday, and all first-degree amendments must be offered by 2:30 p.m. on Tuesday.

I thank all Senators for their cooperation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Y2K ACT—MOTION TO PROCEED

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate now proceed to S. 96 regarding the Y2K legislation.

Mr. INOUYE. Mr. President, in behalf of my leader, I object.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Mr. COCHRAN. Mr. President, I now move to proceed to S. 96, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to the Y2K legislation:

Trent Lott, John McCain, Rod Grams, Mike Crapo, Bill Frist, Mike Enzi, Ben Nighthorse Campbell, Judd Gregg, Strom Thurmond, Chuck Hagel, Rick Santorum, Paul Coverdell, Bob Smith, Kay Bailey Hutchison, Wayne Allard, and Charles E. Grassley.

Mr. COCHRAN. Mr. President, for the information of all Senators, this cloture vote will occur on Wednesday 1 hour after the Senate convenes unless an additional consent is granted.

I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion to proceed is withdrawn.

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TENTH ANNIVERSARY OF THE UNITED STATES ARMY RESERVE CIVIL AFFAIRS CORPS

Mr. THURMOND. Mr. President, on June 1, 1989, the Department of the Army by General Order No. 22 established and placed the United States Army Reserve Civil Affairs Corps under the U.S. Army Regimental System, effective June 16, 1989, with its regimental home base at Fort Bragg, North Carolina. The Home Base Commander is currently Major General Kenneth R. Bowra, Commander and Commandant, U.S. Army John F. Kennedy Special Warfare Center and School.

The U.S. Army Regimental System was created by Army Regulation 600–82 ''to enhance combat effectiveness through a framework that provides the opportunity for affiliation, develops loyalty and commitment, fosters an extended sense of belonging, improves unit esprit, and institutionalizes the war fighting ethos to provide each soldier with a continuous identification with a single regiment.''

On June 16, 1989, an activation ceremony for the Corps was conducted during the Civil Affairs Association Annual Conference in Pensacola, Florida. At that time, the Corps distinctive standard was uncased and the Corps insignia adopted. The following designations were made: MG William R. Berkman as Honorary Chief of Civil Affairs; COL Eli E. Nobleman as Honorary Colonel; CSM Raymond A. Lash as Honorary Sergeant Major; COL Joseph P. Kirlin III as Adjutant; and COL Kalman A. Oravetz as Chairman of the Corps Committee.

Since then, the membership in the Corps has spread through all Army Reserve Civil Affairs units and to other Army Reserve soldiers, active and retired, who are or have been in the Civil Affairs Branch. Currently, there are more than 2,200 soldiers who are members of the Corps.

The Corps Committee operates under a charter to provide advice and assistance to the Honorary Chief of Civil Affairs and the Corps Home Base Commander with respect to Corps matters. The Corps Committee presently includes the Chairman, Adjutant, Honorary Colonel, Honorary Warrant Officer, Honorary Sergeant Major, Commanding Generals and Command Sergeant Majors of the five major Civil Affairs commands and other members designated by the Honorary Chief of Civil Affairs. The Home Base Commander and the Honorary Chief of Civil Affairs are ex-officio members. The Committee meets biannually at the times and sites of the meeting of the Civil Affairs Association Board of Directors.

Support to the Corps is provided by the Civil Affairs Association. The Association has existed since its formation in 1947 with a principal purpose to maintain and enhance the Civil Affairs capabilities required by the Armed Forces of our Nation. Support of the Corps is included in the broad objectives of the Association. The Corps and the Association have worked together to implement their common objectives.

The efforts of the Corps and Association to enhance Civil Affairs soldiers' esprit de corps have included:

1. Civil Affairs Symposium. Co-sponsorship in 1991 of a symposium at U.S. Army John F. Kennedy Special Warfare Center and School at Fort Bragg on ''Civil Affairs in the Persian Gulf War'' and publication of the proceedings of that symposium.

2. Commemorative Stone. The 1994 dedication of a Civil Affairs commemorative stone and its emplacement in the Memorial Plaza of the Headquarters, U.S. Army Special Operations Command which recognizes the service of soldiers in Civil Affairs/Military Government assignments—past, present, and future.

3. Shrivenham Plaque. The presentation and dedication in 1994 at the British Army Base at Shrivenham, England, of a commemorative plaque to memorialize the organization and marshaling of Civil Affairs and Military Government units in 1944 for World War II operations in Europe.

4. Civil Affairs Exhibits. The preparation and presentation at Civil Affairs conferences of exhibits of historic applications of Civil Affairs doctrine and operations in military operations conducted by the Armed Forces of our Nation.

5. Recognition of Civil Affairs in Military Museums. Currently, planning is underway to support and ensure that military museums have appropriate displays and information about the roles and contributions of Civil Affairs in military operations in our history.

6. Awards Programs—Individuals. Recognition of deserving soldiers and individuals as Distinguished and Honorary Members of the Corps. Award of the Corps Esprit de Corps Medallion has been presented to Corps members and notables. The first medallion was presented to Senator Strom THURMOND who served in combat in World War II as a G–5 staff officer and later, in the Army Reserve, commanded major Civil Affairs units and retired as a Major General.

7. Awards Programs—Units. Distinguished Unit Citations have been awarded to Civil Affairs units in recognition of their accomplishments and contributions in military operations in Grenada, Panama, Somalia, the Persian Gulf War and Haiti. Units currently participating in military operations in Bosnia and those relating to Kosovo will be recognized.

Mr. President, the U.S. Army Reserve Civil Affairs Corps, with support of the Civil Affairs Association, is fulfilling the objectives and purposes of the Army Regimental System. I congratulate both the officers and soldiers of the Civil Affairs Corps for their service to our Nation and the Association for its support of the men and women who proudly wear the insignia of the Civil Affairs Corps.

RETIREMENT OF DONALD E. MEINERS

Mr. COCHRAN. Mr. President, on July 1, my friend, Donald Meiners, will retire from Entergy-Mississippi after 39 years of service. Mr. Meiners began his career in 1960 as a residential salesman in Jackson for what was then Mississippi Power & Light Company. He was quickly promoted in the marketing and operations divisions which involved numerous moves across the state of Mississippi. He became an officer in 1978. After several promotions with Middle South Utilities, the parent company of MP&L, which now is Entergy Corporation, Don returned to his home state of Mississippi as president and chief operating officer of Entergy-MS. Then, he became president and chief executive officer.

While Mr. Meiners is well respected in the corporate world, many Mississippians know him for his dedication and

service to charities and civic organizations within his community and state. He has served as Chairman of the Metro-Jackson Chamber of Commerce, Jackson United Way and the Multiple Sclerosis Chapter of Mississippi.

While Chairman of the Metro-Jackson Chamber of Commerce, Don was instrumental in forming the Metro Economic Development Alliance which unites economic development professionals in the Jackson area and encourages a team effort in recruiting new industry to the area. He served as the first chairman of the Metro Jackson Housing Partnership. Don has also been a leader of national organizations as well. He serves as a National Trustee of Boys and Girls Clubs of America and just last year served as Chairman of the Board of Directors of the Business and Industry Political Action Committee in Washington, DC.

Duane O'Neill, who is President of the Metro-Jackson Chamber of Commerce, said, ''Don Meiners personifies a visionary leader, and he possesses the technical skills to translate that vision into action. His unquestioned integrity has always brought people together in an atmosphere of cooperation.''

I am personally grateful for Don's work and involvement to help improve the state's economy. As an example of his outstanding community service, in 1996, Don Meiners was recognized as the outstanding volunteer of the year in economic development for the state of Mississippi.

Don has been married for 42 years to his high school sweetheart, Pat, who has been a tremendous asset to him and to the communities where they have lived. They have two sons, Chris and Chuck, and a daughter-in-law Pam. When I asked Don what he would do in retirement he quickly mentioned spending time with the ''light of his life'', his granddaughters Hannah and Mallory.

Mr. President, it is a pleasure for me to bring to the attention of the Senate the career and influence of my friend Don Meiners, and to thank him for his many years of service to Entergy and the people of Mississippi. Mississippi is a better place because of him. While Don is retiring from the utility business, I know he will go on working to help make life better in his community and in our state.

I wish Don and Pat much continued success and happiness in the years ahead.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated on Thursday, April 22, 1999:

EC–2681. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees' Group Insurance Program: Court Orders'' (RIN3206–AI49) received on April 5, 1999; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 27, 1999, the following reports of committees were submitted on June 2, 1999:

By Mr. DOMENICI, from the Committee on Appropriations, without amendment:

S. 1186: An original bill making appropriations for energy and water development for the fiscal year ending September 30, 2000 (Rept. No. 106–58).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 415: A bill to protect the permanent trust funds of the State of Arizona from erosion due to inflation and modify the basis on which distributions are made from those funds (Rept. No. 106–59).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without recommendation with amendments:

S. 416: A bill to direct the Secretary of Agriculture to convey the city of Sisters, Oregon, a certain parcel of land for use in connection with a sewage treatment facility (Rept. No. 106–60).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 744: A bill to provide for the continuation of higher education through the conveyance of certain public lands in the State of Alaska to the University of Alaska, and for other purposes (Rept. No. 106–61).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 109. A bill to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia (Rept. No. 106–62).

S. 441. A bill to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system (Rept. No. 106–63).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 548. A bill to establish the Fallen Timbers Battlefield and Fort Miamis National Historical Site in the State of Ohio (Rept. No. 106–64).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 700. A bill to amend the National Trails System Act to designate the Ala Kahakai Trail as a National Historic Trail (Rept. No. 106–65).

S. 776. A bill to authorize the National Park Service to conduct a feasibility study for the preservation of the Loess Hills in western Iowa (Rept. No. 106–66).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 154. A bill to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units, and for other purposes (Rept. No. 106–67).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 449. A bill to authorize the Gateway Visitor Center at Independence National Historical Park, and for other purposes (Rept. No. 106–68).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DORGAN:

S. 1187. A bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SMITH of New Hampshire:

S.J. Res. 27. A joint resolution disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China; to the Committee on Finance.

By Mr. SMITH of New Hampshire:

S.J. Res. 28. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SESSIONS:

S. Con. Res. 37. A concurrent resolution expressing the sense of Congress that State and local governments and local educational agencies are encouraged to dedicate a day of learning to the study and understanding of the Declaration of Independence, the United States Constitution, and the Federalist Papers; to the Committee on Health, Education, Labor, and Pensions.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DORGAN:

S. 1187. A bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes, to the committee on Banking, Housing, and Urban Affairs.

THE LEWIS AND CLARK EXPEDITION BICENTENNIAL COMMEMORATIVE COIN ACT

Mr. DORGAN. Mr. President, today I am introducing the ''Lewis and Clark Expedition Bicentennial Commemorative Coin Act.'' This act authorizes the U.S. Mint to produce a commemorative coin honoring the Lewis and Clark Expedition. This is a bill I introduced in the last Congress and which had the support of 43 other Senators. The bill is a companion to one that has been introduced in the House of Representatives by Congressman BEREUTER.

I am introducing this legislation to ensure that one of America's finest moments will be forever memorialized. The Lewis and Clark Expedition, called the Corps of Discovery, represents the finest in American history. The Expedition began in 1803 when President Thomas Jefferson commissioned the exploration of the newly purchased Louisiana Territory and ended in 1806 with the Expedition's triumphant return.

When considering why we should commemorate the Expedition, it's important to recall Thomas Jefferson's vision for America's future and his dedication to expanding not only our geographic frontiers, but the frontiers of knowledge as well. Jefferson's vision is epitomized by his commissioning of the Expedition. Further, the Expedition represents a hallmark for peaceful diplomacy, as demonstrated by the friendly relations the Expedition established with the Native Americans it encountered on its journey. These are a few of the many valuable lessons from the Expedition that we should carry forward into the future.

The minting of the Lewis and Clark Commemorative Coin was endorsed in the 1998 recommendations of the Citizens Commemorative Coin Advisory Committee (CCCAC), which was established by the 102nd Congress. If, as expected, the coin sells out, approximately $5 million would be available to help fund bicentennial celebrations. After the Treasury Department has recovered all costs of minting this coin, two-thirds of the surcharge received would be available for the National Lewis and Clark Bicentennial Council's commemorative activities.

The Council is an outgrowth of the Lewis and Clark Trail Heritage Foundation, Inc., which was created in 1969 to continue the work of the Lewis and Clark Trail Commission, established by Congress in 1964. The remaining one-third of the surcharge will be donated to the National Park Service to help offset costs associated with their planned activities to commemorate the bicentennial.

I feel confident that, with the support of my Senate colleagues and the passage of this bill, we can appropriately celebrate a vibrant and historically significant event.

By Mr. SMITH of New Hampshire:

S.J. Res. 27. A joint resolution disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China; to the Committee on Finance.

DISAPPROVAL ON TRADE BENEFITS FOR CHINA

By Mr. SMITH of New Hampshire:

S.J. Res. 28. A joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; to the Committee on Finance.

DISAPPROVAL ON TRADE BENEFITS FOR VIETNAM

Mr. SMITH of New Hampshire. Mr. President, I rise to introduce two resolutions concerning our trade relationships with the People's Republic of China and the Socialist Republic of Vietnam. Last Thursday, June 3, 1999, the President of the United States formally recommended waivers of the application of the Trade Act of 1974 provisions with respect to China and Vietnam, thereby allowing U.S. taxdollars to subsidize business operations in these countries. In the case of China, the waiver also allows for continuation of most-favored-nation trade privileges, now known as normal trade relations. Mr. President, there's very little that is normal about our relationship with these communist countries. In short, I think the President's policy is seriously flawed and deeply troubling, especially in view of recent events.

Mr. President, on November 26, 1974, in its report on the Trade Act, the Senate Committee on Finance stated: ''The Committee recognizes that segments of the private sector wish the U.S. Government to provide credits and investment guarantees, and other conditions before private capital investments are ventured. The Committee believes that it is equally reasonable to establish conditions on all basic human rights, including the right to emigrate, before extending broad concessions to communist countries.'' The resolutions I have introduced keep faith with the original Congressional intent of the Trade Act of 1974. One need only read the annual State Department Human Rights Reports on China and Vietnam to recognize that they have failed to meet any recognized standards with respect to human rights. Moreover, there are a myriad of other national security and foreign policy issues concerning our current relationship with Beijing and Hanoi—from wholesale espionage of our nuclear secrets to POW/MIA accounting—which warrant support for my resolutions. We should not be putting profit over principle. These waivers from the President should be overturned by the Congress, using the procedures provided for by law. Thank you, Mr. President.

ADDITIONAL COSPONSORS

S. 115

At the request of Ms. SNOWE, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 115, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 148

At the request of Mr. ABRAHAM, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 148, a bill to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds.

S. 161

At the request of Mr. MOYNIHAN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 161, a bill to provide for a transition to market-based rates for power sold by the Federal Power Marketing Administrations and the Tennessee Valley Authority, and for other purposes.

S. 222

At the request of Mr. LAUTENBERG, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 222, a bill to amend title 23, United States Code, to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

S. 285

At the request of Mr. MCCAIN, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 305

At the request of Mr. MCCAIN, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 305, a bill to reform unfair and anticompetitive practices in the professional boxing industry.

S. 335

At the request of Ms. COLLINS, the name of the Senator from Nevada (Mr.

REID) was added as a cosponsor of S. 335, a bill to amend chapter 30 of title 39, United States Code, to provide for the nonmailability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, and for other purposes.

S. 336

At the request of Mr. LEVIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 336, a bill to curb deceptive and misleading games of chance mailings, to provide Federal agencies with additional investigative tools to police such mailings, to establish additional penalties for such mailings, and for other purposes.

S. 459

At the request of Mr. BREAUX, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

At the request of Mr. HATCH, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 459, supra.

S. 472

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 514

At the request of Mr. COCHRAN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 514, a bill to improve the National Writing Project.

S. 607

At the request of Mr. CRAIG, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 607, a bill reauthorize and amend the National Geologic Mapping Act of 1992.

S. 662

At the request of Mr. CHAFEE, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 664

At the request of Mr. CHAFEE, the names of the Senator from New York (Mr. MOYNIHAN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 745

At the request of Mr. ABRAHAM, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 745, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the requirements for implementation of an entry-exit control system.

S. 746

At the request of Mr. THOMPSON, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 746, a bill to provide for analysis of major rules, to promote the public's right to know the costs and benefits of major rules, and to increase the accountability of quality of Government.

S. 784

At the request of Mr. ROCKEFELLER, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 791

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 791, a bill to amend the Small Business Act with respect to the women's business center program.

S. 805

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 805, a bill to amend title V of the Social Security Act to provide for the establishment and operation of asthma treatment services for children, and for other purposes.

S. 818

At the request of Mr. DEWINE, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 818, a bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of medicare patients related to the provision of anesthesia services.

S. 820

At the request of Mr. BREAUX, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 836

At the request of Mr. GRAHAM, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 836, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group health plans and health insurance issuers provide women with adequate access to providers of obstetric and gynecological services.

S. 918

At the request of Mr. KERRY, the names of the Senator from Utah (Mr. BENNETT), the Senator from Wyoming (Mr. ENZI), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 918, a bill to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small business, and for other purposes.

S. 924

At the request of Mr. NICKLES, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 924, a bill entitled the ''Federal Royalty Certainty Act''.

S. 941

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 941, a bill to amend the Public Health Service Act to provide for a public response to the public health crisis of pain, and for other purposes.

S. 980

At the request of Mr. BAUCUS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 980, a bill to promote access to health care services in rural areas.

S. 1007

At the request of Mr. JEFFORDS, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1007, a bill to assist in the conservation of great apes by supporting and providing financial resources for the conservation programs of countries within the range of great apes and projects of persons with demonstrated expertise in the conservation of great apes.

S. 1150

At the request of Mr. HATCH, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1150, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of semiconductor manufacturing equipment.

S. 1185

At the request of Mr. ABRAHAM, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 1185, a bill to provide small business certain protections from litigation excesses and to limit the product liability of non-manufacturer product sellers.

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the names of the Senator from Missouri (Mr. ASHCROFT), the Senator from

Hawaii (Mr. INOUYE), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of Senate Resolution 59, a bill designating both July 2, 1999, and July 2, 2000, as ''National Literacy Day.''

SENATE RESOLUTION 95

At the request of Mr. THURMOND, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of Senate Resolution 95, a resolution designating August 16, 1999, as ''National Airborne Day.''

SENATE RESOLUTION 96

At the request of Mr. LEAHY, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of Senate Resolution 96, a resolution expressing the sense of the Senate regarding a peaceful process of self-determination in East Timor, and for other purposes.

SENATE CONCURRENT RESOLUTION 37—EXPRESSING THE SENSE OF CONGRESS THAT STATE AND LOCAL GOVERNMENTS AND LOCAL EDUCATIONAL AGENCIES ARE ENCOURAGED TO DEDICATE A DAY OF LEARNING TO THE STUDY AND UNDERSTANDING OF THE DECLARATION OF INDEPENDENCE, THE UNITED STATES CONSTITUTION, AND THE FEDERALIST PAPERS

Mr. SESSIONS submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

Whereas the adoption of the Declaration of Independence in 1776, the signing of the United States Constitution in 1787, and the ratification of the Bill of Rights in 1789 were principal events in the history of the United States;

Whereas these documents stand as the foundation of our form of democracy, providing at the same time the touchstone of our national identity and the vehicle for orderly growth and change;

Whereas the Federalist Papers embody an eloquent and forceful argument made in support of the adoption of our republican form of government;

Whereas the success of the American experiment requires that our Nation's children—the future of its heritage and participants in its governance—have a firm knowledge of its principles and history; and

Whereas the limited nature of government is the fundamental American concept of governance, because our system is based on the belief that power is granted by our Creator to the citizen who then voluntarily loans power to the state and because, as the Declaration of Independence states, ''all men . . . are endowed by their Creator with certain unalienable Rights'': Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) State and local governments and local educational agencies are encouraged to dedicate at least one day of learning to the study and understanding of the significance of the Declaration of Independence, the United States Constitution, and the Federalist Papers; and

(2) State and local governments and local educational agencies are encouraged to include a requirement that, before receiving a certificate or diploma of graduation from high school, students be tested on their competency in understanding the Declaration of Independence, the United States Constitution, and the Federalist Papers.

AMENDMENTS SUBMITTED

NEW MILLENNIUM CLASSROOMS ACT

ABRAHAM AND WYDEN AMENDMENT NO. 539

(Ordered referred to the Committee on Finance.)

Mr. ABRAHAM (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill (S. 542) to amend the Internal Revenue code of 1986 to expand the deduction for computer donations to schools and to allow a tax credit for donated computers; as follows:

On page 3, lines 11 and 12, strike ''(as defined in section 170(e)(6)(B))''.

On page 3, between lines 13 and 14, insert:

''(b) QUALIFIED ELEMENTARY OR SECONDARY EDUCATIONAL CONTRIBUTION.—For purposes of this section, the term 'qualified elementary or secondary educational contribution' has the meaning given such term by section 170(e)(6)(B), except that such term shall include the contribution of a computer (as defined in section 168(i)(2)(B)(ii)) only if computer software (as defined in section 197(e)(3)(B)) that serves as a computer operating system has been lawfully installed in such computer.

On page 3, line 14, strike ''(b)'' and insert ''(c)''.

On page 3, line 18, strike ''(as so defined)''.

On page 3, line 24, strike ''(c)'' and insert ''(d)''.

On page 4, line 1, strike ''(d)'' and insert ''(e)''.

On page 4, line 4, add end quotation marks after the period.

● Mr. ABRAHAM. Mr. President, today my good friend Senator WYDEN and myself are filing an amendment in the RECORD to S. 542, the New Millennium Classrooms Act. The Abraham-Wyden amendment would mandate that in order for a company to receive the enhanced computer donation tax credit, the computer must be equipped with an operating system, ensuring donated computers will be fully operational as soon as they are received by schools.

All of us can agree that our schools are in desperate need of high tech computer equipment and Internet access. The New Millennium Classrooms Act address this need through enhanced tax incentives for companies donating computers to schools.

Mr. President, we can also agree that this valuable equipment is rendered useless if it is given to schools incomplete. To work properly, computers must be furnished with an operating system. Without this software, the equipment simply sits on a shelf until the school itself can find the means to procure and then install the necessary operating system. Mr. President, this equipment offers nothing toward a child's knowledge and education if it is capable of little more than filling storage space and gathering dust. The Abraham-Wyden amendment, recognizing this reality, requires an operating system to be installed on donated computers, guaranteeing complete, quality, ready-to-go equipment.

In addition, the Abraham-Wyden amendment would ensure that schools are not subjected to faulty or broken hardware. Without an operating system there is no way to tell if a donated computer is functioning properly. Sophisticated hardware can be easily damaged during transport or even when the donating company's private files and documents are removed. With an operating system installed, ascertaining the condition of the equipment is as simple as plugging it in and turning it one. Without the operating system, it could be weeks before the school is aware of any problems concerning the donation, burdening an already financially strapped school with added, and unnecessary, costs.

Mr. President, allow me to reiterate how important this technology is to our children's future. By the year 2000, less than one year from now, more than 60 percent of all jobs in this country will demand high tech skills. Computers and the Internet continue to drastically change the face of business and communications on a global level, developing at a pace far surpassing what anyone predicted even just a few years ago. With the passage of the New Millennium Classrooms Act, all our children will have a chance at succeeding in the new technological millennium.

I ask that the text of the letter of support from Microsoft for the New Millennium Classrooms Act be printed in the RECORD.

The letter is printed as follows:

MICROSOFT CORPORATION,
LAW AND CORPORATE AFFAIRS,
Washington, DC, May 28, 1999.

Hon. SPENCER ABRAHAM,
Dirksen Senate Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR ABRAHAM: Microsoft supports your effort, through the New Millennium Classrooms Act, to increase charitable contributions of personal computers to schools and other non-profit organizations. Microsoft appreciates the enormous needs in our nation's schools for access to technology. We work closely with businesses, charitable organizations, and educators in an effort to increase the technology available in schools in order to create opportunities for learning by our children.

to help accomplish this goal, Microsoft supports efforts to stimulate the charitable

donation of personal computers to schools. The New Millennium Classrooms Act provides a helpful incentive to spur donations of computers to schools. We also appreciate your interest in ensuring that donated computers have valid operating systems, which helps to promote legitimate software use and to fight software piracy. Under this program, Microsoft will approve a transfer without charge from the donor to the school of the valid Microsoft operating system license on the computer at the time of transfer.

We believe the New Millennium Classrooms Classrooms Act is helpful legislation for our nation's schools and we are proud to support it.

Thank you for once again demonstrating your leadership on high technology issues and your commitment to our nation's schools and children.

Sincerely,

JACK KRUMHOLTZ,
Director of Federal Government Affairs, Senior Corporate Attorney.●

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

GRASSLEY AMENDMENT NO. 540

Mr. STEVENS (for Mr. GRASSLEY) proposed an amendment to the bill (S. 1122) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes; as follows:

At the end of the general provisions, add the following:

SEC. . Section 8106(a) of the Department of Defense Appropriations Act. 1997 (titles I through VIII of the matter under section 101(b) of Public Law 104–208; 110 Stat. 3309–111; 10 U.S.C. 113 note), is amended—

(1) by striking ''not later than June 30, 1997,''; and

(2) by striking ''$1,000,000'' and inserting ''$500,000''.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Thursday, June 10, 1999, 10:00 a.m., in SD–628 of the Senate Dirksen Building. The subject of the hearing is ''ESEA: Special Populations''. For further information, please call the committee, 202/224–5375.

ADDITIONAL STATEMENTS

IN HONOR OF IRA WEINSTEIN

● Mr. DURBIN. Mr. President, I would like to take a moment to make my colleagues aware of the accomplishments of an outstanding Illinois citizen. This Thursday, June 10, Ira P. Weinstein will turn 80. As we celebrated Memorial Day just a week ago, I think it is appropriate to mention Mr. Weinstein's service to our country as it is a constant reminder that without the dedication and bravery of so many like him, the freedom we are privileged to enjoy could not be possible.

Born in Chicago, Illinois on June 10, 1919, Mr. Weinstein entered the U.S. Army Air Corps in 1942, just as America was being drawn into World War II. Trained as a Navigator-Bombardier, Mr. Weinstein rose to the rank of First Lieutenant and proceeded to fly 25 missions during World War II as a member of the 8th Air Force 445 Bomb Group, 702nd Squadron. Although the 24 previous missions he flew had been safe ones, Mr. Weinstein's 25th would be his most harrowing.

On September 27, 1944, Mr Weinstein's plane was shot down over Germany during the Kassell Mission. As he parachuted to the ground, Mr. Weinstein found safety and eluded capture for six days. Unfortunately, he was found by the enemy and held as a Prisoner of War in Stalag Luft I, in Barth, Germany. On May 11, 1945, the camp where Mr. Weinstein was held was liberated, ending an eight-month ordeal as a POW. For his heroism, Mr. Weinstein was awarded several distinguished service medals. These include the Purple Heart, the Air Medal, the POW Medal, a Presidential Citation, the American Campaign and European Campaign Medals, the WW II Victory Medal, and the distinguished French Croix de Guerre.

After returning from the war, Mr. Weinstein, like so many others of his generation, went on to become accomplished in the world of business, building a successful advertising agency respected throughout the Chicago area. Despite the loss of his wife several years ago, Mr. Weinstein, now retired, enjoys being a grandfather and takes special pride in his expertise as a horticulturist.

I am pleased to take this opportunity today to honor an American hero and one of my constituents. As we did one week ago today, we should not hesitate to honor our defenders of freedom every day as we enjoy the liberty they fought so hard to protect.●

THE VERY BAD DEBT BOXSCORE

● Mr. HELMS. Mr. President, at the close of business Friday, June 4, 1999, the federal debt stood at $5,605,818,000,792.65 (Five trillion, six hundred five billion, eight hundred eighteen million, seven hundred ninety-two dollars and sixty-five cents).

One year ago, June 4, 1998, the federal debt stood at $5,496,568,000,000 (Five trillion, four hundred ninety-six billion, five hundred sixty-eight million).

Fifteen years ago, June 4, 1984, the federal debt stood at $1,519,266,000,000 (One trillion, five hundred nineteen billion, two hundred sixty-six million).

Twenty-five years ago, June 4, 1974, the federal debt stood at $469,771,000,000 (Four hundred sixty-nine billion, seven hundred seventy-one million) which reflects a debt increase of more than $5 trillion—$5,136,047,000,792.65 (Five trillion, one hundred thirty-six billion, forty-seven million, seven hundred ninety-two dollars and sixty-five cents) during the past 25 years.●

CONGRATULATIONS TO DAVID LIEDERMAN

● Mr. ROCKEFELLER. Mr. President, today, I would like to pay tribute to Mr. David S. Liederman, the outgoing Executive Director of the Child Welfare league of America. Throughout his long, distinguished career, David Liederman has fought hard to make a difference in the lives of families and children, especially some of the most vulnerable children who are at risk of abuse and neglect.

Over many years, I have been privileged to work directly with David Liederman and the extraordinary team of dedicated professionals whom he has assembled at the Child Welfare League of America (CWLA). David has the unique ability to be a leader on a variety of levels—within his own organization, throughout the country with many CWLA affiliates, and in Washington as a policy maker and advocate.

Early in his career, he had the vision and the determination to seek bold policy answers by helping to creating the original Independent Living Program. We worked closely together in 1993 to secure over a billion dollars in new investments in prevention services for abused and neglected children. In 1997, David was an effective ally and advocate in the effort to enact the Adoption and Safe Families Act which ensures that a child's health and safety are paramount, and continues the investments in prevention to deliver on this promise.

Those who know David Liederman's personal history are not surprised by his commitment, or his successful record of accomplishments. David began his career working directly with families and serving disadvantaged youths living in public housing in the Boston area. These years in the trenches instilled in him a sense of compassion and the challenges wrought by the harsh realities many of our Nation's citizens face. After working in direct services, he went on to serve the people of Massachusetts first in the State Legislature and then as Chief of Staff to Governor Michael Dukakis. After years of service in Massachusetts, David decided to focus on National issues when he accepted the helm of the Child Welfare League of America (CWLA) and began to lead national discussions setting the agenda on policy issues facing children and families. For fifteen years, he led CWLA and was a well-known advocate and spokesman for needy children and families.

In honor of his many achievements, David Liederman won the 1996 Award for Excellence in national Executive Leadership and the 1997 National Lifetime Achievement Award from the national Association of Social Workers.

I am proud to have worked with David Liederman over so many years, and am proud to call him a friend. His voice will be truly missed on child welfare issues in Washington, But he has our best wishes as he seeks new challenges and opportunities in public service.●

McDONALD COUNTY SESQUICENTENNIAL

● Mr. ASHCROFT. Mr. President, I rise to commend the sesquicentennial celebration of the founding of McDonald County, Missouri. On March 3, 1849, the Missouri State Legislature established McDonald County, which was named in honor of a hero of the Revolutionary War, Alexander McDonald.

McDonald County is rich in hospitality, heritage and history. During the Civil War, McDonald County was the scene of many battles, including battles at Pineville on November 19, 1862, and August 13, 1983. Through the hardships of the war, and through the challenges of peace, the good people of McDonald County stood fast for the values of faith, family, freedom, and hard work. Today, the county celebrates 150 years of history.

An exciting time came in 1938, during the Great Depression, when Hollywood came to McDonald County to make the movie ''Jesse James,'' which starred Tyrone Powers, Henry Fonda, and Randolph Scott.

Each Christmas, the city of Noel in McDonald County receives thousands of cards from all over the country, and affixes the ''Christmas City'' message on cards that wish the joy of the season to family and friends all over the U.S.

In addition to agriculture and industry, McDonald County is a paradise for outdoor recreation. Its rugged hills and valleys, watered by springs, rivers, and streams, attract thousands of anglers, boaters, hikers, and others.

It is an honor to join with the people of McDonald County in celebrating 150 years of history. Mr. President, I ask that members of the Senate join me in recognizing this historic milestone for McDonald County, Missouri.●

RECOGNITION OF WV JUVENILE JUSTICE COMPLIANCE MONITORING BY DCJS

● Mr. ROCKEFELLER. Mr. President, it is my honor to commend the West Virginia Division of Criminal Justice Services (DCJS) for its outstanding compliance monitoring program. The exceptional quality of this program has been recognized by Attorney General Janet Reno and the Department of Justice as an example of how a monitoring program should work. All new Juvenile Justice Compliance Monitors will travel to West Virginia to be trained by DCJS staff.

The West Virginia Division of Criminal Justice Services has an admirable track record of meeting or surpassing the goals set for juvenile justice systems by federal and state regulations. In August 1998, a five-year compliance audit of the DCJS reported a faultless monitoring system for its juvenile justice and delinquency programs (JJDP). West Virginians are right to be proud of the efficient, organized system in use by DCJS, and we can take even more pride in the fact that the DCJS compliance monitoring program will serve as a guide for compliance monitors throughout the country. West Virginia expertise and innovation will be instrumental in streamlining juvenile justice and delinquency prevention programs.

The recent acclaim for West Virginia's compliance monitoring program is a reflection of the many other virtues within the Division's purview. The success of the Juvenile Crime Enforcement Coalition plan has prompted other states' juvenile justice agencies to model their programs after West Virginia's. In her speech, Attorney General Reno noted our state's Underage Drinking Plan as a possible approach for other jurisdictions. To their credit, the staff and management of DCJS do not invest these laurels with more importance than they have. The hard-working people of DCJS understand that one of their agency's greatest strengths is the sharing of responsibility and expertise among DCJS, state juvenile justice facilities, and other state agencies in complying with regulations. Rather than imposing its will on the agencies with which it works, DCJS builds lasting relationships with correctional facilities to help meet statutory and administrative mandates in a cooperative fashion.

Further, DCJS operates with a definite purpose and an open mind. The agency is firmly grounded in law, yet remains flexible with respect to improvements and changes in regulations. Such a balance is particularly important in the juvenile justice and delinquency prevention context, where frequent governmental experiments result in the involvement of new agencies and new personnel, and increased societal vigilance adds even more members to the pool of at-risk youth. Finally, through its carefully organized and straightforward monitoring program, DCJS strives to teach while it continues to serve. In so many respects, the West Virginia DCJS juvenile justice program is a model for the nation.

I wish to express my sincere admiration and heartfelt thanks to the Division of Criminal Justice Services for making juvenile justice services in West Virginia, and now the rest of America, more efficient and effective.●

COMMEMORATION OF THE 55TH ANNIVERSARY OF THE ALLIED INVASION AT NORMANDY

● Mr. FITZGERALD. Mr. President, I rise today to honor the 55th anniversary of the Allied invasion at Normandy. On June 6, 1944, courageous members of our Armed Forces defended the world from assaults against humanity. During that misty and chilly day, 156,000 Allied soldiers crossed the English channel in one of history's greatest military operations. Every soldier, every sailor, and every airman united to challenge the injustices that terrorized and enslaved Europe. With soldiers from other Allied nations, American soldiers stormed the beaches, bombed enemy encampments, fought in the front lines, and ensured Europe's liberation.

When the paratroopers descended from the dark skies and the soldiers charged forward from the churning seas, the tide of the war changed. While we salute those who returned from this battle and World War II to enjoy the world they liberated, we also remember those who never came home. On D-Day alone, 2,500 of our GIs gave their lives for the hope of a better tomorrow. When the Allied forces defeated Nazi Germany 11 months later, it was reaffirmed that they did not die in vain.

These dedicated Americans secured the future and freedoms that we now enjoy. All Americans are forever in debt to the members of our Armed Services, past and present, who put their lives on the line to guarantee our freedom.●

CHARACTER COUNTS!

● Mr. ROCKEFELLER. Mr. President, I am proud to be an original cosponsor of the Character Counts! initiative introduced by Senator DOMENICI and others on May 6, 1999. I avidly support education in West Virginia and the United States, and I believe this should include an emphasis on basic character and good citizenship. In the words of Theodore Roosevelt: ''To educate a person in mind and not in morals is to educate a menace to society.''

Character Counts! recognizes and addresses that there is a connection between one's personal life and one's business or political abilities. Character Counts! understands that morals and character development go hand in hand, and that it is never too late to teach the tools to help develop personal character. The promotion of healthy character development is a necessary precursor to reaching the ultimate goal of teaching people to take personal responsibility.

The Character First! training series is based in Oklahoma City, Oklahoma.

The Character Bulletin Series provides a flexible system that is designed to meet any needs or schedule. It uses a monthly four-step program to teach necessary tools for character development. The first step of every month is a Character Bulletin. This provides a character quality, such as virtue, along with tools to help build it. The second step contains Supplements, including the Introducing ''Character'' Leadership Supplement, which provides additional resources for teaching others about the character quality, and Building ''Character'' Leadership Notes, which challenges those in positions of leadership to hold themselves to higher standards. The third step is called Character at Home, and provides ways to use the Character Bulletin Series at home. This step is particularly helpful for parents who want to play an active role in their child's development. The final part of the series is a Character Poster, a full color poster to remind people of the quality of the month. Recently a cooperative effort to promote Character Counts! began in Baton Rouge, Louisiana. Their city-wide effort involves government personnel, businesses, churches, schools, and others in the community. We should celebrate this city-wide effort to educate people about character and implement the Character Counts! program in other communities nationwide.

Educating people about character and citizenship is crucial to create healthy communities. Years ago, as Chairman of the National Commission on Children, I worked hard to include an entire chapter in our comprehensive report called Creating a Moral Climate because I felt strongly about the issue. Everyone of us has an obligation to create such a climate for our family, our friends, and especially children in our communities.

Character Counts! provides this type of leadership and resources to support character education which will promote continuous growth and development. It is our responsibility to educate people, and I commend Character Counts! for providing a much needed educational service.●

FEDERAL PRISONER HEALTH CARE COPAYMENT ACT OF 1999

On May 27, 1999, the Senate passed S. 704, a bill to amend title 18, United States Code, to combat the over-utilization of prison health care services and control rising prisoner health care costs. The bill is as follows:

S. 704

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Prisoner Health Care Copayment Act of 1999''.

SEC. 2. HEALTH CARE FEES FOR PRISONERS IN FEDERAL INSTITUTIONS.

(a) IN GENERAL.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

''§ 4048. Fees for health care services for prisoners

''(a) DEFINITIONS.—In this section—

''(1) the term 'account' means the trust fund account (or institutional equivalent) of a prisoner;

''(2) the term 'Director' means the Director of the Bureau of Prisons;

''(3) the term 'health care provider' means any person who is—

''(A) authorized by the Director to provide health care services; and

''(B) operating within the scope of such authorization;

''(4) the term 'health care visit'—

''(A) means a visit, as determined by the Director, initiated by a prisoner to an institutional or noninstitutional health care provider; and

''(B) does not include a visit initiated by a prisoner—

''(i) pursuant to a staff referral; or

''(ii) to obtain staff-approved follow-up treatment for a chronic condition; and

''(5) the term 'prisoner' means—

''(A) any individual who is incarcerated in an institution under the jurisdiction of the Bureau of Prisons; or

''(B) any other individual, as designated by the Director, who has been charged with or convicted of an offense against the United States.

''(b) FEES FOR HEALTH CARE SERVICES.—

''(1) IN GENERAL.—The Director, in accordance with this section and with such regulations as the Director shall promulgate to carry out this section, may assess and collect a fee for health care services provided in connection with each health care visit requested by a prisoner.

''(2) EXCLUSION.—The Director may not assess or collect a fee under this section for preventative health care services, emergency services, prenatal care, diagnosis or treatment of contagious diseases, mental health care, or substance abuse treatment, as determined by the Director.

''(c) PERSONS SUBJECT TO FEE.—Each fee assessed under this section shall be collected by the Director from the account of—

''(1) the prisoner receiving health care services in connection with a health care visit described in subsection (b)(1); or

''(2) in the case of health care services provided in connection with a health care visit described in subsection (b)(1) that results from an injury inflicted on a prisoner by another prisoner, the prisoner who inflicted the injury, as determined by the Director.

''(d) AMOUNT OF FEE.—Any fee assessed and collected under this section shall be in an amount of not less than $2.

''(e) NO CONSENT REQUIRED.—Notwithstanding any other provision of law, the consent of a prisoner shall not be required for the collection of a fee from the account of the prisoner under this section.

''(f) NO REFUSAL OF TREATMENT FOR FINANCIAL REASONS.—Nothing in this section may be construed to permit any refusal of treatment to a prisoner on the basis that—

''(1) the account of the prisoner is insolvent; or

''(2) the prisoner is otherwise unable to pay a fee assessed under this section.

''(g) USE OF AMOUNTS.—

''(1) RESTITUTION TO SPECIFIC VICTIMS.—Amounts collected by the Director under this section from a prisoner subject to an order of restitution issued pursuant to section 3663 or 3663A shall be paid to victims in accordance with the order of restitution.

''(2) ALLOCATION OF OTHER AMOUNTS.—Of amounts collected by the Director under this section from prisoners not subject to an order of restitution issued pursuant to section 3663 or 3663A—

''(A) 75 percent shall be deposited in the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601); and

''(B) 25 percent shall be available to the Attorney General for administrative expenses incurred in carrying out this section.

''(h) REPORTS TO CONGRESS.—Not later than 1 year after the date of enactment of the Federal Prisoner Copayment Act of 1999, and annually thereafter, the Director shall submit to Congress a report, which shall include—

''(1) a description of the amounts collected under this section during the preceding 12-month period; and

''(2) an analysis of the effects of the implementation of this section, if any, on the nature and extent of heath care visits by prisoners.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 303 of title 18, United States Code, is amended by adding at the end the following:

''4048. Fees for health care services for prisoners.''.

SEC. 3. HEALTH CARE FEES FOR FEDERAL PRISONERS IN NON-FEDERAL INSTITUTIONS.

Section 4013 of title 18, United States Code, is amended by adding at the end the following:

''(c) HEALTH CARE FEES FOR FEDERAL PRISONERS IN NON-FEDERAL INSTITUTIONS.—

''(1) IN GENERAL.—Notwithstanding amounts paid under subsection (a)(3), a State or local government may assess and collect a reasonable fee from the trust fund account (or institutional equivalent) of a Federal prisoner for health care services, if—

''(A) the prisoner is confined in a non-Federal institution pursuant to an agreement between the Federal Government and the State or local government;

''(B) the fee—

''(i) is authorized under State law; and

''(ii) does not exceed the amount collected from State or local prisoners for the same services; and

''(C) the services—

''(i) are provided within or outside of the institution by a person who is licensed or certified under State law to provide health care services and who is operating within the scope of such license;

''(ii) constitute a health care visit within the meaning of section 4048(a)(4) of this title; and

''(iii) are not preventative health care services, emergency services, prenatal care, diagnosis or treatment of contagious diseases, mental health care, or substance abuse treatment.

''(2) NO REFUSAL OF TREATMENT FOR FINANCIAL REASONS.—Nothing in this subsection may be construed to permit any refusal of treatment to a prisoner on the basis that—

''(A) the account of the prisoner is insolvent; or

''(B) the prisoner is otherwise unable to pay a fee assessed under this subsection.''.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

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

S. 1059

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

SECTION 1. SHORT TITLE.

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

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees defined.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 105. Defense Inspector General.
Sec. 106. Chemical demilitarization program.
Sec. 107. Defense health programs.

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority for certain Army programs.
Sec. 112. Close combat tactical trainer program.
Sec. 113. Army aviation modernization.
Sec. 114. Multiple Launch Rocket System.

Subtitle C—Navy Programs

Sec. 121. LHD–8 amphibious dock ship program.
Sec. 122. Arleigh Burke class destroyer program.
Sec. 123. Repeal of requirement for annual report from shipbuilders under certain nuclear attack submarine programs.
Sec. 124. Cooperative engagement capability program.
Sec. 125. F/A–18E/F aircraft program.

Subtitle D—Air Force Programs

Sec. 131. F–22 aircraft program.

Subtitle E—Other Matters

Sec. 141. Extension of authority to carry out Armament Retooling and Manufacturing Support Initiative.
Sec. 142. Extension of pilot program on sales of manufactured articles and services of certain Army industrial facilities without regard to availability from domestic sources.
Sec. 143. D-5 Missile program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.
Sec. 202. Amount for basic and applied research.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. NATO common-funded civil budget.
Sec. 212. Micro-satellite technology development program.
Sec. 213. Space control technology.
Sec. 214. Space maneuver vehicle.
Sec. 215. Manufacturing technology program.
Sec. 216. Testing of airblast and improvised explosives.

Subtitle C—Ballistic Missile Defense

Sec. 221. Theater missile defense upper tier acquisition strategy.
Sec. 222. Repeal of requirement to implement technical and price competition for theater high altitude area defense system.
Sec. 223. Space-based laser program.
Sec. 224. Airborne laser program.
Sec. 225. Sense of Congress regarding ballistic missile defense technology funding.
Sec. 226. Report on National Missile Defense.
Sec. 227. Options for Air Force cruise missiles.

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

Sec. 231. Annual report on emerging operational concepts.
Sec. 232. Technology area review and assessment.
Sec. 233. Report by Under Secretary of Defense for Acquisition and Technology.
Sec. 234. Incentives to produce innovative new technologies.
Sec. 235. DARPA competitive prizes award program for encouraging development of advanced technologies.
Sec. 236. Additional pilot program for revitalizing Department of Defense laboratories.
Sec. 237. Exemption of defense laboratory employees from certain workforce management restrictions.
Sec. 238. Use of working-capital funds for financing research and development of the military departments.
Sec. 239. Efficient utilization of defense laboratories.

Subtitle E—Other Matters

Sec. 251. Report on Air Force distributed mission training.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Sec. 302. Working-capital funds.
Sec. 303. Armed Forces Retirement Home.
Sec. 304. Transfer from National Defense Stockpile Transaction Fund.
Sec. 305. Operational Meteorology and Oceanography and UNOLS.
Sec. 306. Armed Forces Emergency Services.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 311. NATO common-funded military budget.
Sec. 312. Use of humanitarian and civic assistance funding for pay and allowances of special operations command reserves furnishing demining training and related assistance as humanitarian assistance.
Sec. 313. National Defense Features Program.
Sec. 314. Additional amounts for drug interdiction and counter-drug activities.

Subtitle C—Environmental Provisions

Sec. 321. Environmental technology management.
Sec. 322. Establishment of environmental restoration accounts for installations closed or realigned under the base closure laws and for formerly used defense sites.
Sec. 323. Extension of limitation on payment of fines and penalties using funds in environmental restoration accounts.
Sec. 324. Modification of requirements for annual reports on environmental compliance activities.
Sec. 325. Modification of membership of Strategic Environmental Research and Development Program Council.
Sec. 326. Extension of pilot program for sale of air pollution emission reduction incentives.
Sec. 327. Reimbursement of Environmental Protection Agency for certain costs in connection with Fresno Drum Superfund Site, Fresno, California.
Sec. 328. Payment of stipulated penalties assessed under CERCLA in connection with F.E. Warren Air Force Base, Wyoming.
Sec. 329. Provision of information and guidance to the public regarding environmental contamination at United States military installations formerly operated by the United States that have been closed.
Sec. 330. Ordnance mitigation study.

Subtitle D—Other Matters

Sec. 341. Extension of warranty claims recovery pilot program.
Sec. 342. Additional matters to be reported before prime vendor contract for depot-level maintenance and repair is entered into.
Sec. 343. Implementation of jointly approved changes in defense retail systems.
Sec. 344. Waiver of required condition for sales of articles and services of industrial facilities to purchasers outside the Department of Defense.
Sec. 345. Eligibility to receive financial assistance available for local educational agencies that benefit dependents of Department of Defense personnel.
Sec. 346. Use of Smart Card technology in the Department of Defense.
Sec. 347. Study on use of Smart Card as PKI authentication device carrier for the Department of Defense.
Sec. 348. Revision of authority to donate certain Army materiel for funeral ceremonies.
Sec. 349. Modification of limitation on funding assistance for procurement of equipment for the National Guard for drug interdiction and counter-drug activities.
Sec. 350. Authority for payment of settlement claims.
Sec. 351. Sense of Senate regarding settlement of claims of American servicemen's families regarding deaths resulting from the accident off the coast of Namibia on September 13, 1997.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent end strength levels.
Sec. 403. Reduction of end strengths below levels for two major regional contingencies.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians.
Sec. 414. Increase in numbers of members in certain grades authorized to be on active duty in support of the Reserves.

Subtitle C—Authorization of Appropriations

Sec. 421. Authorization of appropriations for military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Extension of requirement for competition for joint 4-star officer positions.
Sec. 502. Additional three-star officer positions for Superintendents of Service Academies.
Sec. 503. Increase in maximum number of officers authorized to be on active-duty list in frocked grade of brigadier general or rear admiral.
Sec. 504. Reserve officers requesting or otherwise causing nonselection for promotion.
Sec. 505. Minimum grade of officers eligible to serve on boards of inquiry.
Sec. 506. Minimum selection of warrant officers for promotion from below the promotion zone.
Sec. 507. Increase in threshold period of active duty for applicability of restriction on holding of civil office by retired regular officers and reserve officers.
Sec. 508. Exemption of retiree council members from recalled retiree limits.

Subtitle B—Reserve Component Matters

Sec. 511. Additional exceptions for reserve component general and flag officers from limitation on authorized strength of general and flag officers on active duty.
Sec. 512. Duties of Reserves on active duty in support of the reserves.
Sec. 513. Repeal of limitation on number of Reserves on full-time active duty in support of preparedness for responses to emergencies involving weapons of mass destruction.
Sec. 514. Extension of period for retention of reserve component majors and lieutenant commanders who twice fail of selection for promotion.
Sec. 515. Continuation of officer on reserve active-status list for disciplinary action.
Sec. 516. Retention of reserve component chaplains until age 67.
Sec. 517. Reserve credit for participation in health professions scholarship and financial assistance program.
Sec. 518. Exclusion of reserve officers on educational delay from eligibility for consideration for promotion.
Sec. 519. Exclusion of period of pursuit of professional education from computation of years of service for reserve officers.
Sec. 520. Correction of reference relating to crediting of satisfactory service by reserve officers in highest grade held.
Sec. 521. Establishment of Office of the Coast Guard Reserve.
Sec. 522. Chiefs of reserve components and the additional general officers at the National Guard Bureau.

Subtitle C—Military Education and Training

Sec. 531. Authority to exceed temporarily a strength limitation for the service academies.
Sec. 532. Repeal of limitation on amount of reimbursement authorized to be waived for foreign students at the service academies.
Sec. 533. Expansion of foreign exchange programs of the service academies.
Sec. 534. Permanent authority for ROTC scholarships for graduate students.
Sec. 535. Authority for award of master of strategic studies degree by the United States Army War College.
Sec. 536. Minimum educational requirements for faculty of the Community College of the Air Force.
Sec. 537. Conferral of graduate-level degrees by Air University.
Sec. 538. Payment of tuition for education and training of members in the defense acquisition workforce.
Sec. 539. Financial assistance program for pursuit of degrees by officer candidates in Marine Corps Platoon Leaders Class Program.

Subtitle D—Decorations, Awards, and Commendations

Sec. 551. Waiver of time limitations for award of certain decorations to certain persons.
Sec. 552. Authority for award of Medal of Honor to Alfred Rascon for valor during the Vietnam conflict.
Sec. 553. Elimination of backlog in requests for replacement of military medals and other decorations.
Sec. 554. Retroactive award of Navy Combat Action Ribbon.

Subtitle E—Amendments to Uniform Code of Military Justice

Sec. 561. Increase in sentencing jurisdiction of special courts-martial authorized to adjudge a bad conduct discharge.
Sec. 562. Reduced minimum blood and breath alcohol levels for offense of drunken operation or control of a vehicle, aircraft, or vessel.

Subtitle F—Other Matters

Sec. 571. Funeral honors details at funerals of veterans.
Sec. 572. Increased authority to extend delayed entry period for enlistments of persons with no prior military service.
Sec. 573. Army college first pilot program.
Sec. 574. Reduction in required frequency of reporting on the Selected Reserve Educational Assistance Program under the Montgomery GI Bill.
Sec. 575. Participation of members in management of organizations abroad that promote international understanding.
Sec. 576. Forensic pathology investigations by Armed Forces Medical Examiner.
Sec. 577. Nondisclosure of information on missing persons returned to United States control.
Sec. 578. Use of recruiting materials for public relations purposes.
Sec. 579. Improvement and transfer of jurisdiction of troops-to-teachers program.
Sec. 580. Support for expanded child care services and youth program services for dependents.
Sec. 581. Responses to domestic violence in the Armed Forces.
Sec. 582. Posthumous advancement of Rear Admiral (retired) Husband E. Kimmel and Major General (Retired) Walter C. Short on retired lists.
Sec. 583. Exit survey for separating members.
Sec. 584. Administration of defense reform initiative enterprise program for military manpower and personnel information.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Fiscal year 2000 increase and restructuring of basic pay.
Sec. 602. Pay increases for fiscal years 2001 through 2006.
Sec. 603. Special subsistence allowance for food stamp eligible members.
Sec. 604. Payment for unused leave in conjunction with a reenlistment.
Sec. 605. Continuance of pay and allowances while in duty status (whereabouts unknown).
Sec. 606. Equitable treatment of class of 1987 of the Uniformed Services University of the Health Sciences.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of authorities relating to payment of certain bonuses and special pays.
Sec. 612. One-year extension of certain bonuses and special pay authorities for reserve forces.
Sec. 613. One-year extension of certain bonuses and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists.
Sec. 614. Amount of aviation career incentive pay for air battle managers formerly eligible for hazardous duty pay.
Sec. 615. Aviation career officer special pay.
Sec. 616. Career enlisted flyer incentive pay.
Sec. 617. Retention bonus for special warfare officers extending periods of active duty.
Sec. 618. Retention bonus for surface warfare officers extending periods of active duty.
Sec. 619. Additional special pay for board certified veterinarians in the Armed Forces and Public Health Service.
Sec. 620. Increase in rate of diving duty special pay.
Sec. 621. Increase in maximum amount authorized for reenlistment bonus for active members.
Sec. 622. Critical skills enlistment bonus.
Sec. 623. Selected Reserve enlistment bonus.
Sec. 624. Special pay for members of the Coast Guard Reserve assigned to high priority units of the Selected Reserve.

Sec. 625. Reduced minimum period of enlistment in Army in critical skill for eligibility for enlistment bonus.
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SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

For purposes of this Act, the term ''congressional defense committees'' means—

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

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

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

(1) For aircraft, $1,498,188,000.

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

(3) For weapons and tracked combat vehicles, $1,678,865,000.

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

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

SEC. 102. NAVY AND MARINE CORPS.

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

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

(2) For weapons, including missiles and torpedoes, $1,392,100,000.

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

(4) For other procurement, $4,197,791,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Marine Corps in the amount of $1,295,570,000.

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

SEC. 103. AIR FORCE.

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

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

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

(3) For ammunition, $411,837,000.

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

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2000 for Defense-wide procurement in the amount of $2,293,417,000.

SEC. 105. DEFENSE INSPECTOR GENERAL.

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

SEC. 106. CHEMICAL DEMILITARIZATION PROGRAM.

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

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

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

SEC. 107. DEFENSE HEALTH PROGRAMS.

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

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR CERTAIN ARMY PROGRAMS.

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

(1) The M270A1 launcher.

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

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

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

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

(6) The Wolverine heavy assault bridge.

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

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

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

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

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

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

SEC. 112. CLOSE COMBAT TACTICAL TRAINER PROGRAM.

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

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

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

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

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

SEC. 113. ARMY AVIATION MODERNIZATION.

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

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

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

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

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

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

(3) For the RAH–66 Comanche program:

(A) Review of the total requirements and acquisition objectives for the program.

(B) Fielding of Comanche helicopters to the existing aviation force structure.

(C) Support for the plan for the AH–64D Apache program required under paragraph (1).

(4) For the UH–1 Huey helicopter program:

(A) A UH–1 modernization program.

(B) Revision of total force requirements for the aircraft to reflect the warfighting support requirements and State mission requirements for aircraft utilized by the Army National Guard.

(5) For the UH–60 helicopter program:

(A) Identification of the requirements for the aircraft.

(B) An acquisition strategy for meeting requirements that cannot be met by UH–1 Huey helicopters among the warfighting support requirements and State mission requirements for aircraft utilized by the Army National Guard.

(C) An upgrade program for fielded aircraft.

(6) For the CH–47 Chinook helicopter service life extension program, maintenance of the schedule and funding.

(7) For the OH-58D Kiowa Warrior helicopters, a modernization program.

(8) A revised assessment of the Army's present and future requirements for helicopters and its present and future helicopter inventory, including the number of aircraft, average age of aircraft, availability of spare parts, flight hour costs, roles and functions assigned to the fleet as a whole and to each type of aircraft, and the mix of active component and reserve component aircraft in the fleet.

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

SEC. 114. MULTIPLE LAUNCH ROCKET SYSTEM.

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

Subtitle C—Navy Programs

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

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

(b) AMOUNT AUTHORIZED.—Of the amount authorized to be appropriated under section 102(a)(3) for fiscal year 2000, $375,000,000 is available for the advance procurement and advance construction of components for the LHD–8 amphibious dock ship 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.

SEC. 122. ARLEIGH BURKE CLASS DESTROYER PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT OF 6 ADDITIONAL VESSELS.—(1) Subsection (b) of section 122 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2446) is amended in the first sentence—

(A) by striking ''12 Arleigh Burke class destroyers'' and inserting ''18 Arleigh Burke class destroyers''; and

(B) by striking ''and 2001'' and inserting ''2001, 2002, and 2003''.

(2) The heading for such subsection is amended by striking ''TWELVE'' and inserting ''18''.

(b) FISCAL YEAR 2001 ADVANCE PROCUREMENT.—(1) Subject to paragraphs (2) and (3), the Secretary of the Navy is authorized, in fiscal year 2001, to enter into contracts for advance procurement for the Arleigh Burke class destroyers that are to be constructed under contracts entered into after fiscal year 2001 under section 122(b) of Public Law 104–201, as amended by subsection (a)(1).

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

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

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

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

(a) REPEAL.—Paragraph (3) of section 121(g) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2444) is repealed.

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

SEC. 124. COOPERATIVE ENGAGEMENT CAPABILITY PROGRAM.

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

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

SEC. 125. F/A–18E/F AIRCRAFT PROGRAM.

(a) AUTHORITY.—Beginning with the fiscal year 2000 program year, the Secretary of the Navy may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear procurement contract for the procurement of F/A–18E/F aircraft.

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

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

(2) the Secretary of Defense determines that the results of operational test and evaluation demonstrate that the version of the aircraft to be procured under the multiyear contract in the higher quantity than the other version satisfies all key performance parameters appropriate to that version of aircraft in the operational requirements document for the F/A–18E/F program, as submitted on April 1, 1997, except that with respect to the range performance parameter a deviation of 1 percent shall be permitted.

Subtitle D—Air Force Programs

SEC. 131. F–22 AIRCRAFT PROGRAM.

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

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

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

Subtitle E—Other Matters

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

Section 193(a) of the Armament Retooling and Manufacturing Support Act of 1992 (subtitle H of title I of Public Law 102–484; 10 U.S.C. 2501 note) is amended by striking ''During fiscal years 1993 through 1999'' and inserting ''During fiscal years 1993 through 2001''.

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

(a) EXTENSION OF PROGRAM.—Section 141 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1652; 10 U.S.C. 4543 note) is amended—

(1) in subsection (a), by striking ''During fiscal years 1998 and 1999'' and inserting ''During fiscal years 1998 through 2001''; and

(2) in subsection (b), by striking ''during fiscal year 1998 or 1999'' and inserting ''during a fiscal year covered by the pilot program''.

(b) EXTENSION OF DEADLINE FOR INSPECTOR GENERAL REPORT.—Subsection (c) of such section is amended by striking ''July 1, 1999'' and inserting ''July 1, 2000''.

SEC. 143. D-5 MISSILE PROGRAM.

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

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

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

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

(B) rotation of inventory; and

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

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

(3) An assessment of the capability of the Navy of meeting strategic requirements with a total procurement of less than 425 D–5 missiles, including an assessment of the consequences of—

(A) loading Trident submarines with fewer than 24 D–5 missiles; and

(B) reducing the flight test rate for D–5 missiles.

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

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

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

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

(1) For the Army, $4,695,894,000.

(2) For the Navy, $8,207,616,000.

(3) For the Air Force, $13,573,308,000.

(4) For Defense-wide activities, $9,389,081,000, of which—

(A) $253,457,000 is authorized for the activities of the Director, Test and Evaluation; and

(B) $24,434,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR BASIC AND APPLIED RESEARCH.

(a) FISCAL YEAR 2000.—Of the amounts authorized to be appropriated by section 201, $4,156,812,000 shall be available for basic research and applied research projects.

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

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. NATO COMMON-FUNDED CIVIL BUDGET.

Of the amount authorized to be appropriated by section 201(1), $750,000 shall be available for contributions for the common-funded Civil Budget of NATO.

SEC. 212. MICRO-SATELLITE TECHNOLOGY DEVELOPMENT PROGRAM.

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

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

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

SEC. 213. SPACE CONTROL TECHNOLOGY.

(a) FUNDS AVAILABLE FOR AIR FORCE EXECUTION.—Of the funds authorized to be appropriated under section 201(3), $19,822,000 shall be available for space control technology development pursuant to the Department of Defense Space Control Technology Plan of 1999.

(b) FUNDS AVAILABLE FOR ARMY EXECUTION.—Of the funds authorized to be appropriated under section 201(1), $41,000,000 shall be available for space control technology development. Of the funds made available pursuant to the preceding sentence, the Commanding General of the United States Army Space and Missile Defense Command may utilize such amounts as are necessary for any or all of the following activities:

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

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

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

SEC. 214. SPACE MANEUVER VEHICLE.

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

(b) ACQUISITION OF SECOND FLIGHT TEST 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—'' the following new paragraph (1):

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

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

(1) by redesignating paragraph (2) as paragraph (4); and

(2) by inserting after paragraph (1) the following:

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

''(3) A 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 shipyard serves as a sponsor for the project by certifying that funds available to the program office will be used to pay the costs of implementing a manufacturing technology developed and applied under the project to the successful satisfaction of requirements described in subsection (b)(1).''.

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

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

(2) by striking ''(A)'' following ''(d) COMPETITION AND COST SHARING.—(1)''; and

(3) by striking ''(B) For each'' and all that follows through ''competitive procedures.'' and inserting the following: ''(2) The competitive procedures shall include among the factors to be considered in the evaluation of a proposal for a grant, contract, cooperative agreement, or other transaction for a project the extent to which the proposal provides for the prospective recipient to share in defraying the costs of the project.''.

SEC. 216. TESTING OF AIRBLAST AND IMPROVISED EXPLOSIVES.

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 63122D); 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 in separate, independently managed program elements throughout the future-years defense program;

(2) bases funding decisions and program schedules for each upper tier system on the performance of each system independent of the performance of the other system; and

(3) provides for accelerating the deployment of both of the upper tier systems to the maximum extent practicable.

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

(1) The Navy Theater Wide system.

(2) The Theater High-Altitude Area Defense system.

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

Subsection (a) of section 236 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1953) 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; and

(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 suited to the operational and technological environment that will exist when such a system can be deployed, the

Secretary shall structure the space-based laser program schedule to include the following:

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

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

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

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

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

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

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

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

(f) FUNDS AVAILABLE FOR BALLISTIC MISSILE DEFENSE ORGANIZATION EXECUTION.—Of the amounts authorized to be appropriated under section 201(4), $75,000,000 shall be available for the space-based laser program. Amounts made available under this subsection may be transferred to the Air Force for execution in support of the space-based laser program.

(g) FUNDS AVAILABLE FOR AIR FORCE EXECUTION.—Of the amounts authorized to be appropriated under section 201(3), $88,840,000 shall be available for the space-based laser program.

SEC. 224. AIRBORNE LASER PROGRAM.

(a) MODIFICATION OF PROGRAM DEFINITION AND RISK REDUCTION AIRCRAFT.—The Secretary of the Air Force may not commence any modification of the program definition and risk reduction aircraft for the Airborne Laser program until the Secretary of Defense certifies to Congress that he has determined that the commencement of the aircraft modification according to the existing schedule is justified on the basis of the results of test and analysis involving the following activities:

(1) The North 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-2.—Before the Authority-to-Proceed-2 may be approved for the Airborne Laser program, the Secretary of Defense shall—

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

(2) approve the plan; and

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

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

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

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

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

(d) AIRBORNE LASER PROGRAM 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 on March 9, 1999.

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

It is the sense of Congress that—

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

(2) funding planned within the future years defense program of the Department of Defense 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 economies 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) once the inventory of that missile has been depleted. In conducting the study, the Secretary shall consider the following options:

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

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

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

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

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

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

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

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

SEC. 231. ANNUAL REPORT ON EMERGING OPERATIONAL CONCEPTS.

(a) EXTENSION OF REPORTING REQUIREMENT.—Subsection (a) of section 1042 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2642; 10 U.S.C. 113 note) is amended by striking ''2000'' and inserting ''2002''.

(b) 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 threats, including asymmetrical threats, that could be posed to the national security interests of the United States by potential adversaries from 2020 to 2030;

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

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

SEC. 232. TECHNOLOGY AREA REVIEW AND ASSESSMENT.

Section 270(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2469; 10 U.S.C. 2501 note) is amended to read as follows:

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

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

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

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

(1) the Department of Defense laboratories place an appropriate emphasis on revolutionary changes in military operations and the new technologies that will be necessary to support those operations;

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

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

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

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

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

SEC. 234. INCENTIVES TO PRODUCE INNOVATIVE NEW TECHNOLOGIES.

(a) TECHNICAL 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 and otherwise to provide an increased profit incentive for contractors to develop and produce complex and innovative new technologies, rather than to produce mature technologies with low technical risk.

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

SEC. 235. DARPA COMPETITIVE PRIZES AWARD PROGRAM FOR ENCOURAGING DEVELOPMENT OF ADVANCED 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 carry out a program to award prizes in recognition of outstanding achievements in basic, advanced, and applied research, technology development, and prototype development that have the potential for application to the performance of the military missions of the Department of Defense.

''(b) COMPETITION REQUIREMENTS.—The Director shall use a competitive process for the selection of recipients of prizes under this section. The process shall include the widely-advertised solicitation of submissions of research results, technology developments, and prototypes.

''(c) FORM OF PRIZE.—A prize awarded under this section shall be a monetary award together with a trophy, plaque, or medal or other emblem.

''(d) LIMITATIONS.—(1) The total amount made available for award of cash prizes in a fiscal year may not exceed $10,000,000.

''(2) No prize competition may result in the award of more than $1,000,000 in cash prizes without the approval of the Under Secretary of Defense for Acquisition and Technology.

''(e) RELATIONSHIP TO OTHER AUTHORITY.—The Director may exercise the authority under this section in conjunction with or in addition to the exercise of any other authority of the Director to acquire, support, or stimulate basic, advanced and applied research, technology development, or prototype projects.

''(f) ANNUAL REPORT.—Promptly after the end of each fiscal year, the Director shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the administration of the program for the fiscal year. The report shall include the following:

''(1) The military applications of the research, technology, or prototypes for which prizes were awarded.

''(2) The total amount of the prizes awarded.

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

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2374 the following:

''2374a. Prizes for advanced technology.''.

SEC. 236. ADDITIONAL PILOT PROGRAM FOR REVITALIZING DEPARTMENT OF DEFENSE LABORATORIES.

(a) AUTHORITY.—(1) The Secretary of Defense may carry out a pilot program to demonstrate improved cooperative relationships 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 carried out under section 246 of the Strom Thurmond 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 of methods for achieving the objectives in subparagraphs (A) and (B).

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

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

(b) REPORT.—(1) Not later than March 1, 2000, the Secretary of Defense shall submit a report on the 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 participation of the laboratory in the pilot program. The report shall contain the following:

(A) A description of the concepts tested.

(B) The results of 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) STRENGTH 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 the following new paragraph:

''(4) The employees of a laboratory covered by a personnel demonstration project carried out under this section shall be exempt from, and may not be counted for the purposes of, any constraint or limitation in a statute or regulation in terms of man years, end strength, full time equivalent positions, supervisory ratios, or maximum number of employees in any category or categories of employment that may otherwise be applicable to the employees. The employees shall be managed by the director of the laboratory subject to the supervision of the Under Secretary of Defense for Acquisition and Technology.''.

(b) REDUCTIONS IN FORCE.—Notwithstanding any provision of law that requires a reduction in the size of the defense acquisition workforce—

(1) the employees of a Department of Defense laboratory shall not be considered as being included in that workforce for the purpose of that provision of law; and

(2) the Secretary of Defense, in carrying out the reduction under that provision of law, shall consider the size of the required reduction as being lowered by—

(A) the percent determined by dividing (on the basis of the equivalent of full-time employees) the total number of employees in the defense acquisition workforce as of the beginning of the reduction in force into the number of laboratory employees that, except for paragraph (1), would otherwise have been considered as being in the workforce to be reduced under that provision of law; or

(B) any other factor that the Secretary determines as being a more appropriate measure for the adjustment.

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

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

''(r) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.—(1) Working-capital funds shall be used for financing all research, development, test, and evaluation activities and programs of the military departments.

''(2) The following transactions are authorized for the use of working-capital funds for activities and programs described in paragraph (1):

''(A) Acceptance of reimbursable orders from authorized customers.

''(B) Crediting of working-capital funds, out of funds available for a military department for research, development, test, and evaluation or any other appropriate source of funds, for goods and services provided to that military department.

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

(b) IMPLEMENTATION.—(1) The Secretary of Defense shall amend the Department of Defense Financial Management Regulation to ensure that subsection (r)(3) of section 2208 of title 10, United States Code (as added by subsection (a)), is fully implemented.

(2) Not later than April 1, 2000, and August 1, 2000, the Under Secretary of Defense (Comptroller) shall submit to the Committees on Armed Services of the Senate and the House of Representatives written status reports on the progress made in implementing subsection (r) of section 2208 of title 10, United States Code, as added by subsection (a). Each status report shall, at a minimum, include the following:

(A) The schedule for completing the key actions necessary for implementation.

(B) The progress made in the implementation by the military departments and the other agencies of the Department of Defense through the date of the report.

(C) Each delay and obstacle encountered in the implementation, together with an explanation of the actions taken in each such case to ensure timely implementation.

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 designating lead agencies or executive agents in cases considered appropriate. The panel shall report its findings to the Secretary of Defense and to Congress not later than August 1, 2000.

(2) The 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, electronic warfare, medicine, corporate laboratories, civil engineering, geophysics, and the environment.

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

Subtitle E—Other Matters

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

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

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

(1) The progress that the Air Force has made to demonstrate and prove the Air Force Distributed Mission Training concept of linking geographically separated, high-fidelity simulators to provide a mission rehearsal capability for Air Force units, and any units of any of the other Armed Forces 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, for 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 Marine Corps, $2,612,529,000.

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

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

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

(7) For the Naval Reserve, $927,347,000.

(8) For the Marine Corps Reserve, $125,766,000.

(9) For the Air Force Reserve, $1,726,837,000.

(10) For the Army National Guard, $2,912,249,000.

(11) For the Air National Guard, $3,119,518,000.

(12) For the Defense Inspector General, $138,244,000.

(13) For the United States Court of Appeals for the Armed Forces, $7,621,000.

(14) For Environmental Restoration, Army, $378,170,000.

(15) For Environmental Restoration, Navy, $284,000,000.

(16) For Environmental Restoration, Air Force, $376,800,000.

(17) For Environmental Restoration, Defense-wide, $25,370,000.

(18) For Environmental Restoration, Formerly Used Defense Sites, $239,214,000.

(19) For Overseas Humanitarian, Demining, and CINC Initiatives, $55,800,000.

(20) For Drug Interdiction and Counter-drug Activities, Defense-wide, $745,265,000.

(21) For the Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund, $15,000,000.

(22) For Medical Programs, Defense, $10,453,487,000.

(23) For Cooperative Threat Reduction programs, $475,500,000.

(24) For Overseas Contingency Operations Transfer Fund, $2,387,600,000.

(25) For Combating Terrorism Activities Transfer Fund, $1,954,430,000.

(26) For quality of life enhancements, $1,845,370,000.

(27) For defense transfer programs, $31,000,000.

(b) GENERAL LIMITATION.—Notwithstanding paragraphs (1) through (27) of subsection (a), the total amount authorized to be appropriated for fiscal year 2000 under those paragraphs is $104,042,075,000.

SEC. 302. WORKING-CAPITAL FUNDS.

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

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

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

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

SEC. 303. ARMED FORCES RETIREMENT HOME.

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

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

(a) TRANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $150,000,000 is authorized to be transferred from the National Defense Stockpile Transaction Fund to operation and maintenance accounts for fiscal year 2000 in amounts as follows:

(1) For the Army, $50,000,000.

(2) For the Navy, $50,000,000.

(3) For the Air Force, $50,000,000.

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

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

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

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

SEC. 305. OPERATIONAL METEOROLOGY AND OCEANOGRAPHY AND UNOLS.

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

SEC. 306. ARMED FORCES EMERGENCY SERVICES.

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

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 311. NATO COMMON-FUNDED MILITARY BUDGET.

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

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

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

''(5) Up to 5 percent of the funds available in any fiscal year for humanitarian and civic assistance described in subsection (e)(5) may be expended for the pay and allowances of reserve component personnel of the Special Operations Command for periods of duty for which the personnel, for a humanitarian purpose, furnish education and training on the detection and clearance of landmines or furnish related technical assistance.''.

SEC. 313. NATIONAL DEFENSE FEATURES PROGRAM.

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

(1) by redesignating subsection (k) as subsection (l);

(2) by inserting after subsection (j) the following new subsection (k):

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

''(2) The head of an agency may make advance payments to the contractor under the contract in one lump sum, annual payments, or any combination thereof for costs associated with the installation and maintenance of the defense features on one or more commercial vessels, as follows:

''(A) The costs to build, procure, and install any defense feature in a vessel.

''(B) The costs to maintain and test any defense feature on a vessel periodically.

''(C) Any increased costs of operation or any loss of revenue attributable to the installation or maintenance of any defense feature on a vessel.

''(D) Any additional costs associated with the terms and conditions of the contract.

''(3) For any contract under which the United States provides advance payments for the costs associated with installation or maintenance of any defense feature on a commercial vessel, the contractor shall provide to the United States any security interest in the vessel, by way of a preferred mortgage under section 31322 of title 46 or otherwise, that the head of the agency prescribes in order adequately to protect the United 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 contract is owned or controlled by the contractor, the contractor is to operate the vessel for the Department of Defense notwithstanding any other contract or commitment of that contractor; and

''(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 delegate authority under this subsection to any person in a position below the level of head of a procuring activity.''; and

(3) by adding at the end of subsection (l), as redesignated by paragraph (1), the following:

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

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

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

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

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

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

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

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

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

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

Subtitle C—Environmental Provisions

SEC. 321. ENVIRONMENTAL TECHNOLOGY MANAGEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to hold the Department of Defense and the military departments accountable for achieving performance-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 performance of environmental technologies by establishing objectives for environmental technology programs, measuring performance against such objectives, and making public reports on the progress made in such performance.

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

''§ 2358a. Research and development: environmental technology

''(a) MANAGEMENT OF RESEARCH AND DEVELOPMENT.—The Secretary of Defense shall provide in accordance with this section for the management of projects engaged in under section 2358 of this title for the research, development, and evaluation of environmental technologies for the Department of Defense and the military departments.

''(b) RESPONSIBILITIES OF SECRETARY OF DEFENSE.—The Secretary of Defense shall—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(A) unless the Secretary of Defense determines that it is not feasible under subsection (b)(5), establish performance objectives for each environmental technology project under the program for the fiscal year based on end-user requirements and program priorities under the program, and express such objectives in a quantifiable and measurable form;

''(B) provide a basis for comparing the actual results of each project at the end of the fiscal year with the performance objectives for 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 such validation is not possible;

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

''(E) establish mechanisms for determining the operational processes, skills and technology, human capital, information, or other resources necessary to meet the performance objectives for each project for the fiscal year.

''(d) ANNUAL REPORT.—(1) Not later than March 31 each year, the Secretary of Defense shall submit to Congress, at the same time as the Secretary submits the report required by section 2706(b) of this title, a report on the environmental technology program of the Department of Defense during the preceding fiscal year.

''(2) Each report under paragraph (1) shall, with respect to each project under the environmental technology program of the Department—

''(A) set forth the performance objectives established for the project for the fiscal year under subsection (c)(3) and assess the performance achieved with respect to the project in light of performance indicators for the project;

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

''(C) if a project did not meet the performance objectives for the project for the fiscal year, include—

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

''(ii) either—

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

''(II) in the case of any performance objective determined to be impracticable or infeasible to meet, a statement of alternative actions to be taken with respect to the project; and

''(D) set forth the level of effort, including the funds obligated and expended, in the fiscal year for the achievement of each performance objective for the project.

''(e) OFFICIAL CONCERNED DEFINED.—In this section, the term 'official concerned' means the following:

''(1) The Deputy Under Secretary of Defense (Environmental Security), with respect to the environmental technology program of the Defense Agencies.

''(2) The Deputy Assistant Secretary of the Army for Environment, Safety, and Occupational Health, with respect to the environmental technology program of the Army or any environmental program technology for which the Army is the executive agent.

''(3) The Deputy Assistant Secretary of the Navy (Environment and Safety), with respect to the environmental technology program of the Navy or any environmental technology program for which the Navy is the executive agent.

''(4) The Deputy Assistant Secretary of the Air Force (Environment, Safety, and Occupational Health), with respect to the environmental technology program of the Air Force or any environmental technology program for which the Air Force is the executive agent.''.

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

''2358a. Research and development: environmental technology.''.

SEC. 322. ESTABLISHMENT OF ENVIRONMENTAL RESTORATION ACCOUNTS FOR INSTALLATIONS CLOSED OR REALIGNED UNDER THE BASE CLOSURE LAWS AND FOR FORMERLY USED DEFENSE SITES.

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

''(5) An account to be known as the 'Environmental Restoration Account, Army, Formerly Used Defense Sites'.''.

(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, Defense Base Closure and Realignment'.''.

(c) USE OF FUNDS IN BASE CLOSURE AND REALIGNMENT ACCOUNT.—(1) Subsection (b) 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, Defense Base Closure and Realignment established under subsection (a)(6) may be obligated and expended from the account only for carrying out environmental restoration required as the result of the closure or realignment of military installations pursuant to a base closure law. Such funds shall be the exclusive source of funds for such environmental restoration.

''(B) For purposes of this paragraph, the term 'base closure law' means the following:

''(i) Section 2687 of this title.

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

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

(2) Section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking subsection (e).

(d) TRANSFER OF BRAC ENVIRONMENTAL RESTORATION FUNDS.—The Secretary of Defense shall transfer from the Department of Defense Base Closure Account 1990 established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) to the Environmental Restoration Account, Defense Base Closure and Realignment established by section 2703(a)(6) of title 10, United States Code (as amended by subsection (b)), such portion of the unobligated balance in the Department of Defense Base Closure Account 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)).

(e) FUNDING OF ADMINISTRATIVE EXPENSES AND TECHNICAL ASSISTANCE.—Section 2705(g) of title 10, United States Code, is amended to read as follows:

''(g) FUNDING.—(1) Except as provided in paragraph (2), funds in the accounts established by section 2703(a) of this title shall be available for administrative expenses and technical assistance under this section.

''(2) Funds in the account established by section 2703(a)(6) of this title shall be available for administrative expenses and technical assistance under this section with respect to an installation approved for closure or realignment under a base closure law only to the extent that the base closure law under which the installation is being closed or realigned provides for the funding of environmental restoration at the installation from an account established for purposes of carrying out the closure or realignment of installations.''.

(f) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on the date of the enactment of this Act.

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

SEC. 323. EXTENSION OF LIMITATION ON PAYMENT OF FINES AND PENALTIES USING FUNDS IN ENVIRONMENTAL RESTORATION ACCOUNTS.

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

SEC. 324. MODIFICATION OF REQUIREMENTS FOR ANNUAL REPORTS ON ENVIRONMENTAL COMPLIANCE ACTIVITIES.

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

''(b) REPORT ON ENVIRONMENTAL QUALITY PROGRAMS AND OTHER ENVIRONMENTAL ACTIVITIES.—(1) The Secretary of Defense shall submit to Congress each year, not later than 45 days after the date on which the President submits to Congress the budget for a fiscal year, a report on the progress made in carrying out activities under the environmental quality programs of the Department of Defense and the military departments.

''(2) Each report shall include the following:

''(A) A description of the environmental quality program of the Department of Defense, and of each of the military departments, during the period consisting of the four fiscal years preceding the fiscal year in which the report is submitted, the fiscal year in which the report is submitted, and the fiscal year following the fiscal year in which the report is submitted, including—

''(i) for each of the major activities under the program—

''(I) the amount expended, or proposed to be expended, in each fiscal year of the period;

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

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

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

''(B) A list of the planned or ongoing projects necessary to support the environmental quality program of the Department

of Defense, and of each of the military departments, during the period described in subparagraph (A) the cost of which has exceeded or is anticipated to exceed $1,500,000, including—

''(i) a separate list of the projects inside the United States and of the projects outside the United States;

''(ii) for each project commenced during the first four fiscal years of the period—

''(I) the amount specified in the initial budget request for the project;

''(II) the aggregate amount allocated to the project through the fiscal year preceding the fiscal year in which the report is submitted; and

''(III) the aggregate amount obligated for the project through that fiscal year;

''(iii) for each project commenced or to be commenced in the fiscal year in which the report is submitted—

''(I) the amount specified for the project in the budget for the fiscal year; and

''(II) the amount allocated to the project in the fiscal year;

''(iv) for each project to be commenced in the last fiscal year of the period, the amount, if any, specified for the project in the budget for the fiscal year; and

''(v) if the anticipated aggregate cost of any project covered by the report will exceed by more than 25 percent the amount specified in the initial budget request for such project, a justification for that variance.

''(C) A statement of the fines and penalties imposed or assessed against the Department of Defense and the military departments under Federal, State, or local environmental laws during the fiscal year in which the report is submitted and the four preceding fiscal years, setting forth—

''(i) each Federal environmental statute under which a fine or penalty was imposed or assessed during each such fiscal year;

''(ii) with respect to each such Federal statute—

''(I) the aggregate amount of fines and penalties imposed under the statute during each such fiscal year;

''(II) the aggregate amount of fines and penalties paid under the statute during each such fiscal year; and

''(III) the total amount required during such fiscal years for supplemental environmental projects in lieu of the payment of a fine or penalty under the statute and the extent to which the cost of such projects during such fiscal years has exceeded the original amount of the fine or penalty; and

''(iii) the amount of fines and penalties imposed or assessed during each such fiscal year with respect to each military installation inside and outside the United States.

''(D) A statement of the amounts expended, and anticipated to be expended, during the period described in subparagraph (A) for any activities overseas relating to the environment, including amounts for activities relating to environmental remediation, compliance, conservation, pollution prevention, and environmental technology and amounts for conferences, meetings, and studies for pilot programs, and for travel related to such activities.''.

(b) CONFORMING REPEAL.—That section is further amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

(c) DEFINITIONS.—Subsection (d) of that section, as redesignated by subsection (b)(2) of this section, 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.

''(5) The term 'major activities', with respect to an environmental quality program, means the following activities under the program:

''(A) Environmental compliance activities.

''(B) Conservation activities.

''(C) Pollution prevention activities.

''(D) Activities relating to environmental technology.''.

SEC. 325. MODIFICATION OF MEMBERSHIP OF STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM COUNCIL.

Section 2902(b)(1) of title 10, United States Code, is amended by striking ''Director of Defense Research and Engineering'' and inserting ''Deputy Under Secretary of Defense for Science and 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 Hazardous Substance Superfund established by section 9507 of the Internal Revenue Code of 1986 (26 U.S.C. 9507) to reimburse the Environmental Protection Agency for costs incurred by the Agency for actions taken under CERCLA at the Fresno Industrial Supply, Inc., site in Fresno, California, the following amounts:

(1) Not more than $778,425 for past response costs incurred by the Agency.

(2) 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 and Recovery of Past Response Costs In the Matter of: Fresno Industrial Supply Inc. Site, Fresno, California'' that was entered into by the Department of Defense and the Environmental Protection Agency on May 22, 1998.

(b) SOURCE OF FUNDS FOR PAYMENT.—(1) Subject to paragraph (2), any payment under subsection (a) shall be made using the following amounts:

(A) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Defense, established by section 2703(a)(1) of title 10, United States Code.

(B) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Army, established by section 2703(a)(2) of that title.

(C) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Navy, established by section 2703(a)(3) of that title.

(D) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Air Force, established by section 2703(a)(4) of that title.

(2) The portion of a payment under paragraph (1) that is derived from any account referred to in that paragraph shall bear the same ratio to the total amount of such payment as the amount of the hazardous substances at the Fresno Industrial Supply, Inc., site that are attributable to the department concerned bears to the total amount of the hazardous substances at that site.

(c) CERCLA 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. 328. PAYMENT OF STIPULATED PENALTIES ASSESSED UNDER CERCLA IN CONNECTION WITH F.E. WARREN AIR FORCE BASE, WYOMING.

(a) AUTHORITY.—The Secretary of the Air Force may pay, using funds described in subsection (b), not more than $20,000 as payment of stipulated civil penalties assessed on January 13, 1998, against F.E. Warren Air Force Base, Wyoming, under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(b) SOURCE OF FUNDS FOR PAYMENT.—Any payment under subsection (a) shall be made using amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Air Force, established by section 2703(a)(4) of title 10, United States Code.

SEC. 329. PROVISION OF INFORMATION AND GUIDANCE TO THE PUBLIC REGARDING ENVIRONMENTAL CONTAMINATION AT UNITED STATES MILITARY INSTALLATIONS FORMERLY OPERATED BY THE UNITED STATES THAT HAVE BEEN CLOSED.

(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 Act.

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

(b) LIMITATION.—The requirement to provide information and guidance under subsection (a) 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).

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

SEC. 330. ORDNANCE MITIGATION STUDY.

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

(b) The Secretary shall report to the congressional defense committees and the Senate Committee on Environment and Public Works on long-term solutions and costs related to the removal of ordnance in the Toussaint River, Ohio. The Secretary shall also evaluate any ongoing use of Lake Erie as an ordnance firing range and justify the need to continue such activities by the Department of Defense or its contractors. The Secretary shall report not later than April 1, 2000.

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

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

Subtitle D—Other Matters

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

Section 391(f) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 104–85; 111 Stat. 1716; 10 U.S.C. 2304 note) is amended by striking ''September 30, 1999'' and inserting ''September 30, 2000''.

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

Section 346(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1979; 10 U.S.C. 2464 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) 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 RETAIL 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. 1987; 10 U.S.C. 2482 note) is amended by striking ''may not be implemented unless implementation of the recommendation'' and inserting ''may be implemented only if implementation of the recommendation is approved by all of the Secretaries of the military departments or''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking ''The operation'' and inserting ''Except as provided in subsection (c), the operation''.

SEC. 344. WAIVER OF REQUIRED CONDITION FOR SALES OF ARTICLES AND SERVICES OF INDUSTRIAL FACILITIES TO PURCHASERS OUTSIDE THE DEPARTMENT OF DEFENSE

(a) SALES TO DEFENSE CONTRACTORS.—Section 2208(j) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting ''(1)'' after ''(j)''; and

(3) by adding at the end the following:

''(2) WAIVER AUTHORITY.—The Secretary of Defense may waive the requirement for the conditions in paragraph (1) in the case of a particular sale if the Secretary determines that the waiver is necessary for reasons of national security and notifies Congress regarding the reasons for the waiver.''.

(b) SALES TO PURCHASERS GENERALLY.—Section 2553 of title 10, United States Code, is amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) WAIVER AUTHORITY.—The Secretary of Defense may waive the requirement for the condition in subsections (a)(1) and (c)(1) in the case of a particular sale if the Secretary determines that the waiver is necessary for reasons of national security and notifies Congress regarding the reasons for the waiver.''.

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 to be the lead agency for the development and implementation of a Smart Card program for the Department of Defense effective as of the date of the designation.

(2) The Secretary of Defense shall direct the Secretary of the 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. The group shall include senior representatives from 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.

(4) The Secretary of the Army and the Secretary of the Air Force, in coordination with the Secretary of the Navy, shall each develop and implement a program to demonstrate the benefits of Smart Card technology in the Army and the Air Force, respectively.

(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 implementation 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 the business plan to the congressional defense committees.

(c) FUNDING FOR INCREASED USE OF SMART CARDS.—(1) Of the funds authorized to be appropriated for the Navy for fiscal year 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)(1), 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 by the senior coordinating group in carrying out its duties under subsection (a)(3).

(e) DEFINITIONS.—In this section:

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

(A) Magnetic stripe.

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

(C) 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 344(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1977; 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 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 ''Public-Private Key Infrastructure (PKI) authentication device carrier'' means a device that physically stores, carries, and employs electronic authentication or encryption keys necessary to create a unique digital signature, digital certificate, or other mark on an electronic document or file.

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

(a) AUTHORITY.—Section 4683 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 inserting ''conditionally lend or donate excess M1 rifles (not more than 15)''; and

(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:

''(c) CONDITIONS ON DONATIONS.—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 32, United States Code, is amended by striking ''per purchase order'' in the second sentence and inserting ''per item''.

SEC. 350. AUTHORITY FOR PAYMENT OF SETTLEMENT CLAIMS.

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

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

(c) SOURCE OF PAYMENTS.—Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available for the Department of Navy for operation and maintenance for fiscal year 2000 or other unexpended balances from prior years, the Secretary shall make available $40,000,000 only for emergency and extraordinary expenses associated with the settlement of the claims arising from the accident and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (a).

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

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

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

(g) 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 deaths of the United States servicemen caused by the collision between a United States Air Force C–141 Starlifter aircraft and a German Luftwaffe Tupelov TU–154M aircraft off the coast of Namibia, on September 13, 1997.

SEC. 351. SENSE OF SENATE REGARDING SETTLEMENT OF CLAIMS OF AMERICAN SERVICEMEN'S FAMILIES REGARDING DEATHS RESULTING FROM THE ACCIDENT OFF THE COAST OF NAMIBIA ON SEPTEMBER 13, 1997.

(a) FINDINGS.—The Senate makes the following findings:

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

(2) As a result of that collision nine members of the United States Air Force were killed, namely Staff Sergeant Stacey D. Bryant, 32, loadmaster, Providence, Rhode Island; Staff Sergeant Gary A. Bucknam, 25, flight engineer, Oakland, Maine; Captain Gregory M. Cindrich, 28, pilot, Byrans Road, Maryland; Airman 1st Class Justin R. Drager, 19, loadmaster, Colorado Springs, Colorado; Staff Sergeant Robert K. Evans, 31, flight engineer, Garrison, Kentucky; Captain Jason S. Ramsey, 27, pilot, South Boston, Virginia; Staff Sergeant Scott N. Roberts, 27, flight engineer, Library, Pennsylvania; Captain Peter C. Vallejo, 34, aircraft commander, Crestwood, New York; and Senior Airman Frankie L. Walker, 23, crew chief, Windber, Pennsylvania.

(3) The Final Report of the Ministry of Defense of the Defense Committee of the German Bundestag states unequivocally that, following an investigation, the Directorate of Flight Safety of the German Federal Armed Forces assigned responsibility for the collision to the Aircraft Commander/Commandant of the Luftwaffe Tupelov TU–154M aircraft for flying at a flight level that did not conform to international flight rules.

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

(5) Procedures for filing claims under the Status of Forces Agreement are unavailable to the families of the members of the United States Air Force killed in the collision.

(6) The families of the members of the United States Air Force killed in the collision have filed claims against the Government of Germany.

(7) The Senate has adopted an amendment authorizing the payment to citizens of Germany of a supplemental settlement of claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Government of Germany should promptly settle with the families of the members of the United States Air Force killed in a collision between a United States Air Force C–141 Starlifter aircraft and a German Luftwaffe Tupelov TU–154M aircraft off the coast of Namibia on September 13, 1997; and

(2) the United States should not make any payment to citizens of Germany as settlement of such citizens' claims for deaths arising from the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy, until a comparable settlement is reached between the Government of Germany and the families described in paragraph (1) with respect to the collision described in that paragraph.

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.

(4) The Air Force, 360,877.

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 ''372,696'' and inserting in lieu thereof ''371,781'';

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

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

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

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

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

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

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

(1) The Army National Guard of the United States, 350,623.

(2) The Army Reserve, 205,000.

(3) The Naval Reserve, 90,288.

(4) The Marine Corps Reserve, 39,624.

(5) The Air National Guard of the United States, 106,744.

(6) The Air Force Reserve, 73,764.

(7) The Coast Guard Reserve, 8,000.

(b) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

(c) PERMANENT WAIVER AUTHORITY.—Section 115(c) of title 10, United States Code, is amended—

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

(2) by striking the period at the end of the paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following:

''(3) increase the end strength authorized pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of a reserve component of any of the armed forces by a number equal to not more than 2 percent of that end strength.''.

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

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

(1) The Army National Guard of the United States, 22,430.

(2) The Army Reserve, 12,804.

(3) The Naval Reserve, 15,010.

(4) The Marine Corps Reserve, 2,272.

(5) The Air National Guard of the United States, 11,157.

(6) The Air Force Reserve, 1,134.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS.

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

(1) For the Army Reserve, 5,179.

(2) For the Army National Guard of the United States, 22,396.

(3) For the Air Force Reserve, 9,785.

(4) For the Air National Guard of the United States, 22,247.

(b) NON-DUAL STATUS TECHNICIANS.—The reserve components of the Army and Air Force are (notwithstanding section 129 of title 10, United States Code) authorized strengths for military technicians (non-dual status) as of September 30, 2000, as follows:

(1) For the Army Reserve, 1,295.

(2) For the Army National Guard of the United States, 1,800.

(3) For the Air Force Reserve, 342.

(4) For the Air National Guard of the United States, 342.

SEC. 414. INCREASE IN NUMBERS OF MEMBERS IN CERTAIN GRADES AUTHORIZED TO BE ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) OFFICERS.—The table in section 12011(a) of title 10, United States Code, is amended to read as follows:

''Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander	3,227	1,071	860	140
Lieutenant Colonel or Commander	1,611	520	777	90
Colonel or Navy Captain	471	188	297	30''.

(b) SENIOR ENLISTED MEMBERS.—The table in section 12012(a) of title 10, United States Code, is amended to read as follows:

''Grade	Army	Navy	Air Force	Marine Corps
E–9	645	202	405	20
E–8	2,593	429	1,041	94''.

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 $71,693,093,000, and in addition funds in the total amount of $1,838,426,000 are authorized to be appropriated as emergency appropriations to the Department of Defense for fiscal year 2000 for military personnel, as appropriated in section 2012 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31). 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 604(c) of title 10, United States Code, is amended by striking ''September 30, 2000'' and inserting ''September 30, 2003''.

(b) GRADE RELIEF.—Section 525(b)(5)(C) of such title is amended by striking ''September 30, 2000'' and inserting ''September 30, 2003''.

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

(a) EXCLUSION OF SUPERINTENDENTS FROM GRADE LIMITATION.—Section 525(b) of title 10, United States Code, is amended by adding at the end the following:

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

(b) RETIREMENT OF SUPERINTENDENTS.—(1)(A) Chapter 367 of title 10, United States Code, is amended by inserting after section 3920 the following:

''§ 3921. Mandatory retirement: Superintendent of the United States Military Academy

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

(B) Chapter 403 of such title is amended by inserting after section 4333 the following:

''§ 4333a. Superintendent: condition for detail to position

''To be eligible for detail to the position of Superintendent of the Academy, an officer shall enter into an agreement with the Secretary of the Army to accept retirement upon termination of the detail.''.

(2)(A) Chapter 573 of such title is amended by inserting after the table of sections at the beginning of the chapter the following:

''§ 6371. Mandatory retirement: Superintendent of the United States Naval Academy

''Upon the termination of a detail of an officer to the position of Superintendent of the United States Naval Academy, the Secretary of the Navy shall retire the officer under any provision of chapter 571 of this title under which the officer is eligible to retire.''.

(B) Chapter 603 of such title is amended by inserting after section 6951 the following:

''§ 6951a. Superintendent

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

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

(3)(A) Chapter 867 of such title is amended by inserting after section 8920 the following:

''§ 8921. Mandatory retirement: Superintendent of the United States Air Force Academy

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

(B) Chapter 903 of such title is amended by inserting after section 9333 the following:

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

''To be eligible for detail to the position of Superintendent of the Academy, an officer shall enter into an agreement with the Secretary of the Air Force to accept retirement upon termination of the detail.''.

(c) CLERICAL AMENDMENTS.—(1)(A) The table of sections at the beginning of chapter 367 of title 10, United States Code, is amended by inserting after the item relating to section 3920 the following:

''3921. Mandatory retirement: Superintendent of the United States Military Academy.''.

(B) The table of sections at the beginning of chapter 403 of such title is amended by inserting after the item relating to section 4333 the following:

''4333a. Superintendent: condition for detail to position.''.

(2)(A) The table of sections at the beginning of chapter 573 of such title is amended by inserting before the item relating to section 6383 the following:

''6371. Mandatory retirement: Superintendent of the United States Naval Academy.''.

(B) The table of sections at the beginning of chapter 603 of such title is amended by inserting after the item relating to section 6951 the following:

''6951a. Superintendent.''.

(3)(A) The table of sections at the beginning of chapter 867 of such title is amended by inserting after the item relating to section 8920 the following:

''8921. Mandatory retirement: Superintendent of the United States Air Force Academy.''.

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

''9333a. Superintendent: condition for detail to position.''.

(d) SAVINGS PROVISION.—The amendments made by this section shall not apply to an officer serving on the date of the enactment of this Act 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 for so long as the officer continues on and after that date to serve in the position without a break in the service in the position.

SEC. 503. INCREASE IN MAXIMUM NUMBER OF OFFICERS AUTHORIZED TO BE ON ACTIVE-DUTY LIST IN FROCKED GRADE OF BRIGADIER GENERAL OR REAR ADMIRAL.

Section 777(d)(1) of title 10, United States Code, is amended by striking ''the following:'' and all that follows and inserting ''55.''.

SEC. 504. RESERVE OFFICERS REQUESTING OR OTHERWISE CAUSING NONSELECTION FOR PROMOTION.

(a) REPORTING REQUIREMENT.—Section 617(c) of title 10, United States Code, is amended by striking ''regular''.

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

SEC. 505. MINIMUM GRADE OF OFFICERS ELIGIBLE TO SERVE ON BOARDS OF INQUIRY.

(a) RETENTION BOARDS FOR REGULAR OFFICERS.—Section 1187 of title 10, United States Code, is amended to read as follows:

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

''(1) be an officer of the same armed force as the officer being required to show cause for retention 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; or

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

''(3) be senior in grade and rank to any officer considered by that board.

''(b) 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; or

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

''(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 member of more than one board convened under this chapter to consider the same officer.

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

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

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

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

''(2) hold a grade that—

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

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

''(3) be senior in grade and rank to any officer considered by that board.''.

SEC. 506. MINIMUM SELECTION OF WARRANT OFFICERS FOR PROMOTION FROM BELOW THE PROMOTION ZONE.

Section 575(b)(2) of title 10, United States Code, is amended by adding at the end the following new sentence: ''If the number determined under this subsection with respect to a promotion zone within a grade (or grade and competitive category) is less than one, the board may recommend one such officer for promotion from below the zone within that grade (or grade and competitive category).''.

SEC. 507. INCREASE IN THRESHOLD PERIOD OF ACTIVE DUTY FOR APPLICABILITY OF RESTRICTION ON HOLDING OF CIVIL OFFICE BY RETIRED REGULAR OFFICERS AND RESERVE OFFICERS.

Section 973(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''180 days'' and inserting ''270 days''; and

(2) in subparagraph (C), by striking ''180 days'' and inserting ''270 days''.

SEC. 508. EXEMPTION OF RETIREE COUNCIL MEMBERS FROM RECALLED RETIREE LIMITS.

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

''(D) Any member of the Retiree Council of the Army, Navy, or Air Force for the period on active duty to attend the annual meeting of the Retiree Council.''.

Subtitle B—Reserve Component Matters

SEC. 511. ADDITIONAL EXCEPTIONS FOR RESERVE COMPONENT GENERAL AND FLAG OFFICERS FROM LIMITATION ON AUTHORIZED STRENGTH OF GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.

Section 526(d) of title 10, United States Code, is amended to read as follows:

''(d) EXCLUSION OF CERTAIN RESERVE COMPONENT OFFICERS.—(1) The limitations of this section do not apply to the following reserve component general or flag officers:

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

''(B) An officer on active duty under a call or order specifying a period of less than 180 days.

''(2) Up to 25 reserve component general and flag officers serving on active duty at any one time under calls or orders specifying periods of 180 days or more may be excluded from the limitations of this section. Officers excluded under the preceding sentence are in addition to any other reserve component general or flag officers on active duty under calls or orders specifying periods of 180 days or more who are excluded from the limitations of this section under authority other than this paragraph.''.

SEC. 512. DUTIES OF RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) DUTIES.—Section 12310 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (d) and transferring such subsection, as so redesignated, to the end of the section; and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) 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 reserve 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 regarding reserve component matters.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 12310 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting ''GRADE.—'' after ''(a)'';

(2) in subsection (c)(1), by striking ''(c)(1) A Reserve'' and inserting ''(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—(1) Notwithstanding subsection (b), a Reserve''; and

(3) in subsection (d), as redesignated and transferred by subsection (a)(1), by inserting ''TRAINING.—'' after ''(d)''.

(c) REVIEW OF USE OF RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.—(1) The Secretary of Defense shall review how the Reserves on active duty in support of the reserves are used in relation to the duties set forth under subsection (b) of section 12310 of title 10, United States Code, as added by subsection (a)(2).

(2) Not later than March 1, 2000, the Secretary shall submit a report on the results of the review to the Committees on Armed Services of the Senate and the House of Representatives. The report shall address, at a minimum, the following issues:

(1) Whether the Reserves on active duty in support of the reserve should be considered as a separate category of Reserves on active duty.

(2) Whether those Reserves should be counted within the active component end strengths and funded by the appropriations for active component military personnel.

SEC. 513. REPEAL OF LIMITATION ON NUMBER OF RESERVES ON FULL-TIME ACTIVE DUTY IN SUPPORT OF PREPAREDNESS FOR RESPONSES TO EMERGENCIES INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) REPEAL.—Paragraph (4) of section 12310(c) of title 10, United States Code, is amended by striking the first sentence.

(b) CONFORMING AMENDMENTS.—Paragraph (6) of such section is amended—

(1) by striking ''or to increase the number of personnel authorized by paragraph (4)'' in the matter preceding subparagraph (A); and

(2) in subparagraph (A), by striking ''or for the requested additional personnel'' and all that follows through ''Federal levels''.

SEC. 514. EXTENSION OF PERIOD FOR RETENTION OF RESERVE COMPONENT MAJORS AND LIEUTENANT COMMANDERS WHO TWICE FAIL OF SELECTION FOR PROMOTION.

(a) PARITY WITH OFFICERS IN GRADES O–2 AND O–3.—Section 14506 of title 10, United States Code, is amended—

(1) by inserting ''the later of (1)'' after ''in accordance with section 14513 of this title on''; and

(2) by inserting before the period at the end the following: '', or (2) the first day of the seventh month after the month in which the President approves the report of the board which considered the officer for the second time''.

(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 removals of reserve officers from reserve active-status lists under section 14506 of title 10, United States Code, on or after that date.

SEC. 515. CONTINUATION OF OFFICER ON RESERVE ACTIVE-STATUS LIST FOR DISCIPLINARY ACTION.

(a) AUTHORITY.—Chapter 1407 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 14518. Continuation on reserve active-status list to complete disciplinary action

''When any action has been commenced against an officer on a reserve active-status list with a view to trying the officer by court-martial, the Secretary concerned may delay the separation or retirement of the officer under the provisions of this chapter until the completion of the action.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end:

''14518. Continuation on reserve active-status list to complete disciplinary action.''.

SEC. 516. RETENTION OF RESERVE COMPONENT CHAPLAINS UNTIL AGE 67.

Section 14703(b) of title 10, United States Code, is amended by striking ''(or, in the case of a reserve officer of the Army in the Chaplains or a reserve officer of the Air Force designated as a chaplain, 60 years of age)''.

SEC. 517. RESERVE CREDIT FOR PARTICIPATION IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.

Section 2126(b) of title 10, United States Code, is amended—

(1) by striking paragraphs (2) and (3) and inserting the following:

''(2) Service credited under paragraph (1) counts only for the award of retirement points for computation of years of service under section 12732 of this title and for computation of retired pay under section 12733 of this title.

''(3) The number of points credited to a member under paragraph (1) for a year of participation in a course of study is 50. The points shall be credited to the member for one of the years of that participation at the end of each year after the completion of the course of study that the member serves in the Selected Reserve and is credited under section 12732(a)(2) of this title with at least 50 points. The points credited for the participation shall be recorded in the member's records as having been earned in the year of the participation in the course of study.'';

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following new paragraph (5):

''(5) A member of the Selected Reserve may be considered to be in an active status while pursuing a course of study under this subchapter only for purposes of sections 12732(a) and 12733(3) of this title.''.

SEC. 518. EXCLUSION OF RESERVE OFFICERS ON EDUCATIONAL DELAY FROM ELIGIBILITY FOR CONSIDERATION FOR PROMOTION.

(a) EXCLUSION.—Section 14301 of title 10, United States Code is amended by adding at the end the following:

''(h) OFFICERS ON EDUCATIONAL DELAY.—An officer on a reserve active-status list is ineligible for consideration for promotion, but shall remain on the reserve active-status list, while the officer is—

''(1) pursuing a program of graduate level education in an educational delay status approved by the Secretary concerned; and

''(2) receiving from the Secretary financial assistance in connection with the pursuit of the program in that status.''.

(b) RETROACTIVE EFFECT.—(1) Subsection (h) of section 14301 of title 10, United States Code (as added by subsection (a)), shall take effect on the date of the enactment of this Act and shall apply with respect to boards convened under section 14101(a) of such title before, on, or after that date.

(2) The Secretary of the military department concerned, upon receipt of request in a form and manner prescribed by the Secretary, shall expunge from the military records of an officer any indication of a failure of selection of the officer for promotion by a board referred to in paragraph (1) while the officer was ineligible for consideration by the board by reason of section 14301(h) of title 10, United States Code.

SEC. 519. EXCLUSION OF PERIOD OF PURSUIT OF PROFESSIONAL EDUCATION FROM COMPUTATION OF YEARS OF SERVICE FOR RESERVE OFFICERS.

(a) EXCLUSION.—The text of section 14706 of title 10, United States Code, is amended to read as follows:

''(a) IN GENERAL.—For the purpose of this chapter and chapter 1407 of this title, a reserve officer's years of service include all service of the officer as a commissioned officer of any uniformed service other than the following:

''(1) Service as a warrant officer.

''(2) Constructive service.

''(3) Except as provided in subsection (b), service as a commissioned officer of a reserve component while pursuing a program of advanced education leading to the first professional degree required for appointment, designation, or assignment as an officer in the Medical Corps, the Dental Corps, the Veterinary Corps, the Medical Service Corps, the Nurse Corps, the Army Medical Specialists Corps, or as a chaplain or judge advocate if the service—

''(A) follows appointment as a commissioned officer of a reserve component; and

''(B) precedes the officer's initial service on active duty or initial service in the Ready Reserve in the professional specialty for which the degree if required.

''(b) PRIOR SERVICE PROFESSIONAL PERSONNEL.—The exclusion in subsection (a)(3) does not apply to service described in that subsection that is performed by an officer who, prior to the described service—

''(1) served on active duty; or

''(2) participated as a member of the Ready Reserve other than in a student status.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to service as a commissioned officer on or after that date.

SEC. 520. CORRECTION OF REFERENCE RELATING TO CREDITING OF SATISFACTORY SERVICE BY RESERVE OFFICERS IN HIGHEST GRADE HELD.

Section 1370(d)(1) of title 10, United States Code, is amended by striking ''chapter 1225'' and inserting ''chapter 1223''.

SEC. 521. ESTABLISHMENT OF OFFICE OF THE COAST GUARD RESERVE.

(a) ESTABLISHMENT.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

''§ 53. Office of the Coast Guard Reserve; Director

''(a) ESTABLISHMENT OF OFFICE; DIRECTOR.—There is in the executive part of the Coast Guard an Office of the Coast Guard Reserve. The head of the Office is the Director of the Coast Guard Reserve. The Director of the Coast Guard Reserve is the principal adviser to the Commandant on Coast Guard Reserve matters and may have such additional functions as the Commandant may direct.

''(b) APPOINTMENT.—The President, by and with the advice and consent of the Senate, shall appoint the Director of the Coast Guard Reserve, from officers of the Coast Guard not on active duty, or on active duty under section 10211 of title 10, who—

''(1) have had at least 10 years of commissioned service;

''(2) are in a grade above captain; and

''(3) have been recommended by the Secretary of Transportation.

''(c) TERM.—(1) The Director of the Coast Guard Reserve holds office for a term determined by the President, normally two years, but not more than four years. An officer may be removed from the position of Director for cause at any time.

''(2) The Director of the Coast Guard Reserve, while so serving, holds a grade above Captain, without vacating the officer's permanent grade.

''(d) BUDGET.—The Director of the Coast Guard Reserve is the official within the executive part of the Coast Guard who, subject to the authority, direction, and control of the Secretary of Transportation and the Commandant, is responsible for preparation, justification, and execution of the personnel, operation and maintenance, and construction budgets for the Coast Guard Reserve. As such, the Director of the Coast Guard Reserve is the director and functional manager of appropriations made for the Coast Guard Reserve in those areas.

''(e) ANNUAL REPORT.—The Director of the Coast Guard Reserve shall submit to the Secretary of Transportation and the Secretary of Defense an annual report on the state of the Coast Guard Reserve and the ability of the Coast Guard Reserve to meet its missions. The report shall be prepared in conjunction with the Commandant and may be submitted in classified and unclassified versions.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is

amended by inserting after the item relating to section 52 the following:

''53. Office of the Coast Guard Reserve; Director.''.

SEC. 522. CHIEFS OF RESERVE COMPONENTS AND THE ADDITIONAL GENERAL OFFICERS AT THE NATIONAL GUARD BUREAU.

(a) GRADE OF CHIEF OF ARMY RESERVE.—Section 3038(c) of title 10, United States Code, is amended by striking ''major general'' and inserting ''lieutenant general''.

(b) GRADE OF CHIEF OF NAVAL RESERVE.—Section 5143(c)(2) of such title is amended by striking ''rear admiral (lower half)'' and inserting ''rear admiral''.

(c) GRADE OF COMMANDER, MARINE FORCES RESERVE.—Section 5144(c)(2) of such title is amended by striking ''brigadier general'' and inserting ''major general''.

(d) GRADE OF CHIEF OF AIR FORCE RESERVE.—Section 8038(c) of such title is amended by striking ''major general'' and inserting ''lieutenant general''.

(e) THE ADDITIONAL GENERAL OFFICERS FOR THE NATIONAL GUARD BUREAU.—Subparagraphs (A) and (B) of section 10506(a)(1) of such title are each amended by striking ''major general'' and inserting ''lieutenant general''.

(f) EXCLUSION FROM LIMITATION ON GENERAL AND FLAG OFFICERS.—Section 526(d) of such title is amended to read as follows:

''(d) EXCLUSION OF CERTAIN RESERVE COMPONENT OFFICERS.—The limitations of this section do not apply to the following reserve component general or flag officers:

''(1) An officer on active duty for training.

''(2) An officer on active duty under a call or order specifying a period of less than 180 days.

''(3) The Chief of Army Reserve, the Chief of Naval Reserve, the Chief of Air Force Reserve, the Commander, Marine Forces Reserve, and the additional general officers assigned to the National Guard Bureau under section 10506(a)(1) of this title.''.

(g) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 60 days after the date of the enactment of this Act.

Subtitle C—Military Education and Training

SEC. 531. AUTHORITY TO EXCEED TEMPORARILY A STRENGTH LIMITATION FOR THE SERVICE ACADEMIES.

Section 511(a) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 105 Stat. 1359; 10 U.S.C. 4342 note) is amended—

(1) by inserting ''(1)'' after ''(a) REDUCTION IN AUTHORIZED STRENGTHS.—''; and

(2) by adding at the end the following:

''(2) The Secretary of the military department concerned may authorize the strength for an academy for any class year to exceed the strength limitation set forth in paragraph (1) by not more than 5 percent. Before granting that authority, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a written notification of the determination to authorize the excessive strength for that year. The notification shall include a discussion of the justification for exceeding the strength limitation and the actions that the Secretary plans to take to reduce the strength to a level within the strength limitation.''.

SEC. 532. REPEAL OF LIMITATION ON AMOUNT OF REIMBURSEMENT AUTHORIZED TO BE WAIVED FOR FOREIGN STUDENTS AT THE SERVICE ACADEMIES.

(a) REPEAL.—Sections 4344(b)(3), 6957(b)(3), and 9344(b)(3) of title 10, United States Code, are repealed.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to the academic year that includes that date and academic years that begin after that date.

SEC. 533. EXPANSION OF FOREIGN EXCHANGE PROGRAMS OF THE SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 4345 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''10 cadets'' and inserting ''24 cadets''; and

(2) in subsection (c)(3), by striking ''$50,000'' and inserting ''$120,000''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6957a of such title is amended—

(1) in subsection (b), by striking ''10 midshipmen'' and inserting ''24 midshipmen''; and

(2) in subsection (c)(3), by striking ''$50,000'' and inserting ''$120,000''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9345 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. 534. PERMANENT AUTHORITY FOR ROTC SCHOLARSHIPS FOR GRADUATE STUDENTS.

Section 2107(c)(2) of title 10, United States Code, is amended to read as follows:

''(2) The Secretary of the military department concerned may provide financial assistance, as described in paragraph (1), to a student enrolled in an advanced education program beyond the baccalaureate degree level if the student also is a cadet or midshipman in an advanced training program. Not more than 15 percent of the total number of scholarships awarded under this section in any year may be awarded under this paragraph.''.

SEC. 535. AUTHORITY FOR AWARD OF MASTER OF STRATEGIC STUDIES DEGREE BY THE UNITED STATES ARMY WAR COLLEGE.

(a) AUTHORITY FOR DEGREE.—Chapter 401 of title 10, United States Code, is amended by adding at the end the following:

''§ 4321. United States Army War College: master of strategic studies degree

''Under regulations prescribed by the Secretary of the Army, the Commandant of the United States Army War College, upon the recommendation of the faculty and Dean of the College, may confer the degree of master of strategic studies upon graduates of the college who have fulfilled the requirements for the degree.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by 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 9315 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) EDUCATIONAL QUALIFICATIONS OF FACULTY.—Notwithstanding section 3308 of title 5 or any other provision of law, the commander of the Air Education and Training Command may prescribe the minimum educational qualifications required for 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 9317(a) of title 10, United States Code, is amended to read as follows:

''(a) AUTHORITY.—Upon the recommendation of the faculty of a school of the Air University, the Commander of the Air University may confer a degree upon graduates of that school who fulfill the requirements for the degree, as follows:

''(1) The degree of master of strategic studies, for the Air War College.

''(2) The degree of master of military operational art and science, for the Air Command and Staff College.

''(3) The degree of master of airpower art and science, for the School of Advanced Airpower Studies.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of that section is amended to read as follows:

''§ 9317. Air University: graduate-level degrees''.

(2) The item relating to such section in the table of sections at the beginning of chapter 901 of title 10, United States Code, is amended to read as follows:

''9317. Air University: graduate-level degrees.''.

SEC. 538. PAYMENT OF TUITION FOR EDUCATION AND TRAINING OF MEMBERS IN THE DEFENSE ACQUISITION WORKFORCE.

Section 1745(a) of title 10, United States Code, is amended to read as follows:

''(a) TUITION REIMBURSEMENT AND TRAINING.—(1) The Secretary of Defense shall provide for tuition reimbursement and training (including a full-time course of study leading to a degree) for acquisition personnel in the Department of Defense.

''(2) For civilian personnel, the reimbursement and training shall be provided under section 4107(b) of title 5 for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, until September 30, 2001, a shortage of qualified personnel to serve in acquisition positions in the Department of Defense.

''(3) In the case of members of the armed forces, the limitation in section 2007(a) of this title shall not apply to tuition reimbursement and training provided for under this subsection.''.

SEC. 539. FINANCIAL ASSISTANCE PROGRAM FOR PURSUIT OF DEGREES BY OFFICER CANDIDATES IN MARINE CORPS PLATOON LEADERS CLASS PROGRAM.

(a) IN GENERAL.—(1) Part IV of subtitle E of title 10, United States Code, is amended by adding at the end the following:

''CHAPTER 1610—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

''Sec.

''16401. Marine Corps Platoon Leaders Class Program: officer candidates pursuing degrees.

''§ 16401. Marine Corps Platoon Leader's Class Program: officer candidates pursuing degrees

''(a) 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 on a full-time basis 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; or

''(2) a doctor of jurisprudence or bachelor of laws degree in not more than three academic years.

''(b) 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—

''(i) to accept an appointment as a commissioned officer in the Marine Corps, if tendered by the President;

''(ii) to serve on active duty for at least five years; and

''(iii) under such terms and conditions as shall be prescribed by the Secretary, to serve in the Marine Corps Reserve until the eighth anniversary of the date of the appointment.

''(2)(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 26 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 shall be prescribed by the Secretary, but may not exceed $5,200 for any academic year.

''(e) LIMITATIONS.—(1) Financial assistance may be provided to a member under this section only for three consecutive academic years.

''(2) Not more than 1,200 members may participate in the financial assistance program under this section in any academic year.

''(f) FAILURE TO COMPLETE PROGRAM.—A member in receipt of financial assistance under this section may be ordered to active duty in the Marine Corps by the Secretary to serve 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 when offered;

''(2) fails to complete the military or academic requirements of the Marine Corps Platoon Leaders Class Program; or

''(3) is disenrolled from the Marine Corps Platoon Leaders Class Program for failure to maintain eligibility for an original appointment as a commissioned officer under section 532 of this title.

''(g) INSTITUTION 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 subtitle E of such title and at the beginning of part IV of such subtitle are amended by adding at the end the following:

''1610. Other Educational Assistance Programs ..... 16401''.

(b) CONFORMING AMENDMENT.—Section 3695(a)(5) of title 38, United States Code, is amended by striking ''Chapters 106 and 107'' and inserting ''Chapters 107, 1606, and 1610''.

(c) COMPUTATION OF CREDITABLE SERVICE.—Section 205 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 such title may not include a 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 12209 of title 10, United States Code, before implementation of a financial assistance program under section 12216 of such title (as added by subsection (a)) may, upon application, participate in the financial assistance program established under section 12216 of such title (as added by subsection (a)) if the member—

(A) is eligible for financial assistance under such section 12216;

(B) submits 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 (b)(4) of such section 12216.

(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 Commendations

SEC. 551. WAIVER OF TIME LIMITATIONS FOR AWARD OF CERTAIN DECORATIONS TO CERTAIN PERSONS.

(a) WAIVER.—Any limitation established by law or policy for the time within which a recommendation for the award of a military decoration or award must be submitted shall not apply to award of the decoration as described in subsection (b), the award of such decoration having been 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 heroic achievement performed in a manner above that normally to be expected during rescue operations for the S.S. Seagate, in September 1956, while serving as a member of the Coast Guard at Gray Harbor Lifeboat Station, Westport, Washington.

SEC. 552. AUTHORITY FOR AWARD OF MEDAL OF HONOR TO ALFRED RASCON FOR VALOR DURING THE VIETNAM CONFLICT.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Army, the President may award the Medal of Honor under section 3741 of that title to Alfred Rascon, of Laurel, Maryland, for the acts of valor described in subsection (b).

(b) ACTION DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Alfred Rascon on March 16, 1966, as an Army medic, serving in the grade of Specialist Four in the Republic of Vietnam with the Reconnaissance Platoon, Headquarters Company, 1st Battalion, 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.

(3) The Air Force Personnel Center.

(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 ''decoration'' means a medal or other decoration that a former member of the Armed Forces was awarded by the United States for military service of the United States.

SEC. 554. RETROACTIVE AWARD OF NAVY COMBAT ACTION RIBBON.

The Secretary of the Navy may award the Navy Combat Action Ribbon (established by Secretary of the Navy Notice 1650, dated February 17, 1969) to a member of the Navy and Marine Corps for participation in ground or surface combat during any period after December 6, 1941, and before March 1, 1961 (the date of the otherwise applicable limitation on retroactivity for the award of such

decoration), if the Secretary determines that the member has not been previously recognized in appropriate manner for such participation.

Subtitle E—Amendments to Uniform Code of Military Justice

SEC. 561. INCREASE IN SENTENCING JURISDICTION OF SPECIAL COURTS-MARTIAL AUTHORIZED TO ADJUDGE A BAD CONDUCT DISCHARGE.

(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 month in which this Act is enacted, and shall apply with respect to charges referred to trial by special courts-martial on or after that effective date.

SEC. 562. REDUCED MINIMUM BLOOD AND BREATH ALCOHOL LEVELS FOR OFFENSE OF DRUNKEN OPERATION OR CONTROL OF A VEHICLE, AIRCRAFT, OR VESSEL.

(a) STANDARD.—Section 911(2) of title 10, United States Code (article 111(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 1491 of title 10, United States Code, is amended to read as follows:

''(a) RESPONSIBILITY.—The Secretary of Defense shall ensure that, upon request, a funeral honors detail is provided for the funeral of any veteran that occurs after December 31, 1999.''.

(b) ELIGIBILITY FOR HONORS.—Subsection (f) of such section is amended to read as follows:

''(h) 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 2301(f) of title 38.''.

(c) COMPOSITION OF FUNERAL HONORS DETAILS.—(1) Subsection (b) of such section is amended—

(A) by striking ''HONOR GUARD DETAILS.—'' and inserting ''FUNERAL HONORS DETAILS.—(1)'' ;

(B) by striking ''honor guard detail'' and inserting ''funeral honors detail''; and

(C) by striking ''not less than three persons'' and all that follows and inserting the following: ''two or more persons.''.

(2) Subsection (c) of such section is amended—

(A) by striking ''(c) PERSONS FORMING HONOR GUARDS.—An honor guard detail'' and inserting ''(2) At least two members of the funeral honors detail for the veteran's funeral shall be members of the armed forces. At least one of those members shall be a member of the armed force of which the veteran was a member. The remainder of the 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.''.

(d) CEREMONY, SUPPORT, AND WAIVER.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (b) the following:

''(c) CEREMONY.—A funeral honors detail shall, at a minimum, perform at the funeral a ceremony that includes the folding and presentation of the flag of the United States to the veteran's family and the playing of Taps. Unless a 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 waive 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 emergency, 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.''.

(e) REGULATIONS.—The text of subsection (f) of such section, as redesignated by subsection (d)(1), is amended to read as follows:

''The Secretary of Defense shall prescribe regulations to carry out this section. The regulations shall include the following:

''(1) A system for selection of units of the armed forces and other organizations to provide funeral honors details.

''(2) Procedures for responding and coordinating responses to requests for funeral honors details.

''(3) Procedures for establishing standards and protocol.

''(4) Procedures for providing training and ensuring quality of performance.''.

(f) ACCEPTANCE OF VOLUNTARY SERVICES.—Section 1588(a) of title 10, United States Code, is amended by adding at the end the following:

''(4) Voluntary services as a member of a funeral honors detail under section 1491 of this title.''.

(g) DUTY STATUS OF RESERVES IN FUNERAL HONORS DETAILS.—(1) Chapter 1 of title 32, United States Code, is amended—

(A) in section 114—

(i) by striking ''honor guard functions'' both places that it appears and inserting ''funeral honors functions''; and

(ii) by striking ''drill or training otherwise required'' and inserting ''drill or training, but may be performed as funeral honors duty under section 115 of this title''; and

(B) by adding at the end the following:

''§ 115. Funeral honors duty performed as a Federal function

''(a) ORDER TO DUTY.—A member of the Army National Guard of the United States or the Air National Guard of the United States may be ordered to funeral honors duty, with the consent of the member, to prepare for or perform funeral honors functions at the funeral of a veteran under section 1491 of title 10. However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to perform funeral honors functions under this section without the consent of the Governor or other appropriate authority of the State concerned.

''(b) SERVICE CREDIT.—A member ordered to funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive—

''(1) service credit under section 12732(a)(2)(E) of title 10; and

''(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.

''(c) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section may be paid reimbursement for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.

''(d) 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 12732(a)(2)(E) of this title; and

''(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.

''(c) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section may be paid reimbursement for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.

''(d) REGULATIONS.—The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.

''(e) MEMBERS OF THE NATIONAL GUARD.—This section does not apply to members of the Army National Guard of the United States or the Air National Guard of the United States. The performance of funeral honors duty by such members is provided for in section 115 of title 32.''.

(3) Section 12552 of title 10, United States Code, is amended—

(A) by striking ''honor guard functions'' and inserting ''funeral honors functions''; and

(B) by striking ''drill or training otherwise required'' and inserting ''drill or training, but may be performed as funeral honors duty under section 12503 of this title''.

(h) CREDITING OF ONE POINT FOR RESERVE SERVING ON DETAIL.—Section 12732(a)(2) of such title is amended—

(1) by inserting after subparagraph (D) the following:

''(E) One point for each day on which funeral honors duty is performed for at least two hours under section 12503 of this title or section 115 of title 32, unless the duty is performed while in a status for which credit is provided under another subparagraph of this paragraph.''; and

(2) by striking '', and (D)'' in the second sentence and inserting '', (D), and (E)''.

(i) BENEFITS FOR MEMBERS IN FUNERAL HONORS DUTY STATUS.—(1) Section 1074a(a) of such title is amended—

(A) in each of paragraphs (1) and (2)—

(i) by striking ''or'' at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting ''; or''; and

(iii) 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.''; and

(B) by adding at the end the following:

''(4) Each member of the armed forces who incurs or aggravates an injury, illness, or disease in the line of duty while remaining overnight immediately before serving on funeral honors duty under section 12503 of this title or section 115 of title 32 at or in the vicinity of the place at which the member was to so serve, if the place is outside reasonable commuting distance from the member's residence.''.

(2) Section 1076(a)(2) of such title is amended by adding at the end the following:

''(E) A member who died from an injury, illness, or disease incurred or aggravated while the member—

''(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 so serve; or

''(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.''.

(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) is a result of an injury, illness, or disease incurred or aggravated in line of duty—

''(i) while the member was serving on funeral honors duty under section 12503 of this title or section 115 of title 32;

''(ii) while the member was traveling to or from the place at which the member was to so serve; or

''(iii) while the member remained overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence;''.

(4) Section 1206(2) is amended to read as follows:

''(2) the disability is a result of an injury, illness, or disease incurred or aggravated in line of duty—

''(A) while—

''(i) performing active duty or inactive-duty training;

''(ii) traveling directly to or from the place at which such duty is performed; or

''(iii) remaining overnight immediately before the commencement of inactive-duty training, or while remaining overnight between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training, if the site is outside reasonable commuting distance of the member's residence; or

''(B) while the member—

''(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 so serve; or

''(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;''.

(5) Section 1481(a)(2) of such title is amended—

(A) by striking ''or'' at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting ''; or''; and

(C) by adding at the end the following:

''(F) either—

''(i) serving on funeral honors duty under section 12503 of this title or section 115 of title 32;

''(ii) traveling directly to or from the place at which to so serve; or

''(iii) remaining overnight at or in the vicinity of that place before so serving, if the place is outside reasonable commuting distance from the member's residence.''.

(j) FUNERAL HONORS DUTY ALLOWANCE.—Chapter 4 of title 37, United States Code, is amended by adding at the end the following:

''§ 435. Allowance for funeral honors duty

''(a) AUTHORITY.—The Secretary concerned may authorize payment of an allowance to a member of the Ready Reserve for each day on which the member performs at least two hours of funeral honors duty pursuant to section 12503 of title 10 or section 115 of title 32.

''(b) AMOUNT.—The daily rate of an allowance paid under this section is $50.

''(c) FULL COMPENSATION.—Except for expenses reimbursed under subsection (c) of section 12503 of title 10 or subsection (c) of section 115 of title 32, the allowance paid under this section is the only monetary compensation authorized to be paid a member for the performance of funeral honors duty pursuant to such section, regardless of the grade in which serving, and shall constitute payment in full to the member.''.

(k) CLERICAL AMENDMENTS.—(1)(A) The heading for section 1491 of title 10, United States Code, is amended to read as follows:

''§ 1491. Funeral honors functions at funerals for veterans''.

(B) The heading for section 12552 of title 10, United States Code, is amended to read as follows:

''§ 12552. Funeral honors functions at funerals for veterans''.

(2)(A) The item relating to section 1491 in the table of sections at the beginning of chapter 75 of title 10, United States Code, is amended to read as follows:

''1491. Funeral honors functions at funerals for veterans.''.

(B) The table of sections at the beginning of chapter 1213 of title 10, United States Code, is amended by adding at the end the following:

''12503. Ready Reserve: funeral honors duty.''.

(C) The item relating to section 12552 table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended to read as follows:

''12552. Funeral honors functions at funerals for veterans.''.

(3)(A) The heading for section 114 of title 32, United States Code, is amended to read as follows:

''§ 114. Funeral honors functions at funerals for veterans''.

(B) The table of sections at the beginning of chapter 1 of title 32, United States Code, is amended by striking the item relating to section 114 and inserting the following:

''114. Funeral honors functions at funerals for veterans.

''115. Funeral honors duty performed as a Federal function.''.

(4) The table of sections at the beginning of chapter 4 of title 37, United States Code, is amended by adding at the end the following:

''435. Allowance for funeral honors duty.''.

SEC. 572. INCREASED AUTHORITY TO EXTEND DELAYED ENTRY PERIOD FOR ENLISTMENTS OF PERSONS WITH NO PRIOR MILITARY SERVICE.

(a) MAXIMUM PERIOD OF EXTENSION.—Section 513(b)(1) of title 10, United States Code, is amended by striking ''180 days'' in the second sentence and inserting ''365 days''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 573. ARMY COLLEGE FIRST PILOT PROGRAM.

(a) PROGRAM REQUIRED.—The Secretary of the Army shall establish a pilot program to assess whether the Army could increase the number of, and the level of the qualifications of, persons accessed into the Army by encouraging recruits to pursue higher education or vocational or technical training before entry into active service in the Army.

(b) DELAYED ENTRY WITH ALLOWANCE FOR HIGHER EDUCATION.—Under the pilot program, the Secretary may exercise the authority under section 513 of title 10, United States Code—

(1) to accept the enlistment of a person as a Reserve for service in the Selected Reserve or Individual Ready Reserve of the Army Reserve or, notwithstanding the scope of the authority under subsection (a) of that section, in the Army National Guard of the United States;

(2) to authorize, notwithstanding the period limitation in subsection (b) of such section, a delay of the enlistment of that person in a regular component under that subsection for the period during which the person is enrolled in and pursuing a program of education at an institution of higher education, or a program of vocational or technical training, on a full-time basis that is to be completed within two years after the date of the enlistment as a Reserve; and

(3) in the case of a person enlisted in a reserve component for service in the Individual Ready Reserve, pay an allowance to the person for each month of that period.

(c) MAXIMUM PERIOD OF DELAY.—The period of delay authorized a person under paragraph (2) of subsection (b) may not exceed the two-year period beginning on the date of the person's enlistment accepted under paragraph (1) of such subsection.

(d) AMOUNT OF ALLOWANCE.—(1) The monthly allowance paid under subsection (b)(3) is $150. The allowance may not be paid for more than 24 months.

(2) An allowance under this section is in addition to any other pay and allowances to which a member of a reserve component is entitled by reason of participation in the Ready Reserve of that component.

(e) COMPARISON GROUP.—To perform the assessment under subsection (a), the Secretary may define and study any group not including persons receiving a benefit under subsection (b) and compare that group with any group or groups of persons who receive such benefits under the pilot program.

(f) DURATION OF PILOT PROGRAM.—The pilot program shall be in effect during the period beginning on October 1, 1999, and ending on September 30, 2004.

(g) REPORT.—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) 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 entry delays and financial benefits for advanced education and training of recruits.

SEC. 574. REDUCTION IN REQUIRED FREQUENCY OF REPORTING ON THE SELECTED RESERVE EDUCATIONAL ASSISTANCE PROGRAM UNDER THE MONTGOMERY GI BILL.

The text of section 16137 of title 10, United States Code, is amended to read as follows:

''The Secretary of Defense shall submit to Congress a report not later than March 1 of every 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 and adjust the period covered by the report accordingly.''.

SEC. 575. PARTICIPATION OF MEMBERS IN MANAGEMENT OF ORGANIZATIONS ABROAD THAT PROMOTE INTERNATIONAL UNDERSTANDING.

Section 1033(b)(3) of title 10, United States Code, is amended by inserting after subparagraph (D) the following:

''(E) An entity that, operating in a foreign nation where United States personnel are serving at United States military activities, promotes understanding and tolerance between such personnel (and their families) and the people of that host foreign nation through programs that foster social relations between those persons.''.

SEC. 576. FORENSIC PATHOLOGY INVESTIGATIONS BY ARMED FORCES MEDICAL EXAMINER.

(a) INVESTIGATION AUTHORITY.—Chapter 75 of title 10, United States Code, is amended by striking the heading for the chapter and inserting the following:

''CHAPTER 75—DECEASED PERSONNEL

''Subchapter	Sec.
''I. Death Investigations	1471
''II. Death Benefits	1475

''SUBCHAPTER I—DEATH INVESTIGATIONS

''Sec.
''1471. Forensic pathology investigations.

''§ 1471. Forensic pathology investigations

''(a) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Armed Forces Medical Examiner may conduct a forensic pathology investigation to determine the cause or manner of death of a deceased person under circumstances described in subsection (b). The investigation may include an autopsy of the decedent's remains.

''(b) BASIS FOR INVESTIGATION.—A forensic pathology investigation of a death under this section is justified if—

''(1) either—

''(A) it appears that the decedent was killed or that, whatever the cause of the decedent's death, the cause was unnatural;

''(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 found dead or died at an installation garrisoned by units of the armed forces that is under the exclusive jurisdiction of the United States;

''(ii) was a member of the armed forces on active duty or inactive duty for training;

''(iii) 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

''(iv) was a civilian dependent of a member of the armed forces and was found dead or died outside the United States;

''(B) in any other authorized Department of Defense investigation of matters which involves the death, a factual determination of the cause or manner of the death is necessary; or

''(C) in any other authorized investigation being conducted by the Federal Bureau of Investigation, the National Transportation Safety Board, or any other Federal agency, an authorized official of such agency with authority to direct a forensic pathology investigation requests that the Armed Forces Medical Examiner conduct such an investigation.

''(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.

''(d) LIMITATION IN CONCURRENT JURISDICTION CASES.—(1) The exercise of authority under this section is subject to the exercise of primary jurisdiction for the investigation of a death—

''(A) in the case of a death in a State, by the State or a local government of the State; or

''(B) in the case of a death in a foreign country, by that foreign country under any applicable treaty, status of forces agreement, or other international agreement between the United States and that foreign country.

''(2) Paragraph (1) does not limit the authority of the Armed Forces Medical Examiner to conduct a forensic pathology investigation of a death that is subject to the exercise of primary jurisdiction by another sovereing if the investigation by the other sovereing 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 one or more qualified pathologists to conduct the investigation;

''(2) to the extent practicable and consistent with responsibilities under this section, give due regard to any applicable law protecting religious beliefs;

''(3) as soon as practicable, notify the decedent's family, if known, that the forensic pathology investigation is being conducted;

''(4) as soon as practicable after the completion of the investigation, authorize release of the decedent's remains to the family, if known; and

''(5) promptly report the results of the forensic pathology investigation to the official responsible for the overall investigation of the death.

''(f) DEFINITION OF STATE.—In this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, and Guam.''.

(b) REPEAL OF AUTHORITY FOR EXISTING INQUEST PROCEDURES.—Sections 4711 and 9711 of title 10, United States Code, are repealed.

(c) TECHNICAL AND CLERICAL AMENDMENTS.—(1) Chapter 75 of such title, as amended by subsection (a), is further amended by inserting before section 1475 the following:

''SUBCHAPTER II—DEATH BENEFITS''.

(2) The item relating to chapter 75 in the tables of chapters at the beginning subtitle A of such title and at the beginning of part II of such subtitle is amended to read as follows

''75. Deceased Personnel ..... 1471''.

(3) The table of sections at the beginning chapter 445 of such title is amended by striking the item relating to section 4711.

(4) The table of sections at the beginning chapter 945 of such title is amended by striking the item relating to section 9711.

SEC. 577. NONDISCLOSURE OF INFORMATION ON MISSING PERSONS RETURNED TO UNITED STATES CONTROL.

Section 1506 of title 10, United States Code, is amended by adding at the end the following:

''(f) NONDISCLOSURE OF CERTAIN INFORMATION.—A record of the content of a debriefing of a missing person returned to United States control during the period beginning July 8, 1959, and ending February 10, 1996, that was conducted by an official of the United States authorized to conduct the debriefing is privileged information and, notwithstanding sections 552 and 552a of title 5, may not be disclosed, in whole or in part, under either such section.''.

SEC. 578. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS PURPOSES.

(a) AUTHORITY.—Subchapter I of chapter 134 of title 10, United States Code, is amended by adding at the end the following:

''§ 2249c. Use of recruiting materials for public relations

''Advertising materials developed for use for recruitment and retention of personnel for the armed forces may be used for public relations purposes of the Department of Defense under such conditions and subject to such restrictions as the Secretary of Defense shall prescribe.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following:

''2249c. Use of recruiting materials for public relations.''.

SEC. 579. IMPROVEMENT AND TRANSFER OF JURISDICTION OF TROOPS-TO-TEACHERS PROGRAM.

(a) RECODIFICATION, IMPROVEMENT, AND TRANSFER OF PROGRAM.—(1) Section 1151 of title 10, United States Code, is amended to read as follows:

''§ 1151. Assistance to certain separated or retired members to obtain certification and employment as teachers

''(a) PROGRAM AUTHORIZED.—The administering Secretary may carry out a program—

''(1) to assist eligible members of the armed forces after their discharge or release, or retirement, from active duty to obtain certification or licensure as elementary or secondary school teachers or as vocational or technical teachers; and

''(2) to facilitate the employment of such members by local educational agencies identified under subsection (b)(1).

''(b) IDENTIFICATION OF LOCAL EDUCATIONAL AGENCIES AND STATES.—(1)(A) In carrying out the program, the administering Secretary shall periodically identify local educational agencies that—

''(i) are receiving grants under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) as a result of having within their jurisdictions concentrations of children from low-income families; or

''(ii) are experiencing a shortage of qualified teachers, in particular a shortage of science, mathematics, special education, or vocational or technical teachers.

''(B) The administering Secretary may identify local educational agencies under subparagraph (A) through surveys conducted for that purpose or by utilizing information on local educational agencies that is available to the Secretary of Education from other sources.

''(2) In carrying out the program, the administering Secretary shall also conduct a survey of States to identify those States that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the armed forces toward satisfying certification or licensure requirements for teachers.

''(c) ELIGIBLE MEMBERS.—(1) Subject to paragraph (2), the following members shall be eligible for selection to participate in the program:

''(A) Any member who—

''(i) during the period beginning on October 1, 1990, and ending on September 30, 1999, was involuntarily discharged or released from active duty for purposes of a reduction of force after six or more years of continuous active duty immediately before the discharge or release; and

''(ii) satisfies such other criteria for eligibility as the administering Secretary may prescribe.

''(B) Any member—

''(i) who, on or after October 1, 1999—

''(I) is retired for length of service with at least 20 years of active service computed under section 3925, 3926, 8925, or 8926 of this title or for purposes of chapter 571 of this title; or

''(II) is retired under section 1201 or 1204 of this title;

''(ii) who—

''(I) in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a baccalaureate or advanced degree from an accredited institution of higher education; or

''(II) in the case of a member applying for assistance for placement as a vocational or technical teacher—

''(aa) has received the equivalent of one year of college from an accredited institution of higher education and has 10 or more years of military experience in a vocational or technical field; or

''(bb) otherwise meets the certification or licensure requirements for a vocational or technical teacher in the State in which such member seeks assistance for placement under the program; and

''(iii) who satisfies any criteria prescribed under subparagraph (A)(ii).

''(2) A member described in paragraph (1) shall be eligible to participate in the program only if the member's last period of service in the armed forces was characterized as honorable by the Secretary concerned.

''(d) INFORMATION REGARDING PROGRAM.—(1) The administering Secretary shall provide information regarding the program, and make applications for the program available, to members as part of preseparation counseling provided under section 1142 of this title.

''(2) The information provided to members shall—

''(A) indicate the local educational agencies identified under subsection (b)(1); and

''(B) identify those States surveyed under subsection (b)(2) that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the armed forces toward satisfying such requirements.

''(e) SELECTION OF PARTICIPANTS.—(1)(A) Selection of members to participate in the program shall be made on the basis of applications submitted to the administering Secretary on a timely basis. An application shall be in such form and contain such information as that Secretary may require.

''(B) An application shall be considered to be submitted on a timely basis if the application is submitted as follows:

''(i) In the case of an applicant who is eligible under subsection (c)(1)(A), not later than September 30, 2003.

''(ii) In the case of an applicant who is eligible under subsection (c)(1)(B), not later than four years after the date of the retirement of the applicant from active duty.

''(2) In selecting participants to receive assistance for placement as elementary or secondary school teachers or vocational or technical teachers, the administering Secretary shall give priority to members who—

''(A) have educational or military experience in science, mathematics, special education, or vocational or technical subjects and agree to seek employment as science, mathematics, or special education teachers in elementary or secondary schools or in other schools under the jurisdiction of a local educational agency; or

''(B) have educational or military experience in another subject area identified by that Secretary, in consultation with the National Governors Association, as important for national educational objectives and agree to seek employment in that subject area in elementary or secondary schools.

''(3) The administering Secretary may not select a member to participate in the program unless that Secretary has sufficient appropriations for the program available at the time of the selection to satisfy the obligations to be incurred by the United States under subsection (g) with respect to that member.

''(f) AGREEMENT.—A member selected to participate in the program shall be required to enter into an agreement with the administering Secretary in which the member agrees—

''(1) to obtain, within such time as that Secretary may require, certification or licensure as an elementary or secondary school teacher or vocational or technical teacher; and

''(2) to accept an offer of full-time employment as an elementary or secondary school teacher or vocational or technical teacher for not less than four school years with a local educational agency identified under subparagraph (A) or (B) of subsection (b)(1), to begin the school year after obtaining that certification or licensure.

''(g) STIPEND AND BONUS FOR PARTICIPANTS.—(1)(A) Subject to subparagraph (B), the administering Secretary shall pay to each participant in the program a stipend in an amount equal to $5,000.

''(B) The total number of stipends that may be paid under this paragraph in any fiscal year may not exceed 3,000.

''(2)(A) Subject to subparagraph (B), the administering Secretary may, in lieu of paying a stipend under paragraph (1), pay a bonus of $10,000 to each participant in the program who agrees under subsection (f) to accept full-time employment as an elementary or secondary school teacher or vocational or technical teacher for not less than four years in a high need school.

''(B) The total number of bonuses that may be paid under this paragraph in any fiscal year may not exceed 1,000.

''(C) In this paragraph, the term 'high need school' means an elementary school or secondary school that meets one or more of the following criteria:

''(i) A drop out rate that exceeds the national average school drop out rate.

''(ii) A large percentage of students (as determined by the Secretary of Education in consultation with the National Assessment Governing Board) who speak English as a second language.

''(iii) A large percentage of students (as so determined) who are at risk of educational failure by reason of limited proficiency in English, poverty, race, geographic location, or economic circumstances.

''(iv) A population of students at least one-half of which are from families with an income below the poverty line (as that term is defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

''(v) A large percentage of students (as so determined) who qualify for assistance under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

''(vi) Any other criteria established by the administering Secretary in consultation

with the National Assessment Governing Board.

''(3) Stipends and bonuses paid under this subsection shall be taken into account in determining the eligibility of the participant concerned for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(h) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—(1) If a participant in the program fails to obtain teacher certification or licensure or employment as an elementary or secondary school teacher or vocational or technical teacher as required under the agreement or voluntarily leaves, or is terminated for cause, from the employment during the four years of required service, the participant shall be required to reimburse the administering Secretary for any stipend paid to the participant under subsection (g)(1) in an amount that bears the same ratio to the amount of the stipend as the unserved portion of required service bears to the four years of required service.

''(2) If a participant in the program who is paid a bonus under subsection (g)(2) fails to obtain employment for which the bonus was paid, or voluntarily leaves or is terminated for cause from the employment during the four years of required service, the participant shall be required to reimburse the administering Secretary for the bonus in an amount that bears the same ratio to the amount of the bonus as the unserved portion of required service bears to the four years of required service.

''(3)(A) The obligation to reimburse the administering Secretary under this subsection is, for all purposes, a debt owing the United States.

''(B) A discharge in bankruptcy under title 11 shall not release a participant from the obligation to reimburse the administering Secretary under this subsection.

''(C) Any amount owed by a participant under paragraph (1) or (2) shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the reimbursement is determined to be due for securities having maturities of ninety days or less and shall accrue from the day on which the participant is first notified of the amount due.

''(i) EXCEPTIONS TO REIMBURSEMENT PROVISIONS.—(1) A participant in the program shall not be considered to be in violation of an agreement entered into under subsection (f) during any period in which the participant—

''(A) is pursuing a full-time course of study related to the field of teaching at an eligible institution;

''(B) is serving on active duty as a member of the armed forces;

''(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

''(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

''(E) is seeking and unable to find full-time employment as a teacher in an elementary or secondary school or as a vocational or technical teacher for a single period not to exceed 27 months; or

''(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the administering Secretary.

''(2) A participant shall be excused from reimbursement under subsection (h) if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician. The administering Secretary may also waive reimbursement in cases of extreme hardship to the participant, as determined by that Secretary.

''(j) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—The receipt by a participant in the program of any assistance under the program shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 of title 38 or chapter 1606 of this title.

''(k) 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.

''(l) ASSISTANCE TO STATES IN ACTIVITIES UNDER PROGRAM.—(1) Subject to paragraph (2), the administering Secretary may make grants to States participating in the program, or to consortia of such States, in order to permit such States or consortia of States to operate offices for purposes of recruiting eligible members for participation in the program and facilitating the employment of participants in the program in schools in such States or consortia of States.

''(2) The total amount of grants under paragraph (1) in any fiscal year may not exceed $4,000,000.

''(m) LIMITATION ON USE OF FUNDS FOR MANAGEMENT INFRASTRUCTURE.—The administering Secretary may utilize not more than five percent of the funds available to carry out the program for a fiscal year for purposes of establishing and maintaining the management infrastructure necessary to support the program.

''(n) DEFINITIONS.—In this section:

''(1) The term 'administering Secretary', with respect to the program authorized by this section, means the following:

''(A) The Secretary of Defense with respect to the armed forces (other than the Coast Guard) for the period beginning on October 23, 1992, and ending on the date of the completion of the transfer of responsibility for the program to the Secretary of Education under section 579(c) of the National Defense Authorization Act for Fiscal Year 2000.

''(B) The Secretary of Transportation with respect to the Coast Guard for the period referred to in subparagraph (A).

''(C) The Secretary of Education for any period after the period referred to in subparagraph (A).

''(2) The term 'State' includes the District of Columbia, American Samoa, the Federated States of Micronesia, Guam, the Republic of the Marshall Islands, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Republic of Palau, and the United States Virgin Islands.

''(3) The term 'alternative certification or licensure requirements' means State or local teacher certification or licensure requirements that permit a demonstrated competence in appropriate subject areas gained in careers outside of education to be substituted for traditional teacher training course work.''.

(2) The table of sections at the beginning of chapter 58 of such title is amended by striking the item relating to section 1151 and inserting the following new item:

''1151. Assistance to certain separated or retired members to obtain certification and employment as teachers.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

(c) 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 Education of any on-going functions and responsibilities of the Secretary of Defense and the Secretary of Transportation with respect to the program authorized by section 1151 of title 10, United States Code, for the period beginning on October 23, 1992, and ending on 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)), in the recruitment and retention of qualified personnel by local educational agencies identified under subsection (b)(1) of such section 1151.

(2) The report under paragraph (1) shall include information on the following:

(A) The number of participants in the program.

(B) The schools in which such participants are employed.

(C) The grade levels at which such participants teach.

(D) The subject matters taught by such participants.

(E) The effectiveness of the teaching of such participants, as indicated by any relevant test scores of the students of such participants.

(F) The extent of any academic improvement in the schools in which such participants teach by reason of their teaching.

(G) The rates of retention of such participants by the local educational agencies employing such participants.

(H) The effect of any stipends or bonuses under subsection (g) of such section 1151 in enhancing participation in the program or in enhancing recruitment or retention of participants in the program by the local educational agencies employing such participants.

(I) Such other matters as the Secretary of Education or the Comptroller General, as the case may be, considers appropriate.

(3) The report of the Comptroller General under paragraph (1) shall also include any recommendations of the Comptroller General as to means of improving the program, including means of enhancing the recruitment and retention of participants in the program.

SEC. 580. SUPPORT FOR EXPANDED CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR DEPENDENTS.

(a) AUTHORITY.—(1) Subchapter II of chapter 88 of title 10, United States Code, is amended—

(A) by redesignating section 1798 as section 1800; and

(B) by inserting after section 1797 the following:

''§ 1798. Child care services and youth program services for dependents: financial assistance for providers

''(a) AUTHORITY.—The Secretary of Defense may provide financial assistance to an eligible civilian provider of child care services or 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 furnishing of the services for military installations; and

''(3) ensures that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards of the Department of Defense that are applicable to the furnishing of such services.

''(b) ELIGIBLE PROVIDER.—A provider of child care services or youth program services is eligible for financial assistance under paragraph (1) if the provider—

''(1) is licensed to provide the services under applicable State and local law;

''(2) has previously provided such services for members of the armed forces or employees of the Federal Government; and

''(3) either—

''(A) is a provider of otherwise federally funded or sponsored child development services;

''(B) provides the services in a child development center owned and operated by a private, not-for-profit organization;

''(C) is a provider of family child care services;

''(D) conducts a before-school or after-school child care program in a public school facility;

''(E) conducts an otherwise federally funded or federally sponsored school age child care or youth services program;

''(F) conducts a school age child care or youth services program that is owned and operated by a not-for-profit organization; or

''(G) is a provider of another category of child care services or youth services determined by the Secretary 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.

''§ 1799. Child care services and youth program services for dependents: participation by children and youth otherwise ineligible

''(a) AUTHORITY.—The Secretary may authorize participation in child care or youth programs of the Department of Defense, to the extent of the availability of space and services, by children and youth under the age of 19 who are not dependents of members 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 of military families into civilian communities.

''(2) To make more efficient use of Department of Defense facilities and resources.

''(3) To establish or support a partnership or consortium arrangement with schools and other 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. The report shall include an evaluation of the effectiveness of the authority for achieving the objectives set out under subsection (c). The report may include any recommendations for legislation that the Secretary considers appropriate to enhance the capability of the Department of Defense to attain those objectives.

''(2) A biennial report under this subsection may be combined with the biennial report under section 1798(d) of this title into one report for submission to Congress.''.

(2) The table of sections at the beginning of such subchapter is amended by striking the item relating to section 1798 and inserting the following:

''1798. Child care services and youth program services for dependents: financial assistance for providers.''.
''1799. Child care services and youth program services for dependents: participation by children and youth otherwise ineligible.
''1800. Definitions.''.

(b) FIRST BIENNIAL REPORTS.—The first biennial reports under sections 1798(d) and 1799(d) of title 10, United States Code (as added by subsection (a)), shall be submitted not later than March 31, 2002, and shall cover fiscal years 2000 and 2001.

SEC. 581. RESPONSES TO DOMESTIC VIOLENCE IN THE ARMED FORCES.

(a) MILITARY-CIVILIAN TASK FORCE ON DOMESTIC VIOLENCE.—(1) The Secretary of Defense shall establish a Military-Civilian Task Force on Domestic Violence. The Secretary shall appoint the members of the task force in accordance with 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 from time to time any analyses and recommendations for policies regarding how the Armed Forces can effectively respond, and improve responses, to cases of domestic violence that the task force considers appropriate.

(B) The task force shall submit to Congress an annual report containing a detailed discussion of the achievements in responses to domestic violence in the Armed Forces, pending research on domestic violence, and any recommendations for actions to improve the responses of the Armed Forces to domestic violence in the Armed Forces that the task force considers appropriate.

(C) The task force shall—

(i) meet in plenary session at least once annually; and

(ii) visit military installations overseas annually and military installations within the United States semiannually.

(3) The Secretary shall appoint the members of the task force. The task force shall include the following:

(A) Representatives of Department of Defense family advocacy programs.

(B) Medical personnel.

(C) Judge advocates.

(D) Military police or other law enforcement personnel of the Armed Forces.

(E) Commanders.

(F) Personnel who plan, execute, and evaluate training of the Armed Forces.

(G) Civilian personnel who are experts on domestic violence, family advocates, providers of services specifically for victims of domestic violence, and researchers in domestic violence including, but not limited to, the following:

(i) At least two representatives from the national domestic violence resource center and the special issue resource centers referred to in section 308 of the Family Violence Prevention and Services Act (42 U.S.C. Sec. 10407).

(ii) At least two representatives from national domestic violence and sexual assault policy organizations.

(iii) At least two representatives from selected States' domestic violence and sexual assault coalitions.

(iv) At least two local domestic violence and sexual assault service providers in communities located near military installations.

(H) Civilian law enforcement personnel (appointed in consultation with the Attorney General).

(I) Representatives of the Department of Justice (appointed in consultation with the Attorney General) from the following offices:

(i) The Office on Violence Against Women.

(ii) The Violence Against Women Grants Office.

(J) Representatives of the Department of Health and Human Services (appointed in consultation with the Secretary of Health and Human Services) from the Family Violence Prevention and Services Office.

(4) The Secretary shall ensure that the task force includes the following:

(A) Representatives of the Office of the Secretary of Defense.

(B) General and flag officers.

(C) Noncommissioned officers.

(D) Other enlisted personnel.

(5) The Secretary of Defense shall annually designate to chair the task force one member of the task force from among the members on a list of nominees submitted to the Secretary for that purpose by the task force.

(6) Each member of the task force shall serve without compensation (other than the compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, as the case may be), but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular places of business in the performance of services for the task force.

(7) The Assistant Secretary of Defense for Force Management Policy, under the direction of the Under Secretary of Defense for Personnel and Readiness, shall provide oversight of the task force and shall provide the task force with the personnel, facilities, and

other administrative support that is necessary for the performance of the task force's duties. The Assistant Secretary shall provide for the Secretaries of the military department to provide support described in paragraph (8)(B) for the task force on a rotating basis.

(8) The Secretary of the military department concerned shall—

(A) coordinate visits of the task force to military installations; and

(B) as designated by the Assistant Secretary of Defense and in coordination with Assistant Secretary, provide administrative, logistical, and other support for the meetings of the task force.

(9) The task force shall terminate three years after the date on which all members of the task force are appointed.

(b) UNIFORM RESPONSES.—Not later than six months after receiving the report of the task force under subsection (a)(2)(A), the Secretary of Defense shall, in consultation with the task force, prescribe the following:

(1) Standard formats for memorandums of agreement or understanding to be used by the Secretaries of the military departments for entering into agreements with civilian law enforcement authorities relating to acts of domestic violence involving members of the Armed Forces.

(2) A requirement for a commanding officer of a member of the Armed Forces ordered by a superior not to have contact with a person to give a written copy of the order to each person protected by the order within 24 hours after the issuance of the order.

(3) Standard guidance on the factors for commanders to consider when determining appropriate action for substantiated allegations of domestic violence by a person subject to that Code.

(4) A standard training program for all commanding officers in the Armed Forces, including a standard curriculum, on the handling of domestic violence cases.

(c) REPORTING REQUIREMENTS.—(1) The Secretary shall establish a central database of information on the cases of domestic violence involving members of the Armed Forces.

(2) The Secretary shall require the administrator of each family advocacy program of the Armed Forces to maintain and 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 commander, any law enforcement authority of the Armed Forces, or a family advocacy program of the Department of Defense.

(B) The number of the cases that involve evidence determined sufficient for supporting disciplinary action and, for each such case, a description of the substantiated allegation and the action taken by command authorities in the case.

(C) The number of the cases that involve evidence determined insufficient for supporting disciplinary action and, for each such case, a description of the allegation.

(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 (RETIRED) HUSBAND E. KIMMEL AND MAJOR GENERAL (RETIRED) WALTER C. SHORT ON RETIRED LISTS.

(a) FINDINGS.—Congress makes the following findings:

(1) The late Rear Admiral (retired) Husband E. Kimmel, formerly serving in the grade of admiral as the Commander in Chief of the United States Fleet and the Commander in Chief, United States Pacific Fleet, had an excellent and unassailable record throughout his career in the United States Navy prior to the December 7, 1941 attack on Pearl Harbor.

(2) The late Major General (retired) Walter C. Short, 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 message of September 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, known as the Fourteen-Part Message.

(4) On December 16, 1941, Admiral Kimmel and Lieutenant General Short were relieved of their commands and returned to their permanent ranks of rear admiral and major general.

(5) Admiral William Harrison Standley, who served as a member of the investigating commission known as the Roberts Commission that accused Admiral Kimmel and Lieutenant General Short of ''dereliction of duty'' only six weeks after the attack on Pearl Harbor, later disavowed the report maintaining that ''these two officers were martyred'' and ''if they had been brought to trial, both would have been cleared of the charge''.

(6) On October 19, 1944, a Naval Court of Inquiry—

(A) exonerated Admiral Kimmel on the grounds that his military decisions and the disposition of his forces at the time of the December 7, 1941 attack on Pearl Harbor were proper ''by virtue of the information that Admiral Kimmel had at hand which indicated neither the probability nor the imminence of an air attack on Pearl Harbor'';

(B) criticized the higher command for not sharing with Admiral Kimmel ''during the very critical period of 26 November to 7 December 1941, important information . . . regarding the Japanese situation''; and

(C) concluded that the Japanese attack and its outcome was attributable to no serious fault on the part of anyone in the naval service.

(7) On June 15, 1944, an investigation conducted by Admiral T. C. Hart at the direction of the Secretary of the Navy produced evidence, subsequently confirmed, that essential intelligence concerning Japanese intentions and war plans was available in Washington but was not shared with Admiral Kimmel.

(8) On October 20, 1944, the Army Pearl Harbor Board of Investigation determined that—

(A) Lieutenant General Short had not been kept ''fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for war'';

(B) detailed information and intelligence about Japanese intentions and war plans were available in ''abundance'', but were not shared with Lieutenant General Short's Hawaii command; and

(C) Lieutenant General Short was not provided ''on the evening of December 6th and the early morning of December 7th, the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this''.

(9) The reports by both the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation were kept secret, and Rear Admiral (retired) Kimmel and Major General (retired) Short were denied their requests to defend themselves through trial by court-martial.

(10) The joint committee of Congress that was established to investigate the conduct of 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.

(11) The Officer Personnel Act of 1947, in establishing a promotion system for the Navy and the Army, provided a legal basis for the President to honor any officer of the Armed Forces of the United States who served his country as a senior commander during World War II with a placement of that officer, with the advice and consent of the Senate, on the retired list with the highest grade held while on the active duty list.

(12) On April 27, 1954, the then Chief of Naval Personnel, Admiral J. L. Holloway, Jr., recommended that Rear Admiral Kimmel be advanced in rank in accordance with the provisions of the Officer Personnel Act of 1947.

(13) On November 13, 1991, a majority of the members of the Board for the Correction of Military Records of the Department of the Army found that the late Major General (retired) Short ''was unjustly held responsible for the Pearl Harbor disaster'' and that ''it would be equitable and just'' to advance him to the rank of lieutenant general on the retired list''.

(14) In October 1994, the then Chief of Naval Operations, Admiral Carlisle Trost, withdrew his 1988 recommendation against the advancement of Rear Admiral (retired) Kimmel (by then deceased) and recommended that the case of Rear Admiral Kimmel be reopened.

(15) Although the Dorn Report, a report on the results of a Department of Defense study that was issued on December 15, 1995, did not provide support for an advancement of the late Rear Admiral (retired) Kimmel or the late Major General (retired) Short in grade, it did set forth as a conclusion of the study that ''responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and Lieutenant General Short, it should be broadly shared''.

(16) The Dorn Report found—

(A) that ''Army and Navy officials in Washington were privy to intercepted Japanese diplomatic communications . . . which provided crucial confirmation of the imminence of war'';

(B) that ''the evidence of the handling of these messages in Washington reveals some ineptitude, some unwarranted assumptions and misestimations, limited coordination, ambiguous language, and lack of clarification and follow-up at higher levels''; and

(C) that ''together, these characteristics resulted in failure . . . to appreciate fully and to convey to the commanders in Hawaii the sense of focus and urgency that these intercepts should have engendered''.

(17) On July 21, 1997, Vice Admiral David C. Richardson (United States Navy, retired) responded to the Dorn Report with his own

study which confirmed findings of the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation and established, among other facts, that the war effort in 1941 was undermined by a restrictive intelligence distribution policy, and the degree to which the commanders of the United States forces in Hawaii were not alerted about the impending attack on Hawaii was directly attributable to the withholding of intelligence from then Admiral Kimmel and Lieutenant General Short.

(18) Rear Admiral (retired) Kimmel and Major General (retired) Short are the only two officers eligible for advancement under the Officer Personnel Act of 1947 as senior World War II commanders who were excluded from the list of retired officers presented for advancement on the retired lists to their highest wartime ranks under that Act.

(19) This singular exclusion from advancement of Rear Admiral (retired) Kimmel and Major General (retired) Short from the Navy retired list and the Army retired list, respectively, serves only to perpetuate the myth that the senior commanders in Hawaii were derelict in their duty and responsible for the success of the attack on Pearl Harbor, and is a distinct and unacceptable expression of dishonor toward two of the finest officers who have served in the Armed Forces of the United States.

(20) Major General (retired) Walter Short died on September 23, 1949, and Rear Admiral (retired) Husband Kimmel died on May 14, 1968, without having been accorded the honor of being returned to their wartime ranks as were their fellow veterans of World War II.

(21) The Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and honor of the late Rear Admiral (retired) Kimmel and the late Major General (retired) Short through their posthumous advancement on the retired lists to their highest wartime grades.

(b) REQUEST FOR ADVANCEMENT ON RETIRED LISTS.—(1) The President is requested—

(A) to advance the late Rear Admiral (retired) Husband E. Kimmel to the grade of admiral on the retired list of the Navy; and

(B) to advance the late Major General (retired) Walter C. Short to the grade of lieutenant general on the retired list of the Army.

(2) Any advancement in grade on a retired list requested under paragraph (1) shall not increase or otherwise modify the compensation or benefits from the United States to which any person is now or may in the future be entitled based upon the military service of the officer advanced.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the late Rear Admiral (retired) Husband E. Kimmel performed his duties as Commander in Chief, United States Pacific Fleet, competently and professionally, and, therefore, the losses incurred by the United States in the attacks on the naval base at Pearl Harbor, 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 Admiral Kimmel; and

(2) the late Major General (retired) Walter C. Short performed his duties as Commanding General, Hawaiian Department, competently and professionally, and, therefore, the losses incurred by the United States in the attacks on Hickam Army Air Field and Schofield Barracks, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by the then Lieutenant General Short.

SEC. 583. EXIT SURVEY FOR SEPARATING MEMBERS.

(a) REQUIREMENT.—The Secretary of Defense shall develop and carry out a survey on attitudes toward military service to be completed by members of the Armed Forces who voluntarily separate from the Armed Forces or transfer from a regular component to a reserve component during the period beginning on January 1, 2000, and ending on June 30, 2000, or such later date as the Secretary determines necessary in order to obtain enough survey responses to provide a sufficient basis for meaningful analysis of survey results. Completion of the survey shall be required of such personnel as part of outprocessing activities. The Secretary of each military department shall suspend exit surveys and interviews of that department during the period described in the first sentence.

(b) SURVEY CONTENT.—The survey shall, at a minimum, cover the following subjects:

(1) Reasons for leaving military service.

(2) Plans for activities after separation (such as enrollment in school, use of Montgomery GI Bill benefits, and work).

(3) Affiliation with a Reserve component, together with the reasons for affiliating or not affiliating, as the case may be.

(4) Attitude toward pay and benefits for service in the Armed Forces.

(5) Extent of job satisfaction during service as a member of the Armed Forces.

(6) Such other matters as the Secretary determines appropriate to the survey concerning reasons for choosing to separate from the Armed Forces.

(c) REPORT.—Not later than February 1, 2001, the Secretary shall submit to Congress a report containing the results of the surveys. The report shall include an analysis of the reasons why military personnel voluntarily separate from the Armed Forces and the post-separation plans of those personnel. The Secretary shall utilize the report's findings in crafting future responses to declining retention and recruitment.

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:

COMMISSIONED OFFICERS[1]

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
0–10[2]	$0.00	$0.00	$0.00	$0.00	$0.00
0–9	0.00	0.00	0.00	0.00	0.00
0–8	6,594.30	6,810.30	6,953.10	6,993.30	7,171.80
0–7	5,479.50	5,851.80	5,851.50	5,894.40	6,114.60
0–6	4,061.10	4,461.60	4,754.40	4,754.40	4,772.40
0–5	3,248.40	3,813.90	4,077.90	4,127.70	4,291.80
0–4	2,737.80	3,333.90	3,556.20	3,606.04	3,812.40
0–3[3]	2,544.00	2,884.20	3,112.80	3,364.80	3,525.90
0–2[3]	2,218.80	2,527.20	2,910.90	3,000.00	3,071.10
0–1[3]	1,926.30	2,004.90	2,423.10	2,423.10	2,423.10

Pay Grade	Over 8	Over 10	Over 12	Over 14	Over 16
0–10[2]	$0.00	$0.00	$0.00	$0.00	$0.00
0–9	0.00	0.00	0.00	0.00	0.00
0–8	7,471.50	7,540.80	7,824.60	7,906.20	8,150.10
0–7	6,282.00	6,475.80	6,669.00	6,863.10	7,471.50
0–6	4,976.70	5,004.00	5,004.00	5,169.30	5,791.20
0–5	4,291.80	4,420.80	4,659.30	4,971.90	5,286.00

COMMISSIONED OFFICERS[1]

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O–4	3,980.40	4,251.50	4,464.00	4,611.00	4,758.90
O–3[3]	3,702.60	3,850.20	4,040.40	4,139.10	4,139.10
O–2[3]	3,071.10	3,071.10	3,071.10	3,071.10	3,071.10
O–1[3]	2,423.10	2,423.10	2,423.10	2,423.10	2,423.10
	Over 18	Over 20	Over 22	Over 24	Over 26
O–10[2]	$0.00	$10,655.10	$10,707.60	$10,930.20	$11,318.40
O–9	0.00	9,319.50	9,453.60	9,647.70	9,986.40
O–8	8,503.80	8,830.20	9,048.00	9,048.00	9,048.00
O–7	7,985.40	7,985.40	7,985.40	7,985.40	8,025.60
O–6	6,086.10	6,381.30	6,549.00	6,719.10	7,049.10
O–5	5,436.00	5,583.60	5,751.90	5,751.90	5,751.90
O–4	4,808.70	4,808.70	4,808.70	4,808.70	4,808.70
O–3[3]	4,139.10	4,139.10	4,139.10	4,139.10	4,139.10
O–2[3]	3,071.10	3,071.10	3,071.10	3,071.10	3,071.10
O–1[3]	2,423.10	2,423.10	2,423.10	2,423.10	2,423.10

[1] Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

[2] While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is calculated to be $12,441.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

[3] Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

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

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O–3E	$0.00	$0.00	$0.00	$3,364.80	$3,525.90
O–2E	0.00	0.00	0.00	3,009.00	3,071.10
O–1E	0.00	0.00	0.00	2,423.10	2,588.40
	Over 8	Over 10	Over 12	Over 14	Over 16
O–3E	$3,702.60	$3,850.20	$4,040.40	$4,200.30	$4,291.80
O–2E	3,168.60	3,333.90	3,461.40	3,556.20	3,556.20
O–1E	2,683.80	2,781.30	2,877.60	3,009.00	3,009.00
	Over 18	Over 20	Over 22	Over 24	Over 26
O–3E	$4,416.90	$4,416.90	$4,416.90	$4,416.90	$4,416.90
O–2E	3,556.20	3,556.20	3,556.20	3,556.20	3,556.20
O–1E	3,009.00	3,009.00	3,009.00	3,009.00	3,009.00

WARRANT OFFICERS

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
W–5	$0.00	$0.00	$0.00	$0.00	$0.00
W–4	2,592.00	2,788.50	2,868.60	2,947.50	3,083.40
W–3	2,355.90	2,555.40	2,555.40	2,588.40	2,694.30
W–2	2,063.40	2,232.60	2,232.60	2,305.80	2,423.10
W–1	1,719.00	1,971.00	1,971.00	2,135.70	2,232.60
	Over 8	Over 10	Over 12	Over 14	Over 16
W–5	$0.00	$0.00	$0.00	$0.00	$0.00
W–4	3,217.20	3,352.80	3,485.10	3,622.20	3,753.60
W–3	2,814.90	2,974.20	3,071.10	3,177.00	3,298.20
W–2	2,555.40	2,852.60	2,749.80	2,844.30	2,949.00
W–1	2,332.80	2,433.30	2,533.20	2,634.00	2,734.80
	Over 18	Over 20	Over 22	Over 24	Over 26
W–5	$0.00	$4,475.10	$4,628.70	$4,782.90	$4,937.40
W–4	3,888.00	4,019.00	4,155.60	4,289.70	4,427.10
W–3	3,418.50	3,539.10	3,659.40	3,780.00	3,900.90
W–2	3,058.40	3,163.80	3,270.90	3,378.30	3,378.30
W–1	2,835.00	2,910.90	2,910.90	2,910.90	2,910.90

ENLISTED MEMBERS

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E–9[4]	$0.00	$0.00	$0.00	$0.00	$0.00
E–8	0.00	0.00	0.00	0.00	0.00
E–7	1,765.80	1,927.80	2,001.00	2,073.00	2,147.70
E–6	1,518.90	1,678.20	1,752.60	1,824.30	1,899.30
E–5	1,332.60	1,494.00	1,566.00	1,640.40	1,714.50
E–4	1,242.90	1,373.10	1,447.20	1,520.10	1,593.90
E–3	1,171.50	1,260.60	1,334.10	1,335.90	1,335.90
E–2	1,127.40	1,127.40	1,127.40	1,127.40	1,127.40
E–1	[5] 1,005.60	1,005.60	1,005.60	1,005.60	1,005.60
	Over 8	Over 10	Over 12	Over 14	Over 16
E–9[4]	$0.00	$3,015.30	$3,083.40	$3,169.80	$3,271.50
E–8	2,528.40	2,601.60	2,669.70	2,751.60	2,840.10
E–7	2,220.90	2,294.10	2,367.30	2,439.30	2,514.00

ENLISTED MEMBERS

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E–6	1,973.10	2,047.20	2,118.60	2,191.50	2,244.60
E–5	1,789.50	1,861.50	1,936.20	1,936.20	1,936.20
E–4	1,593.90	1,593.90	1,593.90	1,593.90	1,593.90
E–3	1,335.90	1,335.90	1,335.90	1,335.90	1,335.90
E–2	1,127.40	1,127.40	1,127.40	1,127.40	1,127.40
E–1	1,005.60	1,005.60	1,005.60	1,005.60	1,005.60
	Over 18	Over 20	Over 22	Over 24	Over 26
E–9[4]	$3,373.20	$3,473.40	$3,609.30	$3,744.00	$3,915.80
E–8	2,932.50	3,026.10	3,161.10	3,295.50	3,483.60
E–7	2,588.10	2,660.40	2,787.60	2,926.20	3,134.40
E–6	2,283.30	2,283.30	2,285.70	2,285.70	2,285.70
E–5	1,936.20	1,936.20	1,936.20	1,936.20	1,936.20
E–4	1,593.90	1,593.90	1,593.90	1,593.90	1,593.90
E–3	1,335.90	1,335.90	1,335.90	1,335.90	1,335.90
E–2	1,127.40	1,127.40	1,127.40	1,123.20	1,127.40
E–1	1,005.60	1,005.60	1,005.60	1,005.60	1,005.60

[4] While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, basic pay for this grade is $4,701.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

[5] 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. 602. PAY INCREASES FOR FISCAL YEARS 2001 THROUGH 2006.

(a) ECI+0.5 PERCENT INCREASE FOR ALL MEMBERS.—Section 1009(c) of title 37, United States Code, is amended—

(1) by inserting ''(1)'' after ''(c) EQUAL PERCENTAGE INCREASE FOR ALL MEMBERS.—''; and

(2) by adding at the end the following:

''(2) Notwithstanding paragraph (1), but subject to subsection (d), an adjustment taking effect under this section during each of fiscal years 2001 through 2006 shall provide all eligible members with an increase in the monthly basic pay by the percentage equal to the sum of one percent plus the percentage calculated as provided under section 5303(a) of title 5 for such fiscal year (without regard to whether rates of pay under the statutory pay systems are actually increased during such fiscal year under that section by the percentage so calculated).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2000.

SEC. 603. SPECIAL SUBSISTENCE ALLOWANCE FOR FOOD STAMP ELIGIBLE MEMBERS.

(a) ALLOWANCE.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

''§ 402a. Special subsistence allowance: members eligible for food stamps

''(a) ENTITLEMENT.—Upon the application of an eligible member of a uniformed service described in subsection (b)(1), the Secretary concerned shall pay the member a special subsistence allowance for each month for which the member is eligible to receive food stamp assistance, as determined by the Secretary.

''(b) COVERED MEMBERS.—(1) A member referred to subsection (a) is an enlisted member in pay grade E–5 or below.

''(2) For the purposes of this section, a member shall be considered as being eligible to receive food stamp assistance if the household of the member meets the income standards of eligibility established under section 5(c)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(c)(2)), not taking into account the special subsistence allowance that may be payable to the member under this section and any allowance that is payable to the member under section 403 or 404a of this title.

''(c) TERMINATION OF ENTITLEMENT.—The entitlement of a member to receive payment of a special subsistence allowance terminates upon the occurrence of any of the following events:

''(1) Termination of eligibility for food stamp assistance.

''(2) Payment of the special subsistence allowance for 12 consecutive months.

''(3) Promotion of the member to a higher grade.

''(4) Transfer of the member in a permanent change of station.

''(d) REESTABLISHED ENTITLEMENT.—(1) After a termination of a member's entitlement to the special subsistence allowance under subsection (c), the Secretary concerned shall resume payment of the special subsistence allowance to the member if the Secretary determines, upon further application of the member, that the member is eligible to receive food stamps.

''(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.

''(g) RELATIONSHIP TO BASIC ALLOWANCE FOR SUBSISTENCE.—The special subsistence allowance under this section is in addition to the basic allowance for subsistence under section 402 of this title.

''(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term 'food stamp assistance' means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

''(i) TERMINATION OF AUTHORITY.—No special subsistence allowance may be made under this section for any month beginning after September 30, 2004.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 402 the following:

''402a. Special subsistence allowance: members eligible for food stamps.''.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on the first day of the first month that begins not less than 180 days after the date of the enactment of this Act.

(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 1999, the Secretary of Defense shall submit to Congress a report setting forth the number of members of the uniformed services who are eligible for assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) In preparing the report, the Secretary shall consult with the Secretary of Transportation (with respect to the Coast Guard), who shall provide the Secretary of Defense with any information that the Secretary determines necessary to prepare the report.

(3) No report is required under this section after March 1, 2004.

SEC. 604. PAYMENT FOR UNUSED LEAVE IN CONJUNCTION WITH A REENLISTMENT.

Section 501 of title 37, United States Code, is amended—

(1) in subsection (a)(1), by inserting '', termination of an enlistment in conjunction with the commencement of a successive enlistment (without regard to the date of the expiration of the term of the enlistment being terminated),'' after ''honorable conditions''; and

(2) in subsection (b)(2), by striking '', or entering into an enlistment,''.

SEC. 605. CONTINUANCE OF PAY AND ALLOWANCES WHILE IN DUTY STATUS (WHEREABOUTS UNKNOWN).

(a) CONTINUANCE OF PAY AND ALLOWANCES.—(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 to the member as if the member were in a missing 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—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) The term 'duty status (whereabouts unknown)' means a transitory casualty status designated for a member of 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 consider the available relevant evidence sufficient for making a definite determination that the member is missing, has deserted, is absent without leave, or is dead.''.

SEC. 606. EQUITABLE TREATMENT OF CLASS OF 1987 OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) YEARS OF SERVICE CREDIT.—An officer of the uniformed services who entered the Uniformed Services University of the Health Sciences as a student in 1983 and who successfully completed the course of instruction at the University in 1987 shall be treated for purposes of determining pay and years of service in the same manner as a student at the University who graduated in 1986, notwithstanding the enactment of the Defense Officer Personnel Management Act (Public Law 96–513; 94 Stat. 2835).

(b) PROSPECTIVE APPLICABILITY.—This section shall take effect on October 1, 1999. No entitlement to increased pay or allowances accrues for periods before such date, and no eligibility accrues for consideration for selection for promotions by boards convened before such date.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF CERTAIN BONUSES AND SPECIAL PAYS.

(a) AVIATION OFFICER RETENTION BONUS.—Section 301b(a) of title 37, United States Code, is amended by striking ''December 31, 1999,'' and inserting ''December 31, 2000,''.

(b) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(c) ENLISTMENT BONUSES FOR MEMBERS WITH CRITICAL SKILLS.—Sections 308a(c) and 308f(c) of title 37, United States Code, are each amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(d) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(e) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(e) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(c) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(f) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312c(d) of title 37, United States Code, is amended by striking ''any fiscal year beginning before October 1, 1998, and the 15-month period beginning on that date and ending on December 31, 1999'' and inserting ''the 15-month period beginning on October 1, 1998, and ending on December 31, 1999, and any year beginning after December 31, 1999, and ending before January 1, 2001''.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

(a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section 302g(f) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(b) SELECTED RESERVE REENLISTMENT BONUS.—Section 308b(f) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(c) SELECTED RESERVE ENLISTMENT BONUS.—Section 308c(e) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(d) SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section 308d(c) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(e) SELECTED RESERVE AFFILIATION BONUS.—Section 308e(e) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(f) READY RESERVE ENLISTMENT AND REENLISTMENT BONUS.—Section 308h(g) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(g) PRIOR SERVICE ENLISTMENT BONUS.—Section 308i(f) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(h) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 16302(d) of title 10, United States Code, is amended by striking ''January 1, 2000'' and inserting in lieu thereof ''January 1, 2001''.

SEC. 613. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR NURSE OFFICER CANDIDATES, REGISTERED NURSES, AND NURSE ANESTHETISTS.

(a) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(b) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(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 302e(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 PROVISION.—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),''; and

(3) adding at the end the following:

''(2) Paragraph (1) applies with respect to agreements executed during the period beginning on the first day of the first month that begins on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000 and ending on December 31, 2004.''.

(b) REPEAL OF LIMITATION TO CERTAIN YEARS OF CAREER AVIATION SERVICE.—Subsection (b) of such section is amended—

(1) by striking paragraph (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 ''than—'' and all that follows and inserting ''than $25,000 for each year covered by the written agreement to remain on active duty.''.

(d) PRORATION AUTHORITY FOR COVERAGE OF INCREASED PERIOD OF ELIGIBILITY.—Subsection (d) of such section is amended by striking ''14 years of commissioned service'' and inserting ''25 years of aviation service''.

(e) TERMINOLOGY.—Such section is further amended—

(1) in subsection (f), by striking ''A retention bonus'' and inserting ''Any amount''; and

(2) in subsection (i)(1), by striking ''retention bonuses'' in the first sentence and inserting ''special pay under this section''.

(f) REPEAL OF CONTENT REQUIREMENTS FOR ANNUAL REPORT.—Subsection (i)(1) of such section is further amended by striking the second sentence.

(g) TECHNICAL AMENDMENT.—Subsection (g)(3) of such section if amended by striking the second sentence.

(h) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month that begins on or after the date of the enactment of this Act.

SEC. 616. CAREER ENLISTED FLYER INCENTIVE PAY.

(a) INCENTIVE PAY AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301e the following new section 301f:

''§ 301f. Incentive pay: career enlisted flyers

''(a) PAY AUTHORIZED.—An enlisted member described in subsection (b) may be paid career enlisted flyer incentive pay as provided in this section.

''(b) ELIGIBLE MEMBERS.—An enlisted member referred to in subsection (a) is an enlisted member of the armed forces who—

''(1) is entitled to basic pay under section 204 of this title or is entitled to compensation under paragraph (1) or (2) of section 206(a) of this title;

''(2) holds a military occupational specialty or military rating designated as a career enlisted flyer specialty or rating by the Secretary concerned in regulations prescribed under subsection (f) and continues to be proficient in the skills required for that specialty or rating, or is in training leading to the award of such a specialty or rating; and

''(3) is qualified for aviation service.

''(c) MONTHLY PAYMENT.—(1) Career enlisted flyer incentive pay may be paid a member referred to in subsection (b) for each month in which the member performs aviation service that involves frequent and regular performance of operational flying duty by the member.

''(2)(A) Career enlisted flyer incentive pay may be paid a member referred to in subsection (b) for each month in which the member performs service, without regard to whether or the extent to which the member performs operational flying duty during the month, as follows:

''(i) In the case of a member who has performed at least 6, and not more than 15, years of aviation service, the member may be so paid after the member has frequently and regularly performed operational flying duty in each of 72 months if the member so performed in at least that number of months before completing the member's first 10 years of performance of aviation service.

''(ii) In the case of a member who has performed more than 15, and not more than 20, years of aviation service, the member may be so paid after the member has frequently and regularly performed operational flying duty in each of 108 months if the member so performed in at least that number of months before completing the member's first 15 years of performance of aviation service.

''(iii) In the case of a member who has performed more than 20, and not more than 25, years of aviation service, the member may be so paid after the member has frequently and regularly performed operational flying duty in each of 168 months if the member so performed in at least that number of months before completing the member's first 20 years of performance of aviation service.

''(B) The Secretary concerned, or a designee of the Secretary concerned not below the level of personnel chief of the armed force concerned, may reduce the minimum number of months of frequent and regular performance of operational flying duty applicable in the case of a particular member under—

''(i) subparagraph (A)(i) to 60 months;

''(ii) subparagraph (A)(ii) to 96 months; or

''(iii) subparagraph (A)(iii) to 144 months.

''(C) A member may not be paid career enlisted flyer incentive pay in the manner provided under subparagraph (A) after the member has completed 25 years of aviation service.

''(d) MONTHLY RATES.—(1) The monthly rate of any career enlisted flyer incentive pay paid under this section to a member on active duty shall be prescribed by the Secretary concerned, but may not exceed the following:

''Years of aviation service	Monthly rate
4 or less	$150
Over 4	$225
Over 8	$350
Over 14	$400.

''(2) The monthly rate of any career enlisted flyer incentive pay paid under this section to a member of a reserve component for each period of inactive-duty training during which aviation service is performed shall be equal to 1/30 of the monthly rate of career enlisted flyer incentive pay provided under paragraph (1) for a member on active duty with the same number of years of aviation service.

''(e) NONAPPLICABILITY TO MEMBERS RECEIVING HAZARDOUS DUTY INCENTIVE PAY OR SPECIAL PAY FOR DIVING DUTY.—A member receiving incentive pay under section 301(a) of this title or special pay under section 304 of this title may not be paid special pay under this section for the same period of service.

''(f) REGULATIONS.—The Secretary concerned shall prescribe regulations for the administration of this section. The regulations shall include the following:

''(1) Definitions of the terms 'aviation service' and 'frequently and regularly performed operational 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 section.

''(g) DEFINITION.—In this section, the term 'operational flying duty' means—

''(1) flying performed under competent orders while serving in assignments in which basic flying skills normally are maintained in the performance of assigned duties as determined by the Secretary concerned; and

''(2) flying performed by members in training that leads to the award of a military occupational specialty or rating referred to in subsection (b)(2).''.

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating to section 301e the following new item:

''301f. Incentive pay; career enlisted flyers.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

(c) SAVE PAY PROVISION.—In the case of an enlisted member of a uniformed service who is a designated career enlisted flyer entitled to receive hazardous duty incentive pay under section 301(b) or 301(c)(2)(A) of title 37, United States Code, as of October 1, 1999, the member shall be entitled from that date to payment of incentive pay at the monthly rate that is the higher of—

(1) the monthly rate of incentive pay authorized by such section 301(b) or 301(c)(2)(A) as of September 30, 1999; or

(2) the monthly rate of incentive pay authorized by section 301f of title 37, United States Code, as added by subsection (a).

SEC. 617. RETENTION BONUS FOR SPECIAL WARFARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301f, as added by section 616 of this Act, the following new section:

''§ 301g. Special pay: special warfare officers extending period of active duty

''(a) BONUS AUTHORIZED.—A special warfare officer described in subsection (b) who executes a written agreement to remain on active duty in special warfare service for at least one year may, upon the acceptance of the agreement by the Secretary concerned, be paid a retention bonus as provided in this section.

''(b) COVERED OFFICERS.—A special warfare officer referred to in subsection (a) is an officer of a uniformed service who—

''(1) is qualified for a military occupational specialty or designator identified by the Secretary concerned as a special warfare military occupational specialty or designator and is serving in a position for which that specialty or designator is authorized;

''(2) is in pay grade O–3, or is in pay grade O–4 and is not on a list of officers recommended for promotion, at the time the officer applies for an agreement under this section;

''(3) has completed at least 6, but not more than 14, years of active commissioned service; and

''(4) has completed any service commitment incurred to be commissioned as an officer.

''(c) AMOUNT OF BONUS.—The amount of a retention bonus paid under this section may not be more than $15,000 for each year covered by the written agreement.

''(d) PRORATION.—The term of an agreement under subsection (a) and the amount of the bonus payable under subsection (c) may be prorated as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 14 years of active commissioned service.

''(e) PAYMENT.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount payable pursuant to the agreement becomes fixed and may be paid—

''(1) in a lump sum equal to the amount of half the total amount payable under the agreement at the time the agreement is accepted by the Secretary concerned followed by payments of equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

''(2) in graduated annual payments under regulations prescribed by the Secretary concerned with the first payment being payable at the time the agreement is accepted by the Secretary concerned and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

''(f) ADDITIONAL PAY.—A retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

''(g) REPAYMENT.—(1) If an officer who has entered into a written agreement under subsection (a) and has received all or part of a retention bonus under this section fails to complete the total period of active duty in special warfare service as specified in the agreement, the Secretary concerned may require the officer to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, all sums paid the officer under this section.

''(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a) does not discharge the officer signing the agreement from a debt arising under such agreement or under paragraph (1).

''(h) REGULATIONS.—The Secretaries concerned shall prescribe regulations to carry out this section, including the definition of the term 'special warfare service' for purposes of this section. Regulations prescribed by the Secretary of a military department under this section shall be subject to the approval of the Secretary of Defense.''.

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, as amended by section 110(a) of this Act, is amended by inserting after the item relating to section 301f the following new item:

''301g. Special pay: special warfare officers extending period of active duty.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

SEC. 618. RETENTION BONUS FOR SURFACE WARFARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301g, as added by section 617 of this Act, the following new section:

''§ 301h. Special pay: surface warfare officers extending period of active duty

''(a) SPECIAL PAY AUTHORIZED.—(1) A surface warfare officer described in subsection (b) who executes a written agreement described in paragraph (2) may, upon the acceptance 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 afloat.

''(b) COVERED OFFICERS.—A surface warfare officer referred to in subsection (a) is an officer of the Regular Navy or Naval Reserve on active duty who—

''(1) is designated and serving as a surface warfare officer;

''(2) is in pay grade O–3 at the time the officer applies for an agreement under this section;

''(3) has been selected for assignment as a department head on a surface ship;

''(4) has completed at least four, but not more than eight, years of active commissioned service; and

''(5) has completed any service commitment incurred to be commissioned as an officer.

''(c) AMOUNT OF BONUS.—The amount of a retention bonus paid under this section may not be more than $15,000 for each year covered by the written agreement.

''(d) PRORATION.—The term of an agreement under subsection (a) and the amount of the bonus payable under subsection (c) may be prorated as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 10 years of active commissioned service.

''(e) PAYMENT.—Upon acceptance of a written agreement under subsection (a) by the Secretary of the Navy, the total amount payable pursuant to the agreement becomes fixed and may be paid—

''(1) in a lump sum equal to the amount of half the total amount payable under the agreement at the time the agreement is accepted by the Secretary followed by payments of equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

''(2) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

''(f) ADDITIONAL PAY.—A retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

''(g) REPAYMENT.—(1) If an officer who has entered into a written agreement under subsection (a) and has received all or part of a retention bonus under this section fails to complete the total period of active duty specified in the agreement, the Secretary of the Navy may require the officer to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, all sums paid under this section.

''(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owned to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a) does not discharge the officer signing the agreement from a debt arising under such agreement or under paragraph (1).

''(h) REGULATIONS.—The Secretary of the Navy shall prescribe regulations to carry out this section.''.

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating to section 301g, as added by section 111(a) of this Act, the following new item:

''301h. Special pay: surface warfare officers extending period of active duty.''.

(b) 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''; and

(2) by adding at the end the following:

''(b) ADDITIONAL SPECIAL PAY FOR BOARD CERTIFICATION.—A commissioned officer entitled to special pay under subsection (a) who has been awarded a diploma as a Diplomate in a specialty recognized by the American Veterinarian Medical Association is entitled to special pay (in addition to the special pay under that subsection) at the same rate as is provided under section 302c(b) of this title for an officer referred to in that section who has the same number of years of creditable service as the commissioned officer.''.

(b) EFFECTIVE DATE.—Section 303(b) of title 37, United States Code, as added by subsection (a), shall apply with respect to months beginning after September 30, 1999.

SEC. 620. INCREASE IN RATE OF DIVING DUTY SPECIAL PAY.

(a) INCREASE.—Section 304(b) of title 37, United States Code, is amended—

(1) by striking ''$200'' and inserting ''$240''; and

(2) by striking ''$300'' and inserting ''$340''.

(b) EFFECTIVE DATE.—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) subparagraph (A)(i), by striking ''ten'' and inserting ''15''; and

(2) in subparagraph (B), by striking ''$45,000'' and inserting ''$60,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to reenlistments and extensions of enlistments taking effect on or after that date.

SEC. 622. CRITICAL SKILLS ENLISTMENT BONUS.

(a) INCREASE.—Section 308a(a) of title 37, United States Code, is amended in the first sentence by striking ''$12,000'' and inserting ''$20,000''.

(b) LUMP-SUM PAYMENT OF CRITICAL SKILLS ENLISTMENT BONUS.—Section 308a(a) of title 37, United States Code, is amended—

(1) by inserting ''(1)'' after ''(a)'';

(2) by striking all after ''may be paid a bonus'' and inserting a period; 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 satisfied.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect 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 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 ''$5,000'' and inserting ''$8,000''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 624. SPECIAL PAY FOR MEMBERS OF THE COAST GUARD RESERVE ASSIGNED TO HIGH PRIORITY UNITS OF THE SELECTED RESERVE.

Section 308d(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. 625. REDUCED MINIMUM PERIOD OF ENLISTMENT IN ARMY IN CRITICAL SKILL FOR ELIGIBILITY FOR ENLISTMENT BONUS.

(a) REDUCED REQUIREMENT.—Paragraph (3) of section 308f(a) of title 37, United States Code, is amended by striking ''3 years'' and inserting ''2 years''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 626. ELIGIBILITY FOR RESERVE COMPONENT PRIOR SERVICE ENLISTMENT BONUS UPON ATTAINING A CRITICAL SKILL.

(a) NEWLY ATTAINED CRITICAL SKILL.—Section 308i(a) of title 37, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) A bonus may only be paid under this section to a person who meets each of the following requirements:

''(A) The person has completed that person's military service obligation but has less than 14 years of total military service.

''(B) The person has received an honorable discharge at the conclusion of military service.

''(C) The person is not being released from active service for the purpose of enlistment in a reserve component.

''(D) The person is position eligible under paragraph (3).

''(E) The person has not previously been paid a bonus (except under this section) for enlistment, reenlistment, or extension of enlistment in a reserve component.

''(3) A person is position eligible for the purposes of paragraph (2)(D) if the person—

''(A) is projected to occupy a position as a member of the Selected Reserve in a specialty in which the person—

''(i) successfully served while a member on active duty; and

''(ii) attained a level of qualification while a member on active duty commensurate with the grade and years of service of the member; or

''(B) is occupying a position as a member of the Selected Reserve in a specialty in which the person—

''(i) has completed training or retraining in the specialty skill that is designated as critically short; and

''(ii) has attained a level of qualification in the designated critically short specialty skill that is commensurate with the member's grade and years of service.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to enlistments beginning on or after that date.

SEC. 627. INCREASE IN SPECIAL PAY AND BONUSES FOR NUCLEAR-QUALIFIED OFFICERS.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(a) of title 37, United States Code, is amended by striking ''$15,000'' and inserting ''$25,000''.

(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(a)(1) of title 37, United States Code, is amended by striking ''$10,000'' and inserting ''$20,000''.

(c) NUCLEAR CAREER ANNUAL INCENTIVE BONUSES.—Section 312c of title 37, United States Code, is amended—

(1) in subsection (a)(1), by striking ''$12,000'' and inserting ''$22,000''; and

(2) in subsection (b)(1), by striking ''$5,500'' and inserting ''$10,000''.

(d) EFFECTIVE DATE.—(1) The amendments made by this section shall take effect on October 1, 1999.

(2) The amendments made by subsections (a) and (b) shall apply with respect to agreements accepted under section 312(a) and 312b(a), respectively, of title 37, United States Code, on or after October 1, 1999.

(3) The amendments made by subsection (c) shall apply with respect to nuclear service years beginning on or after October 1, 1999.

SEC. 628. INCREASE IN MAXIMUM MONTHLY RATE AUTHORIZED FOR FOREIGN LANGUAGE PROFICIENCY PAY.

(a) INCREASE IN MAXIMUM MONTHLY RATE.—Section 316(b) of title 37, United States Code, is amended by striking ''$100'' and inserting ''$300''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to foreign language proficiency pay paid under section 316 of title 37, United States Code, for months beginning on or after that date.

SEC. 629. SENSE OF THE SENATE REGARDING TAX TREATMENT OF MEMBERS RECEIVING SPECIAL PAY.

It is the sense of the Senate that members of the Armed Forces who receive special pay for duty subject to hostile fire or imminent danger (37 U.S.C. 310) should receive the same tax treatment as members serving in combat zones.

Subtitle C—Travel and Transportation Allowances

SEC. 641. PAYMENT OF TEMPORARY LODGING EXPENSES TO ENLISTED MEMBERS MAKING FIRST PERMANENT CHANGE OF STATION.

Section 404a(a) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking ''or'' at the end of the paragraph;

(2) in paragraph (2), by inserting ''or'' after the semicolon; and

(3) by inserting after paragraph (2) the following:

''(3) in the case of an enlisted member, to the member's first permanent duty station from the member's home of record or initial technical training school;''.

SEC. 642. DESTINATION AIRPORT FOR EMERGENCY LEAVE TRAVEL TO THE CONTINENTAL UNITED STATES.

Section 411d(b)(1)(A) of title 37, United States Code, is amended to read as follows:

''(A) to either—

''(i) the international airport in the continental United States closest to the location from which the member and the member's dependents departed; or

''(ii) any other airport in the continental United States that is closer to the destination than is that international airport if the cost of the transportation to the other airport is less expensive than the cost of the transportation to that international airport; or''.

SEC. 643. CLARIFICATION OF PER DIEM ELIGIBILITY OF CERTAIN MILITARY TECHNICIANS (DUAL STATUS) SERVING ON ACTIVE DUTY WITHOUT PAY OUTSIDE THE UNITED STATES.

(a) CLARIFICATION.—Section 1002(b) of title 37, United States Code, is amended—

(1) by inserting ''(1)'' after ''(b)''; and

(2) by adding at the end the following:

''(2) If the Secretary concerned determines that a military technician (dual status) on leave from technician employment under section 6323(d) of title 5 is performing active duty without pay outside the United States without having been afforded an adequate opportunity to satisfy administrative requirements for a commutation of subsistence and quarters under paragraph (1), the Secretary concerned may authorize payment of a per diem allowance to the technician under chapter 4 of this title instead of the commutation while the technician is performing that duty.''.

(b) DEFINITION.—Section 101 of such title is amended by adding at the end the following:

''(27) The term 'military technician (dual status)' has the meaning given the term in section 10216(a) of title 10.''.

(c) RETROACTIVE EFFECTIVE DATE.—The amendments made by this section shall be effective as of February 10, 1996.

SEC. 644. EXPANSION AND CODIFICATION OF AUTHORITY FOR SPACE REQUIRED TRAVEL 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

''A member of a reserve component is authorized to travel in a space required status on aircraft of the armed forces between the member's home and place of inactive-duty training outside the continental United States (including a place other than the place of the member's unit training assembly if the member is performing the inactive-duty training in another location) when there is no transportation between those locations by means of road, railroad, or a combination of road and railroad. A member traveling in that status on any such aircraft under the authority of this section is not authorized to receive travel, transportation, or per diem allowances in connection with the travel.''.

(2) The table of sections at the beginning of that chapter is amended by adding at the end the following:

''12322. Reserves traveling to inactive-duty training OCONUS: space required travel.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—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 commencing on or after that date.

SEC. 645. REIMBURSEMENT OF TRAVEL EXPENSES INCURRED BY MEMBERS OF THE ARMED FORCES IN CONNECTION WITH LEAVE CANCELED FOR INVOLVEMENT IN KOSOVO-RELATED ACTIVITIES.

(a) AUTHORITY.—The Secretary of the military department concerned may reimburse a member of the Armed Forces under the jurisdiction of the Secretary for expenses of travel (to the extent not otherwise reimbursable under law) that have been incurred by the member in connection with approved leave canceled to meet an exigency in connection with United States participation in Operation Allied Force.

(b) ADMINISTRATIVE PROVISIONS.—The Secretary of Defense shall prescribe the procedures and documentation required for application for, and payment of, reimbursements to members of the Armed Forces under subsection (a).

Subtitle D—Retired Pay, Survivor Benefits, and Related Matters

SEC. 651. RETIRED PAY OPTIONS FOR PERSONNEL ENTERING UNIFORMED SERVICES ON OR AFTER AUGUST 1, 1986.

(a) REDUCED RETIRED PAY ONLY FOR MEMBERS ELECTING 15-YEAR SERVICE BONUS.—(1) Paragraph (2) of section 1409(b) of title 10, United States Code, is amended by inserting after ''July 31, 1986,'' the following: ''has elected to receive a bonus under section 318 of title 37,''.

(2)(A) Paragraph (2)(A) of section 1401a(b) of title 10, United States Code, is amended by striking ''The Secretary shall increase the retired pay of each member and former member who first became a member of a uniformed service before August 1, 1986,'' and inserting ''Except as otherwise provided in this subsection, the Secretary shall increase the retired pay of each member and former member''.

(B) Paragraph (3) of such section 1401a(b) is amended by inserting after ''August 1, 1986,'' the following: ''and has elected to receive a bonus under section 318 of title 37,''.

(3) Section 1410 of title 10, United States Code, is amended by inserting after ''August 1, 1986,'' the following: ''who has elected to receive a bonus under section 318 of title 37,''.

(b) OPTIONAL LUMP-SUM BONUS AT 15 YEARS OF SERVICE.—(1) Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 318. Special pay: 15-year service bonus elected by members entering on or after August 1, 1986

''(a) PAYMENT OF BONUS.—The Secretary concerned shall pay a bonus to a member of a uniformed service who is eligible and elects to receive the bonus under this section.

''(b) ELIGIBILITY FOR BONUS.—A member of a uniformed service serving on active duty is eligible to receive a bonus under this section if the member—

''(1) first became a member of a uniformed service on or after August 1, 1986;

''(2) has completed 15 years of active duty in the uniformed services; and

''(3) if not already obligated to remain on active duty for a period that would result in at least 20 years of active-duty service, executes a written agreement (prescribed by the Secretary concerned) to remain continuously on active duty for five years after the date of the completion of 15 years of active-duty service.

''(c) ELECTION.—(1) A member eligible to receive a bonus under this section may elect to receive the bonus. The election shall be made in such form and within such period as the Secretary concerned requires.

''(2) An election made under this subsection is irrevocable.

''(d) NOTIFICATION OF ELIGIBILITY.—The Secretary concerned shall transmit a written notification of the opportunity to elect to receive a bonus under this section to each member who is eligible (or upon execution of an agreement described in subsection (b)(3), would be eligible) to receive the bonus. The Secretary shall complete the notification within 180 days after the date on which the member completes 15 years of active duty. The notification shall include the procedures for electing to receive the bonus and an explanation of the effects under sections 1401a, 1409, and 1410 of title 10 that such an election has on the computation of any retired or retainer pay which the member may become eligible to receive.

''(e) FORM AND AMOUNT OF BONUS.—A bonus under this section shall be paid in one lump sum of $30,000.

''(f) TIME FOR PAYMENT.—Payment of a bonus to a member electing to receive the bonus under this section shall be made not later than the first month that begins on or after the date that is 60 days after the Secretary concerned receives from the member an election that satisfies the requirements imposed under subsection (c).

''(g) REPAYMENT OF BONUS.—(1) If a person paid a bonus under this section fails to complete the total period of active duty specified in the agreement entered into under subsection (b)(3), the person shall refund to the United States the amount that bears the same ratio to the amount of the bonus payment as the unserved part of that total period bears to the total period.

''(2) Subject to paragraph (3), an obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) The Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

''(4) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement under this section does not discharge the member signing such agreement from a debt arising under the agreement or this subsection.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''318. Special pay: 15-year service bonus elected by members entering on or after August 1, 1986.''.

(c) CONFORMING AMENDMENTS TO SURVIVOR BENEFIT PLAN PROVISIONS.—(1) Section 1451(h)(3) of title 10, United States Code, is amended by inserting ''OF CERTAIN MEMBERS'' after ''RETIREMENT''.

(2) Section 1452(i) of such title is amended by striking ''When the retired pay'' and inserting ''Whenever the retired pay''.

(d) RELATED TECHNICAL AMENDMENTS.—(1) Section 1401a(b) 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, 1986 MEMBERS.—''.

(2) Section 1409(b)(2) of title 10, United States Code, is amended by inserting ''CERTAIN'' after ''REDUCTION APPLICABLE TO'' in the paragraph heading.

(3)(A) The heading of section 1410 of such title is amended by inserting ''**certain**'' before ''**members**''.

(B) The item relating to such section in the table of sections at the beginning of chapter 71 of title 10, United States Code, is amended by inserting ''certain'' before ''members''.

SEC. 652. PARTICIPATION IN THRIFT SAVINGS PLAN.

(a) PARTICIPATION AUTHORITY.—(1)(A) Chapter 3 of title 37, United States Code, is amended by adding at the end the following:

''§ 211. Participation in Thrift Savings Plan

''(a) AUTHORITY.—A member of the uniformed services serving on active duty and a member of the Ready Reserve in any pay status may participate in the Thrift Savings Plan in accordance with section 8440e of title 5.

''(b) RULE OF CONSTRUCTION REGARDING SEPARATION.—For the purposes of section 8440e of title 5, the following actions shall be considered separation of a member of the uniformed services from Government employment:

''(1) Release of the member from active-duty service (not followed by a resumption of active-duty service within 30 days after the effective date of the release).

''(2) Transfer of the member by the Secretary concerned to a retired list maintained by the Secretary.''.

(B) The table of sections at the beginning of such chapter is amended by adding at the end the following:

''211. Participation in Thrift Savings Plan.''.

(2)(A) Subchapter III of chapter 84 of title 5, United States Code, is amended by adding at the end the following:

''§ 8440e. Members of the uniformed services on active duty

''(a) PARTICIPATION AUTHORIZED.—(1) A member of the uniformed services authorized to participate in the Thrift Savings Plan under section 211(a) of title 37 may contribute to the Thrift Savings Fund.

''(2) An election to contribute to the Thrift Savings Fund under paragraph (1) may be made only during a period provided under section 8432(b) for individuals subject to this chapter.

''(b) APPLICABILITY OF THRIFT SAVINGS PLAN PROVISIONS.—Except as otherwise provided in this section, the provisions of this 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) The amount contributed by a member of the uniformed services for any pay period out of basic pay may not exceed 5 percent of such member's basic pay for such pay period.

''(2) The amount contributed by a member of the Ready Reserve for any pay period for any compensation received under section 206 of title 37 may not exceed 5 percent of such member's compensation for such pay period, to the extent allowable under the Internal Revenue Code of 1986.

''(d) OTHER MEMBER CONTRIBUTIONS.—A member of the uniformed services making contributions to the Thrift Savings Fund out of basic pay, or out of compensation under section 206 of title 37, may also contribute (by direct transfer to the Fund) any part of any special or incentive pay that the member receives under section 308, 308a through 308h, or 318 of title 37, to the extent allowable under the Internal Revenue Code of 1986.

''(e) AGENCY CONTRIBUTIONS GENERALLY PROHIBITED.—Except as provided in section 211(c) of title 37, no contribution under section 8432(c) of this title may be made for the benefit of a member of the uniformed services making contributions to the Thrift Savings Fund under subsection (a).

''(f) BENEFITS AND ELECTIONS OF BENEFITS.—In applying section 8433 to a member of the uniformed services who has an account balance in the Thrift Savings Fund—

''(1) any reference in such section to separation from Government employment shall be construed to refer to an action described in section 211(b) of title 37; and

''(2) the reference in section 8433(g)(1) to contributions made under section 8432(a) shall be treated as being a reference to contributions made to the Fund by the member, whether made under section 8351, 8432(a), or this section.

''(g) BASIC PAY DEFINED.—For purposes of this section, the term 'basic pay' means basic pay that is payable under section 204 of title 37.''.

(B) The table of sections at the beginning of chapter 84 of title 5, United States Code, is amended by adding after the item relating to section 8440d the following:

''8440e. Members of the uniformed services on active duty.''.

(3) Section 8432b(b) of title 5, United States Code, is amended—

(A) in paragraph (1), by striking ''Each employee'' and inserting ''Except as provided in paragraph (4), each employee'';

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following new paragraph (4):

''(4) No contribution may be made under this section for a period for which an employee made a contribution under section 8440e.''.

(4) Section 8473 of title 5, United States Code, is amended—

(A) in subsection (a), by striking ''14 members'' and inserting ''15 members''; and

(B) in subsection (b)—

(i) by striking ''14 members'' and inserting ''15 members'';

(ii) by striking ''and'' at the end of paragraph (8);

(iii) by striking the period at the end of paragraph (9) and inserting ''; and''; and

(iv) by adding at the end the following:

''(10) 1 shall be appointed to represent participants (under section 8440e) who are members of the uniformed services.''.

(5) Paragraph (11) of section 8351(b) of title 5, United States Code, is redesignated as paragraph (8).

(b) APPLICABILITY.—(1) Except as provided in paragraph (2), the authority of members of the uniformed services to participate in the Thrift Savings Plan under section 211 of title 37, United States Code (as added by subsection (a)(1)), shall take effect on July 1, 2000.

(2)(A) The Secretary of Defense may postpone the authority of members of the Ready Reserve to so participate in the Thrift Savings Plan until 180 days after the date specified in paragraph (1) if the Secretary, after consultation with the Executive Director appointed by the Federal Thrift Retirement Investment Board, determines that permitting such members to participate in the Thrift Savings Plan on that date would place an excessive burden on the administrative capacity of the Board to accommodate participants in the Thrift Savings Plan.

(B) The Secretary shall notify the congressional defense committees of any determination made under subparagraph (A).

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Executive Director appointed by the Federal Thrift Retirement Investment Board shall issue regulations to implement section 8440e of title 5, United States Code (as added by subsection (a)(2)) and section 211 of title 37, United States Code (as added by subsection (a)(1)).

SEC. 653. SPECIAL RETENTION INITIATIVE.

Section 211 of title 37, United States Code, as added by section 652, is amended by adding at the end the following:

''(c) AGENCY CONTRIBUTIONS FOR RETENTION IN CRITICAL SPECIALTIES.—(1) The Secretary concerned may enter into an agreement with a member to make contributions to the Thrift Savings Fund for the benefit of the member if the member—

''(A) is in a specialty designated by the Secretary as critical to meet requirements (whether such specialty is designated as critical to meet wartime or peacetime requirements); and

''(B) commits in such agreement to continue to serve on active duty in that specialty for a period of six years.

''(2) Under any agreement entered into with a member under paragraph (1), the Secretary shall make contributions to the Fund for the benefit of the member for each pay period of the 6-year period of the agreement for which the member makes a contribution out of basic pay to the Fund under this section. Paragraph (2) of section 8432(c) applies to the Secretary's obligation to make contributions under this paragraph, except that the reference in such paragraph to contributions under paragraph (1) of such section does not apply.''.

SEC. 654. REPEAL OF REDUCTION IN RETIRED PAY FOR CIVILIAN EMPLOYEES.

(a) REPEAL.—(1) Section 5532 of title 5, United States Code, is repealed.

(2) The chapter analysis at the beginning of chapter 55 of such title is amended by striking the item relating to section 5532.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

SEC. 655. CREDIT TOWARD PAID-UP SBP COVERAGE FOR MONTHS COVERED BY MAKE-UP PREMIUM PAID BY PERSONS ELECTING SBP COVERAGE DURING SPECIAL OPEN ENROLLMENT PERIOD.

Section 642 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2045; 10 U.S.C. 1448 note) is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection (h):

''(h) CREDIT TOWARD PAID-UP COVERAGE.—Upon payment of the total amount of the premiums charged a person under subsection (g), the retired pay of a person participating in the Survivor Benefit Plan pursuant to an election under this section shall be treated, for the purposes of subsection (j) of section 1452 of title 10, United States Code, as having been reduced under such section 1452 for the months in the period for which the person's retired pay would have been reduced if the person had elected to participate in the Survivor Benefit Plan at the first opportunity that was afforded the person to participate.''.

SEC. 656. PAID-UP COVERAGE UNDER RETIRED SERVICEMAN'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 the later of—

''(1) the 360th month for which the person retired pay or retainer pay is reduced pursuant to such an election; and

''(2) the month during which the person attains 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.''.

SEC. 657. PERMANENT AUTHORITY FOR PAYMENT OF ANNUITIES TO CERTAIN MILITARY SURVIVING SPOUSES.

Subsection (f) of section 644 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1801; 10 U.S.C. 1448 note) is repealed.

SEC. 658. EFFECTUATION OF INTENDED SBP ANNUITY FOR FORMER SPOUSE WHEN NOT ELECTED BY REASON OF UNTIMELY DEATH OF RETIREE.

(a) CASES NOT COVERED BY EXISTING AUTHORITY.—Paragraph (3) of section 1450(f) of title 10, United States Code, as in effect on the date of the enactment of this Act, shall apply in the case of a former spouse of any person referred to in that paragraph who—

(1) incident to a proceeding of divorce, dissolution, or annulment—

(A) entered into a written agreement on or after August 21, 1983, to make an election under section 1448(b) of such title to provide an annuity to the former spouse (the agreement 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

(B) was required by a court order dated on or after such date to make such an election for the former spouse; and

(2) before making the election, died within 21 days after the date of the agreement referred to in paragraph (1)(A) or the court order referred to in paragraph (1)(B), as the case may be.

(b) ADJUSTED TIME LIMIT FOR REQUEST BY FORMER SPOUSE.—For the purposes of paragraph (3)(C) of section 1450(f) of title 10, United States Code, a court order or filing referred to in subsection (a)(1) of this section that is dated before October 19, 1984, shall be deemed to be dated on the date of the enactment of this Act.

SEC. 659. SPECIAL COMPENSATION FOR SEVERELY DISABLED UNIFORMED SERVICES RETIREES.

(a) AUTHORITY.—(1) 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 in accordance with subsection (a) is the following:

''(1) For any month for which the retiree has a qualifying service-connected disability rated as total, $300.

''(2) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $200.

''(3) For any month for which the retiree has a qualifying service-connected disability rated as 80 percent or 70 percent, $100.

''(c) ELIGIBLE MEMBERS.—An eligible disabled uniformed services retiree referred to in subsection (a) is a member of the uniformed services in a retired status (other than a member who is retired under chapter 61 of this title) who—

''(1) completed at least 20 years of service in the uniformed services that are creditable for purposes of computing the amount of retired pay to which the member is entitled; and

''(2) has a qualifying service-connected disability.

''(d) QUALIFYING SERVICE-CONNECTED DISABILITY DEFINED.—In this section, the term 'qualifying service-connected disability' means a service-connected disability that—

''(1) was incurred or aggravated in the performance of duty as a member of a uniformed service, as determined by the Secretary concerned; and

''(2) is rated as not less than 70 percent disabling—

''(A) by the Secretary concerned as of the date on which the member is retired from the uniformed services; or

''(B) by the Secretary of Veterans Affairs within four years following the date on which the member is retired from the uniformed services.

''(e) STATUS OF PAYMENTS.—Payments under this section are not retired pay.

''(f) SOURCE OF FUNDS.—Payments under this section for any fiscal year shall be paid out of funds appropriated for pay and allowances payable by the Secretary concerned for that fiscal year.

''(g) OTHER DEFINITIONS.—In this section:

''(1) The term 'service-connected' has the meaning give that term in section 101 of title 38.

''(2) The term 'disability rated as total' means—

''(A) a disability that is rated as total under the standard schedule of rating disabilities in use by the Department of Veterans Affairs; or

''(B) a disability for which the scheduled rating is less than total but for which a rating of total is assigned by reason of inability of the disabled person concerned to secure or follow a substantially gainful occupation as a result of service-connected disabilities.

''(3) The term 'retired pay' includes retainer pay, emergency officers' retirement pay, and naval pension.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1413. Special compensation for certain severely disabled uniformed servvices retirees.''.

(b) EFFECTIVE DATE.—Section 1413 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 1999, and shall apply to months that begin on or after that date. No benefit may be paid to any person by reason of that section for any period before that date.

SEC. 660. COMPUTATION OF SURVIVOR BENEFITS.

(a) INCREASED BASIC ANNUITY.—(1) Subsection (a)(1)(B)(i) of section 1451 of title 10, United States Code, is amended by striking ''35 percent of the base amount.'' and inserting ''the product of the base amount and the percent applicable for the month. The percent applicable for a month is 35 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000, 40 percent for months beginning after such date and before October 2004, and 45 percent for months beginning after September 2004.''.

(2) Subsection (a)(2)(B)(i)(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''.

(3) Subsection (c)(1)(B)(i) of such section is amended—

(A) by striking ''35 percent'' and inserting ''the applicable percent''; and

(B) by adding at the end the following: ''The percent applicable for a month under the preceding sentence is the percent specified under subsection (a)(1)(B)(i) as being applicable for the month.''.

(4) The heading for subsection (d)(2)(A) of such section is amended to read as follows: ''COMPUTATION OF ANNUITY.—''.

(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 used for the computation shall be an even multiple of 5 percent and, whatever the percent specified in the election, may not exceed 20 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000, 15 percent for months beginning after that date and before October 2004, and 10 percent for months beginning after September 2004.''.

(c) RECOMPUTATION OF ANNUITIES.—(1) Effective on the first day of each month referred to in paragraph (2)—

(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 months:

(A) The first month that begins after the date of the enactment of this Act.

(B) October 2004.

(d) RECOMPUTATION 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 retired pay under section 1460 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 ''$528'' and inserting ''$600''; and

(2) in subsection (b)(1), by striking ''$429'' and inserting ''$488''.

(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 of title 38, United States Code, for fiscal year 2000.

SEC. 672. TERMINATION OF REDUCTIONS OF BASIC PAY.

(a) REPEALS.—(1) Section 3011 of title 38, United States Code, is amended by striking subsection (b).

(2) Section 3012 of such title is amended by striking subsection (c).

(3) The amendments made by paragraphs (1) and (2) shall take effect on the date of the enactment of this Act and shall apply to individuals whose initial obligated period of active duty under section 3011 or 3012 of title 38, United States Code, as the case may be, begins on or after such date.

(b) TERMINATION OF REDUCTIONS IN PROGRESS.—Any reduction in the basic pay of an individual referred to in section 3011(b) 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 with 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 such date shall be deemed to be fully satisfied as of such date.

(c) CONFORMING AMENDMENT.—Section 3034(e)(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 ''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):

''(b)(1) Whenever the Secretary determines it appropriate under the regulations prescribed pursuant to paragraph (6), the Secretary may make payments of basic educational assistance under this subchapter on an accelerated basis.

''(2) The Secretary may pay basic educational assistance on an accelerated basis only to an individual entitled to payment of such assistance under this subchapter who has made a request for payment of such assistance on an accelerated basis.

''(3) If an adjustment under section 3015(g) of this title in the monthly rate of basic educational assistance will occur during a period for which a payment of such assistance is made on an accelerated basis under this subsection, the Secretary shall—

''(A) pay on an accelerated basis the amount such assistance otherwise payable under this subchapter for the period without regard to the adjustment under that section; and

''(B) pay on the date of the adjustment any additional amount of such assistance that is payable for the period as a result of the adjustment.

''(4) The entitlement to basic educational assistance under this subchapter of an individual who is paid such assistance on an accelerated basis under this subsection shall be charged at a rate equal to one month for each month of the period covered by the accelerated payment of such assistance.

''(5) Basic educational assistance shall be paid on an accelerated basis under this subsection as follows:

''(A) In the case of assistance for a course leading to a standard college degree, at the beginning of the quarter, semester, or term of the course in a lump-sum amount equivalent to the aggregate amount of monthly assistance otherwise payable under this subchapter for the quarter, semester, or term, as the case may be, of the course.

''(B) In the case of assistance for a course other than a course referred to in subparagraph (A)—

''(i) at the later of (I) the beginning of the course, or (II) a reasonable time after the request for payment by the individual concerned; and

''(ii) in any amount requested by the individual concerned up to the aggregate amount of monthly assistance otherwise payable under this subchapter for the period of the course.

''(6) The Secretary shall prescribe regulations for purposes of making payments of basic educational assistance on an accelerated basis under this subsection. Such regulations shall specify the circumstances under which accelerated payments may be made and include requirements relating to the request for, making and delivery of, and receipt and use of such payments.''.

SEC. 674. TRANSFER OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE BY CERTAIN MEMBERS OF THE ARMED FORCES.

(a) AUTHORITY TO TRANSFER TO FAMILY MEMBERS.—Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces

''(a)(1) Subject to the provisions of this section, the Secretary concerned may, for the purpose of enhancing recruiting and retention and at that Secretary's sole discretion, permit an individual described in paragraph (2) who is entitled to basic educational assistance under this subchapter to elect to transfer such individual's entitlement to such assistance, in whole or in part, to the dependents specified in subsection (b).

''(2) An individual referred to in paragraph (1) is any individual who is a member of the Armed Forces at the time of the approval by the Secretary concerned of the individual's request to transfer entitlement to educational assistance under this section.

''(3) Subject to the time limitation for use of entitlement under section 3031 of this title, an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time after the approval of individual's

request to transfer such entitlement without regard to whether the individual is a member of the Armed Forces when the transfer is executed.

''(b) An individual approved to transfer an entitlement to basic educational assistance under this section may transfer the individual's entitlement to such assistance as follows:

''(1) To the individual's spouse.

''(2) To one or more of the individual's children.

''(3) To a combination of the individuals referred to in paragraphs (1) and (2).

''(c)(1) An individual transferring an entitlement to basic educational assistance under this section shall—

''(A) designate the dependent or dependents to whom such entitlement is being transferred and the percentage of such entitlement to be transferred to each such dependent; and

''(B) specify the period for which the transfer shall be effective for each dependent designated under subparagraph (A).

''(2) The aggregate amount of the entitlement transferable by an individual under this section may not exceed the aggregate amount of the entitlement of such individual to basic educational assistance under this subchapter.

''(3) An individual transferring an entitlement under this section may modify or revoke the transfer at any time before the use of the transferred entitlement begins. An individual shall make the modification or revocation by submitting written notice of the action to the Secretary concerned.

''(d)(1) The use of any entitlement transferred under this section shall be charged against the entitlement of the individual making the transfer at the rate of one month for each month of transferred entitlement that is used.

''(2) Except as provided in under subsection (c)(1)(B) and subject to paragraphs (3) and (4), a dependent to whom entitlement is transferred under this section is entitled to basic educational assistance under this subchapter in the same manner and at the same rate as the individual from whom the entitlement was transferred.

''(3) Notwithstanding section 3031 of this title, a child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

''(4) The administrative provisions of this chapter (including the provisions set forth in section 3034(a)(1) of this title) shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible veteran for purposes of such provisions.

''(e) In the event of an overpayment of basic educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the individual making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of this title.

''(f) The Secretary of Defense shall prescribe regulations for purposes of this section. Such regulations shall specify the manner and effect of an election to modify or revoke a transfer of entitlement under subsection (c)(3) and shall specify the manner of the applicability of the administrative provisions referred to in subsection (d)(4) to a dependent to whom entitlement is transferred under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3019 the following new item:

''3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces.''.

SEC. 675. AVAILABILITY OF EDUCATIONAL ASSISTANCE BENEFITS 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);

(2) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(3) by adding at the end the following:

''(C) includes—

''(i) a preparatory course for a test that is required or utilized for admission to an institution of higher education; and

''(ii) a preparatory course for test that is required or utilized for admission to a graduate school.''.

PART II—OTHER EDUCATIONAL BENEFITS

SEC. 681. ACCELERATED PAYMENTS OF CERTAIN EDUCATIONAL ASSISTANCE FOR MEMBERS OF SELECTED RESERVE.

Section 16131 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(j)(1) Whenever a person entitled to an educational assistance allowance under this chapter so requests and the Secretary concerned, in consultation with the Chief of the reserve component concerned, determines it appropriate, the Secretary may make payments of the educational assistance allowance to the person on an accelerated basis.

''(2) An educational assistance allowance shall be paid to a person on an accelerated basis under this subsection as follows:

''(A) In the case of an allowance for a course leading to a standard college degree, at the beginning of the quarter, semester, or term of the course in a lump-sum amount equivalent to the aggregate amount of monthly allowance otherwise payable under this chapter for the quarter, semester, or term, as the case may be, of the course.

''(B) In the case of an allowance for a course other than a course referred to in subparagraph (A)—

''(i) at the later of (I) the beginning of the course, or (II) a reasonable time after the Secretary concerned receives the person's request for payment on an accelerated basis; and

''(ii) in any amount requested by the person up to the aggregate amount of monthly allowance otherwise payable under this chapter for the period of the course.

''(3) If an adjustment in the monthly rate of educational assistance allowances will be made under subsection (b)(2) during a period for which a payment of the allowance is made to a person on an accelerated basis, the Secretary concerned shall—

''(A) pay on an accelerated basis the amount of the allowance otherwise payable for the period without regard to the adjustment under that subsection; and

''(B) pay on the date of the adjustment any additional amount of the allowance that is payable for the period as a result of the adjustment.

''(4) A person's entitlement to an educational assistance allowance under this chapter shall be charged at a rate equal to one month for each month of the period covered by an accelerated payment of the allowance to the person under this subsection.

''(5) The regulations prescribed by the Secretary of Defense and the Secretary of Transportation under subsection (a) shall provide for the payment of an educational assistance allowance on an accelerated basis under this subsection. The regulations shall specify the circumstances under which accelerated payments may be made and the manner of the delivery, receipt, and use of the allowance so paid.

''(6) In this subsection, the term 'Chief of the reserve component concerned' means the following:

''(A) The Chief of Army Reserve, with respect to members of the Army Reserve.

''(B) the Chief of Naval Reserve, with respect to members of the Naval Reserve.

''(C) The Chief of Air Force Reserve, with respect to members of the Air Force Reserve.

''(D) The Commander, Marine Reserve Forces, with respect to members of the Marine Corps Reserve.

''(E) The Chief of the National Guard Bureau, with respect to members of the Army National Guard and the Air National Guard.

''(F) The Commandant of the Coast Guard, with respect to members of the Coast Guard Reserve.''.

SEC. 682. MODIFICATION OF TIME FOR USE BY CERTAIN MEMBERS OF SELECTED RESERVE OF ENTITLEMENT TO CERTAIN EDUCATIONAL ASSISTANCE.

Section 16133(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5)(A) In the case of a person who continues to serve as member of the Selected Reserve as of the end of the 10-year period applicable to the person under subsection (a), as extended, if at all, under paragraph (4), the period during which the person may use the person's entitlement shall expire at the end of the 5-year period beginning on the date the person is separated from the Selected Reserve.

''(B) The provisions of paragraph (4) shall apply with respect to any period of active duty of a person referred to in subparagraph (A) during the 5-year period referred to in that subparagraph.''.

PART III—REPORT

SEC. 685. REPORT ON EFFECT OF EDUCATIONAL BENEFITS IMPROVEMENTS ON RECRUITMENT AND RETENTION OF MEMBERS OF THE ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to 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 title and under the amendments made by this title are having on recruitment and retention of personnel for 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 PERSTEMPO.

(a) MANAGEMENT OF DEPLOYMENTS OF INDIVIDUALS.—Part II of subtitle A of title 10,

United States Code, is amended by inserting after chapter 49 the following:

''CHAPTER 50—MISCELLANEOUS COMMAND RESPONSIBILITIES

''Sec.
''991. Management of deployments of members.

''§ 991. Management of deployments of members

''(a) GENERAL OR FLAG OFFICER RESPONSIBILITIES.—The first general officer or flag officer in the chain of command of a member of the armed forces shall 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 member's chain of command approves the deployment or continued deployment of the member.

''(b) DEPLOYMENT DEFINED.—(1) For the purposes of this section, a member of the armed forces is deployed or in a deployment on any day on which, pursuant to orders, the member is performing service in a training exercise or operation at a location or under circumstances that make it infeasible for the member to spend off-duty time in the housing in which the member resides when on garrison duty at the member's permanent duty station.

''(2) For the purposes of this section, a member 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) RECORDKEEPING.—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 the applicability of this section to a member or any group of members when 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.''.

(b) PER DIEM ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS.—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 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) DEFINITION OF DEPLOYED.—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 991(b) of title 10.

''(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 member under section 991(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.

''(e) RELATIONSHIP TO OTHER ALLOWANCES.—Any per diem payable to a member under this section is in addition to any other per diem, allowance, special pay, or incentive that is payable to the member under any other provision of law.

''(f) NATIONAL SECURITY WAIVER.—No per diem may be paid under this section 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 part II of such subtitle are amended by inserting after the item relating to chapter 49 the following:

''50. Miscellaneous Command Responsibilities ..... 991''.

(2) The table of sections at the beginning of chapter 7 of title 37, United States Code, is amended by inserting after the item relating to section 434 the following:

''435. Per diem allowance for lengthy or numerous deployments.''.

(d) 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) 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 AMOUNT.—Section 2007(a) 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:

''(4) in the case of a member deployed outside the United States in support of a contingency operation or similar operation, all of the charges may be paid while the member is so deployed.''.

(b) INCREASED AUTHORITY SUBJECT TO APPROPRIATIONS.—The authority to pay additional tuition assistance under paragraph (4) of section 2007(a) of title 10, United States Code, as added by subsection (a), may be exercised only to the extent provided for in appropriations Acts.

SEC. 694. ADMINISTRATION OF SELECTED RESERVE EDUCATION LOAN REPAYMENT PROGRAM FOR COAST GUARD RESERVE.

Subsection (a)(1) of section 16301 of title 10, United States Code, is 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 of the 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 UPON RETIREMENT.

(a) PUBLIC HEALTH SERVICE.—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:

''(17) Section 6141, Presentation of United States flag upon retirement.''; and

(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 ''An Act to revise, codify, and enact into law, title 10 of the United States Code, entitled 'Armed Forces', and title 32 of the United States Code, entitled 'National Guard' '', approved August 10, 1956 (33 U.S.C. 857a), is amended—

(1) by adding at the end of subsection (a) the following:

''(17) Section 6141, Presentation of United States flag upon retirement.''; and

(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 releases from active duty for retirement on or after that date from service in the commissioned Regular Corps of the Public Health Service or for service as a commissioned officer of the National Oceanic and Atmospheric Administration on the active list, as the case may be.

SEC. 696. PARTICIPATION OF ADDITIONAL MEMBERS OF THE 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 3018C the following new section:

''§ 3018D. Opportunity to enroll: certain VEAP participants; active duty personnel not previously enrolled

''(a) Notwithstanding any other provision of law, an individual who—

''(1) either—

''(A)(i) is a participant on the date of the enactment of this section in the educational benefits program provided by chapter 32 of this title; or

''(ii) disenrolled from participation in that program before that date; or

''(B) has made an election under section 3011(c)(1) or 3012(d)(1) of this title not to receive educational assistance under this chapter and has not withdrawn that election under section 3018(a) of this title as of the date of the enactment of this section;

''(2) is serving on active duty (excluding periods referred to in section 3202(1)(C) of this title in the case of an individual described in paragraph (1)(A)) on the date of the enactment of this section;

''(3) before applying for benefits under this section, has completed the requirements of a secondary school diploma (or equivalency certificate) or has successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree;

''(4) if discharged or released from active duty before the date on which the individual makes an election described in paragraph (5), is discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned; and

''(5) during the one-year period beginning on the date of the enactment of this section,

makes an irrevocable election to receive benefits under this section in lieu of benefits under chapter 32 of this title or withdraws the election made under section 3011(c)(1) or 3012(d)(1) of this title, as the case may be, pursuant to procedures which the Secretary of each military department shall provide in accordance with regulations prescribed by the Secretary of Defense for the purpose of carrying out this section or which the Secretary of Transportation shall provide for such purpose with respect to the Coast Guard when it is not operating as a service in the Navy;

is entitled to basic educational assistance under this chapter.

''(b)(1) Except as provided in paragraphs (2) and (3), in the case of an individual who makes an election under subsection (a)(5) to become entitled to basic educational assistance under this chapter—

''(A) the basic pay of the individual shall be reduced (in a manner determined by the Secretary of Defense) until the total amount by which such basic pay is reduced is—

''(i) $1,200, in the case of an individual described in subsection (a)(1)(A); or

''(ii) $1,500, in the case of an individual described in subsection (a)(1)(B); or

''(B) to the extent that basic pay is not so reduced before the individual's discharge or release from active duty as specified in subsection (a)(4), the Secretary shall collect from the individual an amount equal to the difference between the amount specified for the individual under subparagraph (A) and the total amount of reductions with respect to the individual under that subparagraph, which shall be paid into the Treasury of the United States as miscellaneous receipts.

''(2) In the case of an individual previously enrolled in the educational benefits program provided by chapter 32 of this title, the Secretary shall reduce the total amount of the reduction in basic pay otherwise required by paragraph (1) by an amount equal to so much of the unused contributions made by the individual to the Post-Vietnam Era Veterans Education Account under section 3222(a) of this title as do not exceed $1,200.

''(3) An individual may at any time pay the Secretary an amount equal to the difference between the total of the reductions otherwise required with respect to the individual under this subsection and the total amount of the reductions with respect to the individual under this subsection at the time of the payment. Amounts paid under this paragraph shall be paid into the Treasury of the United States as miscellaneous receipts.

''(c)(1) Except as provided in paragraph (3), an individual who is enrolled in the educational benefits program provided by chapter 32 of this title and who makes the election described in subsection (a)(5) shall be disenrolled from the program as of the date of such election.

''(2) For each individual who is disenrolled from such program, the Secretary shall refund—

''(A) to the individual in the manner provided in section 3223(b) of this title so much of the unused contributions made by the individual to the Post-Vietnam Era Veterans Education Account as are not used to reduce the amount of the reduction in the individual's basic pay under subsection (b)(2); and

''(B) to the Secretary of Defense the unused contributions (other than contributions made under section 3222(c) of this title) made by such Secretary to the Account on behalf of such individual.

''(3) Any contribution made by the Secretary of Defense to the Post-Vietnam Era Veterans Education Account pursuant to section 3222(c) of this title on behalf of an individual referred to in paragraph (1) shall remain in such account to make payments of benefits to the individual under section 3015(f) of this title.

''(d)(1) The requirements of sections 3011(a)(3) and 3012(a)(3) of this title shall apply to an individual who makes an election described in subsection (a)(5), except that the completion of service referred to in such section shall be the completion of the period of active duty being served by the individual on the date of the enactment of this section.

''(2) The procedures provided in regulations referred to in subsection (a) shall provide for notice of the requirements of subparagraphs (B), (C), and (D) of section 3011(a)(3) of this title and of subparagraphs (B), (C), and (D) of section 3012(a)(3) of this title. Receipt of such notice shall be acknowledged in writing.''.

(2) The table of sections at the beginning of chapter 30 of that title is amended by inserting after the item relating to section 3018C the following new item:

''3018D. Opportunity to enroll: certain VEAP participants; active duty personnel not previously enrolled.''.

(b) CONFORMING AMENDMENT.—Section 3015(f) of that title is amended by striking ''or 3018C'' and inserting ''3018C, or 3018D''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that any law enacted after the date of the enactment of this Act which includes provisions terminating or reducing the contributions of members of the Armed Forces for basic educational assistance under subchapter II of chapter 30 of title 38, United States Code, should terminate or reduce by an identical amount the contributions of members of the Armed Forces for such assistance under section of section 3018D of that title, as added by subsection (a).

SEC. 697. REVISION OF EDUCATIONAL ASSISTANCE INTERVAL PAYMENT REQUIREMENTS.

(a) IN GENERAL.—Clause (C) of the third sentence of section 3680(a) of title 38, United States Code, is amended to read as follows:

''(C) during periods between school terms where the educational institution certifies the enrollment of the eligible veteran or eligible person on an individual term basis if (i) the period between such terms does not exceed eight weeks, and (ii) both the term preceding and the term following the period are not shorter in length than the period.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to payments of educational assistance under title 38, United States Code, for months beginning on or after the date of the enactment of this Act.

SEC. 698. IMPLEMENTATION OF THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM.

(a) CLARIFICATION OF BENEFITS RESPONSIBILITY.—Subsection (a) of section 1060a of title 10, United States Code, is amended by striking ''may carry out a program to provide special supplemental food benefits'' and inserting ''shall carry out a program to provide supplemental foods and nutrition education''.

(b) FUNDING.—Subsection (b) of such section is amended to read as follows:

''(b) FEDERAL PAYMENTS.—The Secretary of Defense shall use funds available for the Department of Defense to provide supplemental foods and nutrition education and to pay for costs for nutrition services and administration under the program required under subsection (a).''.

(c) PROGRAM ADMINISTRATION.—Subsection (c)(1)(A) of such section is amended by adding at the end the following: ''In the determining of eligibility for the program benefits, a person already certified for participation in the special supplemental nutrition program for women, infants, and children under section 17 of the Child Nutrition Act of 1996 (42 U.S.C. 1786) shall be considered eligible for the duration of the certification period under that program.''.

(d) NUTRITIONAL RISK STANDARDS.—Subsection (c)(1)(B) of such section is amended by inserting ''and nutritional risk standards'' after ''income eligibility standards''.

(e) DEFINITIONS.—Subsection (f) of such section is amended by adding at the end the following:

''(4) The terms 'costs for nutrition services and administration', 'nutrition education' and 'supplemental foods' have the meanings given the terms in paragraphs (4), (7), and (14), respectively, of section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)).''.

TITLE VII—HEALTH CARE

Subtitle A—TRICARE Program

SEC. 701. IMPROVEMENT OF TRICARE BENEFITS AND MANAGEMENT.

(a) IMPROVEMENT OF TRICARE PROGRAM.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1097a the following:

''§ 1097b. TRICARE: benefits and services

''(a) COMPARABILITY TO FEHBP BENEFITS.—The Secretary of Defense shall, to the maximum extent practicable, ensure that the health care coverage available through the TRICARE program is substantially similar to the health care coverage available under similar health benefits plans offered under the Federal Employees Health Benefits program established under chapter 89 of title 5.

''(b) PORTABILITY.—The Secretary of Defense shall provide that any covered beneficiary enrolled in the TRICARE program may receive benefits under that program at facilities that provide benefits under that program throughout the various regions of that program.

''(c) ACCESS.—(1) The Secretary of Defense shall, to the maximum extent practicable, minimize the authorization or certification requirements imposed upon covered beneficiaries under the TRICARE program as a condition of access to benefits under that program.

''(2) The Secretary of Defense shall, to the maximum extent practicable, utilize practices for processing claims under the TRICARE program that are similar to the best industry practices for processing claims for health care services in a simplified and expedited manner. To the maximum extent practicable, such practices shall include electronic processing of claims.

''(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 may reimburse health care 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.

''(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 section 1095 of this title to collect from a third-party payer the reasonable costs of health care services described in paragraph (2) that are incurred by the facility on behalf of a covered beneficiary under that program.

''(2) The Secretary of Defense shall prescribe regulations for the administration of this subsection. The regulations shall set forth the method to be used for the computation of the reasonable costs of inpatient, outpatient, and other health care services. The method of computation may be—

''(A) a method that is based on—

''(i) per diem rates;

''(ii) all-inclusive rates for each visit;

''(iii) diagnosis-related groups; or

''(iv) rates prescribed under the regulations implementing sections 1079 and 1086 of this title; or

''(B) any other method considered appropriate.

''(c) CONSULTATION REQUIREMENT.—The Secretary of Defense shall carry out the responsibilities under this section after consultation with the other administering Secretaries.''.

(2) The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1097a the following new item:

''1097b. TRICARE: benefits and services.
''1097c. TRICARE: financial management.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect one year after the date of the enactment of this Act.

(c) REPORT ON IMPLEMENTATION.—(1) Not later than 6 months after the date of the enactment of this Act, the Secretary of Defense, in consultation with the other administering Secretaries, shall submit to Congress a report assessing the effects of the implementation of the requirements and authorities set forth in sections 1097b and 1097c of title 10, United States Code (as added by subsection (a)).

(2) The report shall include the following:

(A) An assessment of the cost of the implementation of such requirements and authorities.

(B) An assessment of whether the implementation of any such requirements and authorities will result in the utilization by the TRICARE program of the best industry practices with respect to the matters covered by such requirements and authorities.

(3) In this subsection, the term ''administering Secretaries'' has the meaning given that term in section 1072(3) of title 10, United States Code.

SEC. 702. EXPANSION AND REVISION OF AUTHORITY FOR DENTAL PROGRAMS FOR DEPENDENTS AND RESERVES.

(a) AUTHORITY.—Chapter 55 of title 10, United States Code, is amended by striking sections 1076a and 1076b and inserting the following:

''§ 1076a. TRICARE dental program

''(a) ESTABLISHMENT OF DENTAL PLANS.—The Secretary of Defense may establish, and in the case of the dental plan described in paragraph (1) shall establish, the following voluntary enrollment dental plans:

''(1) PLAN FOR SELECTED RESERVE AND INDIVIDUAL READY RESERVE.—A dental insurance plan for members of the Selected Reserve of the Ready Reserve and for members of the Individual Ready Reserve described in subsection 10144(b) of this title.

''(2) PLAN FOR OTHER RESERVES.—A dental insurance plan for members of the Individual Ready Reserve not eligible to enroll in the plan established under paragraph (1).

''(3) PLAN FOR ACTIVE DUTY DEPENDENTS.—Dental benefits plans for eligible dependents of members of the uniformed services who are on active duty for a period of more than 30 days.

''(4) PLAN FOR READY RESERVE DEPENDENTS.—A dental benefits plan for eligible dependents of members of the Ready Reserve of the reserve components who are not on active duty for more than 30 days.

''(b) ADMINISTRATION OF PLANS.—The plans established under this section shall be administered under regulations prescribed by the Secretary of Defense in consultation with the other administering Secretaries.

''(c) CARE AVAILABLE UNDER PLANS.—Dental plans established under subsection (a) may provide for the following dental care:

''(1) Diagnostic, oral examination, and preventive services and palliative emergency care.

''(2) Basic restorative services of amalgam and composite restorations, stainless steel crowns for primary teeth, and dental appliance repairs.

''(3) Orthodontic services, crowns, gold fillings, bridges, complete or partial dentures, and such other services as the Secretary of Defense considers to be appropriate.

''(d) PREMIUMS.—

''(1) PREMIUM SHARING PLANS.—(A) The dental insurance plan established under subsection (a)(1) and the dental benefits plans established under subsection (a)(3) are premium sharing plans.

''(B) Members enrolled in a premium sharing plan for themselves or for their dependents shall be required to pay a share of the premium charged for the benefits provided under the plan. The member's share of the premium charge may not exceed $20 per month for the enrollment.

''(C) Effective as of January 1 of each year, the amount of the premium required under subparagraph (A) shall be increased by the percent equal to the lesser of—

''(i) the percent by which the rates of basic pay of members of the uniformed services are increased on such date; or

''(ii) the sum of one-half percent and the percent computed under section 5303(a) of title 5 for the increase in rates of basic pay for statutory pay systems for pay periods beginning on or after such date.

''(D) The Secretary of Defense may reduce the monthly premium required to be paid under paragraph (1) in the case of enlisted members in pay grade E–1, E–2, E–3, or E–4 if the Secretary determines that such a reduction is appropriate to assist such members to participate in a dental plan referred to in subparagraph (A).

''(2) FULL PREMIUM PLANS.—(A) The dental insurance plan established under subsection (a)(2) and the dental benefits plan established under subsection (a)(4) are full premium plans.

''(B) Members enrolled in a full premium plan for themselves or for their dependents shall be required to pay the entire premium charged for the benefits provided under the plan.

''(3) PAYMENT PROCEDURES.—A member's share of the premium for a plan established under subsection (a) may be paid by deductions from the basic pay of the member and from compensation paid under section 206 of title 37, as the case may be. The regulations prescribed under subsection (b) shall specify the procedures for payment of the premiums by enrollees who do not receive such pay.

''(e) COPAYMENTS UNDER PREMIUM SHARING PLANS.—A member or dependent who receives dental care under a premium sharing plan referred to in subsection (d)(1) shall—

''(1) in the case of care described in subsection (c)(1), pay no charge for the care;

''(2) in the case of care described in subsection (c)(2), pay 20 percent of the charges for the care; and

''(3) in the case of care described in subsection (c)(3), pay a percentage of the charges for the care that is determined appropriate by the Secretary of Defense, after consultation with the other administering Secretaries.

''(f) TRANSFER OF MEMBERS.—If a member whose dependents are enrolled in the plan established under subsection (a)(3) is transferred to a duty station where dental care is provided to the member's eligible dependents under a program other than that plan, the member may discontinue participation under the plan. If the member is later transferred to a duty station where dental care is not provided to such member's eligible dependents except under the plan established under subsection (a)(3), the member may reenroll the dependents in that plan.

''(g) CARE OUTSIDE THE UNITED STATES.—The Secretary of Defense may exercise the authority provided under subsection (a) to establish dental insurance plans and dental benefits plans for dental benefits provided outside the United States for the eligible members and dependents of members of the uniformed services. In the case of such an overseas dental plan, the Secretary may waive or reduce any copayments required by subsection (e) to the extent the Secretary determines appropriate for the effective and efficient operation of the plan.

''(h) WAIVER OF REQUIREMENTS FOR SURVIVING DEPENDENTS.—The Secretary of Defense may waive (in whole or in part) any requirements of a dental plan established under this section as the Secretary determines necessary for the effective administration of the plan for a dependent who is an eligible dependent described in subsection (k)(2).

''(i) AUTHORITY SUBJECT TO APPROPRIATIONS.—The authority of the Secretary of Defense to enter into a contract under this section for any fiscal year is subject to the availability of appropriations for that purpose.

''(j) LIMITATION ON REDUCTION OF BENEFITS.—The Secretary of Defense may not reduce benefits provided under a plan established under this section until—

''(1) the Secretary provides notice of the Secretary's intent to reduce such benefits to the Committees on Armed Services of the Senate and the House of Representatives; and

''(2) one year has elapsed following the date of such notice.

''(k) ELIGIBLE DEPENDENT DEFINED.—In this section, the term 'eligible dependent'—

''(1) means a dependent described in subparagraph (A), (D), or (I) of section 1072(2) of this title; and

''(2) includes any such dependent of a member who dies while on active duty for a period of more than 30 days or a member of the

Ready Reserve if the dependent is enrolled on the date of the death of the member in a dental benefits plan established under subsection (a), except that the term does not include the dependent after the end of the one-year period beginning on the date of the member's death.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by striking out the items relating to sections 1076a and 1076b and inserting the following:

''1076a. TRICARE dental program.''.

SEC. 703. SENSE OF CONGRESS REGARDING AUTOMATIC ENROLLMENT OF MEDICARE-ELIGIBLE BENEFICIARIES IN THE TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.

It is the sense of Congress that—

(1) any person who is enrolled in a managed health care program of the Department of Defense where the TRICARE Senior Prime demonstration program is implemented and who attains eligibility for medicare should be automatically authorized to enroll in the TRICARE Senior Prime demonstration program; and

(2) the Secretary of Defense, in coordination with the other administering Secretaries referred to in section 1072(3) of title 10, United States Code, should modify existing policies and procedures for the TRICARE Senior Prime demonstration program as necessary to permit the automatic enrollment.

SEC. 704. TRICARE BENEFICIARY ADVOCATES.

(a) ESTABLISHMENT OF POSITIONS.—The Secretary of Defense shall require in regulations that—

(1) each lead agent under the TRICARE program—

(A) designate a person to serve full-time as a beneficiary advocate for TRICARE beneficiaries; and

(B) provide for toll-free telephone communication between TRICARE beneficiaries and the beneficiary advocate; and

(2) the commander of each medical care facility under chapter 55 of title 10, United States Code, designate a person to serve, as a primary or collateral duty, as beneficiary advocate for TRICARE beneficiaries served at that facility.

(b) DUTIES.—The Secretary shall prescribe the duties of the position of beneficiary advocate 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:

''(g) OPEN ENROLLMENT DEMONSTRATION PROGRAM.—(1) The Secretary of Defense shall conduct a demonstration program under which covered beneficiaries shall be permitted to enroll at any time in a managed care plan offered by a designated provider consistent with the enrollment requirements for the TRICARE Prime option under the TRICARE program but without regard to the limitation in subsection (b). Any demonstration program under this subsection shall cover designated providers, selected by the Department of Defense, and the service areas of the designated providers.

''(2) Any demonstration program carried out under this section shall commence on October 1, 1999, and end on September 30, 2001.

''(3) Not later than March 15, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on any demonstration program carried out under this subsection. The report shall include, at a minimum, an evaluation of the benefits of the open enrollment opportunity to covered beneficiaries and a recommendation concerning whether to authorize open enrollments in the managed care plans of designated providers permanently.''.

Subtitle B—Other Matters

SEC. 711. CARE AT FORMER UNIFORMED SERVICES TREATMENT FACILITIES FOR ACTIVE DUTY MEMBERS STATIONED AT CERTAIN REMOTE LOCATIONS.

(a) AUTHORITY.—Care may be furnished by a designated provider pursuant to any contract entered into by the designated provider under section 722(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) to eligible members who reside within the service area of the designated provider.

(b) ELIGIBILITY.—A member of the Armed Forces is eligible for care under subsection (a) if the member is a member described in section 731(c) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1811; 10 U.S.C. 1074 note).

(c) APPLICABLE POLICIES.—In furnishing care to an eligible member under subsection (a), a designated provider shall adhere to the Department of Defense policies applicable to the furnishing of care under the TRICARE Prime Remote program, including coordinating with uniformed services medical authorities for hospitalizations and all referrals for specialty care.

(d) REIMBURSEMENT RATES.—The Secretary of Defense, in consultation with the designated providers, shall prescribe reimbursement rates for care furnished to eligible members under subsection (a). The rates prescribed for care may not exceed the amounts allowable under the TRICARE Standard plan for the same care.

SEC. 712. ONE-YEAR EXTENSION OF CHIROPRACTIC HEALTH CARE DEMONSTRATION PROGRAM.

Section 731(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 1092 note) is amended by striking ''1999'' and inserting ''2000''.

SEC. 713. PROGRAM YEAR STABILITY IN HEALTH CARE BENEFITS.

Section 1073 of title 10, United States Code, is amended—

(1) by inserting ''(a) RESPONSIBLE OFFICIALS.—'' at the beginning of the text of the section; and

(2) by adding at the end the following:

''(b) STABILITY IN PROGRAM OF BENEFITS.—The Secretary of Defense shall, to the maximum extent practicable, provide a stable program of benefits under this chapter throughout each fiscal year. To achieve the stability in the case of contracts entered into under this chapter, the contracts shall be administered so as to implement at the beginning of a fiscal year all changes in benefits and administration that are to be made for that fiscal year. However, the Secretary of Defense may implement any such change after the fiscal year begins if the Secretary determines that the change would significantly improve the provision of care to eligible beneficiaries under this chapter or that the later implementation of the change would, for other reasons, result in a more effective provision of care to eligible beneficiaries.''.

SEC. 714. BEST VALUE CONTRACTING.

(a) AUTHORITY.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073 the following:

''§ 1073a. Contracts for health care: best value contracting

''(a) AUTHORITY.—Under regulations prescribed by the administering Secretaries, health care contracts shall be awarded in the administration of this chapter to the offeror or offerors that will provide the best value to the United States to the maximum extent consistent with furnishing high-quality health care in a manner that protects the fiscal and other interests of the United States.

''(b) FACTORS CONSIDERED.—In the determination of best value—

''(1) consideration shall be given to the factors specified in the regulations; and

''(2) greater weight shall be accorded to technical and performance-related factors than to cost and price-related factors.

''(c) APPLICABILITY.—The authority under the regulations shall apply to any contract in excess of $5,000,000.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1073 the following:

''1073a. Contracts for health care: best value contracting.''.

SEC. 715. AUTHORITY TO ORDER RESERVE COMPONENT MEMBERS TO ACTIVE DUTY FOR HEALTH SURVEILLANCE STUDIES.

Section 12301 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(h) When authorized by the Secretary of Defense, the Secretary concerned may order a member of a reserve component to active duty, with the consent of that member, for a Department of Defense health surveillance study required under other authority, including any associated medical evaluation of the member. The Secretary concerned may, with the member's consent, retain the member on active duty for medical treatment authorized by law for a condition associated with the study or evaluation. A member of the Army National Guard of the United States or of the Air National Guard of the United States may not be ordered to active duty under this subsection without the consent of the governor or other appropriate authority of the State concerned.''.

SEC. 716. CONTINUATION OF PREVIOUSLY PROVIDED CUSTODIAL CARE BENEFITS FOR CERTAIN CHAMPUS BENEFICIARIES.

(a) CONTINUATION OF COVERAGE.—Subject to subsection (c), the Secretary of Defense may continue payment under the Civilian Health and Medical Program of the Uniformed Services (as defined in section 1072 of title 10, United States Code) for domiciliary or custodial care services, otherwise excluded by regulations implementing section 1077(b)(1) of such title, on behalf of beneficiaries described in subsection (b).

(b) COVERED BENEFICIARIES.—Beneficiaries referred to in subsection (a) are covered beneficiaries (as defined in section 1072 of such title) who, prior to the effective date of final regulations to implement the individual case management program authorized by section 1079(a)(17) of such title, were provided domiciliary or custodial care services for which the Secretary provided payment.

(c) SECRETARIAL AUTHORITY.—The authority provided by subsection (a) is subject to a case-by-case determination by the Secretary that discontinuation of payment for domiciliary or custodial care services or transition under the case management program authorized by such section 1079(a)(17) to alternative programs and services would be inadequate to meet the needs of, and unjust to, the beneficiary.

SEC. 717. ENHANCEMENT OF DENTAL BENEFITS FOR RETIREES.

Subsection (d) of section 1076c of title 10, United States Code, is amended to read as follows:

''(d) BENEFITS AVAILABLE UNDER THE PLAN.—The dental insurance plan established under subsection (a) shall provide benefits for dental care and treatment which may be comparable to the benefits authorized under section 1076a of this title for plans established under that section and shall include diagnostic services, preventative services, endodontics and other basic restorative services, surgical services, and emergency services.''.

SEC. 718. MEDICAL AND DENTAL CARE FOR CERTAIN MEMBERS INCURRING INJURIES ON INACTIVE-DUTY TRAINING.

(a) ORDER TO ACTIVE DUTY AUTHORIZED.—(1) Chapter 1209 of title 10, United States Code, is amended by adding at the end the following:

''§ 12322. Active duty for health care

''A member of a uniformed service described in paragraph (1)(B) or (2)(B) of section 1074a(a) of this title may be ordered to active duty, and a member of a uniformed service described in paragraph (1)(A) or (2)(A) of such section may be continued on active duty, for a period of more than 30 days while the member is being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty as described in such paragraph.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

''12322. Active duty for health care.''.

(b) MEDICAL AND DENTAL CARE FOR MEMBERS.—Subsection (e) of section 1074a of such title is amended to read as follows:

''(e)(1) A member of a uniformed service on active duty for health care or recuperation reasons, as described in paragraph (2), is entitled to medical and dental care on the same basis and to the same extent as members covered by section 1074(a) of this title while the member remains on active duty.

''(2) Paragraph (1) applies to a member described in paragraph (1) or (2) of subsection (a) who, while being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty, is continued on active duty pursuant to a modification or extension of orders, or is ordered to active duty, so as to result in active duty for a period of more than 30 days.''.

(c) MEDICAL AND DENTAL CARE FOR DEPENDENTS.—Subparagraph (D) of section 1076(a)(2) of such title is amended to read as follows:

''(D) A member on active duty who is entitled to benefits under subsection (e) of section 1074a of this title by reason of paragraph (1), (2), or (3) of subsection (a) of such section.''.

SEC. 719. HEALTH CARE QUALITY INFORMATION AND TECHNOLOGY ENHANCEMENT.

(a) PURPOSE.—It is the purpose of this section to ensure that the Department of Defense addresses issues of medical quality surveillance and implements solutions for those issues in a timely manner that is consistent with national policy and industry standards.

(b) DEPARTMENT OF DEFENSE CENTER FOR MEDICAL INFORMATICS AND DATA.—(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;

(D) to develop a capability for conducting research on quality of health care;

(E) to conduct research on matters of quality of health care;

(F) to develop decision support tools for health care providers;

(G) to refine medical performance report cards; and

(H) to conduct educational programs on medical informatics to meet identified needs.

(2) The Center shall serve as a primary resource for the Department of Defense for matters concerning the capture, processing, and dissemination of data on health care quality.

(c) AUTOMATION AND CAPTURE OF CLINICAL DATA.—The Secretary of Defense shall accelerate the efforts of the Department of Defense to automate, capture, and exchange controlled clinical data and present providers with clinical guidance using a personal information carrier, clinical lexicon, or digital patient record.

(d) ENHANCEMENT THROUGH DoD-DVA MEDICAL INFORMATICS COUNCIL.—(1) The Secretary of Defense shall establish a Medical Informatics Council consisting of the following:

(A) The Assistant Secretary of Defense for Health Affairs.

(B) The Director of the TRICARE Management Activity of the Department of Defense.

(C) The Surgeon General of the Army.

(D) The Surgeon General of the Navy.

(E) The Surgeon General of the Air Force.

(F) Representatives of the Department of Veterans Affairs, whom the Secretary of Veterans Affairs shall designate.

(G) Representatives of the Department of Health and Human Services, whom the Secretary of Health and Human Services shall designate.

(H) Any additional members that the Secretary of Defense may appoint to represent health care insurers and managed care organizations, academic health institutions, health care providers (including representatives of physicians and representatives of hospitals), and accreditors of health care plans and organizations.

(2) The primary mission of the Medical Informatics Council shall be to coordinate the development, deployment, and maintenance of health care informatics systems that allow for the collection, exchange, and processing of health care quality information for 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 systems and clinical decision support systems within the Departments of Defense and Veterans Affairs.

(D) Standardization of processes used to collect, evaluate, and disseminate health care quality information.

(E) Refinement of methodologies by which the quality of health care provided within the Departments of Defense and Veterans Administration is evaluated.

(F) Protecting the confidentiality of personal health information.

(3) The Council shall submit to Congress an annual report on the activities of the Council and on the coordination of development, deployment, and maintenance of health care informatics systems within the Federal Government and between the Federal Government and the private sector.

(4) The Assistant Secretary of Defense for Health Affairs shall consult with the Council on the issues described in paragraph (2).

(5) A member of the Council is not, by reason of service on the Council, an officer or employee of the United States.

(6) No compensation shall be paid to members of the Council for service on the Council. In the case of a member of the Council who is an officer or employee of the Federal Government, the preceding sentence does not apply to compensation paid to the member as an officer or employee of the Federal Government.

(7) The Federal Advisory Committee Act (5 U.S.C. App. 2) shall not apply to the Council.

(e) ANNUAL REPORT.—The Assistant Secretary of Defense for Health Affairs shall submit to Congress each year a report on the quality of health care furnished under the health care programs of the Department of Defense. The report shall cover the most recent fiscal year ending before the date of the report and shall contain a discussion of the quality of the health care measured on the basis of each statistical and customer satisfaction factor that the Assistant Secretary determines appropriate, including, at a minimum, the following:

(1) Health outcomes.

(2) Extent of use of health report cards.

(3) Extent of use of standard clinical pathways.

(4) Extent of use of innovative processes for surveillance.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to other amounts authorized to be appropriated for the Department of Defense for fiscal year 2000 by other provisions of this Act, that are available to carry out subsection (b), there is authorized to be appropriated for the Department of Defense for such fiscal year for carrying out this subsection the sum of $2,000,000.

SEC. 720. JOINT TELEMEDICINE AND TELEPHARMACY DEMONSTRATION PROJECTS BY THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Defense and Secretary of Veterans Affairs shall carry out joint demonstration projects for purposes of evaluating the feasibility and practicability of providing health care services and pharmacy services by means of telecommunications.

(b) SERVICES TO BE PROVIDED.—The services provided under the demonstration projects shall include the following:

(1) Radiology and imaging services.

(2) Diagnostic services.

(3) Referral services.

(4) Clinical pharmacy services.

(5) Any other health care services or pharmacy services designated by the Secretaries.

(c) SELECTION OF LOCATIONS.—(1) The Secretaries shall carry out the demonstration projects at not more than five locations selected by the Secretaries from locations in which are located both a uniformed services treatment facility and a Department of Veterans Affairs medical center that are affiliated with academic institutions having a demonstrated expertise in the provision of

health care services or pharmacy services by means of telecommunications.

(2) Representatives of a facility and medical center selected under paragraph (1) shall, to the maximum extent practicable, carry out the demonstration project in consultation with representatives of the academic institution or institutions with which affiliated.

(d) PERIOD OF DEMONSTRATION PROJECTS.—The Secretaries shall carry out the demonstration projects during the three-year period beginning on October 1, 1999.

(e) REPORT.—Not later than December 31, 2002, the Secretaries shall jointly submit to Congress a report on the demonstration projects. The report shall include—

(1) a description of each demonstration project; and

(2) an evaluation, based on the demonstration projects, of the feasibility and practicability of providing health care services and pharmacy services, including the provision of such services to field hospitals of the Armed Forces and to Department of Veterans Affairs outpatient health care clinics, by means of telecommunications.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

SEC. 801. EXTENSION OF TEST PROGRAM FOR NEGOTIATION OF COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.

Section 834(e) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 15 U.S.C. 637 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2005''.

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 1991 (10 U.S.C. 2302 note) is amended to read as follows:

''(2) A program participation term for any period of not more than three years, except that the term may be a period of up to five years if the Secretary of Defense determines in writing that unusual circumstances justify a program participation term in excess of three years.''.

(b) INCENTIVES AUTHORIZED FOR MENTOR FIRMS.—Subsection (g) of such section is amended—

(1) in paragraph (1), by striking ''shall'' and inserting ''may'';

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking ''shall'' and inserting ''may'';

(ii) by striking ''subsection (f)'' and all that follows through ''(i) as a line item'' and inserting ''subsection (f) as provided for in a line item'';

(iii) by striking the semicolon preceding clause (ii) and inserting '', except that this clause does not apply in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract.''; and

(iv) by striking clauses (ii), (iii), and (iv); and

(B) by striking subparagraph (B) and inserting the following:

''(B) The determinations made in annual performance reviews of a mentor firm's mentor-protege agreement under subsection (l)(2) shall be a major factor in the determinations of amounts of reimbursement, if any, that the mentor firm is eligible to receive in the remaining years of the program participation term under the agreement.

''(C) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm may not exceed $1,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify a reimbursement of a higher amount.''; and

(3) in paragraph (3)(A), by striking ''either subparagraph (A) or (C) of paragraph (2) or are reimbursed pursuant to subparagraph (B) of such paragraph'' and inserting ''paragraph (2)''.

(c) FIVE-YEAR EXTENSION OF AUTHORITY.—Subsection (j) of such section is amended to read as follows:

''(j) EXPIRATION OF AUTHORITY.—(1) No mentor-protege agreement may be entered into under subsection (e) after September 30, 2004.

''(2) No reimbursement may be paid, and no credit toward the attainment of a subcontracting goal may be granted, under subsection (g) for any cost incurred after September 30, 2005.''.

(d) REPORTS AND REVIEWS.—Subsection (l) of such section is amended to read as follows:

''(l) REPORTS AND REVIEWS.—(1) The mentor firm and protege firm under a mentor-protege agreement shall submit to the Secretary of Defense 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 of costs. The Secretary shall determine on the basis of the review whether—

''(i) all costs reimbursed to the mentor firm under the agreement were reasonably incurred to furnish assistance to the protege firm in accordance with the requirements of this section and applicable regulations; and

''(ii) the mentor firm and protege firm accurately reported progress made by the protege firm in employment, revenues, and participation in Department of Defense contracts during the program participation term covered by the mentor-protege agreement and the two fiscal years following the expiration of the program participation term.

''(B) The Secretary shall act through the Commander of the Defense Contract Management Command in carrying out the reviews and making the determinations under subparagraph (A).

''(3) Not later than 6 months after the end of each of fiscal years 2000 through 2004, the Secretary of Defense shall submit to Congress an annual report on the mentor-protege program for that fiscal year.

''(2) The annual report for a fiscal year shall include, at a minimum, the following:

''(A) The number of mentor-protege agreements that were entered into during the fiscal year.

''(B) The number of mentor-protege agreements that were in effect during the fiscal year.

''(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 subsection (e)(2) 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 that subsection, together with the justification for the approval.

''(F) Trends in the progress made in employment, revenues, and participation in Department of Defense contracts by the protege firms 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.''.

(e) REPEAL OF LIMITATION ON AVAILABILITY OF FUNDING.—Subsection (n) of such section is repealed.

(f) EFFECTIVE DATE AND SAVINGS PROVISION.—(1) The amendments made by this section shall take effect on October 1, 1999, and shall apply with respect to mentor-protege agreements that are entered into under section 831(e) of the National Defense Authorization Act for Fiscal Year 1991 on or after that date.

(2) Section 831 of the National Defense Authorization Act for Fiscal Year 1991, as in effect on September 30, 1999, shall continue to apply with respect to mentor-protege agreements entered into before October 1, 1999.

SEC. 803. REPORT ON TRANSITION OF SMALL BUSINESS INNOVATION RESEARCH PROGRAM ACTIVITIES INTO DEFENSE ACQUISITION PROGRAMS.

(a) REQUIREMENT FOR REPORT.—Not later than March 1, 2000, the Secretary of Defense shall submit to Congress a report on the status of the implementation of the Small Business Innovation Research program transition plan that was developed pursuant to section 818 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2089).

(b) CONTENT OF REPORT.—The report shall include the following:

(1) The status of the implementation of each of the provisions in the transition plan.

(2) For any provision of the plan that has not been fully implemented as of the date of the report—

(A) the reasons for the provision not having been fully implemented; and

(B) a schedule, with specific milestones, for the implementation of the provision.

SEC. 804. AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) GAO EXAMINATION OF RECORDS.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1721; 10 U.S.C. 2371 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) COMPTROLLER GENERAL REVIEW.—(1) Each agreement entered into by an official referred to in subsection (a) to carry out a project under that subsection that provides for payments in a total amount in excess of $5,000,000 shall include a clause that provides for the Comptroller General, in the discretion of the Comptroller General, to examine the records of any party to the agreement or any entity that participates in the performance of the agreement.

''(2) The official referred to in subsection (a) who is entering into an agreement described in paragraph (1) may waive the applicability of the requirement in that paragraph to the agreement if the official determines that it would not be in the public interest to apply the requirement to the agreement. The waiver shall be effective with respect to the agreement only if the official transmits a notification of the waiver to Congress and the Comptroller General before entering into the agreement. The notification shall include the rationale for the determination.

''(3) The Comptroller General may not examine records pursuant to a clause included in an agreement under paragraph (1) more than three years after the final payment is made by the United States under the agreement.''.

(b) TECHNICAL CORRECTION.—Subsection (b)(1) of such section is amended by striking ''(e)(2) and (e)(3) of such section 2371'' and inserting ''(e)(1)(B) and (e)(2) of such section 2371''.

SEC. 805. PILOT PROGRAM FOR COMMERCIAL SERVICES.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to treat procurements of commercial services as procurements of commercial items.

(b) DESIGNATION OF PILOT PROGRAM CATEGORIES.—The Secretary of Defense may designate the following categories of services as commercial services covered by the pilot program:

(1) Utilities and housekeeping services.

(2) Education and training services.

(3) Transportation, travel and relocation services.

(c) TREATMENT AS COMMERCIAL ITEMS.—A Department of Defense contract for the procurement of commercial services designated by the Secretary for the pilot program shall be treated as a contract for the procurement of commercial items, as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)), if the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government. These items shall not be considered commercial items for purposes of section 4202(e) of the Clinger-Cohen Act (10 U.S.C. 2304 note).

(d) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall issue guidance to procurement officials on contracting for commercial services under the pilot program. The guidance shall place particular emphasis on ensuring that negotiated prices for designated services, including prices negotiated without competition, are fair and reasonable.

(e) DURATION OF PILOT PROGRAM.—(1) The pilot program shall begin on the date that the Secretary issues the guidance required by subsection (d) and may continue for a period, not in excess of five years, that the Secretary shall establish.

(2) The pilot program shall cover Department of Defense contracts for the procurement of commercial services designated by the Secretary under subsection (b) that are awarded or modified during the period of the pilot program, regardless of whether the contracts are 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;

(B) the quality and timeliness of the services provided under such contracts;

(C) the number of Federal Government personnel that are necessary to enter into and administer such contracts; and

(D) the impact of the program on levels of contracting with small business concerns, HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(2) The Secretary shall submit the report—

(A) not later than 90 days after the end of the third full fiscal year for which the pilot program is in effect; or

(B) if the period established for the pilot program under subsection (e)(1) does not cover three full fiscal years, not later than 90 days after the end of the designated period.

(g) PRICE TREND ANALYSIS.—The Secretary of Defense shall apply the procedures developed pursuant to section 803(c) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2081; 10 U.S.C. 2306a note) to collect and analyze information on price trends for all services covered by the pilot program and for the services in such categories of services not covered by the pilot program to which the Secretary considers it appropriate to apply those procedures.

(h) RELATIONSHIP TO PREFERENCE ON TRANSPORTATION OF SUPPLIES.—Nothing in this section shall be construed as modifying, superseding, impairing, or restricting requirements, authorities, or responsibilities under section 2631 of title 10, United States Code.

(i) DEFINITIONS.—In this section:

(1) The term ''small business concern'' means a business concern that meets the applicable size standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(2) The term ''small business concern owned and controlled by socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

(3) The term ''small business concern owned and controlled by women'' has the meaning given the term in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D)).

(4) The term ''HUBZone small business concern'' has the meaning given the term in section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3)).

SEC. 806. STREAMLINED APPLICABILITY OF COST ACCOUNTING STANDARDS.

(a) APPLICABILITY.—Paragraph (2) of section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)(2)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) by striking subparagraph (B) and inserting the following:

''(B) The cost accounting standards shall not apply to a contractor or subcontractor for a fiscal year (or other one-year period used for cost accounting by the contractor or subcontractor) if the total value of all of the contracts and subcontracts covered by the cost accounting standards that were entered into by the contractor or subcontractor, respectively, in the previous or current fiscal year (or other one-year cost accounting period) was less than $50,000,000.

''(C) Subparagraph (A) does not apply to the following contracts or subcontracts for the purpose of determining whether the contractor or subcontractor is subject to the cost accounting standards:

''(i) Contracts or subcontracts for the acquisition of commercial items.

''(ii) Contracts or subcontracts where the price negotiated is based on prices set by law or regulation.

''(iii) Firm, fixed-price contracts or subcontracts awarded on the basis of adequate price competition without submission of certified cost or pricing data.

''(iv) Contracts or subcontracts with a value that is less than $5,000,000.''.

(b) WAIVER.—Such section is further amended by adding at the end the following:

''(5)(A) The head of an executive agency may waive the applicability of cost accounting standards for a contract or subcontract with a value less than $10,000,000 if that official determines in writing that—

''(i) the contractor or subcontractor is primarily engaged in the sale of commercial items; and

''(ii) the contractor or subcontractor would not otherwise be subject to the cost accounting standards.

''(B) The head of an executive agency may also waive the applicability of cost accounting standards for a contract or subcontract under extraordinary circumstances when necessary to meet the needs of the agency. A determination to waive the applicability of cost accounting standards under this subparagraph shall be set forth in writing and shall include a statement of the circumstances justifying the waiver.

''(C) The head of an executive agency may not delegate the authority under subparagraph (A) or (B) to any official in the executive agency below the senior policymaking level in the executive agency.

''(D) The Federal Acquisition Regulation shall include the following:

''(i) Criteria for selecting an official to be delegated authority to grant waivers under subparagraph (A) or (B).

''(ii) The specific circumstances under which such a waiver may be granted.

''(E) The head of each executive agency shall report the waivers granted under subparagraphs (A) and (B) for that agency to the Board on an annual basis.''.

(c) CONSTRUCTION REGARDING CERTAIN NOT-FOR-PROFIT ENTITIES.—The amendments made by this section shall not be construed as modifying or superseding, nor as intended to impair or restrict, the applicability of the cost accounting standards to—

(1) any educational institution or federally funded research and development center that is associated with an educational institution in accordance with Office of Management and Budget Circular A–21, as in effect on January 1, 1999; or

(2) any contract with a nonprofit entity that provides research and development and related products or services to the Department of Defense.

SEC. 807. GUIDANCE ON USE OF TASK ORDER AND DELIVERY ORDER CONTRACTS.

(a) GUIDANCE IN THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act shall be revised to provide guidance to agencies on the appropriate use of task order and delivery order contracts in accordance with sections 2304a through 2304d of title 10, United States Code, and sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k).

(b) CONTENT OF GUIDANCE.—The regulations issued pursuant to subsection (a) shall, at a minimum, provide the following:

(1) Specific guidance on the appropriate use of government-wide and other multi-agency contracts entered in accordance with the provisions of law referred to in that subsection.

(2) Specific guidance on steps that agencies should take in entering and administering multiple award task order and delivery order contracts to ensure compliance with—

(A) the requirement in section 5122 of the Clinger-Cohen Act (40 U.S.C. 1422) for capital planning and investment control in purchases of information technology products and services;

(B) the requirement in section 2304c(b) of title 10, United States Code, and section 303J(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b)) to ensure that all contractors are afforded a fair opportunity to be considered for the award of task orders and delivery orders; and

(C) the requirement in section 2304c(c) of title 10, United States Code, and section 303J(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(c)) for a statement of work in each task order or delivery order issued that clearly specifies all tasks to be performed or property to be delivery under the order.

(c) GSA FEDERAL SUPPLY SCHEDULES PROGRAM.—The Administrator for Federal Procurement Policy shall consult with the Administrator of General Services to assess the effectiveness of the multiple awards schedule program of the General Services Administration referred to in section 309(b)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(b)(3)) that is administered as the Federal Supply Schedules program. The assessment shall include examination of the following:

(1) The administration of the program by the Administrator of General Services.

(2) The ordering and program practices followed by Federal customer agencies in using schedules established under the program.

(d) GAO REPORT.—Not later than one year after the date on which the regulations required by subsection (a) are published in the Federal Register, the Comptroller General shall submit to Congress an evaluation of executive agency compliance with the regulations, together with any recommendations that the Comptroller General considers appropriate.

SEC. 808. CLARIFICATION OF DEFINITION OF COMMERCIAL ITEMS WITH RESPECT TO ASSOCIATED SERVICES.

Section 4(12) (E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(E)) is amended to read as follows:

''(E) Installation services, maintenance services, repair services, training services, and other services if—

''(i) the services are procured for support of an item referred to in subparagraph (A), (B), (C), or (D), regardless of whether such services are provided by the same source or at the same time as the item; and

''(ii) the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government.''.

SEC. 809. USE OF SPECIAL SIMPLIFIED PROCEDURES FOR PURCHASES OF COMMERCIAL ITEMS IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD.

(a) EXTENSION OF AUTHORITY.—Section 4202(e) of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106; 110 Stat. 654; 10 U.S.C. 2304 note) is amended by striking ''three years after the date on which such amendments take effect pursuant to section 4401(b)'' and inserting ''January 1, 2002''.

(b) GAO REPORT.—Not later than March 1, 2001, the Comptroller General shall submit to Congress an evaluation of the test program authorized by section 4204 of the Clinger-Cohen Act of 1996, together with any recommendations that the Comptroller General considers appropriate regarding the test program or the use of special simplified procedures for purchases of commercial items in excess of the simplified acquisition threshold.

SEC. 810. EXTENSION OF INTERIM REPORTING RULE FOR CERTAIN PROCUREMENTS LESS THAN $100,000.

Section 31(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(e)) is amended by striking ''October 1, 1999'' and inserting ''October 1, 2004''.

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 AND HEADQUARTERS SUPPORT ACTIVITIES PERSONNEL.

(a) REVISED LIMITATION.—Section 130a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''75 percent'' and inserting ''65 percent''; and

(2) in subsection (c), by striking ''October 1, 1997'' and inserting ''October 1, 1989''.

(b) REPEAL OF PHASED REDUCTION REQUIREMENT.—Subsection (b) of such section is repealed.

(c) CONFORMING 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) Any recommendations that the commander considers appropriate regarding—

''(A) the development or procurement of advanced technologies, systems, or weapons or systems platforms, or other changes in doctrine, organization, training, materiel, leadership, personnel, or the allocation of resources, as a result of joint warfighting experimentation activities;

''(B) the elimination of unnecessary equipment and redundancies in capabilities and forces across the armed forces; and

''(C) the fielding of advanced technologies across the armed forces for purposes of the development of joint operational concepts or the conduct of joint warfighting experiments.

''(6) A description of any actions taken by the Secretary of Defense to implement the recommendations of the commander.''.

SEC. 903. ACCEPTANCE OF GUARANTEES IN CONNECTION WITH GIFTS TO THE UNITED STATES MILITARY ACADEMY.

(a) AUTHORITY.—Chapter 403 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4359. Acceptance of guarantees with gifts for major projects

''(a) ACCEPTANCE AUTHORITY.—The Secretary of the Army may, subject to subsection (c), accept from a donor a qualified guarantee for the completion of a major project for the benefit of the Academy.

''(b) OBLIGATION AUTHORITY.—Funds available for a project for which a guarantee has been accepted under this section may be obligated and expended for the project without regard to whether the total amount of the funds and other resources available for the project (not taking into account the amount of the guarantee) is sufficient to pay for completion of the project.

''(c) DEFINITIONS.—In this section:

''(1) MAJOR PROJECT.—The term 'major project' means a project for the purchase or other procurement of real or personal property, or for the construction of any improvement to real property, the total cost of which is, or is estimated to be, at least $1,000,000.

''(2) QUALIFIED GUARANTEE.—The term 'qualified guarantee', with respect to a major project, means a guarantee that—

''(A) is made by a person in connection with the person's donation, specifically for the project, of a total amount in cash or securities that, as determined by the Secretary of the Army, is sufficient to defray a substantial portion of the total cost of the project;

''(B) is made to facilitate or expedite the completion of the project in reasonable anticipation that other donors will contribute sufficient funds or other resources in amounts sufficient to pay for completion of the project;

''(C) is set forth as a written agreement that provides for the donor to furnish in cash or securities, in addition to the donor's other gift or gifts for the project, any additional amount that may become necessary for paying the cost of completing the project by reason of a failure to obtain from other donors or sources funds or other resources in amounts sufficient to pay the cost of completing the project; and

''(D) is accompanied by—

''(i) an unconditional letter of credit for the benefit of the Academy that is in the amount of the guarantee and is issued by a major United States commercial bank; or

''(ii) a qualified account control agreement.

''(3) QUALIFIED ACCOUNT CONTROL AGREEMENT.—The term 'qualified account control agreement', with respect to a guarantee of a donor, means an agreement among the donor, the Secretary of the Army, and a major United States investment management firm that—

''(A) ensures the availability of sufficient funds or other financial resources to pay the amount guaranteed during the period of the guarantee;

''(B) provides for the perfection of a security interest in the assets of the account for the United States for the benefit of the Academy with the highest priority available for liens and security interests under applicable law;

''(C) requires the donor to maintain in an account with the investment management firm assets having a total value that is not less than 130 percent of the amount guaranteed; and

''(D) requires the investment management firm, at any time that the value of the account is less than the value required to be maintained under subparagraph (C), to liquidate any noncash assets in the account and reinvest the proceeds in Treasury bills issued under section 3104 of title 31.

''(4) MAJOR UNITED STATES COMMERCIAL BANK.—The term 'major United States commercial bank' means a commercial bank that—

''(A) is headquartered in the United States; and

''(B) has net assets in a total amount considered by the Secretary of the Army to qualify the bank as a major bank.

''(5) MAJOR UNITED STATES INVESTMENT MANAGEMENT FIRM.—The term 'major United States investment management firm' means an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a–3)) that—

''(A) is headquartered in the United States; and

''(B) manages for others the investment of assets in a total amount considered by the Secretary of the Army to qualify the firm as a major investment management firm.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4359. Acceptance of guarantees with gifts for major projects.''.

SEC. 904. MANAGEMENT OF THE CIVIL AIR PATROL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that no major change to the governance structure of the Civil Air Patrol should be mandated by Congress until a review of potential improvements in the management and oversight of Civil Air Patrol operations is conducted.

(b) GAO STUDY.—The Comptroller General shall conduct a study of potential improvements to Civil Air Patrol operations, including Civil Air Patrol financial management, Air Force and Civil Air Patrol oversight, and the Civil Air Patrol safety program. Not later than February 15, 2000, the Inspector General shall submit a report on the results of the study to the congressional defense committees.

(c) INSPECTOR GENERAL REVIEW.—(1) The Inspector General of the Department of Defense shall review the financial and management operations of the Civil Air Patrol. The review shall include an audit.

(2) Not later than February 15, 2000, the Inspector General shall submit to the congressional defense committees a report on the review, including, specifically, the results of the audit. The report shall include any recommendations that the Inspector General considers appropriate regarding actions necessary to ensure the proper oversight of the financial and management operations of the Civil Air Patrol.

SEC. 905. MINIMUM INTERVAL FOR UPDATING AND REVISING DEPARTMENT OF DEFENSE STRATEGIC PLAN.

Section 306(b) of title 5, United States Code, is amended by striking '', and shall be updated and revised at least every three years.'' and inserting a period and the following: ''The strategic plan shall be updated and revised at least every three years, except that the strategic plan for the Department of Defense shall be updated and revised at least every four years.''.

SEC. 906. PERMANENT REQUIREMENT FOR QUADRENNIAL DEFENSE REVIEW.

(a) REVIEW REQUIRED.—Chapter 2 of title 10, United States Code, is amended by inserting after section 117 the following:

''§ 118. Quadrennial defense review

''(a) REVIEW REQUIRED.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall conduct in each year in which a President is inaugurated a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies with a view toward determining and expressing the defense strategy of the United States and establishing a revised defense plan for the ensuing 10 years and a revised defense plan for the ensuing 20 years.

''(b) CONSIDERATION OF REPORTS OF NATIONAL DEFENSE PANEL.—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 larger than the force structure discussed under paragraph (1), together with the benefits and risks associated with the larger force structure.

''(3) The size, characteristics, and organization of an alternative force structure that is suited for implementing the strategy but is significantly smaller than the force structure discussed under paragraph (1), together with the benefits and risks associated with the smaller force structure.

''(4) The threats examined for purposes of the review and the scenarios 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 preparations for and participation in peace operations and military operations other than war.

''(7) The effect on the force structure of the utilization by the armed forces of technologies anticipated to be available for the ensuing 10 years and technologies anticipated to be available for the ensuing 20 years, including precision guided munitions, stealth, night vision, digitization, and communications, and the changes in organization, doctrine, and operational concepts that would result from the utilization of such technologies.

''(8) The manpower and sustainment policies required under the defense strategy to support engagement in conflicts lasting more than 120 days.

''(9) The anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge those roles and missions.

''(10) The appropriate ratio of combat forces to support forces (commonly referred to as the ''tooth-to-tail'' ratio) under the defense strategy, including, in particular, the appropriate number and size of headquarters units and Defense Agencies for that purpose.

''(11) The air-lift and sea-lift capabilities required to support the defense strategy.

''(12) The forward presence, pre-positioning, and other anticipatory deployments necessary under the defense strategy for conflict deterrence and adequate military response to anticipated conflicts.

''(13) The extent to which resources must be shifted among two or more theaters under the defense strategy in the event of conflict in 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, as follows:

''(A) Three members appointed by the Secretary of Defense.

''(B) Three members appointed by the Chairman of the Committee on Armed Services of the Senate, in consultation with the ranking member of the committee.

''(C) Three members appointed by the Chairman of the Committee on Armed Services of the House of Representatives, in consultation with the ranking member of the committee.

''(2) The 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 meet the 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; and

''(F) identify the issues that the Panel recommends for assessment during the next quadrennial review to be conducted under section 118 of this title.

''(2) The matters to be assessed under paragraph (1)(A) are the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies established since the previous quadrennial defense review under section 118 of this title.

''(3) The Panel shall conduct the assessments under paragraph (1) with a view toward recommending—

''(A) the most critical changes that should be made to the defense strategy of the United States for the ensuing 10 years and the most critical changes that should be made to the defense strategy of the United States for the ensuing 20 years; and

''(B) any changes considered appropriate by the Panel regarding the major weapon systems programmed for the force, including any alternatives to those weapon systems.

''(d) REPORT.—(1) The Panel, in the year that it is conducting an assessment under subsection (c), shall submit to the Secretary of Defense and to the Committees on Armed Services of the Senate and the House of Representatives two reports on the 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 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 equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5 for each day (including travel time) during which the member is engaged in the performance of the duties of the Panel.

''(2) The members of the Panel shall be allowed travel expenses, including per diem 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 payable for level V of the Executive Schedule under section 5316 of such title.

''(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 shall ensure that sufficient personnel are detailed to the Panel to enable the Panel to carry out its duties effectively.

''(5) To the maximum extent practicable, the members and employees of the Panel shall 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 the cost of commercial transportation is less expensive.

''(g) ADMINISTRATIVE PROVISIONS.—(1) The Panel may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

''(2) The Secretary shall furnish the Panel any administrative and support services requested by the Panel.

''(3) The Panel may accept, use, and dispose of gifts or donations of services or property.

''(h) PAYMENT OF PANEL EXPENSES.—The compensation, travel expenses, and per diem allowances of members and employees of the Panel shall be paid out of funds available to the Department of Defense for the payment of compensation, travel allowances, and per diem allowances, respectively, of civilian employees of the Department. The other expenses of the Panel shall be paid out of funds available to the Department for the payment of similar expenses incurred by the Department.

''(i) TERMINATION.—The Panel shall terminate at the end of the year following the year in which the Panel submits its final report under subsection (d)(1)(B). For the period that begins 90 days after the date of submittal of the report, the activities and staff of the panel shall be reduced to a level that the Secretary of Defense considers sufficient to continue the availability of the panel for consultation with the Secretary of Defense and with the Committees on Armed Services of the Senate and the House of Representatives.''.

(c) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 2 of title 10, United States Code, is amended by inserting after the item relating to section 117 the following:

''118. Quadrennial defense review.''.

(2) The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following:

''184. National Defense Panel.''.

Subtitle B—Commission To Assess United States National Security Space Management and Organization

SEC. 911. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a commission known as the ''Commission To Assess United States National Security Space Management and Organization'' (hereafter in this subtitle referred to as the ''Commission'').

(b) COMPOSITION.—The Commission shall be composed of nine members appointed by the Secretary of Defense. In selecting individuals for appointment to the Commission, the Secretary should consult with—

(1) the Speaker of the House of Representatives concerning the appointment of three of the members of the Commission;

(2) the majority leader of the Senate concerning the appointment of three of the members of the Commission; and

(3) the minority leader of the House of Representatives and the minority leader of the Senate concerning the appointment of three of the members of the Commission.

(c) QUALIFICATIONS.—Members of the Commission shall be appointed from among private citizens of the United States who have knowledge and expertise in the areas of national security space policy, programs, organizations, and future national security concepts.

(d) CHAIRMAN.—The Speaker of the House of Representatives, after consultation with the majority leader of the Senate and the minority leaders of the House of Representatives and the Senate, shall designate one of the members of the Commission to serve as chairman of the Commission.

(e) 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) INITIAL ORGANIZATION REQUIREMENTS.—(1) All appointments to the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting not later than 60 days after the date as of which all members of the Commission have been appointed, but not earlier than October 15, 1999.

SEC. 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 the two aspects.

(2) The benefits of establishing any of the following:

(A) An independent military department and service dedicated to the national security space mission.

(B) A corps within the Air Force dedicated to the national security space mission.

(C) A position of Assistant Secretary of Defense for Space within the Office of the Secretary of Defense.

(D) Any other change to the existing organizational structure of the Department of Defense for national security space management and organization.

(3) The benefits of establishing a new major force program, or other budget mechanism, for managing national security space funding within the Department of Defense.

(b) COOPERATION FROM GOVERNMENT OFFICIALS.—In carrying out its duties, the Commission should receive the full and timely cooperation of the Secretary of Defense, 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. POWERS.

(a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this subtitle, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense, the other departments and agencies of the intelligence community, and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this subtitle.

SEC. 915. COMMISSION PROCEDURES.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(c) COMMISSION.—The Commission may establish panels composed of less than full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this subtitle.

SEC. 916. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The appointment of a staff director shall be subject to the approval of the Commission.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS–15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 917. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 918. FUNDING.

Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2000. Upon receipt of a written certification from the Chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

SEC. 919. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 913.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1) Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2000 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $2,000,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. SECOND BIENNIAL FINANCIAL MANAGEMENT IMPROVEMENT PLAN.

The second biennial financial management improvement plan submitted to Congress under section 2222 of title 10, United States Code, shall include the following matters:

(1) An inventory of the finance and accounting systems and data feeder systems of the Department of Defense and, for each such system—

(A) a statement regarding whether the system complies with the requirements applicable to the system under sections 3512, 3515, and 3521 of title 31, United States Code;

(B) a statement regarding whether the system is to be retained, consolidated, or eliminated;

(C) a detailed plan of the actions that are being taken or are to be taken within the Department of Defense (including provisions for schedule, performance objectives, interim milestones, and necessary resources)—

(i) to ensure easy and reliable interfacing of the system (or a consolidated or successor system) with the department's core finance and accounting systems and with other data feeder systems; and

(ii) to institute appropriate internal controls that, among other benefits, ensure the integrity of the data in the system (or a consolidated or successor system);

(D) for each system that is to be consolidated or eliminated, a detailed plan of the actions that are being taken or are to be taken (including provisions for schedule and interim milestones) in carrying out the consolidation or elimination, including a discussion of both the interim or migratory systems and any further consolidation that may be involved; and

(E) a list of the officials in the Department of Defense who are responsible for ensuring that actions referred to in subparagraphs (C) and (D) are taken in a timely manner.

(2) A description of each major procurement action that is being taken within the Department of Defense to replace or improve a finance and accounting system or a data feeder system listed in the inventory under paragraph (1) and, for each such procurement action, the measures that are being taken or are to be taken to ensure that the new or enhanced system—

(A) provides easy and reliable interfacing of the system with the core finance and accounting systems of the department and with other data feeder systems; and

(B) includes appropriate internal controls that, among other benefits, ensure the integrity of the data in the system.

(3) A financial management competency plan that includes performance objectives, milestones (including interim objectives), responsible officials, and the necessary resources to accomplish the performance objectives, together with the following:

(A) A description of the actions necessary to ensure that the person in each comptroller position (or comparable position) in the Department of Defense, whether a member of the Armed Forces or a civilian employee, has the education, technical competence, and experience to perform in accordance with the core competencies necessary for financial management.

(B) A description of the education that is necessary for a financial manager in a senior grade to be knowledgeable in—

(i) applicable laws and administrative and regulatory requirements, including the requirements and procedures relating to Government performance and results under sections 1105(a)(28), 1115, 1116, 1117, 1118, and 1119 of title 31, United States Code;

(ii) the strategic planning process and how the process relates to resource management;

(iii) budget operations and analysis systems;

(iv) management analysis functions and evaluation; and

(v) the principles, methods, techniques, and systems of financial management.

(C) The advantages and disadvantages of establishing and operating a consolidated Department of Defense school that instructs in the principles referred to in subparagraph (B)(v).

(D) The applicable requirements for formal civilian education.

(4) A detailed plan (including performance objectives and milestones and standards for measuring progress toward attainment of the objectives) for—

(A) improving the internal controls and internal review processes of the Defense Finance and Accounting Service to provide reasonable assurances that—

(i) obligations and costs are in compliance with the applicable laws;

(ii) funds, property, and other assets are safeguarded against waste, loss, unauthorized use, and misappropriation;

(iii) revenues and expenditures applicable to agency operations are properly recorded and accounted for so as to permit the preparation of accounts and reliable financial and statistical reports and to maintain accountability over assets;

(iv) obligations and expenditures are recorded contemporaneously with each transaction;

(v) organizational and functional duties are performed separately at each step in the cycles of transactions (including, in the case of a contract, the specification of requirements, the formation of the contract, the certification of contract performance, receiving and warehousing, accounting, and disbursing); and

(vi) use of progress payment allocation systems results in posting of payments to appropriation accounts consistent with section 1301 of title 31, United States Code.

(B) ensuring that the Defense Finance and Accounting Service has—

(i) a single standard transaction general ledger that, at a minimum, uses double-entry bookkeeping and complies with the United States Government Standard General Ledger at the transaction level as required under section 803(a) of the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note);

(ii) an integrated data base for finance and accounting functions; and

(iii) automated cost, performance, and other output measures;

(C) providing a single, consistent set of policies and procedures for financial transactions throughout the Department of Defense;

(D) ensuring compliance with applicable policies and procedures for financial transactions throughout the Department of Defense; and

(E) reviewing safeguards for preservation of assets and verifying the existence of assets.

(5) An internal controls checklist which, consistent with the authority in sections 3511 and 3512 of title 31, United States Code, the Comptroller General shall prescribe as the standards for use throughout the Department of Defense, together with a statement of the Department of Defense policy on use of the checklist throughout the department.

SEC. 1003. SINGLE PAYMENT DATE FOR INVOICE FOR VARIOUS SUBSISTENCE ITEMS.

Section 3903 of title 31, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) A contract for the procurement of subsistence items that is entered into under the prime vendor program of the Defense Logistics Agency may specify for the purposes of section 3902 of this title a single required payment date that is to be applicable to an invoice for subsistence items furnished under the contract when more than one payment due date would otherwise be applicable to the invoice under the regulations prescribed under paragraphs (2), (3), and (4) of subsection (a) or under any other provisions of law. The required payment date specified in the contract shall be consistent with prevailing industry practices for the subsistence items, but may not be more than 10 days after the date of receipt of the invoice or the certified date of receipt of the items. The Director of the Office of Management and Budget shall provide in the regulations under subsection (a) that when a required payment date is so specified for an invoice, no other payment due date applies to the invoice.''.

SEC. 1004. AUTHORITY TO REQUIRE USE OF ELECTRONIC TRANSFER OF FUNDS FOR DEPARTMENT OF DEFENSE PERSONNEL PAYMENTS.

(a) AUTHORITY.—Chapter 165 of title 10, United States Code, is amended by adding at the end the following:

''§ 2784. Payments to personnel: electronic transfers of funds

''(a) AUTHORITY.—The Secretary of Defense may require that pay, allowances, retired or retainer pay, and any other payments out of funds available to the Department of Defense to or for members of the armed forces, former members of the armed forces, employees or former employees of the Department of Defense, or dependents of such personnel be made by electronic transfer of funds. For any such requirement, the Secretary of Defense may prescribe in regulations any exceptions that the Secretary considers appropriate.

''(b) RELATIONSHIP TO OTHER LAW.—The authority under subsection (a) is independent of the authority provided under section 3332 of title 31 and may be exercised without regard to any exception provided under that section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

''2784. Payments to personnel: electronic transfers of funds.''.

(c) STUDY AND REPORT ON DEPARTMENT OF DEFENSE ELECTRONIC FUND TRANSFERS.—(1) Subject to paragraph (3), the Secretary of Defense shall conduct a feasibility study to determine—

(A) whether all electronic payments issued by the Department of Defense should be routed through the Regional Finance Centers of the Department of the Treasury for verification and reconciliation;

(B) whether all electronic payments made by the Department of Defense should be subjected to the same level of reconciliation as United States Treasury checks, including matching each payment issued with each corresponding deposit at financial institutions;

(C) whether the appropriate computer security controls are in place in order to ensure the integrity of electronic payments;

(D) the estimated costs of implementing the processes and controls described in subparagraphs (A), (B), (C); and

(E) the period that would be required to implement the processes and controls.

(2) Not later than March 1, 2000, the Secretary of Defense shall submit a report to Congress containing the results of the study required by paragraph (1).

(3) In this subsection, the term ''electronic payment'' means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, or computer or magnetic tape so as to order, instruct, or authorize a debit or credit to a financial account.

SEC. 1005. PAYMENT OF FOREIGN LICENSING FEES OUT OF PROCEEDS OF SALES OF MAPS, CHARTS, AND NAVIGATIONAL BOOKS.

(a) IN GENERAL.—Subchapter II of chapter 22 of title 10, United States Code, is amended—

(1) by redesignating section 456 as section 457; and

(2) by inserting after section 455 the following new section 456:

''§ 456. 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 hereby made available for the purpose), any licensing or other fees imposed by foreign countries or international organizations for the acquisition or use of data or products by the Agency.

''(b) DISPOSITION OF OTHER PROCEEDS.—Any proceeds of sales not paid under the authority in subsection (a) shall be deposited by the Secretary of Defense in the Treasury as miscellaneous receipts.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of that subchapter is amended by striking the item relating to section 456 and inserting the following new items:

''456. Maps, charts, and navigational publications: use of proceeds of sale for foreign licensing and other fees.

''457. Civil actions barred.''.

SEC. 1006. AUTHORITY FOR DISBURSING OFFICERS TO SUPPORT USE OF AUTOMATED TELLER MACHINES ON NAVAL VESSELS FOR FINANCIAL TRANSACTIONS.

Section 3342(a) of title 31, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3)(B) and inserting ''; and''; and

(3) by adding at the end the following new paragraph (4):

''(4) with respect to automated teller machines on naval vessels—

''(A) provide operating funds to the automated teller machines; and

''(B) accept, for safekeeping, deposits and transfers of funds made through the automated teller machines.''.

SEC. 1007. CENTRAL TRANSFER ACCOUNT FOR COMBATING TERRORISM.

(a) AMOUNT FOR FISCAL YEAR 2000.—(1) Of the amounts authorized to be appropriated under this Act for the Department of Defense for fiscal year 2000, $1,954,430,000 shall be available from the sources and in the amounts specified in paragraph (2) for the missions of the Department of Defense related to combating terrorism inside and outside the United States.

(2) The amounts and sources referred to in paragraph (1) are as follows:

(A) $229,820,000 of the total amount authorized to be appropriated pursuant to title I for fiscal year 2000.

(B) $212,510,000 of the total amount authorized to be appropriated pursuant to title II for fiscal year 2000.

(C) $1,512,100,000 of the total amount authorized to be appropriated pursuant to title III for fiscal year 2000 (except for the amount authorized to be appropriated under section 301(a)(25)).

(b) TRANSFER.—(1) The amounts made available under subsection (a) from the authorizations of appropriations referred to in that subsection shall be transferred to the amount authorized to be appropriated under section 301(a)(25).

(2) The transfer authority provided in this section is in addition to the transfer authority provided in section 1001.

(c) BUDGET PROPOSALS FOR FISCAL YEARS AFTER FISCAL YEAR 2000.—The budget of the United States Government submitted to Congress under section 1105 of title 31, United States Code, for each fiscal year after fiscal year 2000 shall set forth separately for a single account the amount requested for the missions of the Department of Defense related to combating terrorism inside and outside the United States.

SEC. 1008. UNITED STATES CONTRIBUTION TO NATO COMMON-FUNDED BUDGETS IN FISCAL YEAR 2000.

(a) FISCAL YEAR 2000 LIMITATION.—The total amount contributed by the Secretary of Defense in fiscal year 2000 for the common-funded budgets of NATO may be any amount up to, but not in excess of, the amount specified in subsection (b) (rather than the maximum amount that would otherwise be applicable to those contributions under the fiscal year 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 for contributions 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.

(4) The total amount of the contributions authorized to be made under section 2501.

(c) DEFINITIONS.—For purposes of this section:

(1) COMMON-FUNDED BUDGETS OF NATO.—The term ''common-funded budgets of NATO'' means the Military Budget, the Security Investment Program, and the Civil Budget of the North Atlantic Treaty Organization (and any successor or additional account or program of NATO).

(2) FISCAL YEAR 1998 BASELINE LIMITATION.—The term ''fiscal year 1998 baseline limitation'' means the maximum annual amount of Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(2)(C)(ii) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.

SEC. 1009. RESPONSIBILITIES AND ACCOUNTABILITY FOR FINANCIAL MANAGEMENT.

(a) UNDER SECRETARY OF DEFENSE (COMPTROLLER).—(1) Section 135 of title 10, United States Code, is amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (c) the following:

''(d)(1) The Under Secretary is responsible for ensuring that the financial statements of the Department of Defense are in a condition to receive an unqualified audit opinion and that such an opinion is obtained for the statements.

''(2) If the Under Secretary delegates the authority to perform a duty, including any duty relating to disbursement or accounting, to another officer, employee, or entity of the United States, the Under Secretary continues after the delegation to be responsible and accountable for the activity, operation, or performance of a system covered by the delegated authority.''.

(2) Subsection (c)(1) of such section is amended by inserting ''and to ensure accountability to the citizens of the United States, Congress, the President, and managers within the Department of Defense'' before the semicolon at the end.

(b) MANAGEMENT OF CREDIT CARDS.—(1) The Under Secretary of Defense (Comptroller) shall prescribe regulations governing the use and control of all credit cards and convenience checks that are issued to Department of Defense personnel for official use. The regulations shall be consistent with regulations that apply government-wide regarding use of credit cards by Federal Government personnel for official purposes.

(2) The regulations shall include safeguards and internal controls to ensure the following:

(A) There is a record of all credited card holders that is annotated with the limitations on amounts that are applicable to the use of each card by each credit card holder.

(B) The credit card holders and authorizing officials are responsible for reconciling the charges appearing on each statement of account with receipts and other supporting documentation and for forwarding reconciled statements to the designated disbursing office in a timely manner.

(C) Disputes and discrepancies are resolved in the manner prescribed in the applicable Governmentwide credit card contracts entered into by the Administrator of General Services.

(D) Credit card payments are made promptly within prescribed deadlines to avoid interest penalties.

(E) Rebates and refunds based on prompt payment on credit card accounts are properly recorded in the books of account.

(F) Records of a credit card transaction (including records on associated contracts, reports, accounts, and invoices) are retained in accordance with standard Federal Government policies on the disposition of records.

(c) REMITTANCE ADDRESSES.—The Under Secretary of Defense (Comptroller) shall prescribe regulations setting forth controls on alteration of remittance addresses. The regulations shall ensure that—

(1) a remittance address for a disbursement that is provided by an officer or employee of the Department of Defense authorizing or requesting the disbursement is not altered by any officer or employee of the department authorized to prepare the disbursement; and

(2) a remittance address for a disbursement is altered only if the alteration is—

(A) requested by the person to whom the disbursement is authorized to be remitted; and

(B) made by an officer or employee authorized to do so who is not an officer or employee referred to in paragraph (1).

SEC. 1010. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999.

Amounts authorized to be appropriated to the Department of Defense for fiscal year 1999 in the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization were increased (by a supplemental appropriation) or decreased (by a rescission), or both, in the 1999 Emergency Supplemental Appropriations Act.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. SALES OF NAVAL SHIPYARD ARTICLES AND SERVICES TO NUCLEAR SHIP CONTRACTORS.

(a) WAIVER OF REQUIRED CONDITIONS.—Chapter 633 of title 10, United States Code, is amended by inserting after section 7299a the following:

''§ 7300. Contracts for nuclear ships: sales of naval shipyard articles and services to contractors

''The conditions set forth in section 2208(j)(2) of this title and subsections (a)(1) and (c)(1) of section 2553 of this title shall not apply to a sale of articles or services of a naval shipyard that is made to a contractor under a Department of Defense contract for a nuclear ship in order to facilitate the contractor's fulfillment of that contract.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7299a the following:

''7300. Contracts for nuclear ships: sales of naval shipyard articles and services to contractors.''.

SEC. 1012. PERIOD OF DELAY AFTER NOTICE OF PROPOSED TRANSFER OF VESSEL STRICKEN FROM NAVAL VESSEL REGISTER.

Section 7306(d) of title 10, United States Code, is amended—

(1) by striking ''(1)'';

(2) by striking ''(A)'' and inserting ''(1)''; and

(3) by striking ''(B)'' and all that follows and inserting the following:

''(2) following the date on which such notice is sent to Congress, there has elapsed 60 days on which at least one of the Houses of Congress has been in session.''.

SEC. 1013. TRANSFER OF NAVAL VESSEL TO FOREIGN COUNTRY.

(a) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the CYCLONE class coastal patrol craft CYCLONE (PC1) or a craft with a similar hull. The transfer shall be made on a sale, lease, lease/buy, or grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) COSTS.—Any expense incurred by the United States in connection with the transfer authorized under subsection (a) shall be charged to the Government of Thailand.

(c) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the Secretary of the Navy shall require, as a condition of the transfer of the vessel to the Government of Thailand under this section, that the Government of Thailand have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a United States Naval shipyard or other shipyard located in the United States.

(d) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under subsection

(a) shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

Subtitle C—Miscellaneous Report Requirements and Repeals

SEC. 1021. PRESERVATION OF CERTAIN DEFENSE REPORTING REQUIREMENTS.

(a) PRESERVATION.—Any provision of law specified in subsections (b) through (i) that requires the submittal to Congress (or any committee of the Congress) of any annual, semiannual, or other regular periodic report shall remain in effect with respect to that requirement (notwithstanding any other provision of law) in accordance with the terms of the specified provision of law.

(b) TITLE 10.—Subsection (a) applies with respect to the following provisions of title 10, United States Code, listed in the Clerk's Report (defined in subsection (j)):

(1) Sections 113(c) and 113(j), listed on page 57 of the Clerk's Report.

(2) Section 115a(a), listed on page 57 of the Clerk's Report as 10 U.S.C. 115(b)(3)(A).

(3) Section 139(f), listed on page 62 of the Clerk's Report as 10 U.S.C. 138(g)(1).

(4) Section 221, listed on page 64 of the Clerk's Report as 10 U.S.C. 114.

(5) Section 226, specified on page 149 of the Clerk's Report as section 1002 of Public Law 102–190.

(6) Section 662(b), listed on page 58 of the Clerk's Report.

(7) Section 1464(c), listed on page 60 of the Clerk's Report.

(8) Section 2006(e)(3), listed on page 76 of the Clerk's Report.

(9) Section 2010, listed on page 57 of the Clerk's Report.

(10) Section 2011(e), listed on page 56 of the Clerk's Report as Pub. L. 102–190, Sec. 1052(a).

(11) Section 2208(q), listed on page 64 of the Clerk's Report as 10 U.S.C. 2208(i).

(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. 2304 note.

(17) Section 2662(b), listed on pages 69, 74, and 76 of the Clerk's Report.

(18) Section 2687(b), listed on page 62 of the Clerk's Report.

(19) Section 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 12302(d), listed on page 14 of the Clerk's Report as 10 U.S.C. 673(d).

(24) Section 16137, listed on page 59 of the Clerk's Report as 10 U.S.C. 2137.

(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)).

(d) NATIONAL DEFENSE AND MILITARY CONSTRUCTION AUTHORIZATION ACTS.—Subsection (a) applies with respect to provisions of law listed in the Clerk's Report (defined in subsection (j)), as follows:

(1) FISCAL YEAR 1982.—The following provisions of the Military Construction Authorization Act, 1982 (Public Law 97–99):

(A) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk's Report.

(B) Section 704 (95 Stat. 1377), listed on pages 68, 73, and 75 of the Clerk's Report.

(2) FISCAL YEARS 1988 AND 1989.—Section 1121(f) of the National Defense Authorization Act for Fiscal Year 1988 and 1989 (Public Law 100–180; 101 Stat. 1148; 10 U.S.C. 113 note) (listed on page 61 of the Clerk's Report).

(3) FISCAL YEARS 1990 AND 1991.—Section 113(b) of the National Defense Authorization Act for Fiscal Year 1990 and 1991 (Public Law 101–189; 103 Stat. 1373) (listed on page 2 of the Clerk's Report).

(4) FISCAL YEARS 1992 AND 1993.—The following provisions of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190):

(A) Section 822(b) (42 U.S.C. 6687(b)), listed on page 36 of the Clerk's Report.

(B) Section 1097 (22 U.S.C. 2751 note), listed on page 15 of the Clerk's Report.

(e) OTHER NATIONAL SECURITY LAWS.—Subsection (a) applies with respect to provisions of law listed in the Clerk's Report (defined in subsection (j)), as follows:

(1) STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.—Any provision of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.), referred to on page 169 of the Clerk's Report.

(2) NATIONAL SECURITY ACT OF 1947.—Section 108 of the National Security Act of 1947 (50 U.S.C. 404a), listed on page 33 of the Clerk's Report as Pub. L. 99–433, Sec. 603(a)).

(3) IRAQ RESOLUTION.—Section 3 of the Authorization for Use of Military Force Against Iraq Resolution (50 U.S.C. 1541 note), listed on page 14 of the Clerk's Report as Pub. L. 102–1, Sec. 3).

(4) MILITARY SELECTIVE SERVICE ACT.—Section 10(g) of the Military Selective Service Act (50 U.S.C. App. 460(g)) (listed on page 191 of the Clerk's Report).

(5) NATIONAL EMERGENCIES ACT.—The following provisions of the National Emergencies Act:

(A) Section 202(d) (50 U.S.C. 1622(d)), listed on page 33 of the Clerk's Report.

(B) Section 401(c) (50 U.S.C. 1641(c)), listed on page 33 of the Clerk's Report.

(6) FOOD AND FORAGE ACT.—Section 3732 of the Revised Statutes, popularly known as the ''Food and Forage Act'' (listed on page 64 of the Clerk's Report as 41 U.S.C. 11).

(7) SPECIAL NATIONAL DEFENSE CONTRACTING AUTHORITY.—Section 4 of the Act entitled ''An Act to authorize the making, amending, and modification of contracts to facilitate the national defense'', approved August 28, 1958 (listed on several pages of the Clerk's Report, including pages 9, 48, 51, 64, 69, 74, 76, 134, 142, 174, 179, and 186, as 50 U.S.C. 1434).

(f) OTHER LAWS ADMINISTERED BY THE DEPARTMENT OF DEFENSE.—Subsection (a) applies with respect to the following provisions of law listed in the Clerk's Report (defined in subsection (j)):

(1) DEFENSE DEPENDENTS' EDUCATION ACT OF 1978.—Section 1405 of the Defense Dependents' Education Act of 1978 (title XIV of Public Law 95–561; 20 U.S.C. 924) (listed on page 77 of the Clerk's Report).

(2) ARMED FORCES RETIREMENT HOME ACT OF 1991.—Section 1516(f) of the Armed Forces Retirement Home Act of 1991 (title XV of Public Law 101–510; 104 Stat. 1728; 24 U.S.C. 416) (listed on page 56 of the Clerk's Report).

(g) PROVISIONS OF LAW REQUIRING DEPARTMENT OF ENERGY REPORTS.—Subsection (a) applies with respect to provisions of law listed in part IV–A–5 of the Clerk's Report (defined in subsection (j)), relating to reports to be submitted by the Secretary of Energy (or any other official of the Department of Energy), as follows:

(1) NATIONAL DEFENSE AUTHORIZATION ACTS.—The following provisions of provisions law:

(A) Section 1436(e) of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 42 U.S.C. 2121 note) (listed on page 83 of the Clerk's Report).

(B) Section 3141(c) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 42 U.S.C. 7274a(c)) (listed on page 87 of the Clerk's Report).

(C) Section 3134 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 42 U.S.C. 7274c) (listed on page 87 of the Clerk's Report).

(2) TITLE 10, UNITED STATES CODE.—Sections 7424(b), 7425(b), and 7431(c) of title 10, United States Code (listed on page 89 of the Clerk's Report).

(3) ENERGY POLICY AND CONSERVATION ACT.—Section 165(b) of the Energy Policy and Conservation Act (Public Law 94–163; 42 U.S.C. 6245(b)) (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 3554(e)(2) of title 31, United States Code (listed on page 8 of the Clerk's Report as 31 U.S.C. 3554(e)(2)).

(B) Section 9503(a) (listed on page 151 of the Clerk's Report as 31 U.S.C. 9503(a)(1)(B)).

(2) TITLE 36.—Section 300110(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 provisions of law listed in the Clerk's Report (defined in subsection (j)):

(1) SUPPLEMENTAL APPROPRIATIONS ACT, 1982.—Section 503(f) of the Supplemental Appropriations Act, 1987 (Public Law 100–71; 101 Stat. 471; 5 U.S.C. 7301 note) (listed on page 151 of the Clerk's Report), insofar as the report under that section relates to activities of the Department of Defense.

(2) BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION ACT.—Section 1411(b) of the Barry Goldwater Scholarship and Excellence in Education Act (title XIV of Public Law 99–661 (20 U.S.C. 4710(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 42 U.S.C. 1973ff(b)(6)).

(5) NATIONAL SCIENCE AND TECHNOLOGY POLICY, ORGANIZATION, AND PRIORITIES ACT OF 1976.—Section 603(e) of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6683(e)) (specified on page 36 of the Clerk's Report as section 841(a) of Public Law 101–189).

(6) LAWS REQUIRING MARITIME ADMINISTRATION REPORTS.—Provisions of law listed under the heading ''Maritime Administration'' in Part IV–A–12 in 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 139.

(j) CLERK'S REPORT DEFINED.—For the purposes of this section, the term ''Clerk's Report'' means the document submitted by the Clerk of 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:

''(c) ANNUAL REPORT ON COMBATANT COMMAND REQUIREMENTS.—(1) Not later than August 15 of each year, the Chairman shall submit to the committees of Congress named in paragraph (2) a report on the requirements of the combatant commands established under section 161 of this title. The report shall contain the following:

''(A) A consolidation of the integrated priority lists of requirements of the combatant commands.

''(B) The Chairman's views on the consolidated lists.

''(2) The committees of Congress referred to in paragraph (1) are the Committees on Armed Services and on Appropriations of the Senate and House of Representatives.''.

SEC. 1023. REPORT ON ASSESSMENTS OF READINESS TO EXECUTE THE NATIONAL MILITARY STRATEGY.

(a) REQUIREMENT FOR REPORT.—(1) The Secretary of Defense shall submit to the Committees 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-moderate risk to moderate-high risk.

(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.

(2) 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 operations 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) LIMITATION ON USE OF FUNDS PENDING SUBMITTAL OF REPORT.—Of the funds authorized to be appropriated under section 301(a)(5) for the Office of the Secretary of Defense and the Joint Chiefs of Staff, not more than 75 percent of such funds may be expended until the report required in subsection (a) is submitted.

SEC. 1024. REPORT ON INVENTORY AND CONTROL OF MILITARY EQUIPMENT.

(a) REPORT REQUIRED.—Not later than August 31, 2000, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the inventory and control of the military equipment of the Department of Defense as of the end of fiscal year 1999. The report shall address the inventories of each of the Army, Navy, Air Force, and Marine Corps separately.

(b) CONTENT.—The report shall include the following:

(1) For each item of military equipment in the inventory, stated by item nomenclature—

(A) the quantity of the item in the inventory as of the beginning of the fiscal year;

(B) the quantity of acquisitions of the item during the fiscal year;

(C) the quantity of disposals of the item during the fiscal year;

(D) the quantity of losses of the item during the performance of military missions during the fiscal year; and

(E) the quantity of the item in the inventory as of the end of the fiscal year.

(2) A reconciliation of the quantity of each item in the inventory as of the beginning of the fiscal year with the quantity of the item in the inventory as of the end of fiscal year.

(3) For each item of military equipment that cannot be reconciled—

(A) an explanation of why the quantities cannot be reconciled; and

(B) a discussion of the remedial actions planned to be taken, including target dates for accomplishing the remedial actions.

(4) Supporting schedules identifying the location of each item that are available to Congress or auditors of the Comptroller General upon request.

(c) MILITARY EQUIPMENT DEFINED.—For the purposes of this section, the term ''military equipment'' means all equipment that is used in support of military missions and is maintained on the visibility systems of the Army, Navy, Air Force, or Marine Corps.

(d) INSPECTOR GENERAL REVIEW.—Not later than November 30, 2000, the Inspector General of the Department of Defense shall review the report submitted to the committees under subsection (a) and shall submit to the committees any comments that the Inspector General considers appropriate.

SEC. 1025. SPACE TECHNOLOGY GUIDE.

(a) REQUIREMENT.—The Secretary of Defense shall develop a detailed guide for investment in space science and technology, demonstrations of space technology, and planning and development for space technology systems. In the development of the guide, the goal shall be to identify the technologies and technology demonstrations needed for the United States to take full advantage of use of space for national security purposes.

(b) RELATIONSHIP TO FUTURE-YEARS DEFENSE PROGRAM.—The space technology guide shall include two alternative technology paths. One shall be consistent with the applicable funding limitations associated with the future-years defense program. The other shall reflect the assumption that it is not constrained by funding limitations.

(c) RELATIONSHIP TO ACTIVITIES OUTSIDE THE DEPARTMENT OF DEFENSE.—The Secretary shall include in the guide a discussion of the potential for cooperative investment and technology development with other departments and agencies of the United States and with private sector entities.

(d) UTILIZATION OF PREVIOUS STUDIES AND REPORTS.—The Secretary shall take into consideration previously completed studies and reports that may be relevant to the development of the guide, including the United States Space Command's Long Range Plan of 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 REGARDING SEXUAL OR DOMESTIC ABUSE.

(a) STUDY AND REPORT.—(1) The Comptroller General shall study the policies, procedures, and practices of the military departments for protecting the confidentiality of communications between—

(A) a dependent of a member of the Armed Forces who—

(i) is a victim of sexual harassment, sexual assault, or intrafamily abuse; or

(ii) has engaged in such misconduct; and

(B) a therapist, counselor, advocate, or other professional from whom the dependent seeks professional services in connection with effects of such misconduct.

(2) Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall conclude the study and submit a report on the results of the study to Congress 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;

(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 21, 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 proposal in the

latest quadrennial defense review to reduce the Federal civilian workforce involved in the operation of the eight storage sites for lethal chemical agents and munitions in the continental United States and to convert to contractor operation of the storage sites. The workforce reductions addressed in the report shall include those that are to be effectuated by 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 sites and the workforce operating the storage sites have—

(A) the capabilities necessary to respond effectively to emergencies involving chemical accidents; and

(B) the industrial capabilities necessary to meet replenishment and surge requirements.

(3) The risks associated with the proposed workforce reductions and contractor performance, particularly regarding chemical accidents, incident response capabilities, community-wide emergency preparedness programs, and current or planned chemical demilitarization programs.

(4) The effects of the proposed workforce reductions and contractor performance on the capability to satisfy permit requirements regarding environmental protection that are applicable to the performance of current and future chemical demilitarization and industrial missions.

(5) The effects of the proposed workforce reductions and contractor performance on the capability to perform assigned industrial missions, particularly the materiel replenishment missions for chemical or biological defense or for chemical munitions.

(6) 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 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 specific 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 OFFICE 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.

(b) DECONTAMINATION READINESS PLAN.—The Secretary of Defense shall prepare a decontamination readiness plan for the Consequence Management Program Integration Office. The plan shall include the following:

(1) The actions necessary to ensure that the units designated to carry out decontamination missions under the program are at the highest level of readiness for carrying out the missions.

(2) The funding necessary for attaining and maintaining that level of readiness.

(3) Procedures for ensuring that each decontamination unit is available to respond to an incident in the United States that involves a weapon of mass destruction within 12 hours after being notified of the incident by a Rapid Assessment and Initial Detection Team.

SEC. 1030. ANALYSIS OF RELATIONSHIP BETWEEN THREATS AND BUDGET SUBMISSION FOR FISCAL YEAR 2001.

(a) REQUIREMENT FOR REPORT.—The Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Director of Central Intelligence, shall submit to the congressional defense committees, on the date that the President submits the budget for fiscal year 2001 to Congress under section 1105(a) of title 31, United States Code, a report on the relationship between the budget proposed for budget function 050 (National Defense) for that fiscal year and the then-current and emerging threats to the national security interests of the United States identified in the annual national security strategy report required under section 108 of the National Security Act of 1947 (50 U.S.C. 404a).

(b) CONTENT.—The report shall contain the following:

(1) A detailed description of the threats referred to in subsection (a);

(2) An analysis of such threats in terms of the probability that an attack or other threat event will actually occur, the military challenge posed by the threats, and the potential damage that the threats could have to the national security interests of the United States.

(3) An analysis of the allocation of funds in the fiscal year 2001 budget and the future-years defense program that addresses the threats in each category.

(4) A justification for each major defense acquisition program (as defined in section 2430 of title 10, United States Code) that is provided for in the budget in light of the description and analyses set forth in the report.

(c) FORM OF REPORT.—The report shall be submitted in unclassified form, but may also be submitted in classified form if necessary.

SEC. 1031. REPORT ON NATO'S DEFENSE CAPABILITIES INITIATIVE.

(a) FINDINGS.—Congress makes the following findings:

(1) At the Washington Summit meeting of the North Atlantic Council in April 1999, NATO Heads of State and Governments launched a Defense Capabilities Initiative.

(2) The Defense Capabilities Initiative is designed to improve the defense capabilities of the individual nations of the NATO Alliance to ensure the effectiveness of future operations across the full spectrum of Alliance missions in the present and foreseeable security environment.

(3) Under the Defense Capabilities Initiative, special focus will be given to improving interoperability among Alliance forces and to increasing defense capabilities through improvements in the deployability and mobility of Alliance forces, the sustainability and logistics of the forces, the survivability and effective engagement capability of the forces, and command and control and information systems.

(4) The successful implementation of the Defense Capabilities Initiative will serve to enable all NATO allies to make a more equitable contribution to the full spectrum of Alliance missions, thereby increasing burdensharing within the Alliance and enhancing the ability of European allies to undertake operations pursuant to the European Security and Defense Identity within the Alliance.

(b) ANNUAL REPORT.—(1) Not later than January 31 of each year, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and International Relations of the House of Representatives a report on implementation of the Defense Capabilities Initiative by the nations of the NATO Alliance. The report shall include the following:

(A) A discussion of the work of the temporary High-Level Steering Group, or any successor group, established to oversee the implementation of the Defense Capabilities Initiative and to meet the requirement of coordination and harmonization among relevant planning disciplines.

(B) A description of the actions taken, including implementation of the Multinational Logistics Center concept and development of the C3 system architecture, by the Alliance as a whole to further the Defense Capabilities Initiative.

(C) A description of the actions taken by each of our NATO allies to improve the capabilities of their forces in each of the following areas:

(i) Interoperability with other Alliance forces.

(ii) Deployability and mobility.

(iii) Sustainability and logistics.

(iv) Survivability and effective engagement capability.

(v) Command and control and information systems.

(4) The report shall be submitted in unclassified form, but may also be submitted in classified form if necessary.

SEC. 1032. REVIEW OF INCIDENCE OF STATE MOTOR VEHICLE VIOLATIONS BY ARMY PERSONNEL.

(a) REVIEW AND REPORT REQUIRED.—The Secretary of the Army shall review the incidence of violations of State and local motor vehicle laws applicable to the operation and parking of Army motor vehicles by Army personnel during fiscal year 1999, and, not later than March 31, 2000, submit a report on the results of the review to Congress.

(b) CONTENT OF REPORT.—The report under subsection (a) shall include the following:

(1) A quantitative description of the extent of the violations described in subsection (a).

(2) An estimate of the total amount of the fines that are associated with citations issued for the violations.

(3) Any recommendations that the Inspector General considers appropriate to curtail the incidence of the violations.

SEC. 1033. REPORT ON USE OF NATIONAL GUARD FACILITIES AND INFRASTRUCTURE FOR SUPPORT OF PROVISION OF VETERANS SERVICES.

(a) REPORT.—(1) The Chief of the National Guard Bureau shall, in consultation with the Secretary of Veterans Affairs, submit to the Secretary of Defense a report assessing the feasibility and desirability of using the facilities and electronic infrastructure of the National Guard for support of the provision

of services to veterans by the Secretary. The report shall include an assessment of any costs and benefits associated with the use of such facilities and infrastructure for such support.

(2) The Secretary of Defense shall transmit to Congress the report submitted under paragraph (1), together with any comments on the report that the Secretary considers appropriate.

(b) TRANSMITTAL DATE.—The report shall be transmitted under subsection (a)(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 (2), including the installations visited, the duration of the visits, and the activities conducted during the visits.

(3) The involvement, if any, of the general and flag officers referred to in paragraph (2) in the Tiananmen Square massacre of June 1989.

(4) A list of facilities in the People's Republic of China that United States military officers have visited as a result of any military-to-military contact program between the United States and the People's Republic of China since January 1, 1993.

(5) A list of facilities in the People's Republic of China that have been the subject of a requested visit by the Department of Defense which has been denied by People's Republic of China authorities.

(6) A list of facilities in the United States that have been the subject of a requested visit by the People's Liberation Army which has been denied by the United States.

(7) Any official documentation, such as memoranda for the record, after-action reports and final itineraries, and all receipts for expenses over $1,000, concerning military-to-military contacts or exchanges between the United States and the People's Republic of China in 1999.

(8) An assessment regarding whether or not any People's Republic of China military officials have been shown classified material as a result of military-to-military contacts or exchanges between the United States and the People's Republic of China.

(9) The report shall be submitted no later than March 31, 2000, and shall be unclassified but may contain a classified annex.

Subtitle D—Other Matters

SEC. 1041. LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.

(a) ONE-YEAR EXTENSION.—Subsection (g) of section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1948), as amended by section 1501 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2171), is further amended by striking ''and 1999'' and inserting ''through 2000''.

(b) MINIMUM LEVELS FOR CERTAIN SYSTEMS.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking ''71'' and inserting ''76''; and

(2) in paragraph (2), by striking ''18'' and inserting ''14''.

SEC. 1042. LIMITATION ON REDUCTION IN UNITED STATES STRATEGIC NUCLEAR FORCES.

(a) LIMITATION ON REDUCTION OF UNITED STATES STRATEGIC NUCLEAR FORCES.—None of the funds authorized to be appropriated by this or any other Act for fiscal year 2000 may be used to reduce the number of United States strategic nuclear forces below the maximum number of those forces, for each category of nuclear arms, permitted the United States under the START II Treaty unless the President submits to Congress a report containing an assessment indicating that such reductions would not impede the capability of the United States to respond 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 may be construed to authorize the retirement or dismantlement, or the preparation for retirement or dismantlement, of any strategic nuclear delivery system described in section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) below the level specified for the system in that section, as amended by section 1041.

(c) DEFINITIONS.—In this section:

(1) START II TREATY DEFINED.—The term ''START II Treaty'' means the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, and related protocols and memorandum of understanding, signed at Moscow on January 3, 1993.

(2) UNITED STATES STRATEGIC NUCLEAR FORCES.—The term ''United States strategic nuclear forces'' includes intercontinental ballistic missiles (ICBMs) and ICBM launchers, submarine-launched ballistic missiles (SLBMs) and SLBM launchers, heavy bombers, ICBM warheads, SLBM warheads, and heavy bomber nuclear armaments.

SEC. 1043. COUNTERPROLIFERATION PROGRAM REVIEW COMMITTEE.

(a) EXTENSION OF COMMITTEE.—Section 1605(f) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 22 U.S.C. 2751 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2004''.

(b) EXECUTIVE SECRETARY OF THE COMMITTEE.—Paragraph (5) of section 1605(a) of the National Defense Authorization Act for Fiscal Year 1994 (22 U.S.C. 2751 note) is amended to read as follows:

''(5) The Assistant Secretary of Defense for Strategy and Threat Reduction shall serve as executive secretary to the committee.''.

(c) EARLIER DEADLINE FOR ANNUAL REPORT ON COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.—Section 1503(a) of the National Defense Authorization Act for Fiscal Year 1995 (22 U.S.C. 2751 note) is amended by striking ''May 1 of each year'' and inserting ''February 1 of each year''.

SEC. 1044. LIMITATION REGARDING COOPERATIVE THREAT REDUCTION PROGRAMS.

Funds authorized to be appropriated under this Act may not be obligated or expended for assistance for a country under any Cooperative Threat Reduction program specified under section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 50 U.S.C. 2362 note) until 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 military modernization program that exceeds legitimate defense requirements.

SEC. 1045. PERIOD COVERED BY ANNUAL REPORT ON ACCOUNTING FOR 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. 5955 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 IN FISCAL YEAR 2000.—The total amount of the assistance for fiscal year 2000 that is provided by the Secretary of Defense under section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) as activities of the Department of Defense in support of activities under that Act may not exceed $15,000,000.

(b) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (f) of section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) is amended by striking ''1999'' and inserting ''2000''.

SEC. 1047. INFORMATION ASSURANCE INITIATIVE.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States is becoming increasingly dependent upon information systems for national security, economic security, and a broad range of other vital national interests.

(2) Presidential Decision Directive 63, dated May 22, 1998, recognizes the importance of information assurance and sets forth policy and organizational recommendations for addressing the information assurance challenges.

(3) The Department of Defense has undertaken significant steps to address threats to the Defense Information Infrastructure, including the establishment of a Defense Information Assurance Program.

(4) Notwithstanding those actions and other important actions taken by the President and the Secretary of Defense to address the challenges of information assurance, the Department of Defense, other Federal departments and agencies, and a broad range of private sector entities continue to face new challenges and threats to their information systems.

(5) Although the Secretary of Defense can and should play an important role in helping address a broad range of information warfare threats to the United States, the Secretary necessarily focuses primarily on addressing the vulnerabilities of the information systems and other infrastructures, within and outside of the Department of Defense, on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(6) It is important for the Secretary of Defense to work closely with the heads of all departments and agencies of the Federal Government concerned to identify areas in which the Department of Defense can contribute to securing critical national infrastructures beyond the areas under the direct oversight and control of the Secretary of Defense.

(b) DEFENSE INFORMATION ASSURANCE PROGRAM.—(1) The Secretary of Defense shall carry out an information assurance program.

(2) The Secretary shall submit to Congress an annual report on the program. The annual report shall include the Department of Defense information assurance guide applicable under subsection (c) as of the date of the report. The first report shall be submitted not later than March 15, 1999.

(c) DEFENSE INFORMATION ASSURANCE GUIDE.—(1) The Secretary of Defense shall prepare a Department of Defense information assurance guide for the development of appropriate organizational structures and technologies for information assurance under the program. The Secretary shall modify or replace the guide from time to time to maintain the current relevance of the guide.

(2) The Department of Defense information assurance guide shall include the following:

(A) A plan for developing information assurance technologies, including the criteria used to prioritize research, development, and procurement investments in such technologies.

(B) A plan for organizing the Department of Defense to defend against information warfare threats, including the organizational changes that are planned or being considered together with a recitation of the organizational changes that have been implemented.

(C) A plan for joint efforts by the Department of Defense with other departments and agencies of the Federal Government and with State and local organizations to strengthen the security of the information systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(D) An assessment of the threats to information systems and infrastructures on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises, including an assessment of technical or other vulnerabilities in Defense Department information and communications systems.

(E) A plan for conducting exercises, war games, simulations, experiments, and other activities designed to prepare the Department of Defense to respond to information warfare threats.

(F) Any proposal for legislation that the Secretary considers necessary for implementing the Defense information assurance program or for otherwise responding to information warfare threats.

(G) Any other information that the Secretary determines relevant.

(d) INFORMATION ASSURANCE TESTBED.—(1) The Secretary of Defense shall develop 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 that the Secretary determines as being concerned with defense information assurance.

(2) The information assurance testbed shall be organized to provide the following:

(A) An integrated organizational structure within the Department of Defense to plan and facilitate the conduct of simulations, wargames, exercises, 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-Department of Defense organizations that are responsible for the oversight and management of critical information systems and infrastructures on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(e) FUNDING.—(1) Of the amounts authorized to be appropriated under section 104—

(A) $10,000,000 is available for procurement by the Defense Information Systems Agency of secure terminal equipment for use by the Armed Forces and Defense Agencies; and

(B) $10,000,000 is available for development and procurement of tools for real-time computer intrusion detection, analysis, and warning.

(2) Of the amounts authorized to be appropriated under section 201(4)—

(A) $5,000,000 in program element 65710D8 is available for establishing and operating the information assurance testbed established pursuant to subsection (d); and

(B) $85,000,000 in program element 33140G is available for—

(i) secure wireless communications;

(ii) public key infrastructure;

(iii) tool development by the Information Operations Technology Center;

(iv) critical infrastructure modeling; and

(v) software security research.

(3) Of the amounts authorized to be appropriated under section 301(a)(5), $10,000,000 is available for training, education, and retention of information technology professionals of the Department of Defense.

SEC. 1048. DEFENSE SCIENCE BOARD TASK FORCE ON TELEVISION AND RADIO AS A PROPAGANDA INSTRUMENT IN TIME OF MILITARY CONFLICT.

(a) DEFENSE SCIENCE BOARD TASK FORCE ON RADIO AND TELEVISION AS A PROPAGANDA INSTRUMENT IN TIME OF CONFLICT.—The Secretary of Defense shall establish a task force of the Defense Science Board to examine the use of radio and television broadcasting as a propaganda instrument and the adequacy of the capabilities of the United States Armed Forces in this area to deal with situations such as the conflict in the Federal Republic of Yugoslavia.

(b) DUTIES OF THE TASK FORCE.—The task force shall assess and develop recommendations as to the appropriate capabilities, if any, that the United States Armed Forces should have to broadcast radio and television into an area so as to ensure that the general public in that area are exposed to the facts of the conflict. In making the assessment and developing the recommendations, the task force shall review the following:

(1) The capabilities of the United States Armed Forces to develop programming and to broadcast factual information that can reach a large segment of the general public in a country like the Federal Republic of Yugoslavia.

(2) The potential of various airborne or land-based mechanisms to have capabilities described in paragraph (1), including but not limited to desirable improvements to the EC–130 Commando Solo aircraft, and the utilization of other airborne platforms, unmanned aerial vehicles, and land-based transmitters in conjunction with satellites.

(3) Other issues relating to the use of television and radio as a propaganda instrument in time of conflict.

(c) REPORT.—The task force shall submit to the Secretary of Defense a report containing its assessments and recommendations not later than February 1, 2000. The Secretary shall submit the report, together with the comments and recommendations of the Secretary of Defense, to the congressional defense committees not later than March 1, 2000.

(d) FEDERAL REPUBLIC OF YUGOSLAVIA DEFINED.—In this section, the term ''Federal Republic of Yugoslavia'' means the Federal Republic of Yugoslavia (Serbia and Montenegro).

SEC. 1049. PREVENTION OF INTERFERENCE WITH DEPARTMENT OF DEFENSE USE OF FREQUENCY SPECTRUM.

(a) COMPATIBILITY WITH DEFENSE SYSTEMS.—A non-Department of Defense entity operating a communication system, device, or apparatus on any portion of the frequency spectrum used by the Department of Defense, whether or not licensed to do so, shall ensure that the system, device, or apparatus is designed not to interfere with and not to receive interference from the communication systems that are operated by or for the Department of Defense on that portion of the frequency spectrum as of the date of 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 because of a violation of subsection (a) by a non-Department of Defense entity, that entity shall be liable to the United States for the costs incurred by the United States for the redesign or rebuilding of the Department of Defense system or, if the entity is a department or agency of the United States, shall transfer to the Department of Defense funds in the amount of such costs.

(c) EFFECTIVE DATE.—This section applies with respect to operation of a communication system, device, or apparatus fielded on or after October 1, 1999.

(d) NONAPPLICABILITY.—This section does not apply to any upgrades, modifications, or system redesign to a Department of Defense communication system made after the date of enactment of this Act where that modification, upgrade or redesign would result in interference with or receiving interference from a non-Department of Defense system.

SEC. 1050. OFF-SHORE ENTITIES INTERFERING WITH DEPARTMENT OF DEFENSE USE OF THE FREQUENCY SPECTRUM.

(a) LIMITATION ON USE OF FUNDS.—Funds authorized to be appropriated or otherwise made available by this or any other Act may not be obligated to enter into any contract with, make any payment to, or issue any broadcast or other license or permit to any entity that broadcasts from outside the United States into the United States on any frequency that, as of the date of the enactment of this Act, is reserved to or used by the Department of Defense, unless the broadcasting is authorized under law.

(b) SAVINGS PROVISION.—The provisions of subsection (a) shall not be construed to interfere with the enforcement authority of the Federal Communications Commission under the Communications Act of 1934 or any other law.

SEC. 1051. REPEAL OF LIMITATION ON AMOUNT OF FEDERAL EXPENDITURES FOR THE NATIONAL GUARD CHALLENGE PROGRAM.

Section 509(b) of title 32, United States Code, is amended by striking '', except that Federal expenditures under the program may not exceed $50,000,000 for any fiscal year''.

SEC. 1052. NONDISCLOSURE OF INFORMATION ON PERSONNEL OF OVERSEAS, SENSITIVE, OR ROUTINELY DEPLOYABLE UNITS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 130a the following:

''§ 130b. Nondisclosure of information: personnel in overseas, sensitive, or routinely deployable units

''(a) EXEMPTION FROM DISCLOSURE.—Notwithstanding any other provision of law, the Secretary of Defense and, with respect to the Coast Guard when it is not operating as a service in the Navy, the Secretary of Transportation may authorize to be withheld from disclosure to the public the name, rank, duty address, official title, and information regarding the pay of—

''(1) members of the armed forces assigned to overseas, sensitive, or routinely deployable units; and

''(2) employees of the Department of Defense or of the Coast Guard whose duty stations are with overseas, sensitive, or routinely deployable units.

''(b) EXCEPTIONS.—(1) The authority in subsection (a) is subject to such exceptions as the President may direct.

''(2) Subsection (a) does not authorize any official to withhold, or to authorize the withholding of, information from Congress.

''(c) DEFINITIONS.—In this section:

''(1) The term 'unit' means a military organization of the armed forces designated as a unit by competent authority.

''(2) The term 'overseas unit' means a unit that is located outside the continental United States and its territories.

''(3) The term 'sensitive unit' means a unit that is primarily involved in training for the conduct of, or conducting, special activities or classified missions, including the following:

''(A) A unit involved in collecting, handling, disposing, or storing of classified information and materials.

''(B) A unit engaged in training—

''(i) special operations units;

''(ii) security group commands weapons stations; or

''(iii) communications stations.

''(C) Any other unit that is designated as a sensitive unit by the Secretary of Defense or, in the case of the Coast Guard when it is not operating as a service in the Navy, by the Secretary of Transportation.

''(4) The term 'routinely deployable unit'—

''(A) means a unit that normally deploys from its permanent home station on a periodic or rotating basis to meet peacetime operational requirements that, or to participate in scheduled training exercises that, routinely require deployments outside the United States and its territories; and

''(B) includes a unit that is alerted for deployment outside the United States and its territories during an actual execution of a contingency plan or in support of a crisis operation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

''130b. Nondisclosure of information: personnel in overseas, sensitive, or routinely deployable units.''.

SEC. 1053. NONDISCLOSURE OF OPERATIONAL FILES OF THE NATIONAL IMAGERY AND MAPPING AGENCY.

(a) AUTHORITY TO WITHHOLD.—Subchapter II of chapter 22 of title 10, United States Code, as amended by section 1005, is further amended by adding at the end the following:

''§ 458. Withholding of operational files from public disclosure

''(a) AUTHORITY.—The Secretary of Defense may withhold from public disclosure operational files described in subsection (b) to the same extent that operational files may be withheld under section 701 of the National Security Act of 1947 (50 U.S.C. 431).

''(b) COVERED OPERATIONAL FILES.—The authority under subsection (a) applies to operational files in the possession of the National Imagery and Mapping Agency that—

''(1) 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 1005, 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 SIGNIFICANCE.

(a) AUTHORITY TO WITHHOLD.—Subchapter II of chapter 22 of title 10, United States Code, as amended by section 1053, is further amended by adding at the end the following:

''§ 459. Withholding of certain commercially significant information from public disclosure

''(a) AUTHORITY.—The Secretary of Defense may withhold from public disclosure information in the possession of the National Imagery and Mapping Agency if the Secretary determines in writing that—

''(1) public disclosure of the information would compete with or otherwise adversely affect commercial operations in any existing or emerging commercial industry or the operation of any existing or emerging commercial market; 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 imagery intelligence from public disclosure under the National Security Act of 1947 (50 U.S.C. 401 et seq.), Executive Order No. 12951 or any successor Executive order, or directives of the President.

''(2) In the administration of the authority under subsection (a) with respect to imagery and imagery intelligence, the Secretary of Defense shall be subject to the policies and directives prescribed by the Director of Central Intelligence for the public disclosure of such information.''.

(b) CLERICAL AMENDMENT.—The 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.''.

SEC. 1055. CONTINUED ENROLLMENT OF DEPENDENTS IN DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS AFTER LOSS OF ELIGIBILITY.

Section 2164(c)(3) of title 10, United States Code, is amended to read as follows:

''(3) The Secretary may, for good cause, authorize a dependent of a member of the armed forces or of a Federal employee to continue enrollment in a program under this subsection notwithstanding a change in the status of the member or employee that, except for this paragraph, would otherwise terminate the eligibility of the dependent to be enrolled in the program. The enrollment may continue for as long as the Secretary considers appropriate. The Secretary may remove the dependent from the program at any time that the Secretary determines that there is good cause for the removal.''.

SEC. 1056. UNIFIED SCHOOL BOARDS FOR ALL DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT SCHOOLS IN THE COMMONWEALTH OF PUERTO RICO AND GUAM.

Section 2164(d)(1) of title 10, United States Code, is amended by adding at the end the following: ''The Secretary may provide for the establishment of one school board for all such schools in the Commonwealth of Puerto Rico and one school board for all such schools in Guam instead of one school board for each military installation in those locations.''.

SEC. 1057. DEPARTMENT OF DEFENSE STARBASE PROGRAM.

(a) PROGRAM AUTHORITY.—Chapter 111 of title 10, United States Code, is amended by inserting after section 2193 the following:

''§ 2193b. Improvement of education in technical fields: program for support of elementary and secondary education in science, mathematics, and technology

''(a) AUTHORITY FOR PROGRAM.—The Secretary of Defense may conduct a science, mathematics, and technology education improvement program known as the 'Department of Defense STARBASE Program'. The Secretary shall carry out the program through the secretaries of the military departments.

''(b) PURPOSE.—The purpose of the program is to improve knowledge and skills of students in kindergarten through twelfth grade in mathematics, science, and technology.

''(c) STARBASE ACADEMIES.—(1) The Secretary shall provide for the establishment of at least 25 academies under the program.

''(2) An academy established under the program shall provide the following:

''(A) For each elementary and secondary grade level, the presentation of a curricula of 20 hours of instruction in science, mathematics, and technology.

''(B) Outreach programs for the support of elementary and secondary level instruction in science, mathematics, and technology at other locations.

''(3) The Secretary may support the establishment and operation of any academy in excess of two academies in a State only if the Secretary has first authorized in writing the establishment of the academy and the costs of the establishment and operation of the academy are paid out of funds provided by sources other than the Department of Defense. Any such costs that are paid out of appropriated funds shall be considered as paid out of funds provided by such other sources

if such sources fully reimburse the United States for the costs.

''(d) AUTHORIZED SUPPORT.—The following support may be provided for activities under the program:

''(1) Administrative and instructional personnel.

''(2) Facilities.

''(3) Instructional materials, including textbooks.

''(4) Equipment.

''(5) To the extent considered appropriate by the Secretary of the military department concerned, any additional resources (including transportation and billeting) that may be available.

''(e) PERSONS ELIGIBLE TO PARTICIPATE IN PROGRAM.—The Secretary of Defense shall prescribe the standards and procedures for selecting persons to participate in the program.

''(f) PROGRAM PERSONNEL.—(1) The Secretary of the military department concerned may—

''(1) authorize members of the armed forces to provide command, administrative, training, or supporting services for the program on a full-time basis; and

''(2) employ or procure by contract civilian personnel to provide such services.

''(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations governing the conduct of the program.

''(g) FUNDING.—(1) The Secretary shall ensure that each academy meeting at least the minimum operating standards established for academies under the program is funded at a level of at least $200,000 for each fiscal year.

''(2) The Secretary of Defense and the Secretaries of the military departments may accept financial and other support for the program from other departments and agencies of the Federal Government, State governments, local governments, and not-for-profit and other organizations in the private sector.

''(h) ANNUAL REPORT.—Within 90 days after the end of each fiscal year, the Secretary of Defense shall submit a report on the program to Congress. The report shall contain a discussion of the design and conduct of the program and an evaluation of the effectiveness of the program.

''(i) STATE DEFINED.—In this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and Guam.''.

(b) EXISTING STARBASE ACADEMIES.—While continuing in operation, the academies existing on the date of the enactment of this Act under the Department of Defense STARBASE Program, as such program is in effect on such date, shall be counted for the purpose of meeting the requirement under section 2193b(c)(1) of title 10, United States Code (as added by subsection (a)), relating to the minimum number of STARBASE academies.

(c) REORGANIZATION OF CHAPTER.—Chapter 111 of title 10, United States Code, as amended by subsection (a), is further amended—

(1) by inserting after section 2193 and before the section 2193b added by subsection (a) the following:

''§ 2193a. Improvement of education in technical fields: general authority for support of elementary and secondary education in science and mathematics'';

(2) by transferring subsection (b) of section 2193 to section 2193a (as added by paragraph (1)), inserting such subsection after the heading for section 2193a, and striking out ''(b)''; and

(3) by redesignating subsection (c) of section 2193 as subsection (b).

(d) CLERICAL AMENDMENTS.—(1) The heading for section 2192 of such title is amended to read as follows:

''§ 2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering''.

(2) The heading for section 2193 is amended to read as follows:

''§ 2193. Improvement of education in technical fields: grants for higher education in science and mathematics''.

(3) The table of sections at the beginning of such chapter is amended by striking the items relating to sections 2192 and 2193 and inserting the following:

''2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering.

''2193. Improvement of education in technical fields: grants for higher education in science and mathematics.

''2193a. Improvement of education in technical fields: general authority for support of elementary and secondary education in science and mathematics.

''2193b. Improvement of education in technical fields: program for support of elementary and secondary education in science, mathematics, and technology.''.

SEC. 1058. PROGRAM TO COMMEMORATE THE 50TH ANNIVERSARY OF THE KOREAN WAR.

(a) PERIOD OF PROGRAM.—Section 1083(a) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1918; 10 U.S.C. 113 note) is amended by striking ''The Secretary of Defense'' and inserting ''During fiscal years 2000 through 2004, the Secretary of Defense''.

(b) CHANGE OF NAME.—(1) Section 1083(c) of such Act is amended by striking '' 'The Department of Defense Korean War Commemoration' '' and inserting in lieu thereof '' 'The United States of America Korean War Commemoration' ''.

(2) The amendment made by paragraph (1) may not be construed to supersede rights that are established or vested before the date of the enactment of this Act.

(c) FUNDING.—Section 1083(f) of such Act is amended to read as follows:

''(f) USE OF FUNDS.—(1) Funds appropriated for the Army for fiscal years 2000 through 2004 for operation and maintenance shall be available for the program authorized under subsection (a).

''(2) The total amount expended by the Department of Defense through the Department of Defense 50th Anniversary of the Korean War Commemoration Committee, an entity within the Department of the Army, to carry out the program authorized under subsection (a) for fiscal years 2000 through 2004 may not exceed $7,000,000.

''(3) The limitation in paragraph (2) shall not apply to expenditures by a unit of the Armed Forces or a similar organization to commemorate the Korean War from funds available to the unit or similar organization for that purpose.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1999.

SEC. 1059. EXTENSION AND REAUTHORIZATION OF DEFENSE PRODUCTION ACT OF 1950.

(a) EXTENSION OF TERMINATION DATE.—Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking ''September 30, 1999'' and inserting ''September 30, 2000''.

(b) EXTENSION OF AUTHORIZATION.—Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking ''the fiscal years 1996, 1997, 1998, and 1999'' and inserting ''fiscal years 1996 through 2000''.

SEC. 1060. EXTENSION TO NAVAL AIRCRAFT OF COAST GUARD AUTHORITY FOR DRUG INTERDICTION ACTIVITIES.

Section 637(c) of title 14, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) it is a naval aircraft on which one or more members of the Coast Guard are assigned.''.

SEC. 1061. REGARDING THE NEED FOR VIGOROUS PROSECUTION OF WAR CRIMES, GENOCIDE, AND CRIMES AGAINST HUMANITY IN THE FORMER 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 an 'armed conflict', within the meaning of 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 Alabanian 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 men of all ages, 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 war crimes suspects that have yet to be served, despite knowledge of the suspects' whereabouts;

(11) vigorous prosecution of war crimes after the conflict in Bosnia may have prevented the ongoing atrocities in Kosovo; and

(12) investigative reporters have identified specific documentary evidence implicating the Serbian leadership in the commission of war crimes.

(b) It is the sense of Congress that—

(1) the United States, in coordination with other United Nations contributors, should provide sufficient resources for an expeditious and thorough investigation of allegations of the atrocities and war crimes committed in Kosovo;

(2) the United States, through its intelligence services, should provide all possible cooperation in the gathering of evidence of sufficient specificity and credibility to secure the indictment of those responsible for the commission of war crimes, crimes against humanity, and genocide in the former Yugoslavia;

(3) where evidence warrants, indictments for war crimes, crimes against humanity, and genocide should be issued against suspects regardless of their position within the Serbian leadership;

(4) the United States and all nations have an obligation to honor arrest warrants issued by the ICTY, and the United States should use all appropriate means to apprehend war criminals already under indictment; and

(5) NATO should not accept any diplomatic resolution to the conflict in Kosovo that would bar the indictment, apprehension, or prosecution of war criminals for crimes committed during operations in Kosovo.

SEC. 1062. EXPANSION OF LIST OF DISEASES PRESUMED TO BE SERVICE-CONNECTED FOR RADIATION-EXPOSED VETERANS.

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 determine and certify to the Senate whether or not the new Strategic Concept of NATO imposes any new commitment or obligation on the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, if the President certifies under subsection (a) that the new Strategic Concept of NATO imposes any new 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 beyond 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 Council in Washington, DC, on April 23 and 24, 1999.

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.

(b) REPORTS.—Not later than 20 days, or earlier than 14 days, after the first day of the engagement of the United States in any armed conflict described in subsection (a), the President shall, if the armed conflict continues, submit a report to Congress setting forth—

(1) the specific steps the United States has taken and will continue to take to institute the embargo and financial asset seizures pursuant to subsection (a); and

(2) any foreign sources of trade of revenue that directly or indirectly support the ability of the adversarial government to sustain a military conflict against the Armed Forces of the United States.

SEC. 1065. CONDITIONS FOR LENDING OBSOLETE OR CONDEMNED RIFLES FOR FUNERAL CEREMONIES.

Section 4683(a)(2) of title 10, United States Code, is amended to read as follows:

''(2) issue and deliver those rifles, together with blank ammunition, to those units without charge if the rifles and ammunition are to be used for ceremonies and funerals in honor of veterans at national or other cemeteries.''.

SEC. 1066. PROHIBITION ON THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN NATIONS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) PROHIBITION.—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term ''entity controlled by a foreign government'' has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term ''veterans memorial object'' means any object, including a physical structure or portion thereof, that—

(A) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.

SEC. 1067. MILITARY ASSISTANCE TO CIVIL AUTHORITIES FOR RESPONDING TO TERRORISM.

(a) AUTHORITY.—During fiscal year 2000, the Secretary of Defense, upon the request of the Attorney General, may provide assistance to civil authorities in responding to an act or threat of an act of terrorism, including an act of terrorism or threat of an act of terrorism that involves a weapon of mass destruction, within the United States if the Secretary of Defense determines that—

(1) special capabilities and expertise of the Department of Defense are necessary and critical to respond to the act or threat; and

(2) the provision of such assistance will not adversely affect the military preparedness of the armed forces.

(b) NATURE OF ASSISTANCE.—Assistance provided under subsection (a) may include the deployment of Department of Defense personnel and the use of any Department of Defense resources to the extent and for such period as the Secretary of Defense determines necessary to prepare for, prevent, or respond to an act or threat described in that subsection. Actions taken to provide the assistance may include the prepositioning of Department of Defense personnel, equipment, and supplies.

(c) REIMBURSEMENT.—(1) Assistance provided under this section shall normally be provided on a reimbursable basis. Notwithstanding any other provision of law, the amounts of reimbursement shall be limited to the amounts of the incremental costs of providing the assistance. In extraordinary circumstances, the Secretary of Defense may waive reimbursement upon determining that a waiver of the reimbursement is in the national security interests of the United States and submitting to Congress a notification of the determination.

(2) If funds are appropriated for the Department of Justice to cover the costs of responding to an act or threat for which assistance is provided under subsection (a), the Department of Defense shall be reimbursed out of such funds for the costs incurred by the department in providing the assistance without regard to whether the assistance was provided on a nonreimbursable basis.

(d) LIMITATION ON FUNDING.—Not more than $10,000,000 may be obligated to provide assistance pursuant to subsection (a) in a fiscal year.

(e) PERSONNEL RESTRICTIONS.—In carrying out this section, a member of the Army, Navy, Air Force, or Marine Corps may not, unless authorized by another provision of law—

(1) directly participate in a search, seizure, arrest, or other similar activity; or

(2) collect intelligence for law enforcement purposes.

(f) NONDELEGABILITY OF AUTHORITY.—(1) The Secretary of Defense may not delegate to any other official authority to make determinations and to authorize assistance under this section.

(2) The Attorney General may not delegate to any other official authority to make a request for assistance under subsection (a).

(h) RELATIONSHIP TO OTHER AUTHORITY.—(1) The authority provided in this section is in addition to any other authority available to the Secretary of Defense.

(2) Nothing in this section shall be construed to restrict any authority regarding use of members of the armed forces or equipment of the Department of Defense that was in effect before the date of enactment of this Act.

(i) DEFINITIONS.—In this section:

(1) The term ''threat of an act of terrorism'' includes any circumstance providing a basis for reasonably anticipating an act of terrorism, as determined by the Secretary of Defense in consultation with the Attorney General and the Secretary of the Treasury.

(2) The term ''weapon of mass destruction'' has the meaning given the term in section 1403 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302(1)).

SEC. 1068. SENSE OF THE CONGRESS REGARDING THE CONTINUATION OF SANCTIONS AGAINST LIBYA.

(a) FINDINGS.—Congress makes the following findings:

(1) On December 21, 1988, 270 people, including 189 United States citizens, were killed in a terrorist bombing on Pan Am Flight 103 over Lockerbie, Scotland.

(2) Britain and the United States indicted two Libyan intelligence agents, Abd al-Baset Ali al-Megrahi and Al-Amin Khalifah Fhimah, in 1991 and sought their extradition from Libya to the United States or the United Kingdom to stand trial for this heinous terrorist act.

(3) The United Nations Security Council called for the extradition of the suspects in Security Council Resolution 731 and imposed sanctions on Libya in Security Council Resolutions 748 and 883 because Libyan leader Colonel Muammar Qadhafi refused to transfer the suspects to either the United States or the United Kingdom to stand trial.

(4) The United Nations Security Council Resolutions 731, 748, and 883 demand that Libya cease all support for terrorism, turn over the two suspects, cooperate with the investigation and the trial, and address the issue of appropriate compensation.

(5) The sanctions in United Nations Security Council Resolutions 748 and 883 include—

(A) a worldwide ban on Libya's national airline;

(B) a ban on flights into and out of Libya by other nations' airlines; and

(C) a prohibition on supplying arms, airplane parts, and certain oil equipment to Libya, and a blocking of Libyan Government funds in other countries.

(6) Colonel Muammar Qadhafi for many years refused to extradite the suspects to either the United States or the United Kingdom and had insisted that he would only transfer the suspects to a third and neutral country to stand trial.

(7) On August 24, 1998, the United States and the United Kingdom agreed to the proposal that Colonel Qadhafi transfer the suspects to The Netherlands, where they would stand trial under a Scottish court, under Scottish law, and with a panel of Scottish judges.

(8) The United Nations Security Council endorsed the United States-United Kingdom proposal on August 27, 1998 in United Nations Security Council Resolution 1192.

(9) The United States, consistent with United Nations Security Council resolutions, called on Libya to ensure the production of evidence, including the presence of witnesses before the court, and to comply fully with all the requirements of the United Nations Security Council resolutions.

(10) After years of intensive diplomacy, Colonel Qadhafi finally transferred the two Libyan suspects to The Netherlands on April 5, 1999, and the United Nations Security Council, in turn, suspended its sanctions against Libya that same day.

(11) Libya has only fulfilled one of four conditions (the transfer of the two suspects accused in the Lockerbie bombing) set forth in United Nations Security Council Resolutions 731, 748, and 883 that would justify the lifting of United Nations Security Council sanctions against Libya.

(12) Libya has not fulfilled the other three conditions (cooperation with the Lockerbie investigation and trial; renunciation of and ending support for terrorism; and payment of appropriate compensation) necessary to lift the United Nations Security Council sanctions.

(13) The United Nations Secretary General is expected to issue a report to the Security Council on or before July 5, 1999, on the issue of Libya's compliance with the remaining conditions.

(14) Any member of the United Nations Security Council has the right to introduce a resolution to lift the sanctions against Libya after the United Nations Secretary General's report has been issued.

(15) The United States Government considers Libya a state sponsor of terrorism and the State Department Report, ''Patterns of Global Terrorism; 1998'', stated that Colonel Qadhafi ''continued publicly and privately to support Palestinian terrorist groups, including the PIJ and the PFLP–GC''.

(16) United States Government sanctions (other than sanctions on food or medicine) should be maintained on Libya, and in accordance with United States law, the Secretary of State should keep Libya on the list of countries the governments of which have repeatedly provided support for acts of international terrorism under section 6(j) of the Export Administration Act of 1979 in light of Libya's ongoing support for terrorist groups.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should use all diplomatic means necessary, including the use of the United States veto at the United Nations Security Council, to prevent the Security Council from lifting sanctions against Libya until Libya fulfills all of the conditions set forth in United Nations Security Council Resolutions 731, 748, and 883.

SEC. 1069. INVESTIGATIONS OF VIOLATIONS OF EXPORT CONTROLS BY UNITED STATES SATELLITE MANUFACTURERS.

(a) NOTICE TO CONGRESS OF INVESTIGATIONS.—The President shall promptly notify Congress whenever an investigation is undertaken of an alleged violation of 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 on behalf of any United States person or firm that is the subject of an investigation described in subsection (a). The notice shall include a justification for the waiver.

(c) NOTICE IN APPLICATIONS.—It is the sense of Congress that any United States person or firm subject to an investigation described in subsection (a) that submits to the United States an application for the export of a commercial satellite should include in the application a notice of the investigation.

(d) PROTECTION OF CLASSIFIED AND OTHER SENSITIVE INFORMATION.—The Senate and the House of Representatives shall each establish, by rule or resolution of such House, procedures to protect from unauthorized disclosure classified information, informatioin relating to intelligence sources and methods, and sensitive law enforcement information that is furnished to Congress pursuant to this section.

(e) EXCEPTION.—The requirements of subsections (a) and (b) shall not apply if the President determines that notification of Congress would jeopardize an on-going criminal investigation. If the President makes such a determination he shall provide written notification to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives and the Minority Leader of the House of Representatives. Such notification shall include a justification for any such determination.

SEC. 1070. ENHANCEMENT OF ACTIVITIES OF DEFENSE THREAT REDUCTION AGENCY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations—

(1) to authorize the personnel of the Defense Threat Reduction Agency (DTRA) who monitor satellite launch campaigns overseas to suspend such campaigns at any time if the suspension is required for purposes of the national security of the United States;

(2) to establish appropriate professional and technical qualifications for such personnel;

(3) to allocate funds and other resources to the Agency at levels sufficient to prevent any shortfalls in the number of such personnel;

(4) to establish mechanisms in accordance with the provisions of section 1514(a)(2)(A) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 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, for amounts expended by the Agency in monitoring the launch campaign;

(5) to establish a formal technology training program for personnel of the Agency who monitor satellite launch campaigns overseas, including a structured framework for providing training in areas of export control laws;

(6) to review and improve guidelines on the scope of permissible discussions with foreign persons regarding technology and technical information, including the technology and technical information that should not be included in such discussions;

(7) to provide, on at least an annual basis, briefings to the officers and employees of United States commercial satellite entities on United States export license standards, guidelines, and restrictions, and encourage such officers and employees to participate in such briefings;

(8) to establish a system for—

(A) the preparation and filing by personnel of the Agency who monitor satellite launch campaigns overseas of detailed reports of all activities observed by such personnel in the course of monitoring such campaigns;

(B) the systematic archiving of reports filed under subparagraph (A); and

(C) the preservation of such reports in accordance with applicable laws; and

(9) to establish a counterintelligence program within the Agency as part of its satellite launch monitoring program.

(b) ANNUAL REPORT ON IMPLEMENTATION OF SATELLITE TECHNOLOGY SAFEGUARDS.—(1) The Secretary of Defense and the Secretary of State shall each submit to Congress each year, as part of the annual report for that year under section 1514(a)(8) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, the following:

(A) A summary of the satellite launch campaigns and related activities monitored by the Defense Threat Reduction Agency during the preceding year.

(B) A description of 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 Agency monitors, and in complying with United States export control laws, during that year.

(2) Each report under paragraph (1) shall be submitted in classified form and unclassified form.

SEC. 1071. IMPROVEMENT OF LICENSING ACTIVITIES BY THE DEPARTMENT OF STATE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prescribe regulations to provide, consistent with the need to protect classified, law enforcement, or other sensitive information, timely notice to the manufacturer of a commercial satellite of United States origin of the reasons for a denial or approval with conditions, as the case may be, of the application for license involving the overseas launch of such satellite.

SEC. 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. 401a(4)).

SEC. 1073. ADHERENCE OF PEOPLE'S REPUBLIC OF CHINA TO MISSILE TECHNOLOGY CONTROL REGIME.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should take all actions appropriate to 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—

(A) demonstrated a sustained and verified commitment to the nonproliferation of missiles and missile technology; and

(B) adopted an effective export control system for implementing guidelines under the Missile Technology Control Regime and the MTCR Annex.

(b) DEFINITIONS.—In this section:

(1) The term ''Missile Technology Control Regime'' means the policy statement, between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the MTCR Annex, and any amendments thereto.

(2) The term ''MTCR Annex'' means the Guidelines and Equipment and Technology Annex of the Missile Technology Control Regime, and any amendments thereto.

SEC. 1074. UNITED STATES COMMERCIAL SPACE LAUNCH CAPACITY.

It is the sense of Congress that—

(1) Congress and the President should work together to stimulate and encourage the expansion of a commercial space launch capacity in the United States, including by taking actions to eliminate legal or regulatory barriers to long-term competitiveness in the United States commercial space launch industry; and

(2) Congress and the President should—

(A) reexamine the current United States policy of permitting the export of commercial satellites of United States origin to the People's Republic of China for launch;

(B) review the advantages and disadvantages of phasing out the policy over time, including advantages and disadvantages identified by Congress, the executive branch, the United States satellite industry, the United States space launch industry, the United States telecommunications industry, and other interested persons; and

(C) if the phase out of the policy is adopted, permit launches of commercial satellites of United States origin by the People's Republic of China only if—

(i) such launches are licensed as of the commencement of the phase out of the policy; and

(ii) additional actions are taken to minimize the transfer of technology to the People's Republic of China during the course of such launches.

SEC. 1075. ANNUAL REPORTS ON SECURITY IN THE TAIWAN STRAIT.

(a) IN GENERAL.—Not later than February 1 of each year, beginning in the first calendar year after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report, in both classified and unclassified form, detailing the security situation in the Taiwan Strait.

(b) REPORT ELEMENTS.—Each report shall include—

(1) an analysis of the military forces facing Taiwan from the People's Republic of China;

(2) an evaluation of additions during the preceding year to the offensive military capabilities of the People's Republic of China; and

(3) an assessment of any challenges during the preceding year to the deterrent forces of the Republic of China on Taiwan, consistent with the commitments made by the United States in the Taiwan Relations Act (Public Law 96–8).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on International Relations and the Committee on Armed Services of the House of Representatives.

SEC. 1076. DECLASSIFICATION OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.

Section 3161(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2260; 50 U.S.C. 435 note) is amended by adding at the end the following:

''(9) The actions to be taken to ensure that records subject to Executive Order No. 12958 that have previously been determined to be suitable for release to the public are reviewed on a page by page basis for Restricted Data or Formerly Restricted Data unless such records have been determined to be highly unlikely to contain Restricted Data or Formerly Restricted Data.''.

SEC. 1077. DISENGAGING FROM NONCRITICAL OVERSEAS MISSIONS INVOLVING UNITED STATES COMBAT FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) It is the National Security Strategy of the United States to ''deter and defeat large-scale, cross-border aggression in two distant theaters in overlapping time frames''.

(2) The deterrence of Iraq and Iran in Southwest Asia and the deterrence of North Korea in Northeast Asia represent two such potential large-scale, cross-border theater requirements.

(3) The United States has 120,000 troops permanently assigned to those theaters.

(4) The United States has an additional 70,000 forces assigned to non-NATO/non-Pacific threat foreign countries.

(5) The United States has more than 6,000 troops in Bosnia-Herzegovina on indefinite assignment.

(6) The United States has diverted permanently assigned resources from other theaters to support operations in the Balkans.

(7) The United States provides military forces to seven active United Nations peacekeeping operations, including some missions that have continued for decades.

(8) Between 1986 and 1998, the number of American military deployments per year has nearly tripled at the same time the Department of Defense budget has been reduced in real terms by 38 percent.

(9) The Army has 10 active-duty divisions today, down from 18 in 1991, while on an average day in fiscal year 1998, 28,000 United States Army soldiers were deployed to more than 70 countries for over 300 separate missions.

(10) Active Air Force fighter wings have gone from 22 to 13 since 1991, while 70 percent of air sorties in Operation Allied Force over the Balkans are United States-flown and the Air Force continues to enforce northern and southern no-fly zones in Iraq. In response, the Air Force has initiated a ''stop loss'' program to block normal retirements and separations.

(11) The United States Navy has been reduced in size to 339 ships, its lowest level since 1938, necessitating the redeployment of the only overseas homeported aircraft carrier from the Western Pacific to the Mediterranean to support Operation Allied Force.

(12) In 1998 just 10 percent of eligible carrier naval aviators—27 out of 261—accepted continuation bonuses and remained in service.

(13) In 1998 48 percent of Air Force pilots eligible for continuation opted to leave the service.

(14) The Army could fall 6,000 below Congressionally authorized troop strength by the end of 1999.

(b) SENSE OF CONGRESS.—It is the sense of Congress that:

(1) The readiness of United States military forces to execute the National Security Strategy of the United States is being eroded from a combination of declining defense budgets and expanded missions.

(2) There may be missions to which the United States is contributing Armed Forces from which the United States can begin disengaging.

(c) REPORT REQUIREMENT.—Not later than March 1, 2000, the President shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives, and to the Committees on Appropriations in both Houses, a report prioritizing the ongoing global missions to which the United States is contributing troops. The President shall include in the report a feasibility analysis of how the United States can—

(1) shift resources from low priority missions in support of higher priority missions;

(2) consolidate or reduce United States troop commitments worldwide;

(3) end low priority missions.

SEC. 1078. SENSE OF THE SENATE ON NEGOTIATIONS WITH INDICTED WAR CRIMINALS.

(a) IN GENERAL.—It is the sense of the Senate that the United States, as a member of NATO, should not negotiate with Slobodan Milosevic, an indicted war criminal, or any other indicted war criminal with respect to reaching an end to the conflict in the Federal Republic of Yugoslavia

(b) YUGOSLAVIA DEFINED.—In this section, the term ''Federal Republic of Yugoslavia'' means the Federal Republic of Yugoslavia (Serbia and Montenegro).

SEC. 1079. COAST GUARD EDUCATION FUNDING.

Section 2006 of title 10, United States Code, is amended—

(1) by striking ''Department of Defense education liabilities'' in subsection (a) and inserting ''armed forces education liabilities'';

(2) by striking paragraph (1) of subsection (b) and inserting the following:

''(1) The term 'armed forces educational liabilities' means liabilities of the armed forces for benefits under chapter 30 of title 38 and for Department of Defense benefits under chapter 1606 of this title.'';

(3) by inserting ''Department of Defense'' after ''future'' in subsection (b)(2)(C);

(4) by striking ''106'' in subsection (b)(2)(C) and inserting ''1606'';

(5) by inserting ''and the Secretary of the Department in which the Coast Guard is operating'' after ''Defense'' in subsection (c)(1);

(6) by striking ''Department of Defense'' in subsection (d) and inserting ''armed forces'';

(7) by inserting ''the Secretary of the Department in which the Coast Guard is operating'' in subsection (d) after ''Secretary of Defense,'';

(8) by inserting ''and the Department in which the Coast Guard is operating'' after ''Department of Defense'' in subsection (f)(5);

(9) by inserting ''and the Secretary of the Department in which the Coast Guard is operating'' in paragraphs (1) and (2) of subsection (g) after ''The Secretary of Defense''; and

(10) by striking ''of a military department.'' in subsection (g)(3) and inserting ''concerned.''.

SEC. 1080. TECHNICAL AMENDMENT TO PROHIBITION ON RELEASE OF CONTRACTOR PROPOSALS UNDER THE FREEDOM OF INFORMATION ACT.

Section 2305(g) of title 10, United States Code, is amended in paragraph (1) by striking ''the Department of Defense'' and inserting ''an agency named in section 2303 of this title''.

SEC. 1081. ATTENDANCE AT PROFESSIONAL MILITARY EDUCATION SCHOOLS BY MILITARY PERSONNEL OF THE NEW MEMBER 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) MILITARY EDUCATION AND TRAINING PROGRAMS.—The Secretary of each military department shall give due consideration to according a high priority to the attendance of military personnel of Poland, Hungary, and the Czech Republic at professional military education schools and training programs in the United States, including the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, the National Defense University, the war colleges of the Armed Forces, the command and general staff officer courses of the Armed Forces, and other schools and training programs of the Armed Forces that admit personnel of foreign armed forces.

SEC. 1082. SENSE OF CONGRESS REGARDING UNITED STATES-RUSSIAN COOPERATION IN COMMERCIAL SPACE LAUNCH SERVICES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should agree to 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) DEFINITIONS.—

(1) IN GENERAL.—The terms ''commercial space launch services'' and ''Russian space launch service providers'' have the same meanings given those terms in Article I of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding International Trade in Commercial Space Launch Services, signed in Washington, D.C., on September 2, 1993.

(2) QUANTITATIVE LIMITATIONS APPLICABLE TO COMMERCIAL SPACE LAUNCH SERVICES.—The term ''quantitative limitations applicable to commercial space launch services'' means the quantitative limits applicable to commercial space launch services contained in Article IV of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding International Trade in Commercial Space Launch Services, signed in Washington, D.C., on September 2, 1993, as amended by the agreement between the United States and the Russian Federation done at Washington, D.C., on January 30, 1996.

SEC. 1083. RECOVERY AND IDENTIFICATION OF REMAINS OF CERTAIN WORLD WAR II SERVICEMEN.

(a) RESPONSIBILITIES OF THE SECRETARY OF THE ARMY.—(1) The Secretary of the Army, in consultation with the Secretary of Defense, shall make every reasonable effort, as a matter of high priority, to search for, recover, and identify the remains of United States servicemen of the United States aircraft lost in the Pacific theater of operations during World War II, including in New Guinea.

(2) The Secretary of the Army shall submit to Congress not later than September 30, 2000, a report detailing the efforts made by the United States Army Central Identification Laboratory to accomplish the objectives described in paragraph (1).

(b) RESPONSIBILITIES OF THE SECRETARY OF STATE.—The Secretary of State, upon request by the Secretary of the Army, shall work with officials of governments of sovereign nations in the Pacific theater of operations of World War II to overcome any political obstacles that have the potential for precluding the Secretary of the Army from accomplishing the objectives described in subsection (a)(1).

SEC. 1084. CHEMICAL AGENTS USED FOR DEFENSIVE TRAINING.

(a) AUTHORITY TO TRANSFER AGENTS.—(1) The Secretary of Defense may transfer to the Attorney General, in accordance with the Chemical Weapons Convention, quantities of lethal chemical agents required to support training at the Center for Domestic Preparedness in Fort McClellan, Alabama. The quantity of lethal chemical agents transferred under this section may not exceed that required to support training for emergency first-response personnel in addressing the health, safety, and law enforcement concerns associated with potential terrorist incidents that might involve the use of lethal chemical weapons or agents, or other training designated by the Attorney General.

(2) The Secretary of Defense, in coordination with the Attorney General, shall determine the amount of lethal chemical agents that shall be transferred under this section. Such amount shall be transferred from quantities of lethal chemical agents that are produced, acquired, or retained by the Department of Defense.

(3) The Secretary of Defense may not transfer lethal chemical agents under this section until—

(A) the Center referred to in paragraph (1) is transferred from the Department of Defense to the Department of Justice; and

(B) the Secretary determines that the Attorney General is prepared to receive such agents.

(4) To carry out the training described in paragraph (1) and other defensive training not prohibited by the Chemical Weapons Convention, the Secretary of Defense may transport lethal chemical agents from a Department of Defense facility in one State to a Department of Justice or Department of Defense facility in another State.

(5) Quantities of lethal chemical agents transferred under this section shall meet all applicable requirements for transportation, storage, treatment, and disposal of such

agents and for any resulting hazardous waste products.

(b) ANNUAL REPORT.—The Secretary of Defense, in consultation with Attorney General, shall report annually to Congress regarding the disposition of lethal chemical agents transferred under this section.

(c) NON-INTERFERENCE WITH TREATY OBLIGATIONS.—Nothing in this section may be construed as interfering with United States treaty obligations under the Chemical Weapons Convention.

(d) CHEMICAL WEAPONS CONVENTION DEFINED.—In this section, the term ''Chemical Weapons Convention'' means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature on January 13, 1993.

SEC. 1085. RUSSIAN NONSTRATEGIC NUCLEAR ARMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the interest of Russia to fully implement the Presidential Nuclear Initiatives announced in 1991 and 1992 by then-President of the Soviet Union Gorbachev and then-President of Russia Yeltsin;

(2) the President of the United States should call on Russia to match the unilateral reductions in the United States inventory of tactical nuclear weapons, which have reduced the inventory by nearly 90 percent; and

(3) if the certification under section 1044 is made, the President should emphasize the continued interest of the United States in working cooperatively with Russia to reduce the dangers associated with Russia's tactical nuclear arsenal.

(b) ANNUAL REPORTING REQUIREMENT.—(1) Each annual report on accounting for United States assistance under Cooperative Threat Reduction programs that is submitted to Congress under section 1206 of Public Law 104–106 (110 Stat. 471; 22 U.S.C. 5955 note) after fiscal year 1999 shall include, regarding Russia's arsenal of tactical nuclear warheads, the following:

(A) Estimates regarding current types, numbers, yields, viability, locations, and deployment status of the warheads.

(B) An assessment of the strategic relevance of the warheads.

(C) An assessment of the current and projected threat of theft, sale, or unauthorized use of the warheads.

(D) A summary of past, current, and planned United States efforts to work cooperatively with Russia to account for, secure, and reduce Russia's stockpile of tactical nuclear warheads and associated fissile material.

(2) The Secretary shall include in the annual report, with the matters included under paragraph (1), the views of the Director of Central Intelligence and the views of the Commander in Chief of the United States Strategic Command regarding those matters.

(c) VIEWS OF THE DIRECTOR OF CENTRAL INTELLIGENCE.—The Director of Central Intelligence shall submit to the Secretary of Defense, for inclusion in the annual report under subsection (b), the Director's views on the matters described in paragraph (1) of that subsection regarding Russia's tactical nuclear weapons.

SEC. 1086. COMMEMORATION OF THE VICTORY OF FREEDOM IN THE COLD WAR.

(a) FINDINGS.—Congress makes the following findings:

(1) The Cold War between the United States and the former Union of Soviet Socialist Republics was the longest and most costly struggle for democracy and freedom in the history of mankind.

(2) Whether millions of people all over the world would live in freedom hinged on the outcome of the Cold War.

(3) Democratic countries bore the burden of the struggle and paid the costs in order to preserve and promote democracy and freedom.

(4) The Armed Forces and the taxpayers of the United States bore the greatest portion of such a burden and struggle in order to protect such principles.

(5) Tens of thousands of United States soldiers, sailors, Marines, and airmen paid the ultimate price during the Cold War in order to preserve the freedoms and liberties enjoyed in democratic countries.

(6) The Berlin Wall erected in Berlin, Germany, epitomized the totalitarianism that the United States struggled to eradicate during the Cold War.

(7) The fall of the Berlin Wall on November 9, 1989, marked the beginning of the end for Soviet totalitarianism, and thus the end of the Cold War.

(8) November 9, 1999, is the 10th anniversary of the fall of the Berlin Wall.

(b) DESIGNATION OF VICTORY IN THE COLD WAR DAY.—Congress hereby—

(1) designates November 9, 1999, as ''Victory in the Cold War Day''; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe that week with appropriate ceremonies and activities.

(c) COLD WAR MEDAL.—(1) Chapter 57 of title 10, United States Code, is amended by adding at the end the following:

''§ 1133. Cold War medal: award

''(a) AWARD.—There is hereby authorized an award of an appropriate decoration, as provided for under subsection (b), to all individuals who served honorably in the United States Armed Forces during the Cold War in order to recognize the contributions of such individuals to United States victory in the Cold War.

''(b) DESIGN.—The Joint Chiefs of Staff shall, under regulations prescribed by the President, design for purposes of this section a decoration called the 'Victory in the Cold War Medal'. The decoration shall be of appropriate design, with ribbons and appurtenances.

''(c) PERIOD OF COLD WAR.—For purposes of subsection (a), the term 'Cold War' shall mean the period beginning on August 14, 1945, and ending on November 9, 1989.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1133. Cold War medal: award.''.

(d) PARTICIPATION OF ARMED FORCES IN CELEBRATION OF ANNIVERSARY OF END OF COLD WAR.—(1) Subject to paragraphs (2) and (3), amounts authorized to be appropriated by section 301(1) shall be available for the purpose of covering the costs of the Armed Forces in participating in a celebration of the 10th anniversary of the end of the Cold War to be held in Washington, District of Columbia, on November 9, 1999.

(2) The total amount of funds available under paragraph (1) for the purpose set forth in that paragraph may not exceed $15,000,000.

(3)(A) The Secretary of Defense may accept contributions from the private sector for the purpose of reducing the costs of the Armed Forces described in paragraph (1).

(B) The amount of funds available under paragraph (1) for the purpose set forth in that paragraph shall be reduced by an amount equal to the amount of contributions accepted by the Secretary under subparagraph (A).

(e) COMMISSION ON VICTORY IN THE COLD WAR.—(1) There is hereby established a commission to be known as the ''Commission on Victory in the Cold War'' (in this subsection to be referred to as the ''Commission'').

(2) The Commission shall be composed of twelve individuals, as follows:

(A) Two shall be appointed by the President.

(B) Two shall be appointed by the Minority Leader of the Senate.

(C) Two shall be appointed by the Minority Leader of the House of Representatives.

(D) Three shall be appointed by the Majority Leader of the Senate.

(E) Three shall be appointed by the Speaker of the House of Representatives.

(3) The Commission shall have as its duty the review and approval of the expenditure of funds by the Armed Forces under subsection (d) prior to the participation of the Armed Forces in the celebration referred to in paragraph (1) of that subsection, whether such funds are derived from funds of the United States or from amounts contributed by the private sector under paragraph (3)(A) of that subsection.

(4) In addition to the duties provided for under paragraph (3), the Commission shall also have the authority to design and award medals and decorations to current and former public officials and other individuals whose efforts were vital to United States victory in the Cold War.

(5) The Commission shall be chaired by two individuals as follows:

(A) One selected by and from among those appointed pursuant to subparagraphs (A), (B), and (C) of paragraph (2).

(B) One selected by and from among those appointed pursuant to subparagraphs (D) and (E) of paragraph (2).

TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

SEC. 1101. ACCELERATED IMPLEMENTATION OF VOLUNTARY EARLY RETIREMENT AUTHORITY.

Section 1109(d)(1) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2145; 5 U.S.C. 8336 note) is amended by striking ''October 1, 2000'' and inserting ''October 1, 1999''.

SEC. 1102. DEFERENCE TO EEOC PROCEDURES FOR INVESTIGATION OF COMPLAINTS OF SEXUAL HARASSMENT MADE BY EMPLOYEES.

Section 1561(a) of title 10, United States Code, is amended by striking ''or a civilian employee under the supervision of the officer''.

SEC. 1103. RESTORATION OF LEAVE OF EMERGENCY ESSENTIAL EMPLOYEES SERVING IN A COMBAT ZONE.

(a) SERVICE IN A COMBAT ZONE AS EXIGENCY OF THE PUBLIC BUSINESS.—Section 6304(d) of title 5, United States Code, is amended by adding a the end the following:

''(4)(A) For the purpose of this subsection, service of a Department of Defense emergency essential employee in a combat zone is an exigency of the public business for that employee. Any leave that, by reason of such service, is lost by the employee by operation of this section (regardless of whether such leave was scheduled) shall be restored to the employee and shall be credited and available in accordance with paragraph (2).

''(B) As used in subparagraph (A)—

''(i) the term 'Department of Defense emergency essential employee' means an employee of the Department of Defense who is

designated under section 1580 of title 10 as an emergency essential employee; and

''(ii) the term 'combat zone' has the meaning given such term in section 112(c)(2) of the Internal Revenue Code of 1986.''.

(b) DESIGNATION OF EMERGENCY ESSENTIAL EMPLOYEES.—(1) Chapter 81 of title 10, United States Code, is amended by inserting after the table of sections at the beginning of such chapter the following new section 1580:

''§ 1580. Emergency essential employees: designation

''(a) CRITERIA FOR DESIGNATION.—The Secretary of Defense or the Secretary of the military department concerned may designate as an emergency essential employee any employee of the Department of Defense, whether permanent or temporary, the duties of whose position meet all of the following criteria:

''(1) It is the duty of the employee to provide immediate and continuing support for combat operations or to support maintenance and repair of combat essential systems of the armed forces.

''(2) It is necessary for the employee to perform that duty in a combat zone after the evacuation of nonessential personnel, including any dependents of members of the armed forces, from the zone in connection with a war, a national emergency declared by Congress or the President, or the commencement of combat operations of the armed forces in the zone.

''(3) It is impracticable to convert the employee's position to a position authorized to be filled by a member of the armed forces because of a necessity for that duty to be performed without interruption.

''(b) ELIGIBILITY OF EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES.—A nonappropriated fund instrumentality employee is eligible for designation as an emergency essential employee under subsection (a).

''(c) DEFINITIONS.—In this section:

''(1) The term 'combat zone' has the meaning given that term in section 112(c)(2) of the Internal Revenue Code of 1986.

''(2) The term 'nonappropriated fund instrumentality employee' has the meaning given that term in section 1587(a)(1) of this title.''.

(2) The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 1581 the following:

''1580. Emergency essential employees: designation.''.

SEC. 1104. LEAVE WITHOUT LOSS OF BENEFITS FOR MILITARY RESERVE TECHNICIANS ON ACTIVE DUTY IN SUPPORT OF COMBAT OPERATIONS.

(a) ELIMINATION OF RESTRICTION TO SITUATIONS INVOLVING NONCOMBAT OPERATIONS.—Section 6323(d)(1) of title 5, United States Code, is amended by striking ''noncombat''.

(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 days of leave under section 6323(d)(1) of title 5, United States Code, on or after that date.

SEC. 1105. WORK SCHEDULES AND PREMIUM PAY OF SERVICE ACADEMY FACULTY.

(a) UNITED STATES MILITARY ACADEMY.—Section 4338 of title 10, United States Code, is amended by adding at the end the following new subsection (c):

''(c) The Secretary of the Army may, notwithstanding the provisions of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

''(1) The work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

''(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6952 of title 10, United States Code, is amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) inserting after subsection (b) the following new subsection (c):

''(c) The Secretary of the Navy may, notwithstanding the provisions of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

''(1) The work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

''(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9338 of title 10, United States Code, is amended by adding at the end the following new subsection (c):

''(c) The Secretary of the Air Force may, notwithstanding the provisions of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

''(1) The work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

''(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.''.

SEC. 1106. SALARY SCHEDULES AND RELATED BENEFITS FOR FACULTY AND STAFF OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

Section 2113(f) of title 10, United States Code, is amended by adding at the end the following:

''(3) The limitations in sections 5307 and 5373 of title 5 do not apply to the authority of the Secretary under paragraph (1) to prescribe salary schedules and other related benefits.''.

SEC. 1107. EXTENSION OF CERTAIN TEMPORARY AUTHORITIES TO PROVIDE BENEFITS FOR EMPLOYEES IN CONNECTION WITH DEFENSE WORKFORCE REDUCTIONS AND RESTRUCTURING.

(a) LUMP-SUM PAYMENT OF SEVERANCE PAY.—Section 5595(i)(4) of title 5, United States Code, is amended by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 1996 and before October 1, 1999'' and inserting ''February 10, 1996, and before October 1, 2003''.

(b) VOLUNTARY SEPARATION INCENTIVE.—Section 5597(e) of such title is amended by striking ''September 30, 2001'' and inserting ''September 30, 2003''.

(c) CONTINUATION OF FEHBP ELIGIBILITY.—Section 8905a(d)(4)(B) of such title is amended by striking clauses (i) and (ii) and inserting the following:

''(i) October 1, 2003; or

''(ii) February 1, 2004, if specific notice of such separation was given to such individual before October 1, 2003.''.

TITLE XII—NATIONAL MILITARY MUSEUM AND RELATED MATTERS

Subtitle A—Commission on National Military Museum

SEC. 1201. ESTABLISHMENT.

(a) ESTABLISHMENT.—There is hereby established a commission known as the ''Commission on the National Military Museum'' (in this subtitle referred to as the ''Commission'').

(b) COMPOSITION.—(1) The Commission shall be composed of 10 individuals appointed from among individuals who have an expertise in military or museum matters, of whom—

(A) six shall be appointed by the President;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) 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.

(c) 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 90 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting not later than 60 days after the date as of which all members of the Commission have been appointed, but not earlier than October 15, 1999.

SEC. 1202. DUTIES OF COMMISSION.

(a) IN GENERAL.—The Commission shall conduct a study in order to make recommendations to Congress regarding an authorization for the construction of a national military museum in the National Capital Area.

(b) STUDY ELEMENTS.—In conducting the study, the Commission shall—

(1) determine whether existing military museums, historic sites, and memorials in the United States are adequate—

(A) to provide in a cost-effective manner for display 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, State and local governments, and private sources, respectively;

(5) assess the potential for fundraising for the museum during the 20-year period following the authorization of construction of the museum; and

(6) assess and recommend various governing structures for the museum, including a governing structure that places the museum within the Smithsonian Institution.

SEC. 1203. REPORT.

The Commission shall, not later than 12 months after the date of its first meeting, submit to Congress a report on its findings and conclusions under this subtitle, including any recommendations under section 1202.

SEC. 1204. POWERS.

(a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this subtitle, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this subtitle.

SEC. 1205. COMMISSION PROCEDURES.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(c) COMMISSION.—The Commission may establish panels composed of less than full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this subtitle.

SEC. 1206. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The appointment of a staff director shall be subject to the approval of the Commission.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS–15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 1207. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 1208. FUNDING.

(a) IN GENERAL.—Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2000.

(b) REQUEST.—Upon receipt of a written certification from the Chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

(c) AVAILABILITY OF CERTAIN FUNDS.—Of the funds available for activities of the Commission under this section, $2,000,000 shall be available for the activities, if any, of the Commission under section 1202(c).

SEC. 1209. TERMINATION OF COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 1203.

Subtitle B—Related Matters

SEC. 1211. FUTURE USE OF NAVY ANNEX PROPERTY, ARLINGTON, VIRGINIA.

(a) LIMITATION ON FUTURE USE.—No transfer of any real property of the Navy Annex property, or other use of that property not authorized as of the date of the enactment of this Act, may be carried out until 2 years after the later of—

(1) the date of the submittal of the study on the expansion of Arlington Cemetery required by the Joint Explanatory Statement of the Committee of Conference to accompany the Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261); or

(2) the date of the submittal of the report of the Commission on the National Military Museum under section 1203.

(b) NAVY ANNEX PROPERTY DESCRIBED.—For purposes of subsection (a), the Navy Annex property is the parcels of real property under the jurisdiction of the Federal Government located in Arlington, Virginia, as follows:

(1) A parcel bounded by Columbia Pike to the south and east, the rear property line of the residential properties fronting Oak Street to the west, and the southern limit of Southgate Road to the north.

(2) A parcel bounded by Shirley Memorial Boulevard (Interstate Route 395) to the south, the eastern edge of the Department of Transportation of the Commonwealth of Virginia to the west, Columbia Pike to the north, and the access road to Shirley Memorial Boulevard immediately east of Joyce Street to the east.

TITLE XIII—MILITARY VOTING RIGHTS ACT OF 1999

SEC. 1301. SHORT TITLE.

This title may be cited as the ''Military Voting Rights Act of 1999''.

SEC. 1302. GUARANTEE OF RESIDENCY.

Article VII of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. 700 et seq.) is amended by adding at the end the following:

''SEC. 704. (a) For purposes of voting for an office of the United States or of a State, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—

''(1) be deemed to have lost a residence or domicile in that State;

''(2) be deemed to have acquired a residence or domicile in any other State; or

''(3) be deemed to have become resident in or a resident of any other State.

''(b) In this section, the term 'State' includes a territory or possession of the United States, a political subdivision of a State, territory, or possession, and the District of Columbia.''.

SEC. 1303. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973ff–1) is amended—

(1) by inserting ''(a) ELECTIONS FOR FEDERAL OFFICES.—'' before ''Each State shall—''; and

(2) by adding at the end the following:

''(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—

''(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and run-off elections for State and local offices; and

''(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.''.

(b) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking out ''**FOR FEDERAL OFFICE**''.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2000''.

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alaska	Fort Richardson	$14,600,000
	Fort Wainwright	$34,800,000
Arkansas	Pine Bluff Arsenal	$18,000,000
California	Fort Irwin	$13,400,000
Colorado	Peterson Air Force Base	$25,000,000
District of Columbia	Fort McNair	$1,250,000
	Walter Reed Medical Center	$6,800,000
Georgia	Fort Benning	$48,400,000
	Fort Stewart	$19,000,000
	Fort Stewart/Hunter Army Air Field	$7,000,000
	Hunter Army Air Field	$7,200,000
Hawaii	Schofield Barracks	$95,000,000
Kansas	Fort Leavenworth	$34,100,000
	Fort Riley	$27,000,000
Kentucky	Blue Grass Army Depot	$17,000,000
	Fort Campbell	$56,900,000
Maryland	Fort Meade	$22,450,000
Massachusetts	Westover Air Force Reserve Base	$4,000,000
Missouri	Fort Leonard Wood	$10,600,000
Nevada	Hawthorne Army Depot	$1,700,000
New Jersey	Fort Monmouth	$11,800,000
North Carolina	Fort Bragg	$125,400,000
	Military Ocean Terminal Sunny Point	$3,800,000
Oklahoma	Fort Sill	$13,200,000
	McAlester Army Ammunition	$16,600,000
Pennsylvania	Carlisle Barracks	$5,000,000
	Letterkenny Army Depot	$3,650,000
South Carolina	Fort Jackson	$7,400,000
Texas	Fort Bliss	$50,400,000
	Fort Hood	$68,000,000
Virginia	Fort Belvoir	$3,850,000
	Fort Eustis	$39,000,000
	Fort Myer	$2,900,000
Washington	Fort Lewis	$6,200,000
	Yakima Training Center	$17,200,000
CONUS Various	CONUS Various	$36,400,000
	Total:	$875,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or location	Amount
Germany	Ansbach	$21,000,000
	Area Support Group Bamberg	$23,200,000
	Mannheim	$4,500,000
Korea	Camp Casey	$31,000,000
	Camp Howze	$3,050,000
	Camp Stanley	$3,650,000
	Total:	$86,400,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installation, for the purpose, and in the amount set forth in the following table:

Army: Family Housing

Country	Installation or location	Purpose	Amount
Korea	Camp Humphreys	60 Units	$24,000,000
		Total:	$24,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,300,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $32,600,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $2,194,333,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $736,708,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $86,400,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $9,500,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $83,414,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $61,531,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,098,080,000.

(6) For the construction of the United States Disciplinary Barracks, Phase III, Fort Leavenworth, Kansas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1966), $18,800,000.

(7) For the construction of the Whole Barracks Complex Renewal, Fort Campbell, Kentucky, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2182), $4,800,000.

(8) For the construction of the Multi-Purpose Digital Training Range, Fort Knox, Kentucky, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $2,400,000.

(9) For the construction of the Cadet Development Center, United States Military Academy, West Point, New York, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $28,500,000.

(10) For the construction of the Force XXI Soldier Development Center, Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $14,000,000.

(11) For the construction of the Railhead Facility, Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act of Fiscal Year 1999, $14,800,000.

(12) For the construction of the Power Plant, Roi Namur Island, Kwajalein Atoll, Kwajalein, authorized by section 2101(b) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2183), $35,400,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed—

(1) the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a);

(2) $80,800,000 (the balance of the amount authorized under section 2101(a) for the construction of the whole barracks complex renewal at Schofield Barracks, Hawaii); and

(3) $57,492,000 (the balance of the amount authorized under section 2101(a) for the construction of the whole barracks complex renewal at Fort Bragg, North Carolina).

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	$17,020,000
	Navy Detachment, Camp Navajo	$7,560,000
California	Marine Corps Air-Ground Combat Center, Twentynine Palms.	$34,760,000
	Marine Corps Base, Camp Pendleton.	$31,660,000
	Marine Corps Logistics Base, Barstow.	$4,670,000
	Marine Corps Recruit Depot, San Diego.	$3,200,000
	Naval Air Station, Lemoore	$24,020,000
	Naval Air Station, North Island	$54,420,000
	Naval Hospital, San Diego	$21,590,000
	Naval Hospital, Twentynine Palms	$7,640,000
Florida	Naval Air Station, Whiting Field, Milton.	$4,750,000
Georgia	Marine Corps Logistics Base, Albany.	$6,260,000
Hawaii	Camp H.M. Smith	$86,050,000
	Marine Corps Air Station, Kaneohe Bay.	$5,790,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
	Naval Shipyard, Pearl Harbor	$10,610,000
	Naval Station, Pearl Harbor	$18,600,000
	Naval Submarine Base, Pearl Harbor.	$29,460,000
Idaho	Naval Surface Warfare Center, Bayview.	$10,040,000
Illinois	Naval Training Center, Great Lakes	$57,290,000
Maine	Naval Air Station, Brunswick	$16,890,000
Maryland	Naval Surface Warfare Center, Indian Head.	$10,070,000
Mississippi	Naval Construction Battalion Center, Gulfport.	$19,170,000
New Hampshire	NSY Portsmouth	$3,850,000
New Jersey	Naval Air Warfare Center Aircraft Division, Lakehurst.	$15,710,000
North Carolina	Marine Corps Air Station, New River.	$5,470,000
	Marine Corps Base, Camp LeJeune	$21,380,000
Pennsylvania	Navy Ships Parts Control Center, Mechanicsburg.	$2,990,000
	Naval Shipyard, Philadelphia	$13,320,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
South Carolina	Naval Weapons Station, Charleston	$7,640,000
	Marine Corps Air Station, Beaufort	$10,490,000
Virginia	Marine Corps Combat Development Command, Quantico.	$20,820,000
	Naval Air Station, Oceana	$11,490,000
	Naval Shipyard, Norfolk, Portsmouth.	$17,630,000
	Naval Station, Norfolk	$69,550,000
	Naval Weapons Station, Yorktown	$25,040,000
	Tactical Training Group Atlantic, Dam Neck.	$10,310,000
Washington	Naval Ordnance Center Pacific Division Detachment, Port Hadlock.	$3,440,000
	Puget Sound Naval Shipyard, Bremerton.	$15,610,000
	Strategic Weapons Facility Pacific, Bremerton.	$6,300,000
	Total:	$742,560,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or location	Amount
Bahrain	Administrative Support Unit	$83,090,000
Diego Garcia	Naval Support Facility, Diego Garcia.	$8,150,000

Navy: Outside the United States—Continued

Country	Installation or location	Amount
Greece	Naval Support Activity, Souda Bay	$6,380,000
Italy	Naval Support Activity, Naples	$26,750,000

Navy: Outside the United States—Continued

Country	Installation or location	Amount
	Total:	$124,370,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or location	Purpose	Amount
Arizona	Marine Corps Air Station, Yuma	100 Units	$17,000,000
Hawaii	Marine Corps Air Station, Kaneohe Bay	100 Units	$26,615,000
	Marine Corps Base, Kaneohe Bay	84 Units	$22,639,000
	Naval Base, Pearl Harbor	133 Units	$30,168,000
	Naval Base, Pearl Harbor	96 Units	$19,167,000
		Total:	$115,589,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $17,715,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $165,050,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,076,435,000 as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $672,380,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $124,370,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $7,342,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $66,581,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $298,354,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $895,070,000.

(6) For construction of the Berthing Wharf (Increment II), Naval Station Norfolk, Virginia, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2186), $12,690,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed—

(1) the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a); and

(2) $70,180,000 (the balance of the amount authorized under section 2201(a) for the construction of the Commander-in-Chief Headquarters, Pacific Command, Camp H. M. Smith, Hawaii).

SEC. 2205. TECHNICAL MODIFICATION OF AUTHORITY RELATING TO CERTAIN FISCAL YEAR 1997 PROJECT.

The table in section 2202(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2768) is amended in the item relating to Naval Air Station Brunswick, Maine, by striking ''92 Units'' in the purpose column and inserting ''72 Units''.

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	$10,600,000
Alaska	Eielson Air Force Base	$24,100,000
	Elmendorf Air Force Base	$42,300,000
Arizona	Davis-Monthan Air Force Base	$7,800,000
California	Beale Air Force Base	$8,900,000
	Travis Air Force Base	$7,500,000
Colorado	Peterson Air Force Base	$33,000,000
	Schriever Air Force Base	$9,400,000
	United States Air Force Academy.	$17,500,000
Delaware	Dover Air Force Base	$12,000,000
Florida	Eglin Air Force Base	$13,600,000
	Eglin Auxiliary Field 9	$18,800,000
	MacDill Air Force Base	$5,500,000
	Patrick Air Force Base	$17,800,000
Georgia	Fort Benning	$3,900,000
	Moody Air Force Base	$3,200,000
	Robins Air Force Base	$3,350,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Hawaii	Hickam Air Force Base	$3,300,000
Idaho	Mountain Home Air Force Base	$17,000,000
Kansas	McConnell Air Force Base	$10,963,000
Kentucky	Fort Campbell	$6,300,000
Maryland	Andrews Air Force Base	$9,900,000
Massachusetts	Hanscom Air Force Base	$16,000,000
Mississippi	Columbus Air Force Base	$2,600,000
	Keesler Air Force Base	$35,900,000
Missouri	Whiteman Air Force Base	$24,900,000
Montana	Malmstrom Air Force Base	$11,600,000
Nebraska	Offutt Air Force Base	$8,300,000
Nevada	Nellis Air Force Base	$18,600,000
	Nellis Air Force Base	$11,600,000
New Jersey	McGuire Air Force Base	$11,800,000
New Mexico	Cannon Air Force Base	$4,000,000
	Cannon Air Force Base	$8,100,000
New York	Rome Laboratory	$25,800,000
North Carolina	Fort Bragg	$4,600,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
	Pope Air Force Base	$7,700,000
North Dakota	Grand Forks Air Force Base	$9,500,000
Ohio	Wright-Patterson Air Force Base	$22,200,000
Oklahoma	Tinker Air Force Base	$47,400,000
South Carolina	Charleston Air Force Base	$18,200,000
South Dakota	Ellsworth Air Force Base	$10,200,000
Tennessee	Arnold Air Force Base	$7,800,000
Texas	Dyess Air Force Base	$5,400,000
	Lackland Air Force Base	$13,400,000
	Laughlin Air Force Base	$3,250,000
Utah	Hill Air Force Base	$4,600,000
Virginia	Langley Air Force Base	$6,300,000
Washington	Fairchild Air Force Base	$13,600,000
	McChord Air Force Base	$7,900,000
CONUS Classified	Classified Location	$16,870,000
	Total:	$664,833,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or location	Amount
Guam	Andersen Air Force Base	$8,900,000
Italy	Aviano Air Base	$3,700,000
Korea	Osan Air Base	$19,600,000
Portugal	Lajes Field, Azores	$1,800,000

Air Force: Outside the United States—Continued

Country	Installation or location	Amount
United Kingdom	Ascension Island	$2,150,000
	Royal Air Force, Feltwell	$3,000,000
	Royal Air Force, Lakenheath	$18,200,000
	Royal Air Force, Mildenhall	$17,600,000

Air Force: Outside the United States—Continued

Country	Installation or location	Amount
	Royal Air Force, Molesworth	$1,700,000
	Total:	$76,650,000

SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Air Force: Family Housing

State or Country	Installation or location	Purpose	Amount
Arizona	Davis-Monthan Air Force Base	64 Units	$10,000,000
California	Beale Air Force Base	60 Units	$8,500,000
	Edwards Air Force Base	188 Units	$32,790,000
	Vandenberg Air Force Base	91 Units	$16,800,000
District of Columbia	Bolling Air Force Base	72 Units	$9,375,000
Florida	Eglin Air Force Base	130 Units	$14,080,000
	MacDill Air Force Base	54 Units	$9,034,000
Mississippi	Columbus Air Force Base	100 Units	$12,290,000
Montana	Malmstrom Air Force Base	34 Units	$7,570,000
Nebraska	Offutt Air Force Base	72 Units	$12,352,000
North Carolina	Seymour Johnson Air Force Base	78 Units	$12,187,000
North Dakota	Grand Forks Air Force Base	42 Units	$10,050,000
	Minot Air Force Base	72 Units	$10,756,000
Texas	Lackland Air Force Base	48 Units	$7,500,000
Portugal	Lajes Field, Azores	75 Units	$12,964,000
		Total:	$186,248,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $17,471,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $129,952,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,931,051,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $651,833,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $76,650,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $8,741,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $38,264,000.

(5) For military housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $333,671,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $821,892,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed $651,833,000.

SEC. 2305. CONSOLIDATION OF AIR FORCE RESEARCH LABORATORY FACILITIES AT ROME RESEARCH SITE, ROME, NEW YORK.

The Secretary of the Air Force may accept contributions from the State of New York in addition to amounts authorized in section 2304(a)(1) for the project authorized by section 2301(a) for Rome Laboratory, New York, for purposes of carrying out military construction relating to the consolidation of Air Force Research Laboratory facilities at the Rome Research Site, Rome, New York.

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Demilitarization Program.	Blue Grass Army Depot, Kentucky	$195,800,000
Defense Education Activity.	Marine Corps Base, Camp LeJeune, North Carolina	$10,570,000
	Laurel Bay, South Carolina	$2,874,000
Defense Logistics Agency.	Eielson Air Force Base, Alaska	$26,000,000
	Defense Fuel Supply Center, Elmendorf Air Force Base, Alaska	$23,500,000
	Defense Distribution Supply Point, New Cumberland, Pennsylvania	$5,000,000
	Fairchild Air Force Base, Washington	$12,400,000
	Various Locations	$8,900,000
Defense Manpower Data Center.	Presidio, Monterey, California	$28,000,000
National Security Agency.	Fort Meade, Maryland	$2,946,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
Special Operations Command.	Naval Amphibious Base, Coronado, California	$6,000,000
	Fort Benning, Georgia	$10,200,000
	Mississippi Army Ammunition Plant, Mississippi	$12,900,000
	Fort Bragg, North Carolina	$20,100,000
	Fleet Combat Training Center, Dam Neck, Virginia	$4,700,000
Tri-Care Management Agency.	Fort Wainwright, Alaska	$133,000,000
	Davis-Monthan Air Force Base, Arizona	$10,000,000
	Los Angeles Air Force Base, California	$13,600,000
	Travis Air Force Base, California	$7,500,000
	Patrick Air Force Base, Florida	$1,750,000
	Naval Air Station, Jacksonville, Florida	$3,780,000
	Naval Air Station, Pensacola, Florida	$4,300,000
	Moody Air Force Base, Georgia	$1,250,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
	Fort Riley, Kansas	$6,000,000
	Andrews Air Force Base, Maryland	$3,000,000
	Naval Air Station, Patuxent River, Maryland	$4,150,000
	Marine Corps Air Station, Cherry Point, North Carolina	$3,500,000
	Wright-Patterson Air Force Base, Ohio	$3,900,000
	Fort Sam Houston, Texas	$5,800,000
	Cheatham Annex, Virginia	$1,650,000
	Naval Air Station, Norfolk, Virginia	$4,050,000
	Fort Lewis, Washington	$5,500,000
	Naval Air Station, Whidbey Island, Washington	$4,700,000
	Total:	$587,320,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Education Activity.	Andersen Air Force Base, Guam	$44,170,000
	Naval Station Rota, Spain	$17,020,000

Defense Agencies: Outside the United States—Continued

Agency	Installation or location	Amount
	Royal Air Force, Feltwell, United Kingdom	$4,570,000

Defense Agencies: Outside the United States—Continued

Agency	Installation or location	Amount
	Royal Air Force, Lakenheath, United Kingdom	$3,770,000

Defense Agencies: Outside the United States—Continued

Agency	Installation or location	Amount
Defense Logistics Agency.	Andersen Air Force Base, Guam	$24,300,000
	Moron Air Base, Spain	$15,200,000
National Security Agency.	Royal Air Force, Menwith Hill Station, United Kingdom	$500,000
Tri-Care Management Agency.	Naval Security Group Activity, Sabana Seca, Puerto Rico	$4,000,000
	Ramstein Air Force Base, Germany	$7,100,000
	Yongsan, Korea	$41,120,000
	Royal Air Force, Lakenheath, United Kingdom	$7,100,000
Defense-Wide	Counterdrug Forward Operating Location, Antilles	$4,880,000
	Counterdrug Forward Operating Location, Costa Rica	$6,726,000
	Counterdrug Forward Operating Location, Ecuador	$31,229,000
	Total:	$211,685,000

SEC. 2402. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(8)(A), the Secretary of Defense may improve existing military family housing units in an amount not to exceed $50,000.

SEC. 2403. MILITARY FAMILY HOUSING IMPROVEMENT PROGRAM.

Of the amount authorized to be appropriated pursuant to section 2405(a)(8)(C), $78,756,000 shall be available for credit to the Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code.

SEC. 2404. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(6), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $31,900,000.

SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of $1,842,582,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $288,320,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $211,685,000.

(3) For unspecified minor construction projects under section 2805 of title 10, United States Code, $18,618,000.

(4) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $938,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $33,664,000.

(6) For energy conservation projects authorized by section 2404, $31,900,000.

(7) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), $892,911,000.

(8) For military family housing functions:

(A) For improvement of military family housing and facilities, $50,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $41,440,000 of which not more than $35,639,000 may be obligated or expended for the leasing of military family housing units worldwide.

(C) For credit to the Department of Defense Family Housing Improvement Fund as authorized by section 2403, $78,756,000.

(9) For the construction of the Ammunition Demilitarization Facility, Anniston Army Depot, Alabama, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; Stat. 1758), $7,000,000.

(10) For the construction of the Ammunition Demilitarization Facility, Pine Bluff Arsenal, Arkansas, authorized by section 2401 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3040), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 539), section 2408 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1982), and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2197), $61,800,000.

(11) For the construction of the Ammunition Demilitarization Facility, Umatilla Army Depot, Oregon, authorized by section 2401 of the Military Construction Authorization Act for Fiscal Year 1995, as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996, section 2408 of the Military Construction Authorization Act for Fiscal Year 1998, and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999, $35,900,000.

(12) For the construction of the Ammunition Demilitarization Facility, Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of this Act, $11,800,000.

(13) For the construction of the Ammunition Demilitarization Facility, Newport Army Depot, Indiana, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2193), $61,200,000.

(14) For the construction of the Ammunition Demilitarization Facility, Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999, $66,600,000.

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variation authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed—

(1) the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a);

(2) $115,000,000 (the balance of the amount authorized under section 2401(a) for the construction of the hospital replacement, Fort Wainwright, Alaska); and

(3) $184,000,000 (the balance of the amount authorized under section 2401(a) for the construction of the Ammunition Demilitarization Facility, Blue Grass Army Depot, Kentucky).

SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.

The table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), under the agency heading relating to Chemical Demilitarization Program, is amended in the item relating to Pueblo Chemical Activity, Colorado, by striking ''$179,000,000'' in the amount column and inserting ''$203,500,000''.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment program authorized by section 2501, in the amount of $166,340,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 1999, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $189,639,000; and

(B) for the Army Reserve, $104,817,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, $28,475,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $232,340,000; and

(B) for the Air Force Reserve, $34,864,000.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2002; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2003.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor), for

which appropriated funds have been obligated before the later of—

(1) October 1, 2002; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2003 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1997 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2782), authorizations for the projects set forth in the tables in subsection (b), as provided in sections 2101, 2202, and 2601 of that Act and amended by section 2406 of this Act, shall remain in effect until October 1, 2000, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2001, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Navy: Extension of 1997 Project Authorizations

State	Installation or location	Project	Amount
Florida	Naval Station Mayport	Family Housing Construction (100 units).	$10,000,000
Maine	Naval Station Brunswick	Family Housing Construction (72 units).	$10,925,000
North Carolina	Marine Corps Base Camp Lejuene	Family Housing Construction (94 units).	$10,110,000
South Carolina	Marine Corps Air Station Beaufort	Family Housing Construction (140 units).	$14,000,000
Texas	Naval Complex Corpus Christi	Family Housing Construction (104 units).	$11,675,000
	Naval Air Station Kingsville	Family Housing Construction (48 units).	$7,550,000
Virginia	Marine Corps Combat Development Command, Quantico.	Sanitary Fill	$8,900,000
Washington	Naval Station Everett	Family Housing Construction (100 units).	$15,015,000

Army National Guard: Extension of 1997 Project Authorization

State	Installation or location	Project	Amount
Mississippi	Camp Shelby	Multipurpose Range.	$5,000,000

Defense Agencies: Extension of 1997 Project Authorization

State	Installation or location	Project	Amount
Colorado	Pueblo Chemical Activity	Ammunition Demilitarization Facility.	$179,000,000

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1996 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 541), authorizations for the projects set forth in the tables in subsection (a), as provided in sections 2202 and 2601 of that Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2199), shall remain in effect until October 1, 2000, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2001, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Navy: Extension of 1996 Project Authorization

State	Installation or location	Project	Amount
California	Camp Pendleton	Family Housing Construction (138 units).	$20,000,000

Army National Guard: Extension of 1996 Project Authorization

State	Installation or location	Project	Amount
Missouri	National Guard Training Site, Jefferson City	Multipurpose Range.	$2,236,000

SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—

(1) October 1, 1999; or

(2) the date of the enactment of this Act.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Program Changes

SEC. 2801. EXEMPTION FROM NOTICE AND WAIT REQUIREMENTS OF MILITARY CONSTRUCTION PROJECTS SUPPORTED BY BURDENSHARING FUNDS UNDERTAKEN FOR WAR OR NATIONAL EMERGENCY.

Section 2350j of title 10, United States Code, is amended—

(1) in subsection (e), by adding at the end the following new paragraph:

''(3)(A) A military construction project under subsection (d) may be carried out without regard to the requirement in paragraph (1) and the limitation in paragraph (2) if the project is necessary to support the armed forces in the country or region in which the project is carried out by reason of a declaration of war, or a declaration by the President of a national emergency pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.), that is in force at the time of the commencement of the project.

''(B) When a decision is made to carry out a military construction project under subparagraph (A), the Secretary of Defense shall submit to the congressional committees specified in subsection (g)—

''(i) a notice of the decision; and

''(ii) a statement of the current estimated cost of the project, including the cost of any real property transaction in connection with the project.''; and

(2) in subsection (g), by striking ''subsection (e)(1)'' and inserting ''subsection (e)''.

SEC. 2802. PROHIBITION ON CARRYING OUT MILITARY CONSTRUCTION PROJECTS FUNDED USING INCREMENTAL FUNDING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should request in the budget for each fiscal year submitted to Congress under section 1105 of title 31, United States Code, sufficient amounts to fund fully each military construction and family housing construction project proposed to be authorized in such fiscal year; and

(2) Congress should authorize and appropriate each fiscal year amounts sufficient to fund fully each military construction and family housing construction project authorized in such fiscal year.

(b) PROHIBITION ON INCREMENTAL FUNDING OF MILITARY CONSTRUCTION PROJECTS.—Section 2802 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) The Secretary of Defense and the Secretaries of the military departments may not obligate funds for a military construction project (including a military family housing project) otherwise authorized by law unless the total amount of appropriations allocated for obligation and expenditure for the project as of the initial obligation of funds for the project is sufficient, without additional funds, to provide for the construction of a usable facility meeting the purpose of the project.''.

SEC. 2803. DEFENSE CHEMICAL DEMILITARIZATION CONSTRUCTION ACCOUNT.

(a) ESTABLISHMENT.—Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following:

''§ 2814. Defense Chemical Demilitarization Construction Account

''(a) ESTABLISHMENT.—There is established on the books of the Treasury the Defense Chemical Demilitarization Construction Account (in this section referred to as the 'Account').

''(b) CREDITS TO ACCOUNT.—There shall be credited to the Account amounts authorized for and appropriated to the Account.

''(c) USE OF AMOUNTS IN ACCOUNT.—Amounts in the Account shall be available to the Secretary of Defense for carrying out military construction projects authorized by law in support of the chemical demilitarization activities of the Department of Defense under section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) and other provisions of law.

''(d) LIMITATION ON OBLIGATION AND EXPENDITURE.—(1) Subject to paragraph (2), amounts appropriated to the Account for a military construction project shall remain available for obligation and expenditure for the project in the fiscal year for which appropriated and the two succeeding fiscal years.

''(2) Amounts appropriated for a military construction project for a fiscal year shall remain available for the project until expended without regard to the limitation specified in paragraph (1) if—

''(A) any portion of such amounts are obligated for the project before the end of the fiscal years referred to in that paragraph; or

''(B) the availability of such amounts for the project are otherwise extended by law.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of that subchapter is amended by adding at the end the following new item:

''2814. Defense Chemical Demilitarization Construction Account.''.

SEC. 2804. LIMITATION ON AUTHORITY REGARDING ANCILLARY SUPPORTING FACILITIES UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND CONSTRUCTION OF MILITARY HOUSING.

Section 2881 of title 10, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Any project''; and

(2) by adding at the end the following new subsection:

''(b) LIMITATION.—A project referred to in subsection (a) may not include the acquisition or construction of an ancillary supporting facility if, as determined by the Secretary concerned, the facility is to be used for providing merchandise or services in direct competition with—

''(1) the Army and Air Force Exchange Service;

''(2) the Navy Exchange Service Command;

''(3) a Marine Corps exchange;

''(4) the Defense Commissary Agency; or

''(5) any nonappropriated fund activity of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.''.

SEC. 2805. AVAILABILITY OF FUNDS FOR PLANNING AND DESIGN IN CONNECTION WITH ACQUISITION OF RESERVE COMPONENT FACILITIES.

Section 18233(f)(1) of title 10, United States Code, is amended by inserting ''and design'' after ''planning''.

SEC. 2806. MODIFICATION OF LIMITATIONS ON RESERVE COMPONENT FACILITY PROJECTS FOR CERTAIN SAFETY PROJECTS.

(a) EXEMPTION FROM NOTICE AND WAIT REQUIREMENT.—Subsection (a)(2) of section 18233a of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(C) An unspecified minor military construction project (as defined in section 2805(a) of this title) that is intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening.''.

(b) AVAILABILITY OF OPERATION AND MAINTENANCE FUNDS.—Subsection (b) of that section is amended to read as follows:

''(b) Under such regulations as the Secretary of Defense may prescribe, the Secretary may spend from appropriations available for operation and maintenance amounts necessary to carry out any project authorized under section 18233(a) of this title costing not more than—

''(1) the amount specified in section 2805(c)(1) of this title, in the case of a project intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening; or

''(2) the amount specified in section 2805(c)(2) of this title, in the case of any other project.''.

SEC. 2807. EXPANSION OF ENTITIES ELIGIBLE TO PARTICIPATE IN ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

(a) DEFINITION OF ELIGIBLE ENTITY.—Section 2871 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8) respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

''(5) The term 'eligible entity' means any individual, corporation, firm, partnership, company, State or local government, or housing authority of a State or local government.''.

(b) GENERAL AUTHORITY.—Section 2872 of such title is amended by striking ''private persons'' and inserting ''eligible entities''.

(c) DIRECT LOANS AND LOAN GUARANTEES.—Section 2873 of such title is amended—

(1) in subsection (a)(1)—

(A) by striking ''persons in private sector'' and inserting ''an eligible entity''; and

(B) by striking ''such persons'' and inserting ''the eligible entity''; and

(2) in subsection (b)(1)—

(A) by striking ''any person in the private sector'' and inserting ''an eligible entity''; and

(B) by striking ''the person'' and inserting ''the eligible entity''.

(d) INVESTMENTS.—Section 2875 of such title is amended—

(1) in subsection (a), by striking ''nongovernmental entities'' and inserting ''an eligible entity'';

(2) in subsection (c)—

(A) by striking ''a nongovernmental entity'' both places it appears and inserting ''an eligible entity''; and

(B) by striking ''the entity'' each place it appears and inserting ''the eligible entity'';

(3) in subsection (d), by striking ''nongovernmental'' and inserting ''eligible''; and

(4) in subsection (e), by striking ''a nongovernmental entity'' and inserting ''an eligible entity''.

(e) RENTAL GUARANTEES.—Section 2876 of such title is amended by striking ''private persons'' and inserting ''eligible entities''.

(f) DIFFERENTIAL LEASE PAYMENTS.—Section 2877 of such title is amended by striking ''private''.

(g) CONVEYANCE OR LEASE OF EXISTING PROPERTY AND FACILITIES.—Section 2878(a) of such title is amended by striking ''private persons'' and inserting ''eligible entities''.

(h) CLERICAL AMENDMENTS.—(1) The heading of section 2875 of such title is amended to read as follows:

''§ 2875. Investments''.

(2) The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended by striking the item relating to section 2875 and inserting the following new item:

''2875. Investments.''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. EXTENSION OF AUTHORITY FOR LEASES OF PROPERTY FOR SPECIAL OPERATIONS ACTIVITIES.

Section 2680(d) of title 10, United States Code, is amended by striking ''September 30, 2000'' and inserting ''September 30, 2005''.

SEC. 2812. ENHANCEMENT OF AUTHORITY RELATING TO UTILITY PRIVATIZATION.

(a) EXTENDED CONTRACTS FOR UTILITY SERVICES.—Section 2688 of title 10, United States Code, is amended—

(1) by redesignating subsections (f), (g), and (h) as subsections (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) EXTENDED CONTRACTS FOR UTILITY SERVICES.—(1) The Secretary concerned may, in connection with a conveyance of a utility system under this section, enter into a contract for the provision of utility services.

''(2) Notwithstanding the proviso in section 201(a)(3) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(a)(3)), the term of a contract under this subsection may be up to 50 years.''.

(b) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYANCES.—That section is further amended by inserting after subsection (f), as added by subsection (a) of this section, the following new subsection (g):

''(g) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYANCES.—(1) Funds appropriated for a military construction project authorized by law for the construction, repair, or replacement of a utility system to be conveyed under this section may, instead of being used for the project, be used for a contribution by the Secretary concerned to the utility company or entity to which the utility system is being conveyed for the costs of the utility company or entity with respect to the construction, repair, or replacement of the utility system.

''(2) The Secretary concerned shall take into account any contribution under this subsection with respect to a utility system for purposes of the economic analysis required for the conveyance of the utility system under subsection (e)(1).''.

Subtitle C—Defense Base Closure and Realignment

SEC. 2821. CONVEYANCE OF PROPERTY AT INSTALLATIONS CLOSED OR REALIGNED UNDER THE BASE CLOSURE LAWS WITHOUT CONSIDERATION FOR ECONOMIC REDEVELOPMENT PURPOSES.

(a) 1990 LAW.—Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A)—

(A) by inserting ''or realigned'' after ''closed''; and

(B) by inserting ''for purposes of creating jobs at the installation'' before the period at the end; and

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

''(B)(i) Subject to clauses (ii) and (iii), the transfer of property under this paragraph shall be for consideration at the fair market value of the property.

''(ii) The transfer of property under this paragraph shall be without consideration in the case of an installation located in a rural area whose closure or realignment under this part will have a substantial adverse impact on the economy of the communities in the vicinity of the installation.

''(iii) The transfer of property of an installation under this paragraph shall also be without consideration if the redevelopment authority with respect to the installation—

''(I) provides in the agreement for the transfer of such property that the proceeds of any sale or lease of such property, or portion of such property, received by the redevelopment authority during the period after the date of the transfer of such property agreed upon by the redevelopment authority and the Secretary (but not less than 10 years after that date) shall be used for economic redevelopment of the installation or related to the installation; and

''(II) accepts control of such property under the agreement within a reasonable time (as determined by the Secretary) after the completion of the property disposal record of decision or the entry of a finding of no significant environmental impact with respect to the transfer under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(iv) For purposes of clause (iii), the following activities shall be treated as economic redevelopment of an installation or related to an installation:

''(I) Road construction or improvement.

''(II) Construction or improvement of transportation management facilities.

''(III) Construction or improvement of storm and sanitary sewers.

''(IV) Construction or improvement of facilities for police or fire protection services.

''(V) Construction or improvement of other public facilities.

''(VI) Construction or improvement of utilities.

''(VII) Rehabilitation or improvement of buildings, including preservation of historic property.

''(VIII) Construction, improvement, or acquisition of pollution prevention equipment or facilities.

''(IX) Demolition of facilities.

''(X) Property management activities, including removal of hazardous material, landscaping, grading, and other site or public improvements.

''(XI) Planning and marketing the development and reuse of the installation.

''(v) An agreement for the transfer of property of an installation under clause (iii)(I) shall permit the Secretary to recoup from the redevelopment authority concerned such portion as the Secretary determines appropriate of the amount of any proceeds of the sale or lease of the property that the redevelopment authority does not use to support economic redevelopment of the installation or related to the installation for the period specified in the agreement.''.

(b) 1988 LAW.—Section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A)—

(A) by inserting ''or realigned'' after ''closed''; and

(B) by inserting ''for purposes of creating jobs at the installation'' before the period at the end; and

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

''(B)(i) Subject to clauses (ii) and (iii), the transfer of property under this paragraph shall be for consideration at the fair market value of the property.

''(ii) The transfer of property under this paragraph shall be without consideration in the case of an installation located in a rural area whose closure or realignment under this title will have a substantial adverse impact on the economy of the communities in the vicinity of the installation.

''(iii) The transfer of property of an installation under this paragraph shall also be without consideration if the redevelopment authority with respect to the installation—

''(I) provides in the agreement for the transfer of such property that the proceeds of any sale or lease of such property, or portion of such property, received by the redevelopment authority during the period after the date of the transfer of such property agreed upon by the redevelopment authority and the Secretary (but not less than 10 years after such date) shall be used for economic redevelopment of the installation or related to the installation; and

''(II) accepts control of such property under the agreement within a reasonable time (as determined by the Secretary) after the completion of the property disposal record of decision or the entry of a finding of no significant environmental impact with respect to the transfer under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(iv) For purposes of clause (iii), the following activities shall be treated as economic redevelopment of an installation or related to an installation:

''(I) Road construction or improvement.

''(II) Construction or improvement of transportation management facilities.

''(III) Construction or improvement of storm and sanitary sewers.

''(IV) Construction or improvement of facilities for police or fire protection services.

''(V) Construction or improvement of other public facilities.

''(VI) Construction or improvement of utilities.

''(VII) Rehabilitation or improvement of buildings, including preservation of historic property.

''(VIII) Construction, improvement, or acquisition of pollution prevention equipment or facilities.

''(IX) Demolition of facilities.

''(X) Property management activities, including removal of hazardous material, landscaping, grading, and other site or public improvements.

''(XI) Planning and marketing the development and reuse of the installation.

''(v) An agreement for the transfer of property of an installation under clause (iii)(I) shall permit the Secretary to recoup from the redevelopment authority concerned such portion as the Secretary determines appropriate of the amount of any proceeds of the sale or lease of the property that the redevelopment authority does not use to support economic redevelopment of the installation or related to the installation for the period specified in the agreement.''.

(c) APPLICABILITY TO CERTAIN PRIOR AGREEMENTS.—(1)(A) Subject to subparagraph (B), the Secretary of Defense may modify an agreement for the transfer of property under section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990, or under section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act, that was entered

into before April 21, 1999, for purposes of the compromise, waiver, adjustment, release, or reduction of any right, title, claim, lien, or demand of the United States under the agreement.

(B) The Secretary may modify an agreement under this paragraph only if—

(i) the Secretary determines that, as a result of changed economic circumstances, the modification is necessary to provide for economic redevelopment of the installation concerned or related to that installation;

(ii) the terms of the modification do not require the return of any payments made to the Secretary under the agreement before the date of the modification; and

(iii) the terms of the modification do not compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States under the agreement with respect to the receipt by the United States of in-kind consideration.

(C) In modifying an agreement under subparagraph (A), the Secretary may waive some or all future payments to the United States under the agreement to the extent that the Secretary determines such waiver is necessary.

(D) In modifying an agreement under subparagraph (A), the Secretary and the redevelopment authority concerned shall include in the agreement provisions consistent with clauses (iii)(I) and (v) of section 2905(b)(4)(B) of the Defense Base Closure and Realignment Act of 1990 (as amended by this section), or clauses (iii)(I) and (v) under section 204(b)(4)(B) of the Defense Authorization Amendments and Base Closure and Realignment Act (as so amended), as applicable.

(2)(A) The Secretary shall, upon the request of the redevelopment authority concerned, modify an agreement for the transfer of property under section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990, or under section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act, that was entered into between April 21, 1999, and the date of the enactment of this Act in order to conform the agreement to the provisions of subparagraph (B) of such section 2905(b)(4), as so amended, or subparagraph (B) of such section 204(b)(4), as so amended.

(B) A modification of an agreement under this paragraph may compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States under the agreement.

(d) REPEAL OF CERTAIN OBSOLETE AUTHORITY.—(1) Section 204(b)(4)(D) of the Defense Authorization Amendments and Base Closure and Realignment Act is amended—

(A) by striking ''(i)''; and

(B) by striking clause (ii).

(2) Section 2905(b)(4)(D) of the Defense Base Closure and Realignment Act of 1990 is amended—

(A) by striking ''(i)''; and

(B) by striking clause (ii).

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

SEC. 2831. LAND CONVEYANCE, ARMY RESERVE CENTER, BANGOR, MAINE.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Army may convey, without consideration, to the City of Bangor, Maine (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 5 acres and containing the Army Reserve Center in Bangor, Maine, known as the Harold S. Slager Army Reserve Center. The parcel has been determined to be excess to the needs of the Army.

(2) The purpose of the conveyance is to permit the City to use the property for educational purposes.

(b) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by subsection (a) the Secretary has transferred jurisdiction over any of the property to be conveyed to the Administrator of General Services, the Administrator shall make the conveyance of such property under this section.

(c) FEDERAL SCREENING.—(1) If any of the property authorized to be conveyed by subsection (a) of this section is under the jurisdiction of the Administrator as of the date of the enactment of this Act, the Administrator shall conduct with respect to such property the screening for further Federal use otherwise required by subsection (a) of section 2696 of title 10, United States Code.

(2) Subsections (b) through (d) of such section 2696 shall apply to the screening under paragraph (1) as if the screening were a screening conducted under subsection (a) of such section 2696. For purposes of such subsection (b), the date of the enactment of the provision of law authorizing the conveyance of the property authorized to be conveyed by this section shall be the date of the enactment of this Act.

(d) REVERSIONARY INTEREST.—If during the 5-year period beginning on the date the conveyance authorized by subsection (a) is made the Secretary determines that the property conveyed under that subsection is not being used for the purpose specified in paragraph (2) of that subsection, all right, title, and interest in and to the property shall revert to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the official having jurisdiction over the property at the time of the conveyance. The cost of the survey shall be borne by the City.

(f) ADDITIONAL TERMS AND CONDITIONS.—The official having jurisdiction over the property authorized to be conveyed by subsection (a) at the time of the conveyance may require such additional terms and conditions in connection with the conveyance as that official considers appropriate to protect the interest of the United States.

SEC. 2832. LAND CONVEYANCES, TWIN CITIES ARMY AMMUNITION PLANT, MINNESOTA.

(a) CONVEYANCE TO CITY AUTHORIZED.—The Secretary of the Army may convey to the City of Arden Hills, Minnesota (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4 acres at the Twin Cities Army Ammunition Plant, for the purpose of permitting the City to construct a city hall complex on the parcel.

(b) CONVEYANCE TO COUNTY AUTHORIZED.—The Secretary of the Army may convey to Ramsey County, Minnesota (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 35 acres at the Twin Cities Army Ammunition Plant, for the purpose of permitting the County to construct a maintenance facility on the parcel.

(c) CONSIDERATION.—As a consideration for the conveyances under this section, the City shall make the city hall complex available for use by the Minnesota National Guard for public meetings, and the County shall make the maintenance facility available for use by the Minnesota National Guard, as detailed in agreements entered into between the City, County, and the Commanding General of the Minnesota National Guard. Use of the city hall complex and maintenance facility by the Minnesota National Guard shall be without cost to the Minnesota National Guard.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under this section shall be determined by surveys satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the real property.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2833. REPAIR AND CONVEYANCE OF RED BUTTE DAM AND RESERVOIR, SALT LAKE CITY, UTAH.

(a) CONVEYANCE REQUIRED.—The Secretary of the Army may convey, without consideration, to the Central Utah Water Conservancy District, Utah (in this section referred to as the ''District''), all right, title, and interest of the United States in and to the real property, including the dam, spillway, and any other improvements thereon, comprising the Red Butte Dam and Reservoir, Salt Lake City, Utah. The Secretary shall make the conveyance without regard to the department or agency of the Federal Government having jurisdiction over Red Butte Dam and Reservoir.

(b) PROVISION OF FUNDS.—Not later than 60 days after the date of the enactment of this Act, the Secretary may make funds available to the District for purposes of the improvement of Red Butte Dam and Reservoir to meet the standards applicable to the dam and reservoir under the laws of the State of Utah.

(c) USE OF FUNDS.—The District shall use funds made available to the District under subsection (b) solely for purposes of improving Red Butte Dam and Reservoir to meet the standards referred to in that subsection.

(d) RESPONSIBILITY FOR MAINTENANCE AND OPERATION.—Upon the conveyance of Red Butte Dam and Reservoir under subsection (a), the District shall assume all responsibility for the operation and maintenance of Red Butte Dam and Reservoir for fish, wildlife, and flood control purposes in accordance with the repayment contract or other applicable agreement between the District and the Bureau of Reclamation with respect to Red Butte Dam and Reservoir.

(e) DESCRIPTION OF PROPERTY.—The legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the District.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

PART II—NAVY CONVEYANCES

SEC. 2841. CLARIFICATION OF LAND EXCHANGE, NAVAL RESERVE READINESS CENTER, PORTLAND, MAINE.

(a) CLARIFICATION ON CONVEYEE.—Subsection (a)(1) of section 2852 of the Military

Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2220) is amended by striking ''Gulf of Maine Aquarium Development Corporation, Portland, Maine (in this section referred to as the 'Corporation')'' and inserting ''Gulf of Maine Aquarium Development Corporation, Portland, Maine, a non-profit education and research institute (in this section referred to as the 'Aquarium')''.

(b) CONFORMING AMENDMENTS.—That section is further amended by striking ''the Corporation'' each place it appears and inserting ''the Aquarium''.

SEC. 2842. LAND CONVEYANCE, NEWPORT, RHODE ISLAND.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the City of Newport, Rhode Island (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property (together with any improvements thereon) consisting of approximately 15 acres and known familiarly as the Ranger Road site. The real property is bounded by Naval Station Newport, Rhode Island, to the north and west, by the Town of Middletown, Rhode Island, to the north and east, and by Admiral Kalbfus Road, the Jai Alai fronton, the Newport City Yard, and the ramp to Newport Bridge to the south.

(b) CONDITION.—The conveyance authorized by subsection (a) shall be subject to the condition that the City use the conveyed property for one or more of the following purposes:

(1) A satellite campus of the Community College of Rhode Island.

(2) A center for child day care and early childhood education.

(3) A center for offices of the Government of the State of Rhode Island.

(c) REVERSIONARY INTEREST.—If during the 5-year period beginning on the date the Secretary makes the conveyance authorized by subsection (a) the Secretary determines that the conveyed property is not being used for any of the purposes specified in subsection (b), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(d) LEGAL DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey acceptable to the Secretary. The cost of the survey shall be borne by the City.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2843. LAND CONVEYANCE, NAVAL WEAPONS INDUSTRIAL RESERVE PLANT NO. 387, DALLAS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Navy may convey to the City of Dallas, Texas (in this section referred to as the ''City''), all right, title, and interest of the United States in and to parcels of real property consisting of approximately 314 acres and comprising the Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas.

(2)(A) As part of the conveyance authorized by paragraph (1), the Secretary may convey to the City such improvements, equipment, fixtures, and other personal property located on the parcels referred to in that paragraph as the Secretary determines to be not required by the Navy for other purposes.

(B) The Secretary may permit the City to review and inspect the improvements, equipment, fixtures, and other personal property located on the parcels referred to in paragraph (1) for purposes of the conveyance authorized by this paragraph.

(b) AUTHORITY TO CONVEY WITHOUT CONSIDERATION.—The conveyance authorized by subsection (a) may be made without consideration if the Secretary determines that the conveyance on that basis would be in the best interests of the United States.

(c) CONDITION OF CONVEYANCE.—The conveyance authorized by subsection (a) shall be subject to the condition that the City—

(1) use the parcels, directly or through an agreement with a public or private entity, for economic purposes or such other public purposes as the City determines appropriate; or

(2) convey the parcels to an appropriate public entity for use for such purposes.

(d) REVERSION.—If, during the 5-year period beginning on the date the Secretary makes the conveyance authorized by subsection (a), the Secretary determines that the conveyed real property is not being used for a purpose specified in subsection (c), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry onto the property.

(e) LIMITATION ON CERTAIN SUBSEQUENT CONVEYANCES.—(1) Subject to paragraph (2), if at any time after the Secretary makes the conveyance authorized by subsection (a) the City conveys any portion of the parcels conveyed under that subsection to a private entity, the City shall pay to the United States an amount equal to the fair market value (as determined by the Secretary) of the portion conveyed at the time of its conveyance under this subsection.

(2) Paragraph (1) applies to a conveyance described in that paragraph only if the Secretary makes the conveyance authorized by subsection (a) without consideration.

(3) The Secretary shall deposit in the General Fund of the Treasury as miscellaneous receipts any amounts paid the Secretary under this subsection.

(f) INTERIM LEASE.—(1) Until such time as the real property described in subsection (a) is conveyed by deed under this section, the Secretary may continue to lease the property, together with improvements thereon, to the current tenant under the existing terms and conditions of the lease for the property.

(2) If good faith negotiations for the conveyance of the property continue under this section beyond the end of the third year of the term of the existing lease for the property, the Secretary shall continue to lease the property to the current tenant of the property under the terms and conditions applicable to the first three years of the lease of the property pursuant to the existing lease for the property.

(g) MAINTENANCE OF PROPERTY.—(1) Subject to paragraph (2), the Secretary shall be responsible for maintaining the real property to be conveyed under this section in its condition as of the date of the enactment of this Act until such time as the property is conveyed by deed under this section.

(2) The current tenant of the property shall be responsible for any maintenance required under paragraph (1) to the extent of the activities of that tenant at the property during the period covered by that paragraph.

(h) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(i) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2844. LAND CONVEYANCE, NAVAL TRAINING CENTER, ORLANDO, FLORIDA.

The Secretary of the Navy shall convey all right, title, and interest of the United States in and to the land comprising the main base portion of the Naval Training Center and the McCoy Annex Areas, Orlando, Florida, to the City of Orlando, Florida, in accordance with the terms and conditions set forth in the Memorandum of Agreement by and between the United States of America and the City of Orlando for the Economic Development Conveyance of Property on the Main Base and McCoy Annex Areas of the Naval Training Center, Orlando, executed by the Parties on December 9, 1997, as amended.

PART III—AIR FORCE CONVEYANCES

SEC. 2851. LAND CONVEYANCE, MC CLELLAN NUCLEAR RADIATION CENTER, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law, the Secretary of the Air Force may convey, without consideration, to the Regents of the University of California, acting on behalf of the University of California, Davis (in this section referred to as the ''Regents''), all right, title, and interest of the United States in and to the parcel of real property, including improvements thereon, consisting of the McClellan Nuclear Radiation Center, California.

(b) INSPECTION OF PROPERTY.—The Secretary shall, at an appropriate time before the conveyance authorized by subsection (a), permit the Regents access to the property to be conveyed for purposes of such investigation of the McClellan Nuclear Radiation Center and the atomic reactor located at the Center as the Regents consider appropriate.

(c) HOLD HARMLESS.—(1)(A) The Secretary may not make the conveyance authorized by subsection (a) unless the Regents agree to indemnify and hold harmless the United States for and against the following:

(i) Any and all costs associated with the decontamination and decommissioning of the atomic reactor at the McClellan Nuclear Radiation Center under requirements that are imposed by the Nuclear Regulatory Commission or any other appropriate Federal or State regulatory agency.

(ii) Any and all injury, damage, or other liability arising from the operation of the atomic reactor after its conveyance under this section.

(B) As consideration for the agreement under subparagraph (A), the Secretary may pay the Regents an amount determined appropriate by the Secretary. The amount may not exceed $17,593,000.

(2) Notwithstanding the agreement under paragraph (1), the Secretary may, as part of the conveyance authorized by subsection (a), enter into an agreement with the Regents under which agreement the United States shall indemnify and hold harmless the University of California for and against any injury, damage, or other liability in connection with the operation of the atomic reactor at the McClellan Nuclear Radiation Center after its conveyance under this section that

arises from a defect in the atomic reactor that could not have been discovered in the course of the inspection carried out under subsection (b).

(d) CONTINUING OPERATION OF REACTOR.—Until such time as the property authorized to be conveyed by subsection (a) is conveyed by deed, the Secretary shall take appropriate actions, including the allocation of personnel, funds, and other resources, to ensure the continuing operation of the atomic reactor located at the McClellan Nuclear Radiation Center in accordance with applicable requirements of the Nuclear Regulatory Commission and otherwise in accordance with law.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2852. LAND CONVEYANCE, NEWINGTON DEFENSE FUEL SUPPLY POINT, NEW HAMPSHIRE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Pease Development Authority, New Hampshire (in this section referred to as the ''Authority''), all right, title, and interest of the United States in and to parcels of real property, together with any improvements thereon, consisting of approximately 10.26 acres and located in Newington, New Hampshire, the site of the Newington Defense Fuel Supply Point. The parcels have been determined to be excess to the needs of the Air Force.

(b) RELATED PIPELINE AND EASEMENT.—As part of the conveyance authorized by subsection (a), the Secretary may convey to the Authority without consideration all right, title, and interest of the United States in and to the following:

(1) The pipeline approximately 1.25 miles in length that runs between the property authorized to be conveyed under subsection (a) and former Pease Air Force Base, New Hampshire, and any facilities and equipment related thereto.

(2) An easement consisting of approximately 4.612 acres for purposes of activities relating to the pipeline.

(c) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by this section the Secretary has transferred jurisdiction over any of the property to be conveyed to the Administrator of General Services, the Administrator shall make the conveyance of such property under this section.

(d) FEDERAL SCREENING.—(1) If any of the property authorized to be conveyed by this section is under the jurisdiction of the Administrator as of the date of the enactment of this Act, the Administrator shall conduct with respect to such property the screening for further Federal use otherwise required by subsection (a) of section 2696 of title 10, United States Code.

(2) Subsections (b) through (d) of such section 2696 shall apply to the screening under paragraph (1) as if the screening were a screening conducted under subsection (a) of such section 2696. For purposes of such subsection (b), the date of the enactment of the provision of law authorizing the conveyance of the property authorized to be conveyed by this section shall be the date of the enactment of this Act.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a), the easement to be conveyed under subsection (b)(2), and the pipeline to be conveyed under subsection (b)(1) shall be determined by surveys and other means satisfactory to the official having jurisdiction over the property or pipeline, as the case may be, at the time of the conveyance. The cost of any survey or other services performed at the direction of that official under the preceding sentence shall be borne by the Authority.

(f) ADDITIONAL TERMS AND CONDITIONS.—The official having jurisdiction over the property to be conveyed under subsection (a), or the pipeline and easement to be conveyed under subsection (b), at the time of the conveyance may require such additional terms and conditions in connection with the conveyance as that official considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2861. ACQUISITION OF STATE-HELD INHOLDINGS, EAST RANGE OF FORT HUACHUCA, ARIZONA.

(a) ACQUISITION AUTHORIZED.—(1) The Secretary of the Interior may acquire by eminent domain, but with the consent of the State of Arizona, all right, title, and interest (including any mineral rights) of the State of Arizona in and to unimproved Arizona State Trust lands consisting of approximately 1,536.47 acres in the Fort Huachuca East Range, Cochise County, Arizona.

(2) The Secretary may also acquire by eminent domain, but with the consent of the State of Arizona, any trust mineral estate of the State of Arizona located beneath the surface estates of the United States in one or more parcels of land consisting of approximately 12,943 acres in the Fort Huachuca East Range, Cochise County, Arizona.

(b) CONSIDERATION.—(1) Subject to subsection (c), as consideration for the acquisition by the United States of Arizona State trust lands and mineral interests under subsection (a), the Secretary, acting through the Bureau of Land Management, may convey to the State of Arizona all right, title, and interest of the United States, or some lesser interest, in one or more parcels of Federal land under the jurisdiction of the Bureau of Land Management in the State of Arizona.

(2) The lands or interests in land to be conveyed under this subsection shall be mutually agreed upon by the Secretary and the State of Arizona, as provided in subsection (c)(1).

(3) The value of the lands conveyed out of Federal ownership under this subsection either shall be equal to the value of the lands and mineral interests received by the United States under subsection (a) or, if not, shall be equalized by a payment made by the Secretary or the State of Arizona, as necessary.

(c) CONDITIONS ON CONVEYANCE TO STATE.—The Secretary may make the conveyance described in subsection (b) only if—

(1) the transfer of the Federal lands to the State of Arizona is acceptable to the State Land Commissioner; and

(2) the conveyance of lands and interests in lands under subsection (b) is accepted by the State of Arizona as full consideration for the land and mineral rights acquired by the United States under subsection (a) and terminates all right, title, and interest of all parties (other than the United States) in and to the acquired lands and mineral rights.

(d) USE OF EMINENT DOMAIN.—The Secretary may acquire the State lands and mineral rights under subsection (a) pursuant to the laws and regulations governing eminent domain.

(e) DETERMINATION OF FAIR MARKET VALUE.—Notwithstanding any other provision of law, the value of lands and interests in lands acquired or conveyed by the United States under this section shall be determined in accordance with the Uniform Appraisal Standards for Federal Land Acquisition, as published by the Department of Justice in 1992. The appraisal shall be subject to the review and acceptance by the Land Department of the State of Arizona and the Bureau of Land Management.

(f) DESCRIPTIONS OF LAND.—The exact acreage and legal descriptions of the lands and interests in lands acquired or conveyed by the United States under this section shall be determined by surveys that are satisfactory to the Secretary of the Interior and the State of Arizona.

(g) WITHDRAWAL OF ACQUIRED LANDS FOR MILITARY PURPOSES.—After acquisition, the lands acquired by the United States under subsection (a) may be withdrawn and reserved, in accordance with all applicable environmental laws, for use by the Secretary of the Army for military training and testing in the same manner as other Federal lands located in the Fort Huachuca East Range that were withdrawn and reserved for Army use through Public Land Order 1471 of 1957.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Interior may require such additional terms and conditions in connection with the conveyance and acquisition of lands and interests in land under this section as the Secretary considers to be appropriate to protect the interests of the United States and any valid existing rights.

(i) COST REIMBURSEMENT.—All costs associated with the processing of the acquisition of State trust lands and mineral interests under subsection (a) and the conveyance of public lands under subsection (b) shall be borne by the Secretary of the Army.

SEC. 2862. DEVELOPMENT OF FORD ISLAND, HAWAII.

(a) IN GENERAL.—(1) Subject to paragraph (2), the Secretary of the Navy may exercise any authority or combination of authorities in this section for the purpose of developing or facilitating the development of Ford Island, Hawaii, to the extent that the Secretary determines the development is compatible with the mission of the Navy.

(2) The Secretary may not exercise any authority under this section until—

(A) the Secretary submits to the appropriate committees of Congress a master plan for the development of Ford Island; and

(B) a period of 30 calendar days has elapsed following the date on which the notification is received by those committees.

(b) CONVEYANCE AUTHORITY.—(1) The Secretary of the Navy may convey to any public or private person or entity all right, title, and interest of the United States in and to any real property (including any improvements thereon) or personal property under the jurisdiction of the Secretary in the State of Hawaii that the Secretary determines—

(A) is excess to the needs of the Navy and all of the other Armed Forces; and

(B) will promote the purpose of this section.

(2) A conveyance under this subsection may include such terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(c) LEASE AUTHORITY.—(1) The Secretary of the Navy may lease to any public or private

person or entity any real property or personal property under the jurisdiction of the Secretary in the State of Hawaii that the Secretary determines—

(A) is not needed for current operations of the Navy and all of the other Armed Forces; and

(B) will promote the purpose of this section.

(2) A lease under this subsection shall be subject to section 2667(b)(1) of title 10, United States Code, and may include such others terms as the Secretary considers appropriate to protect the interests of the United States.

(3) A lease of real property under this subsection may provide that, upon termination of the lease term, the lessee shall have the right of first refusal to acquire the real property covered by the lease if the property is then conveyed under subsection (b).

(4)(A) The Secretary may provide property support services to or for real property leased under this subsection.

(B) To the extent provided in appropriations Acts, any payment made to the Secretary for services provided under this paragraph shall be credited to the appropriation, account, or fund from which the cost of providing the services was paid.

(d) ACQUISITION OF LEASEHOLD INTEREST BY SECRETARY.—(1) The Secretary of the Navy may acquire a leasehold interest in any facility constructed under subsection (f) as consideration for a transaction authorized by this section upon such terms as the Secretary considers appropriate to promote the purpose of this section.

(2) The term of a lease under paragraph (1) may not exceed 10 years, unless the Secretary of Defense approves a term in excess of 10 years for the purpose of this section.

(3) A lease under this subsection may provide that, upon termination of the lease term, the United States shall have the right of first refusal to acquire the facility covered by the lease.

(e) REQUIREMENT FOR COMPETITION.—The Secretary of the Navy shall use competitive procedures for purposes of selecting the recipient of real or personal property under subsection (b) and the lessee of real or personal property under subsection (c).

(f) CONSIDERATION.—(1) As consideration for the conveyance of real or personal property under subsection (b), or for the lease of real or personal property under subsection (c), the Secretary of the Navy shall accept cash, real property, personal property, or services, or any combination thereof, in an aggregate amount equal to not less than the fair market value of the real or personal property conveyed or leased.

(2) Subject to subsection (i), the services accepted by the Secretary under paragraph (1) may include the following:

(A) The construction or improvement of facilities at Ford Island.

(B) The restoration or rehabilitation of real property at Ford Island.

(C) The provision of property support services for property or facilities at Ford Island.

(g) NOTICE AND WAIT REQUIREMENTS.—The Secretary of the Navy may not carry out a transaction authorized by this section until—

(1) the Secretary submits to the appropriate committees of Congress a notification of the transaction, including—

(A) a detailed description of the transaction; and

(B) a justification for the transaction specifying the manner in which the transaction will meet the purpose of this section; and

(2) a period of 30 calendar days has elapsed following the date on which the notification is received by those committees.

(h) FORD ISLAND IMPROVEMENT ACCOUNT.—(1) There is established on the books of the Treasury an account to be known as the ''Ford Island Improvement Account''.

(2) There shall be deposited into the account the following amounts:

(A) Amounts authorized and appropriated to the account.

(B) Except as provided in subsection (c)(4)(B), the amount of any cash payment received by the Secretary for a transaction under this section.

(i) USE OF ACCOUNT.—(1) Subject to paragraph (2), to the extent provided in advance in appropriation Acts, funds in the Ford Island Improvement Account may be used as follows:

(A) To carry out or facilitate the carrying out of a transaction authorized by this section.

(B) To carry out improvements of property or facilities at Ford Island.

(C) To obtain property support services for property or facilities at Ford Island.

(2) To extent that the authorities provided under subchapter IV of chapter 169 of title 10, United States Code, are available to the Secretary of the Navy, the Secretary may not use the authorities in this section to acquire, construct, or improve family housing units, military unaccompanied housing units, or ancillary supporting facilities related to military housing at Ford Island.

(3)(A) The Secretary may transfer funds from the Ford Island Improvement Account to the following funds:

(i) The Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code.

(ii) The Department of Defense Military Unaccompanied Housing Improvement Fund established by section 2883(a)(2) of that title.

(B) Amounts transferred under subparagraph (A) to a fund referred to in that subparagraph shall be available in accordance with the provisions of section 2883 of title 10, United States Code, for activities authorized under subchapter IV of chapter 169 of that title at Ford Island.

(j) INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.—Except as otherwise provided in this section, transactions under this section shall not be subject to the following:

(1) Sections 2667 and 2696 of title 10, United States Code.

(2) Section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411).

(3) Sections 202 and 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483, 484).

(k) SCORING.—Nothing in this section shall be construed to waive the applicability to any lease entered into under this section of the budget scorekeeping guidelines used to measure compliance with the Balanced Budget Emergency Deficit Control Act of 1985.

(l) CONFORMING AMENDMENTS.—Section 2883(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by adding at the end the following new subparagraph:

''(E) Any amounts that the Secretary of the Navy transfers to that Fund pursuant to section 2862(i)(3)(A)(i) of the Military Construction Authorization Act for Fiscal Year 2000, subject to the restrictions on the use of the transferred amounts specified in that section.''; and

(2) in paragraph (2), by adding at the end the following new subparagraph:

''(E) Any amounts that the Secretary of the Navy transfers to that Fund pursuant to section 2862(i)(3)(A)(ii) of the Military Construction Authorization Act for Fiscal Year 2000, subject to the restrictions on the use of the transferred amounts specified in that section.''.

(m) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' has the meaning given that term in section 2801(4) of title 10, United States Code.

(2) The term ''property support service'' means the following:

(A) Any utility service or other service listed in section 2686(a) of title 10, United States Code.

(B) Any other service determined by the Secretary to be a service that supports the operation and maintenance of real property, personal property, or facilities.

SEC. 2863. ENHANCEMENT OF PENTAGON RENOVATION ACTIVITIES.

The Secretary of Defense in conjunction with the Pentagon Renovation Program is authorized to design and construct secure secretarial office and support facilities and security-related changes to the METRO entrance at the Pentagon Reservation. The Secretary shall, not later than January 15, 2000, submit to the congressional defense committees the estimated cost for the planning, design, construction, and installation of equipment for these enhancements, together with the revised estimate for the total cost of the renovation of the Pentagon.

SEC. 2864. ONE-YEAR DELAY IN DEMOLITION OF RADIO TRANSMITTING FACILITY TOWERS AT NAVAL STATION, ANNAPOLIS, MARYLAND, TO FACILITATE TRANSFER OF TOWERS.

(a) ONE-YEAR DELAY.—The Secretary of the Navy may not obligate or expend any funds for the demolition of the naval radio transmitting towers described in subsection (b) during the one-year period beginning on the date of the enactment of this Act.

(b) COVERED TOWERS.—The naval radio transmitting towers described in this subsection are the three southeastern most naval radio transmitting towers located at Naval Station, Annapolis, Maryland that are scheduled for demolition as of the date of enactment of this Act.

(c) TRANSFER OF TOWERS.—The Secretary may transfer to the State of Maryland, or the County of Anne Arundel, Maryland, all right, title, and interest (including maintenance responsibility) of the United States in and to the towers described in subsection (b) if the State of Maryland or the County of Anne Arundel, Maryland, as the case may be, agrees to accept such right, title, and interest (including accrued maintenance responsibility) during the one-year period referred to in subsection (a).

SEC. 2865. ARMY RESERVE RELOCATION FROM FORT DOUGLAS, UTAH.

Section 2603 of the National Defense Authorization Act for fiscal year 1998 (P.L. 105–85) is amended as follows:

''With regard to the conveyance of a portion of Fort Douglas, Utah to the University of Utah and the resulting relocation of Army Reserve activities to temporary and permanent relocation facilities, the Secretary of the Army may accept the funds paid by the University of Utah or State of Utah to pay costs associated with the conveyance and relocation. Funds received under this section shall be credited to the appropriation, fund or account from which the expenses are ordinarily paid. Amounts so credited shall be available until expended.''.

TITLE XXIX—RENEWAL OF MILITARY LAND WITHDRAWALS

SEC. 2901. FINDINGS.

The Congress finds that—

(1) Public Law 99–606 authorized public land withdrawals for several military installations, including the Barry M. Goldwater Air Force Range in Arizona, the McGregor Range in New Mexico, and Fort Wainwright and Fort Greely in Alaska, collectively comprising over 4 million acres of public land;

(2) these military ranges provide important military training opportunities and serve a critical role in the national security of the United States and their use for these purposes should be continued;

(3) in addition to their use for military purposes, these ranges contain significant natural and cultural resources, and provide important wildlife habitat;

(4) the future use of these ranges is important not only for the affected military branches, but also for local residents and other public land users;

(5) the public land withdrawals authorized in 1986 under Public Law 99–606 were for a period of 15 years, and expire in November 2001; and

(6) it is important that the renewal of these public land withdrawals be completed in a timely manner, consistent with the process established in Public Law 99–606 and other applicable laws, including the completion of appropriate environmental impact studies and opportunities for public comment and review.

SEC. 2902. SENSE OF THE SENATE REGARDING PROPOSAL TO RENEW PUBLIC LAND WITHDRAWALS.

It is the sense of the Senate that the Secretary of Defense and the Secretary of the Interior, consistent with their responsibilities and requirements under applicable laws, should jointly prepare a comprehensive legislative proposal to renew the public land withdrawals for the four ranges referenced in section 2901 and transmit such proposal to the Congress no later than July 1, 1999.

SEC. 2903. SENSE OF SENATE REGARDING WITHDRAWALS OF CERTAIN LANDS IN ARIZONA.

It is the sense of the Senate that—

(1) it is vital to the national interest that the withdrawal of the lands withdrawn by section 1(c) of the Military Lands Withdrawal Act of 1986 (Public Law 99–606), relating to Barry M. Goldwater Air Force Range and the Cabeza Prieta National Wildlife Refuge, which would otherwise expire in 2001, be renewed in 1999;

(2) the renewed withdrawal of such lands is critical to meet the military training requirements of the Armed Forces and to provide the Armed Forces with experience necessary to defend the national interests;

(3) the Armed Forces currently carry out environmental stewardship of such lands in a comprehensive and focused manner; and

(4) a continuation in high-quality management of United States natural and cultural resources is required if the United States is to preserve its national heritage.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. WEAPONS ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for weapons activities in carrying out programs necessary for national security in the amount of $4,530,000,000, to be allocated as follows:

(1) STOCKPILE STEWARDSHIP.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for stockpile stewardship in carrying out weapons activities necessary for national security programs in the amount of $2,248,700,000, to be allocated as follows:

(A) For core stockpile stewardship, $1,748,500,000, to be allocated as follows:

(i) For operation and maintenance, $1,615,355,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $133,145,000, to be allocated as follows:

Project 00–D–103, terascale simulation facility, Lawrence Livermore National Laboratory, Livermore, California, $8,000,000.

Project 00–D–105, strategic computing complex, Los Alamos National Laboratory, Los Alamos, New Mexico, $26,000,000.

Project 00–D–107, joint computational engineering laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $1,800,000.

Project 99–D–102, rehabilitation of maintenance facility, Lawrence Livermore National Laboratory, Livermore, California, $3,900,000.

Project 99–D–103, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.

Project 99–D–104, protection of real property (roof reconstruction, Phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,400,000.

Project 99–D–105, central health physics calibration facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $1,000,000.

Project 99–D–106, model validation and system certification test center, Sandia National Laboratories, Albuquerque, New Mexico, $6,500,000.

Project 99–D–108, renovate existing roadways, Nevada Test Site, Nevada, $7,005,000.

Project 97–D–102, dual-axis radiographic hydrotest facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $61,000,000.

Project 96–D–102, stockpile stewardship facilities revitalization, Phase VI, various locations, $2,640,000.

Project 96–D–104, processing and environmental technology laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $10,900,000.

(B) For inertial fusion, $465,700,000, to be allocated as follows:

(i) For operation and maintenance, $217,600,000.

(ii) For the following plant project (including maintenance, restoration, planning, construction, acquisition, and modification of facilities, and land acquisition related thereto), $248,100,000, to be allocated as follows:

Project 96–D–111, national ignition facility, Lawrence Livermore National Laboratory, Livermore, California, $248,100,000.

(C) For technology partnership and education, $34,500,000, to be allocated as follows:

(i) For technology partnership, $15,200,000.

(ii) For education, $19,300,000.

(2) STOCKPILE MANAGEMENT.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for stockpile management in carrying out weapons activities necessary for national security programs in the amount of $2,039,300,000, to be allocated as follows:

(A) For operation and maintenance, $1,880,621,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $158,679,000, to be allocated as follows:

Project 99–D–122, rapid reactivation, various locations, $11,700,000.

Project 99–D–127, stockpile management restructuring initiative, Kansas City Plant, Kansas City, Missouri, $17,000,000.

Project 99–D–128, stockpile management restructuring initiative, Pantex Plant consolidation, Amarillo, Texas, $3,429,000.

Project 99–D–132, stockpile management restructuring initiative, nuclear material safeguards and security upgrades project, Los Alamos National Laboratory, Los Alamos, New Mexico, $11,300,000.

Project 98–D–123, stockpile management restructuring initiative, tritium facility modernization and consolidation, Savannah River Site, Aiken, South Carolina, $21,800,000.

Project 98–D–124, stockpile management restructuring initiative, Y–12 Plant consolidation, Oak Ridge, Tennessee, $3,150,000.

Project 98–D–125, tritium extraction facility, Savannah River Site, Aiken, South Carolina, $33,000,000.

Project 98–D–126, accelerator production of tritium, various locations, $31,000,000.

Project 97–D–123, structural upgrades, Kansas City Plant, Kansas City, Missouri, $4,800,000.

Project 95–D–102, chemistry and metallurgy research building upgrades, Los Alamos National Laboratory, Los Alamos, New Mexico, $18,000,000.

Project 88–D–123, security enhancements, Pantex Plant, Amarillo, Texas, $3,500,000.

(3) PROGRAM DIRECTION.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for program direction in carrying out weapons activities necessary for national security programs in the amount of $242,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for environmental restoration and waste management in carrying out programs necessary for national security in the amount of $5,532,868,000, to be allocated as follows:

(1) CLOSURE PROJECTS.—For closure projects carried out in accordance with section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2836; 42 U.S.C. 7274n) in the amount of $1,069,492,000.

(2) SITE PROJECT AND COMPLETION.—For site project and completion in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $980,919,000, to be allocated as follows:

(A) For operation and maintenance, $880,629,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $100,290,000, to be allocated as follows:

Project 00–D–____, Transuranic waste treatment, Oak Ridge, Tennessee, $12,000,000.

Project 00–D–400, Site Operations Center, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $1,306,000.

Project 99–D–402, tank farm support services, F&H areas, Savannah River Site, Aiken, South Carolina, $3,100,000.

Project 99–D–404, health physics instrumentation laboratory, Idaho National Engineering and Environmental Laboratory, Idaho, $7,200,000.

Project 98–D–401, H-tank farm storm water systems upgrade, Savannah River Site, Aiken, South Carolina, $2,977,000.

Project 98–D–453, plutonium stabilization and handling system for plutonium finishing plant, Richland, Washington, $16,860,000.

Project 98–D–700, road rehabilitation, Idaho National Engineering and Environmental Laboratory, Idaho, $2,590,000.

Project 97–D–450, Actinide packaging and storage facility, Savannah River Site, Aiken, South Carolina, $4,000,000.

Project 97–D–470, regulatory monitoring and bioassay laboratory, Savannah River Site, Aiken, South Carolina, $12,220,000.

Project 96–D–406, spent nuclear fuels canister storage and stabilization facility, Richland, Washington, $24,441,000.

Project 96–D–464, electrical and utility systems upgrade, Idaho National Engineering and Environmental Laboratory, Idaho, $11,971,000.

Project 96–D–471, chlorofluorocarbon heating, ventilation, and air conditioning and chiller retrofit, Savannah River Site, Aiken, South Carolina, $931,000.

Project 86–D–103, decontamination and waste treatment facility, Lawrence Livermore National Laboratory, Livermore, California, $2,000,0000.

(3) POST-2006 COMPLETION.—For post-2006 project completion in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $2,902,548,000, to be allocated as follows:

(A) For operation and maintenance, $2,847,997,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $54,551,000, to be allocated as follows:

Project 00–D–401, spent nuclear fuel treatment and storage facility, title I and II, Savannah River Site, Aiken, South Carolina, $7,000,000.

Project 99–D–403, privatization phase I infrastructure support, Richland, Washington, $13,988,000.

Project 97–D–402, tank farm restoration and safe operations, Richland, Washington, $20,516,000.

Project 94–D–407, initial tank retrieval systems, Richland, Washington, $4,060,000.

Project 93–D–187, high-level waste removal from filled waste tanks, Savannah River Site, Aiken, South Carolina, $8,987,000.

(4) SCIENCE AND TECHNOLOGY.—For science and technology in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $235,500,000.

(5) PROGRAM DIRECTION.—For program direction in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $344,409,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for other defense activities in carrying out programs necessary for national security in the amount of $1,821,000,000, to be allocated as follows:

(1) NONPROLIFERATION AND NATIONAL SECURITY.—For nonproliferation and national security, $744,300,000, to be allocated as follows:

(A) For verification and control technology, $497,000,000, to be allocated as follows:

(i) For nonproliferation and verification research and development, $215,000,000.

(ii) For arms control, $276,000,000.

(iii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $6,000,000, to be allocated as follows:

Project 00–D–192, Nonproliferation and International Security Centers (NISC), Los Alamos National Laboratory, New Mexico, $6,000,000.

(B) For nuclear safeguards and security, $59,100,000.

(C) For security investigations, $47,000,000.

(D) For emergency management, $21,000,000.

(E) For program direction, $90,450,000.

(F) For HEV Transparency implementation, $15,750,000.

(G) For international nuclear safety, $34,000,000.

(2) INTELLIGENCE.—For intelligence, $36,059,000.

(3) COUNTERINTELLIGENCE.—For counterintelligence, $66,200,000.

(4) WORKER AND COMMUNITY TRANSITION ASSISTANCE.—For worker and community transition assistance, $30,000,000, to be allocated as follows:

(A) For worker and community transition, $26,500,000.

(B) For program direction, $3,500,000.

(5) FISSILE MATERIALS CONTROL AND DISPOSITION.—For fissile materials control and disposition, $200,000,000, to be allocated as follows:

(A) For operation and maintenance, $129,766,000.

(B) For program direction, $7,343,000.

(C) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $62,891,000, to be allocated as follows:

Project 00–D–142, Immobilization and associated processing facility, various locations, $21,765,000.

Project 99–D–141, pit disassembly and conversion facility, various locations, $28,751,000.

Project 99–D–143, mixed oxide fuel fabrication facility, various locations, $12,375,000.

(6) ENVIRONMENT, SAFETY, AND HEALTH.—For environment, safety, and health, defense, $79,000,000, to be allocated as follows:

(A) For the Office of Environment, Safety, and Health (Defense), $54,231,000.

(B) For program direction, $24,769,000.

(7) OFFICE OF HEARINGS AND APPEALS.—For the Office of Hearings and Appeals, $3,000,000.

(8) NAVAL REACTORS.—For naval reactors, $675,000,000, to be allocated as follows:

(A) For naval reactors development, $654,400,000, to be allocated as follows:

(i) For operation and maintenance, $630,400,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $24,000,000, to be allocated as follows:

GPN–101, general plant projects, various locations, $9,000,000.

Project 98–D–200, site laboratory/facility upgrade, various locations, $3,000,000.

Project 90–N–102, expended core facility dry cell project, Naval Reactors Facility, Idaho, $12,000,000.

(B) For program direction, $20,600,000.

(b) ADJUSTMENT.—(1) The total amount authorized to be appropriated pursuant to this section is the sum of the amounts authorized to be appropriated in paragraphs (1) through (7) of subsection (a) reduced by $12,559,000.

(2) The amount authorized to be appropriated pursuant to subsection (a)(1)(C) is reduced by $20,000,000 to reflect an offset provided by user organizations for security investigations.

SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.

(a) DEFENSE NUCLEAR WASTE DISPOSAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of $112,000,000.

(b) ADJUSTMENT.—The amount authorized to be appropriated pursuant to subsection (a) is reduced by $39,000,000.

SEC. 3105. DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $241,000,000, to be allocated as follows:

Project 98–PVT–2, spent nuclear fuel dry storage, Idaho Falls, Idaho, $5,000,000.

Project 98–PVT–5, waste disposal, Oak Ridge, Tennessee, $20,000,000.

Project 97–PVT–1, tank waste remediation system phase I, Hanford, Washington, $106,000,000.

Project 97–PVT–2, advanced mixed waste treatment facility, Idaho Falls, Idaho, $110,000,000.

(b) ADJUSTMENT.—The amount authorized to be appropriated in subsection (a) is the sum of the amounts authorized to be appropriated for the projects set forth in that subsection, reduced by $25,000,000 for use of prior year balances of funds for defense environmental management privatization.

Subtitle B—Recurring General Provisions

SEC. 3121. REPROGRAMMING.

(a) IN GENERAL.—Until the Secretary of Energy submits to the congressional defense committees the report referred to in subsection (b) and a period of 30 days has elapsed after the date on which such committees receive the report, the Secretary may not use amounts appropriated pursuant to this title for any program—

(1) in amounts that exceed, in a fiscal year—

(A) 110 percent of the amount authorized for that program by this title; or

(B) $1,000,000 more than the amount authorized for that program by this title; or

(2) which has not been presented to, or requested of, Congress.

(b) REPORT.—(1) The report referred to in subsection (a) is a report containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

(2) In the computation of the 30-day period under subsection (a), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(c) LIMITATIONS.—(1) In no event may the total amount of funds obligated pursuant to this title exceed the total amount authorized to be appropriated by this title.

(2) Funds appropriated pursuant to this title may not be used for an item for which Congress has specifically denied funds.

SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.

(a) IN GENERAL.—The Secretary of Energy may carry out any construction project under the general plant projects authorized by this title if the total estimated cost of the construction project does not exceed $5,000,000.

(b) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the project is revised because of unforeseen cost variations and the revised cost of the project exceeds $5,000,000, the Secretary shall immediately furnish a complete report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.

(a) IN GENERAL.—(1) Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred in connection with the project above the total estimated cost, whenever the current estimated cost of the construction project, which is authorized by section 3101, 3102, or 3103, or which is in support of national security programs of the Department of Energy and was authorized by any previous Act, exceeds by more than 25 percent the higher of—

(A) the amount authorized for the project; or

(B) the amount of the total estimated cost for the project as shown in the most recent budget justification data submitted to Congress.

(2) An action described in paragraph (1) may be taken if—

(A) the Secretary of Energy has submitted to the congressional defense committees a report on the actions and the circumstances making such action necessary; and

(B) a period of 30 days has elapsed after the date on which the report is received by the committees.

(3) In the computation of the 30-day period under paragraph (2), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(b) EXCEPTION.—Subsection (a) shall not apply to any construction project which has a current estimated cost of less than $5,000,000.

SEC. 3124. FUND TRANSFER AUTHORITY.

(a) TRANSFER TO OTHER FEDERAL AGENCIES.—The Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title to other Federal agencies for the performance of work for which the funds were authorized. Funds so transferred may be merged with and be available for the same purposes and for the same period as the authorizations of the Federal agency to which the amounts are transferred.

(b) TRANSFER WITHIN DEPARTMENT OF ENERGY.—(1) Subject to paragraph (2), the Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title between any such authorizations. Amounts of authorizations so transferred may be merged with and be available for the same purposes and for the same period as the authorization to which the amounts are transferred.

(2) Not more than 5 percent of any such authorization may be transferred between authorizations under paragraph (1). No such authorization may be increased or decreased by more than five percent by a transfer under such paragraph.

(c) LIMITATION.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide funds for items relating to activities necessary for national security programs that have a higher priority than the items from which the funds are transferred; and

(2) may not be used to provide funds for an item for which Congress has specifically denied funds.

(d) NOTICE TO CONGRESS.—The Secretary of Energy shall promptly notify the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of any transfer of funds to or from authorizations under this title.

SEC. 3125. AUTHORITY FOR CONCEPTUAL AND CONSTRUCTION DESIGN.

(a) REQUIREMENT FOR CONCEPTUAL DESIGN.—(1) Subject to paragraph (2) and except as provided in paragraph (3), before submitting to Congress a request for funds for a construction project that is in support of a national security program of the Department of Energy, the Secretary of Energy shall complete a conceptual design for that project.

(2) If the estimated cost of completing a conceptual design for a construction project exceeds $3,000,000, the Secretary shall submit to Congress a request for funds for the conceptual design before submitting a request for funds for the construction project.

(3) The requirement in paragraph (1) does not apply to a request for funds—

(A) for a construction project the total estimated cost of which is less than $5,000,000; or

(B) for emergency planning, design, and construction activities under section 3126.

(b) AUTHORITY FOR CONSTRUCTION DESIGN.—(1) Within the amounts authorized by this title, the Secretary of Energy may carry out construction design (including architectural and engineering services) in connection with any proposed construction project if the total estimated cost for such design does not exceed $600,000.

(2) If the total estimated cost for construction design in connection with any construction project exceeds $600,000, funds for such design must be specifically authorized by law.

SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DESIGN, AND CONSTRUCTION ACTIVITIES.

(a) AUTHORITY.—The Secretary of Energy may use any funds available to the Department of Energy pursuant to an authorization in this title, including those funds authorized to be appropriated for advance planning and construction design under sections 3101, 3102, and 3103, to perform planning, design, and construction activities for any Department of Energy national security program construction project that, as determined by the Secretary, must proceed expeditiously in order to protect public health and safety, to meet the needs of national defense, or to protect property.

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) in the case of any construction project until the Secretary has submitted to the congressional defense committees a report on the activities that the Secretary intends to carry out under this section and the circumstances making such activities necessary.

(c) SPECIFIC AUTHORITY.—The requirement of section 3125(b)(2) does not apply to emergency planning, design, and construction activities conducted under this section.

SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

Subject to the provisions of appropriations Acts and section 3121, amounts appropriated pursuant to this title for management and support activities and for general plant projects are available for use, when necessary, in connection with all national security programs of the Department of Energy.

SEC. 3128. AVAILABILITY OF FUNDS.

(a) IN GENERAL.—Except as provided in subsection (b), when so specified in an appropriations Act, amounts appropriated for operation and maintenance or for plant projects may remain available until expended.

(b) EXCEPTION FOR PROGRAM DIRECTION FUNDS.—Amounts appropriated for program direction pursuant to an authorization of appropriations in subtitle A shall remain available to be expended only until the end of fiscal year 2002.

SEC. 3129. TRANSFERS OF DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.

(a) TRANSFER AUTHORITY FOR DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.—The Secretary of Energy shall provide the manager of each field office of the Department of Energy with the authority to transfer defense environmental management funds from a program or project under the jurisdiction of the office to another such program or project.

(b) LIMITATIONS.—(1) Only one transfer may be made to or from any program or project under subsection (a) in a fiscal year.

(2) The amount transferred to or from a program or project under subsection (a) may not exceed $5,000,000 in a fiscal year.

(3) A transfer may not be carried out by a manager of a field office under subsection (a) unless the manager determines that the transfer is necessary to address a risk to health, safety, or the environment or to assure the most efficient use of defense environmental management funds at the field office.

(4) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

(c) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—The requirements of section 3121 shall not apply to transfers of funds pursuant to subsection (a).

(d) NOTIFICATION.—The Secretary, acting through the Assistant Secretary of Energy for Environmental Management, shall notify Congress of any transfer of funds pursuant to subsection (a) not later than 30 days after such transfer occurs.

(e) DEFINITIONS.—In this section:

(1) The term ''program or project'' means, with respect to a field office of the Department of Energy, any of the following:

(A) A program referred to or a project listed in paragraph (2) or (3) of section 3102.

(B) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department, that is being carried out by the office, and for which defense environmental management funds have been authorized and appropriated before the date of the enactment of this Act.

(2) The term ''defense environmental management funds'' means funds appropriated to

the Department of Energy pursuant to an authorization for carrying out environmental restoration and waste management activities necessary for national security programs.

(f) DURATION OF AUTHORITY.—The managers of the field offices of the Department may exercise the authority provided under subsection (a) during the period beginning on October 1, 1999, and ending on September 30, 2000.

Subtitle C—Program Authorizations, Restrictions, and Limitations

SEC. 3131. PROHIBITION ON USE OF FUNDS FOR CERTAIN ACTIVITIES UNDER FORMERLY UTILIZED SITE REMEDIAL ACTION PROGRAM.

Notwithstanding any other provision of law, no funds authorized to be appropriated or otherwise made available by this Act, or by any Act authorizing appropriations for the military activities of the Department of Defense or the defense activities of the Department of Energy for a fiscal year after fiscal year 2000, may be obligated or expended to conduct treatment, storage, or disposal activities at any site designated as a site under the Formerly Utilized Site Remedial Action Program as of the date of the enactment of this Act.

SEC. 3132. CONTINUATION OF PROCESSING, TREATMENT, AND DISPOSITION OF LEGACY NUCLEAR MATERIALS.

The Secretary of Energy shall continue operations and maintain a high state of readiness at the F-canyon and H-canyon facilities at the Savannah River Site, Aiken, South Carolina, and shall provide the technical staff necessary to operate and so maintain such facilities.

SEC. 3133. NUCLEAR WEAPONS STOCKPILE LIFE EXTENSION PROGRAM.

(a) PROGRAM REQUIRED.—The Secretary of Energy shall, in consultation with the Secretary of Defense, carry out a program to provide for the extension of the effective life of the weapons in the nuclear weapons stockpile.

(b) ADMINISTRATIVE RESPONSIBILITY FOR PROGRAM.—The program under subsection (a) shall be a program within the Office of Defense Programs of the Department of Energy.

(c) PROGRAM PLAN.—As part of the program under subsection (a), the Secretary shall develop a long-term plan for the extension of the life of the weapons in the nuclear weapons stockpile. The plan shall provide the following:

(1) Mechanisms to provide for the remanufacture of each weapon design designated by the Secretary for inclusion in the enduring nuclear weapons stockpile as of the date of the enactment of this Act.

(2) Mechanisms to expedite the collection of data necessary for carrying out the program, including data relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials.

(3) Mechanisms to ensure the appropriate assignment of roles and missions for each Department nuclear weapons laboratory and production plant, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel.

(4) Mechanisms for allocating funds for activities under the program, including allocations of funds by weapon type and facility.

(d) ANNUAL SUBMITTAL OF PLAN.—(1) The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives the plan developed under subsection (c) not later than January 1, 2000. The plan shall contain the maximum level of detail practicable.

(2) The Secretary shall submit to the committees referred to in paragraph (1) each year after 2000, at the same time as the submission of the budget for the fiscal year beginning in such year under section 1105 of title 31, United States Code, an update of the plan submitted under paragraph (1). Each update shall contain the same level of detail as the plan submitted under paragraph (1).

(e) SENSE OF CONGRESS REGARDING FUNDING OF PROGRAM.—It is the sense of Congress that the President should include in each budget for a fiscal year submitted to Congress under section 1105 of title 31, United States Code, sufficient funds to carry out in the fiscal year covered by such budget the activities under the program under subsection (a) that are specified in the most current version of the plan for the program under this section.

SEC. 3134. TRITIUM PRODUCTION.

(a) PRODUCTION OF NEW TRITIUM.—The Secretary of Energy shall produce new tritium to meet the requirements of the Nuclear Weapons Stockpile Memorandum at the Tennessee Valley Authority Watts Bar or Sequoyah nuclear power plants consistent with the Secretary's December 22, 1998, decision document designating the Secretary's preferred tritium production technology.

(b) SUPPORT.—To support the method of tritium production set forth in subsection (a), the Secretary shall design and construct a new tritium extraction facility in the H–Area of the Savannah River Site, Aiken, South Carolina.

(c) DESIGN AND ENGINEERING DEVELOPMENT.—The Secretary shall—

(1) complete preliminary design and engineering development of the Accelerator Production of Tritium technology design as a backup source of tritium to the source set forth in subsection (a) and consistent with the Secretary's December 22, 1998, decision document; and

(2) make available those funds necessary to complete engineering development and demonstration, preliminary design, and detailed design of key elements of the system consistent with the Secretary's decision document of December 22, 1998.

SEC. 3135. INDEPENDENT COST ESTIMATE OF ACCELERATOR PRODUCTION OF TRITIUM.

(a) INDEPENDENT COST ESTIMATE.—(1) The Secretary of Energy shall secure an independent cost estimate of the Accelerator Production of Tritium.

(2) The estimate shall be conducted at the highest possible level, but in no event at a level below that currently defined by the Secretary as Type III, ''Sampling Technique''.

(b) REPORT.—Not later than April 1, 2000, the Secretary shall submit to the congressional defense committees a report on the independent cost estimate conducted under subsection (a).

SEC. 3136. NONPROLIFERATION INITIATIVES AND ACTIVITIES.

(a) INITIATIVE FOR PROLIFERATION PREVENTION PROGRAM.—(1) Not more than 40 percent of the funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program (IPP) may be obligated or expended by the Department of Energy national laboratories to carry out or provide oversight of any activities under that program.

(2)(A) None of the funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program may be used to increase or otherwise supplement the pay or benefits of a scientist or engineer if the scientist or engineer—

(i) is currently engaged in activities directly related to the design, development, production, or testing of chemical or biological weapons or a missile system to deliver such weapons; or

(ii) was not formerly engaged in activities directly related to the design, development, production, or testing of weapons of mass destruction or a missile system to deliver such weapons.

(B) None of the funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program may be made available to an institute if the institute—

(i) is currently involved in activities described in subparagraph (A)(i); or

(ii) was not formerly involved in activities described in subparagraph (A)(ii).

(3)(A) No funds available for the Initiative for Proliferation Prevention program may be provided to an institute or scientist under the program if the Secretary of Energy determines that the institute or scientist has made a scientific or business contact in any way associated with or related to weapons of mass destruction with a representative of a country of proliferation concern.

(B) For purposes of this paragraph, the term ''country of proliferation concern'' means any country so designated by the Director of Central Intelligence for purposes of the Initiative for Proliferation Prevention program.

(4)(A) The Secretary of Energy shall prescribe procedures for the review of projects under the Initiative for Proliferation Prevention program. The purpose of the review shall be to ensure the following:

(i) That the military applications of such projects, and any information relating to such applications, is not inadvertently transferred or utilized for military purposes.

(ii) That activities under the projects are not redirected toward work relating to weapons of mass destruction.

(iii) That the national security interests of the United States are otherwise fully considered before the commencement of the projects.

(B) Not later than 30 days after the date on which the Secretary prescribes the procedures required by subparagraph (A), the Secretary shall submit to Congress a report on the procedures. The report shall set forth a schedule for the implementation of the procedures.

(5)(A) The Secretary shall evaluate the projects carried out under the Initiative for Proliferation Prevention program for commercial purposes to determine whether or not such projects are likely to achieve their intended commercial objectives.

(B) If the Secretary determines as a result of the evaluation that a project is not likely to achieve its intended commercial objective, the Secretary shall terminate the project.

(6) It is the sense of Congress that the President should enter into negotiations with the Russian Government for purposes of concluding an agreement between the United States Government and the Russian Government to provide for the permanent exemption from taxation by the Russian Government of the nonproliferation activities of the Department of Energy under the Initiative for Proliferation Prevention program.

(b) NUCLEAR CITIES INITIATIVE.—(1) No amounts authorized to be appropriated by

this title for the Nuclear Cities Initiative may be obligated or expended for purposes of the initiative until the Secretary of Energy certifies to Congress that Russia has agreed to close some of its facilities engaged in work on weapons of mass destruction.

(2) Notwithstanding a certification under paragraph (1), amounts authorized to be appropriated by this title for the Nuclear Cities Initiative may not be obligated or expended for purposes of providing assistance under the initiative to more than three nuclear cities, and more than two serial production facilities, in Russia in fiscal year 2000.

(3)(A) The Secretary shall conduct a study of the potential economic effects of each commercial program proposed under the Nuclear Cities Initiative before providing assistance for the conduct of the program. The study shall include an assessment regarding whether or not the mechanisms for job creation under the program are likely to lead to the creation of the jobs intended to be created by the program.

(B) If the Secretary determines as a result of the study that the intended commercial benefits of a program are not likely to be achieved, the Secretary may not provide assistance for the conduct of the program.

(4) Not later than January 1, 2000, the Secretary shall submit to Congress a report describing the participation in or contribution to the Nuclear Cities Initiative of each department and agency of the United States Government that participates in or contributes to the initiative. The report shall describe separately any interagency participation in or contribution to the initiative.

(c) REPORT.—(1) Not later than January 1, 2000, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the Initiative for Proliferation Prevention program (IPP) and the Nuclear Cities Initiative.

(2) The report shall include the following:

(A) A strategic plan for the Initiative for Proliferation Prevention program and for the Nuclear Cities Initiative, which shall establish objectives for the program or initiative, as the case may be, and means for measuring the achievement of such objectives.

(B) A list of the most successful projects under the Initiative for Proliferation Prevention program, including for each such project the name of the institute and scientists who are participating or have participated in the project, the number of jobs created through the project, and the manner in which the project has met the nonproliferation objectives of the United States.

(C) A list of the institutes and scientists associated with weapons of mass destruction programs or other defense-related programs in the states of the former Soviet Union that the Department seeks to engage in commercial work under the Initiative for Proliferation Prevention program or the Nuclear Cities Initiative, including—

(i) a description of the work performed by such institutes and scientists under such weapons of mass destruction programs or other defense-related programs; and

(ii) a description of any work proposed to be performed by such institutes and scientists under the Initiative for Proliferation Prevention program or the Nuclear Cities Initiative.

(d) NUCLEAR CITIES INITIATIVE DEFINED.—For purposes of this section, the term ''Nuclear Cities Initiative'' means the initiative arising pursuant to the March 1998 discussions between the Vice President of the United States and the Prime Minister of the Russian Federation and between the Secretary of Energy of the United States and the Minister of Atomic Energy of the Russian Federation.

Subtitle D—Safeguards, Security, and Counterintelligence at Department of Energy Facilities

SEC. 3151. SHORT TITLE.

This subtitle may be cited as the ''Department of Energy Facilities Safeguards, Security, and Counterintelligence Enhancement Act of 1999''.

SEC. 3152. COMMISSION ON SAFEGUARDS, SECURITY, AND COUNTERINTELLIGENCE AT DEPARTMENT OF ENERGY FACILITIES.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''Commission on Safeguards, Security, and Counterintelligence at Department of Energy Facilities'' (in this section referred to as the ''Commission'').

(b) ORGANIZATIONAL MATTERS.—(1) The Commission shall be composed of nine members appointed from among individuals in the public and private sectors who have significant experience in matters related to the security of nuclear weapons and materials, the classification of information, or counterintelligence matters, as follows:

(A) Two shall be appointed by the Chairman of the Committee on Armed Services of the Senate, in consultation with the ranking member of that Committee.

(B) One shall be appointed by the ranking member of the Committee on Armed Services of the Senate, in consultation with the Chairman of that Committee.

(C) Two shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives, in consultation with the ranking member of that Committee.

(D) One shall be appointed by the ranking member of the Committee on Armed Services of the House of Representatives, in consultation with the Chairman of that Committee.

(E) One shall be appointed by the Secretary of Defense.

(F) One shall be appointed by the Director of the Federal Bureau of Investigation.

(G) One shall be appointed by the Director of Central Intelligence.

(2) Members of the Commission shall be appointed for four year terms, except as follows:

(A) One member initially appointed under paragraph (1)(A) shall serve a term of two years.

(B) One member initially appointed under paragraph (1)(C) shall serve a term of two years.

(C) The member initially appointed under paragraph (1)(E) shall serve a term of two years.

(3) Any vacancy in the Commission shall be filled in the same manner as the original appointment and shall not affect the powers of the Commission.

(4)(A) After five members of the Commission have been appointed under paragraph (1), the Chairman of the Committee on Armed Services of the Senate, in consultation with the Chairman of the Committee on Armed Services of the House of Representatives, shall designate the chairman of the Commission from among the members appointed under paragraph (1)(A).

(B) The chairman of the Commission may be designated once five members of the Commission have been appointed under paragraph (1).

(5) The members of the Commission shall be appointed not later than 60 days after the date of the enactment of this Act.

(6) The members of the Commission shall establish procedures for the activities of the Commission, including procedures for calling meetings, requirements for quorums, and the manner of taking votes.

(7) The Commission shall meet not less often than once every three months.

(8) The Commission may commence its activities under this section upon the designation of the chairman of the Commission under paragraph (4).

(c) DUTIES.—(1) The Commission shall, in accordance with this section, review the safeguards, security, and counterintelligence activities (including activities relating to information management, computer security, and personnel security) at Department of Energy facilities to—

(A) determine the adequacy of those activities to ensure the security of sensitive information, processes, and activities under the jurisdiction of the Department against threats to the disclosure of such information, processes, and activities; and

(B) make recommendations for actions the Commission determines as being necessary to ensure that such security is achieved and maintained.

(2) The activities of the Commission under paragraph (1) shall include the following:

(A) An analysis of the sufficiency of the Design Threat Basis documents as a basis for the allocation of resources for safeguards, security, and counterintelligence activities at the Department facilities in light of applicable guidance with respect to such activities, including applicable laws, Department of Energy orders, Presidential Decision Directives, and Executive Orders.

(B) Visits to Department facilities to assess the adequacy of the safeguards, security, and counterintelligence activities at such facilities.

(C) Evaluations of specific concerns set forth in Department reports regarding the status of safeguards, security, or counterintelligence activities at particular Department facilities or at facilities throughout the Department.

(D) Reviews of relevant laws, Department orders, and other requirements relating to safeguards, security, and counterintelligence activities at Department facilities.

(E) Any other activities relating to safeguards, security, and counterintelligence activities at Department facilities that the Secretary of Energy considers appropriate.

(d) REPORT.—(1) Not later than February 15 each year, the Commission shall submit to the Secretary of Energy and to the congressional defense committees a report on the activities of the Commission during the preceding year. The report shall be submitted in unclassified form, but may include a classified annex.

(2) Each report—

(A) shall describe the activities of the Commission during the year covered by the report;

(B) shall set forth proposals for any changes in safeguards, security, or counterintelligence activities at Department of Energy facilities that the Commission considers appropriate in light of such activities; and

(C) may include any other recommendations for legislation or administrative action that the Commission considers appropriate.

(e) PERSONNEL MATTERS.—(1)(A) Each member of the Commission who is not an officer or employee of the Federal Government

shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission.

(B) All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) The 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.

(3)(A) The Commission may, without regard to the civil service laws and regulations, appoint and terminate such personnel as may be necessary to enable the Commission to perform its duties.

(B) The Commission may fix the compensation of the personnel of the Commission without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(4) Any officer or employee of the United States may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) The members and employees of the Commission shall hold security clearances appropriate for the matters considered by the Commission in the discharge of its duties under this section.

(f) APPLICABILITY OF FACA.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of the Commission.

(g) FUNDING.—(1) From amounts authorized to be appropriated by sections 3101 and 3103, the Secretary of Energy shall make available to the Commission not more than $1,000,000 for the activities of the Commission under this section.

(2) Amounts made available to the Commission under this subsection shall remain available until expended.

(h) TERMINATION OF DEPARTMENT OF ENERGY SECURITY MANAGEMENT BOARD.—(1) Section 3161 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2048; 42 U.S.C. 7251 note) is repealed.

(2) Section 3162 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2049; 42 U.S.C. 7274 note) is amended—

(A) by striking ''(a) IN GENERAL.—''; and

(B) by striking subsection (b).

SEC. 3153. BACKGROUND INVESTIGATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) IN GENERAL.—The Secretary of Energy shall ensure that an investigation meeting the requirements of section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165) is made for each Department of Energy employee, or contractor employee, at a Department of Energy facility who—

(1) carries out duties or responsibilities in or around a location where Restricted Data is or may be present; or

(2) has or may have regular access to a location where Restricted Data is present.

(b) COMPLIANCE.—The Secretary shall have one year from the date of the enactment of this Act to meet the requirement in subsection (a).

SEC. 3154. PLAN FOR POLYGRAPH EXAMINATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) PLAN.—(1) Not later than 120 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the congressional defense committees a plan for conducting, as part of the Department of Energy personnel assurance programs, periodic polygraph examinations of each Department of Energy employee, or contractor employee, at a Department of Energy facility who has or may have access to Restricted Data or Sensitive Compartmented Information. The purpose of the examinations is to minimize the potential for release or disclosure of such data or information by such employees.

(2) The plan shall include recommendations for any legislative action necessary to implement the plan.

(b) LIMITATION ON USE OF FUNDS PENDING SUBMITTAL OF PLAN.—Not more than 50 percent of the amounts authorized to be appropriated or otherwise made available for the Department of Energy for fiscal year 2000 for travel expenses may be obligated or expended until the date of the submittal of the plan required by subsection (a).

SEC. 3155. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS RELATING TO THE SAFEGUARDING AND SECURITY OF RESTRICTED DATA.

(a) IN GENERAL.—Chapter 18 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.) is amended by inserting after section 234A the following new section:

''SEC. 234B. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS REGARDING SECURITY OF CLASSIFIED OR SENSITIVE INFORMATION OR DATA.—

''a. Any person who has entered into a contract or agreement with the Department of Energy, or a subcontract or subagreement thereto, and who violates (or whose employee violates) any applicable rule, regulation, or order prescribed or otherwise issued by the Secretary pursuant to this Act relating to the safeguarding or security of Restricted Data or other classified or sensitive information shall be subject to a civil penalty of not to exceed $100,000 for each such violation.

''b. The Secretary shall include in each contract with a contractor of the Department provisions which provide an appropriate reduction in the fees or amounts paid to the contractor under the contract in the event of a violation by the contractor or contractor employee of any rule, regulation, or order relating to the safeguarding or security of Restricted Data or other classified or sensitive information. The provisions shall specify various degrees of violations and the amount of the reduction attributable to each degree of violation.

''c. The powers and limitations applicable to the assessment of civil penalties under section 234A shall apply to the assessment of civil penalties under this section.''.

(b) CLARIFYING AMENDMENT.—The section heading of section 234A of that Act (42 U.S.C. 2282a) is amended by inserting ''SAFETY'' before ''REGULATIONS''.

(c) CLERICAL AMENDMENT.—The table of sections for that Act is amended by inserting after the item relating to section 234 the following new items:

''234A. Civil Monetary Penalties for Violations of Department of Energy Safety Regulations.

''234B. Civil Monetary Penalties for Violations of Department of Energy Regulations Regarding Security of Classified or Sensitive Information or Data.''.

SEC. 3156. MORATORIUM ON LABORATORY-TO-LABORATORY AND FOREIGN VISITORS AND ASSIGNMENTS PROGRAMS.

(a) CERTIFICATION.—(1) The Secretary of Energy, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation shall jointly submit to the committees referred to in paragraph (3) a certification that each program referred to in paragraph (2) meets the following conditions:

(A) That the program complies with applicable orders, regulations, and policies of the Department of Energy relating to the safeguarding and security of sensitive information and fulfills any counterintelligence requirements arising under such orders, regulations, and policies.

(B) That the program complies with Presidential Decision Directives and similar requirements relating to the safeguarding and security of sensitive information and fulfills any counterintelligence requirements arising under such Directives or requirements.

(C) That the program includes adequate protections against the inadvertent release of Restricted Data, information important to the national security of the United States, and any other sensitive information the disclosure of which might harm the interests of the United States.

(D) That the program does not pose an undue risk to the national security interests of the United States.

(2) A program referred to in this paragraph is any program as follows:

(A) A cooperative program carried out between the Department of Energy and the People's Republic of China.

(B) A cooperative program carried out between the Department of Energy and an independent state of the former Soviet Union.

(C) A cooperative program carried out between the Department of Energy and any nation designated as sensitive by the Secretary of State.

(3) The committees referred to in this paragraph are the following:

(A) The Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate.

(B) The Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) LIMITATION ON USE OF FUNDS PENDING CERTIFICATION.—(1) Except as provided in paragraph (2), no amounts authorized to be appropriated by section 3101 or 3103 or otherwise made available to the Department of Energy for fiscal year 2000 may be obligated or expended to conduct a program referred to in subsection (a)(2), or any studies or planning in anticipation of such program, beginning on the date that is 45 days after the date of the enactment of this Act and continuing until 30 days after the date on which the Director of Central Intelligence submits to the committees referred to in subsection (a)(3) the certification referred to in subsection (a)(1). The certification shall be submitted in unclassified form, but may include a classified annex.

(2)(A) The 30-day wait period specified in paragraph (1) for the obligation and expenditure of funds for a program referred to in subsection (a)(2) shall not apply if the certification with respect to the program under subsection (a)(1) is submitted during the 45-

day period beginning on the date of the enactment of this Act.

(B) The limitation in paragraph (1) shall not apply—

(i) to the obligation or expenditure of funds authorized to be appropriated by title III for activities relating to cooperative threat reduction with states of the former Soviet Union; or

(ii) to the obligation or expenditure of funds authorized to be appropriated by section 3103(a)(1)(A)(ii) for the materials protection control and accounting program of the Department.

SEC. 3157. INCREASED PENALTIES FOR MISUSE OF RESTRICTED DATA.

(a) COMMUNICATION OF RESTRICTED DATA.—Section 224 of the Atomic Energy Act of 1954 (42 U.S.C. 2274) is amended—

(1) in clause a., by striking ''$20,000'' and inserting ''$40,000''; and

(2) in clause b., by striking ''$10,000'' and inserting ''$20,000''.

(b) RECEIPT OF RESTRICTED DATA.—Section 225 of the Atomic Energy Act of 1954 (42 U.S.C. 2275) is amended by striking ''$20,000'' and inserting ''$40,000''.

(c) DISCLOSURE OF RESTRICTED DATA.—Section 227 of the Atomic Energy Act of 1954 (42 U.S.C. 2277) is amended by striking ''$2,500'' and inserting ''$5,000''.

SEC. 3158. ORGANIZATION OF DEPARTMENT OF ENERGY COUNTERINTELLIGENCE AND INTELLIGENCE PROGRAMS AND ACTIVITIES.

(a) OFFICE OF COUNTERINTELLIGENCE.—Title II of the Department of Energy Organization Act (42 U.S.C. 7131 et seq.) is amended by adding at the end the following:

''OFFICE OF COUNTERINTELLIGENCE

''SEC. 213. (a) There is within the Department an Office of Counterintelligence.

''(b)(1) The head of the Office shall be the Director of the Office of Counterintelligence.

''(2) The Secretary shall, with the concurrence of the Director of the Federal Bureau of Investigation, designate the head of the office from among senior executive service employees of the Federal Bureau of Investigation who have expertise in matters relating to counterintelligence.

''(3) The Director of the Federal Bureau of Investigation may detail, on a reimbursable basis, any employee of the Bureau to the Department for service as Director of the Office. The service of an employee of the Bureau as Director of the Office shall not result in any loss of status, right, or privilege by the employee within the Bureau.

''(4) The Director of the Office shall report directly to the Secretary.

''(c)(1) The Director of the Office shall develop and ensure the implementation of security and counterintelligence programs and activities at Department facilities in order to reduce the threat of disclosure or loss of classified and other sensitive information at such facilities.

''(2) The Director of the Office shall be responsible for the administration of the personnel assurance programs of the Department.

''(3) The Director shall inform the Secretary, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation on a regular basis, and upon specific request by any such official, regarding the status and effectiveness of the security and counterintelligence programs and activities at Department facilities.

''(d)(1) Not later than March 1 each year, the Director of the Office shall submit to the Secretary, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation and to the Committees on Armed Services of the Senate and House of Representatives a report on the status and effectiveness of the security and counterintelligence programs and activities at Department facilities during the preceding year.

''(2) Each report shall include for the year covered by the report the following:

''(A) A description of the status and effectiveness of the security and counterintelligence programs and activities at Department facilities.

''(B) A description of any violation of law or other requirement relating to intelligence, counterintelligence, or security at such facilities, including—

''(i) the number of violations that were investigated; and

''(ii) the number of violations that remain unresolved.

''(C) A description of the number of foreign visitors to Department facilities, including the locations of the visits of such visitors.

''(3) Each report submitted under this subsection to the committees referred to in paragraph (1) shall be submitted in unclassified form, but may include a classified annex.''.

(b) OFFICE OF INTELLIGENCE.—That title is further amended by adding at the end the following:

''OFFICE OF INTELLIGENCE

''SEC. 214. (a) There is within the Department an Office of Intelligence.

''(b)(1) The head of the Office shall be the Director of the Office of Intelligence.

''(2) The Director of the Office shall be a senior executive service employee of the Department.

''(3) The Director of the Office shall report directly to the Secretary.

''(c) The Director of the Office shall be responsible for the programs and activities of the Department relating to the analysis of intelligence with respect to nuclear weapons and materials, other nuclear matters, and energy security.''.

(c) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 212 the following items:

''213. Office of Counterintelligence.
''214. Office of Intelligence.''.

SEC. 3159. COUNTERINTELLIGENCE ACTIVITIES AT CERTAIN DEPARTMENT OF ENERGY FACILITIES.

(a) ASSIGNMENT OF COUNTERINTELLIGENCE PERSONNEL.—(1) The Secretary of Energy shall assign to each Department of Energy facility at which Restricted Data is located an individual who shall assess security and counterintelligence matters at that facility.

(2) An individual assigned to a facility under this subsection shall be stationed at the facility.

(b) SUPERVISION.—Each individual assigned under subsection (a) shall report directly to the Director of the Office of Counterintelligence of the Department of Energy.

SEC. 3160. WHISTLEBLOWER PROTECTION.

(a) PROGRAM.—The Secretary of Energy shall establish a program to ensure that an employee of the Department of Energy, or a contractor employee, may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or entity referred to in subsection (b) information relating to the protection of classified information which the employee or contractor employee reasonably believes to provide direct and specific evidence of a violation described in subsection (c).

(b) COVERED PERSONS AND ENTITIES.—A person or entity referred to in this subsection is the following:

(1) A Member of a committee of Congress having primary responsibility for oversight of the department, agency, or element of the Federal Government to which the disclosed information relates.

(2) An employee of Congress who—

(A) is a staff member of a committee of Congress having primary responsibility for oversight of the department, agency, or element of the Federal Government to which the disclosed information relates; and

(B) has an appropriate security clearance for access to the information.

(3) The Inspector General of the Department of Energy.

(4) The Federal Bureau of Investigation.

(5) Any other element of the Federal Government designated by the Secretary as authorized to receive information of the type disclosed.

(c) COVERED VIOLATIONS.—A violation referred to in subsection (a) is—

(1) a violation of law or Federal regulation;

(2) gross mismanagement, a gross waste of funds, or abuse of authority; or

(3) a false statement to Congress on an issue of material fact.

SEC. 3161. INVESTIGATION AND REMEDIATION OF ALLEGED REPRISALS FOR DISCLOSURE OF CERTAIN INFORMATION TO CONGRESS.

(a) SUBMITTAL OF ALLEGATIONS TO INSPECTOR GENERAL.—A Department of Energy employee or contractor employee who believes that the employee has been discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information referred to in subsection (a) of section 3160 in accordance with the provisions of that section may submit a complaint relating to such action to the Inspector General of the Department of Energy.

(b) INVESTIGATION.—(1) For each complaint submitted under subsection (a), the Inspector General shall—

(A) determine whether or not the complaint is frivolous; and

(B) if the Inspector General determines the complaint is not frivolous, conduct an investigation of the complaint.

(2) The Inspector General shall submit a report on each investigation undertaken under paragraph (1)(B) to—

(A) the employee who submitted the complaint on which the investigation is based;

(B) the contractor concerned, if any; and

(C) the Secretary of Energy.

(c) REMEDIAL ACTIONS.—(1) If the Secretary determines that an employee has been subjected to an adverse personnel action referred to in subsection (a) in contravention of the provisions of section 3160(a), the Secretary shall—

(A) in the case of a Department employee, take appropriate actions to abate the action; or

(B) in the case of a contractor employee, order the contractor concerned to take appropriate actions to abate the action.

(2)(A) If a contractor fails to comply with an order issued under paragraph (1)(B), the Secretary may file an action for enforcement of the order in the appropriate United States district court.

(B) In any action brought under subparagraph (A), the court may grant appropriate relief, including injunctive relief and compensatory and exemplary damages.

(d) QUARTERLY REPORT.—(1) Not later than 30 days after the commencement of each fiscal quarter, the Inspector General shall submit to the congressional defense committees

a report on the investigations undertaken under subsection (b)(1)(B) during the preceding fiscal quarter, including a summary of the results of such investigations.

(2) A report under paragraph (1) shall not identify or otherwise provide any information on a person submitting a complaint under this section without the consent of the person.

SEC. 3162. NOTIFICATION TO CONGRESS OF CERTAIN SECURITY AND COUNTERINTELLIGENCE FAILURES AT DEPARTMENT OF ENERGY FACILITIES.

(a) REQUIREMENT.—The Secretary of Energy, after consultation with the Director of Central Intelligence and the Director of the Federal Bureau of Investigation, as appropriate, shall submit to the congressional defense committees a notification of each serious security or counterintelligence failure at a Department of Energy facility that the Secretary considers likely to cause significant harm or damage to the national security interests of the United States.

(b) DEADLINE.—The Secretary shall submit a notice under subsection (a) for a failure covered by that subsection not later than 30 days after learning of the failure.

(c) PROCEDURES.—The Secretary and the congressional defense committees shall each establish such procedures as may be necessary to carry out the provisions of this title.

(d) PROTECTION OF CLASSIFIED AND OTHER SENSITIVE INFORMATION.—(1) The House of Representatives and the Senate shall each establish, by rule or resolution of such House, procedures to protect from unauthorized disclosure classified information, all information relating to intelligence sources and methods, and sensitive law enforcement information that is furnished to the congressional defense committees pursuant to this section.

(2) Such procedures shall be established in consultation with the Secretary of Energy, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation.

(e) SAVINGS PROVISIONS.—(1) Nothing in this section shall be construed as authority to withhold information from the congressional defense committees on the grounds that providing the information to such committees would constitute the unauthorized disclosure of classified information, information relating to intelligence sources or methods, or sensitive law enforcement information.

(2) Nothing in this section shall be construed to modify or supersede any other requirement to report information on intelligence activities to Congress, including the requirement under section 501 of the National Security Act of 1947 (50 U.S.C. 413) for the President to ensure that the intelligence committees are kept fully and currently informed of the intelligence activities of the United States and for the intelligence committees to notify promptly other congressional committees of any matter relating to intelligence activities requiring the attention of such committees.

SEC. 3163. CONDUCT OF SECURITY CLEARANCES.

(a) RESPONSIBILITY OF FEDERAL BUREAU OF INVESTIGATION.—Section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165) is amended by striking ''the Civil Service Commission'' each place it appears in subsections a., b., and c. and inserting ''the Federal Bureau of Investigation''.

(b) CONFORMING AMENDMENTS.—That section is further amended—

(1) by striking subsections d. and f.; and

(2) by redesignating subsections e., g., and h. as subsections d., e., and f., respectively; and

(3) in subsection d., as so redesignated, by striking ''determine that investigations'' and all that follows and inserting ''require that investigations be conducted by the Federal Bureau of Investigation of any group or class covered by subsections a., b., and c. of this section.''.

(c) COMPLIANCE.—The Director of the Federal Bureau of Investigation shall have one year from the date of the enactment of this Act to meet the responsibilities of the Bureau under section 145 of the Atomic Energy Act of 1954, as amended by this section.

(d) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report on the implementation of the responsibilities of the Bureau under section 145 of the Atomic Energy Act of 1954, as so amended.

(e) TECHNICAL AMENDMENT.—Subsection f. of that section, as so redesignated, is amended by striking ''section 145 b.'' and inserting ''subsection b. of this section''.

SEC. 3164. PROTECTION OF CLASSIFIED INFORMATION DURING LABORATORY-TO-LABORATORY EXCHANGES.

(a) PROVISION OF TRAINING.—The Secretary of Energy shall ensure that all Department of Energy employees and Department of Energy contractor employees participating in laboratory-to-laboratory cooperative exchange activities are fully trained in matters relating to the protection of classified information and to potential espionage and counterintelligence threats.

(b) COUNTERING OF ESPIONAGE AND INTELLIGENCE-GATHERING ABROAD.—(1) The Secretary shall establish a pool of Department employees and Department contractor employees who are specially trained to counter threats of espionage and intelligence-gathering by foreign nationals against Department employees and Department contractor employees who travel abroad for laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

(2) The Director of Counterintelligence of the Department of Energy may assign at least one employee from the pool established under paragraph (1) to accompany a group of Department employees or Department contractor employees who travel to any nation designated to be a sensitive country for laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

SEC. 3165. DEFINITION.

In this subtitle, the term ''Restricted Data'' has the meaning given that term in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

Subtitle E—Other Matters

SEC. 3171. MAINTENANCE OF NUCLEAR WEAPONS EXPERTISE IN THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF ENERGY.

(a) ADMINISTRATION OF JOINT NUCLEAR WEAPONS COUNCIL.—(1) Subsection (b) of section 179 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) The Council shall meet not less often than once every three months.''.

(2) Subsection (c) of that section is amended by adding at the end the following new paragraph:

''(3) If the position of Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs remains vacant for a period of more than 9 months, the Secretary of Energy shall appoint a qualified individual to serve as acting staff director of the Council until the position of Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs is filled.''.

(b) REVITALIZATION OF JOINT NUCLEAR WEAPONS COUNCIL.—(1) The Secretary of Defense and the Secretary of Energy shall jointly prepare and submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to revitalize the Joint Nuclear Weapons Council established by section 179 of title 10, United States Code.

(2) The plan shall include any proposed modification to the membership or responsibilities of the Council that the Secretaries jointly determine advisable to enhance the capability of the Council to ensure the integration of Department of Defense requirements for nuclear weapons into the programs and budget processes of the Department of Energy.

(c) ANNUAL REPORT ON COUNCIL ACTIVITIES.—The Secretary of Defense, shall, after consultation with the Secretary of Energy, submit to the Committees on Armed Services of the Senate and the House of Representatives on an annual basis a report on the activities of the Joint Nuclear Weapons Council. Each report shall include the following:

(1) A description of the activities of the Council during the 12-month period ending on the date of the report together with any assessments or studies conducted by the Council during that period.

(2) A description of the highest priority requirements of the Department of Defense with respect to the Department of Energy stockpile stewardship and management program as of that date.

(3) An assessment of the extent to which the requirements referred to in paragraph (2) are being addressed by the Department of Energy as of that date.

(d) NUCLEAR MISSION MANAGEMENT PLAN.—The Secretary of Defense shall develop and implement a plan to ensure the continued reliability of the capability of the Department of Defense to carry out its nuclear deterrent mission. The plan shall—

(1) articulate the current policy of the United States on the role of nuclear weapons and nuclear deterrence in the conduct of defense and foreign relations matters;

(2) establish stockpile viability and capability requirements with respect to that mission, including the number and variety of warheads required;

(3) establish requirements relating to the contractor industrial base, support infrastructure, and surveillance, testing, assessment, and certification of nuclear weapons necessary to support that mission;

(4) take into account requirements for the critical skills, readiness, training, exercise, and testing of personnel necessary to meet that mission; and

(5) take into account the relevant programs and plans of the military departments and the defense agencies with respect to readiness, sustainment (including research and development), and modernization of the strategic deterrent forces.

(e) NUCLEAR EXPERTISE RETENTION MEASURES.—(1) The Secretary of Energy and Secretary of Defense shall jointly submit to the committees referred to in subsection (c) a

plan setting forth the actions that the Secretaries consider necessary to retain core scientific, engineering, and technical skills and capabilities within the Department of Energy, the Department of Defense, and their contractors in order to maintain the United States nuclear deterrent force indefinitely.

(2) The plan shall include the following elements:

(A) A baseline of current skills and capabilities by location.

(B) A statement of the skills or capabilities that are at risk of being lost within the next ten years.

(C) A proposal for recruitment and retention measures to address the loss of such skills or capabilities.

(D) A proposal for the training and evaluation of personnel with core scientific, engineering, and technical skills and capabilities.

(E) A statement of the additional advanced manufacturing programs and process engineering programs that are required to maintain the nuclear deterrent force indefinitely.

(F) An assessment of the desirability of establishing a nuclear weapons workforce reserve to ensure the availability of the skills and capabilities of present and former employees of the Department in the event of an urgent future need for such skills and capabilities.

(f) REPORTS ON CRITICAL DIFFICULTIES AT NUCLEAR WEAPONS LABORATORIES.—Section 3159 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2842; 42 U.S.C. 7274o) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) INCLUSION OF REPORTS IN ANNUAL STOCKPILE CERTIFICATION.—Any report submitted pursuant to subsection (a) shall also be included with the decision documents that accompany the annual certification of the safety and reliability of the United States nuclear weapons stockpile which is provided to the President for the year in which such report is submitted.''.

(g) TECHNICAL AMENDMENT.—Section 179(f) of title 10, United States Code, is amended by striking ''the Committee on Armed Services'' and all that follows through ''House of Representatives'' and inserting ''the Committees on Armed Services and Appropriations of the Senate and the Committees on Armed Services and Appropriations of the House of Representatives''.

SEC. 3172. MODIFICATION OF BUDGET AND PLANNING REQUIREMENTS FOR DEPARTMENT OF ENERGY NATIONAL SECURITY ACTIVITIES.

(a) ENHANCEMENT OF ANNUAL FIVE-YEAR BUDGET.—(1) Section 3155 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2841; 42 U.S.C. 7271b) is amended—

(A) by redesignating subsection (b) as subsection (c);

(B) by striking subsection (a) and inserting the following new subsections:

''(a) REQUIREMENT.—The Secretary of Energy shall prepare for each fiscal year after fiscal year 2000 a program and budget plan for the national security programs of the Department of Energy for the five-fiscal year period beginning in the year the program and budget plan is prepared.

''(b) ELEMENTS.—Each program and budget plan shall contain the following:

''(1) The estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the national security programs of the Department during the five-fiscal year period covered by the program and budget plan, expressed in a level of detail comparable to that contained in the budget submitted by the President to Congress under section 1105 of title 31, United States Code.

''(2) A description of the anticipated workload requirements for each Department site during that five-fiscal year period.''; and

(C) in subsection (c), as so redesignated, by striking ''the budget required'' and inserting ''the program and budget plan required''.

(2) The section heading of such section is amended by striking ''five-year budget'' and inserting ''five-fiscal year program and budget plan''.

(b) ADDITIONAL REQUIREMENTS FOR WEAPONS ACTIVITIES BUDGETS.—Section 3156 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2841; 42 U.S.C. 7271c) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) IMPACT OF BUDGET ON STOCKPILE.—The Secretary shall include in the materials the Secretary submits to Congress in support of the budget for any fiscal year after fiscal year 2000 that is submitted by the President pursuant to section 1105 of title 31, United States Code, a description of how the funds identified for each program element in the weapons activities budget of the Department for such fiscal year will help ensure that the nuclear weapons stockpile is safe and reliable as determined in accordance with the criteria established under 3158 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2257; 42 U.S.C. 2121 note).''.

SEC. 3173. EXTENSION OF AUTHORITY OF DEPARTMENT OF ENERGY TO PAY VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

(a) EXTENSION.—Notwithstanding subsection (c)(2)(D) of section 663 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (Public Law 104–208; 110 Stat. 3009–383; 5 U.S.C. 5597 note), the Department of Energy may pay voluntary separation incentive payments to qualifying employees who voluntarily separate (whether by retirement or resignation) before January 1, 2003.

(b) EXERCISE OF AUTHORITY.—The Department shall pay voluntary separation incentive payments under subsection (a) in accordance with the provisions of such section 663.

SEC. 3174. INTEGRATED FISSILE MATERIALS MANAGEMENT PLAN.

(a) PLAN.—The Secretary of Energy shall develop a long-term plan for the integrated management of fissile materials by the Department of Energy. The plan shall—

(1) identify means of consolidating or integrating the responsibilities of the Office of Environmental Management, the Office of Fissile Materials Disposition, the Office of Nuclear Energy, and the Office of Defense Programs for the treatment, storage and disposition of fissile materials, and for the waste streams containing fissile materials, in order to achieve budgetary and other efficiencies in the discharge of those responsibilities; and

(2) identify any expenditures necessary at the sites that are anticipated to have an enduring mission for plutonium management in order to achieve the integrated management of fissile materials by the Department.

(b) SUBMITTAL TO CONGRESS.—The Secretary shall submit the plan required by subsection (a) to the congressional defense committees not later than February 1, 2000.

SEC. 3175. USE OF AMOUNTS FOR AWARD FEES FOR DEPARTMENT OF ENERGY CLOSURE PROJECTS FOR ADDITIONAL CLEANUP PROJECTS AT CLOSURE PROJECT SITES.

(a) AUTHORITY TO USE AMOUNTS.—The Secretary of Energy may use an amount authorized to be appropriated for the payment of award fees for a Department of Energy closure project for purposes of conducting additional cleanup activities at the closure project site if the Secretary—

(1) anticipates that such amount will not be obligated for payment of award fees in the fiscal year in which such amount is authorized to be appropriated; and

(2) determines the use will not result in a deferral of the payment of the award fees for more than 12 months.

(b) REPORT ON USE OF AUTHORITY.—Not later than 30 days after each exercise of the authority in subsection (a), the Secretary shall submit to the congressional defense committees a report the exercise of the authority.

SEC. 3176. PILOT PROGRAM FOR PROJECT MANAGEMENT OVERSIGHT REGARDING DEPARTMENT OF ENERGY CONSTRUCTION PROJECTS.

(a) REQUIREMENT.—(1) The Secretary of Energy shall carry out a pilot program on use of project management oversight (PMO) services for Department of Energy construction projects.

(2) The purpose of the pilot program is to provide a basis for determining whether or not the use of competitively procured, external project management oversight services on construction projects would permit the Department to control excessive costs and schedule delays associated with Department construction projects having large capital costs.

(b) PROJECTS COVERED BY PROGRAM.—(1) Subject to paragraph (2), the Secretary shall carry out the pilot program at construction projects selected by the Secretary. The projects shall include one or more construction projects authorized pursuant to section 3101 and one construction project authorized pursuant to section 3102.

(2) The Secretary shall select projects that have capital construction costs anticipated to be not less than $25,000,000.

(c) SERVICES UNDER PROGRAM.—The project management oversight services utilized under the pilot program shall include the following services:

(1) Monitoring the overall progress of a project.

(2) Determining whether or not a project is on schedule.

(3) Determining whether or not a project is within budget.

(4) Determining whether or not a project conforms with plans and specifications approved by the Department.

(5) Determining whether or not a project is being carried out efficiently and effectively.

(6) Any other management oversight services that the Secretary considers appropriate for purposes of the pilot program.

(d) PROCUREMENT OF SERVICES UNDER PROGRAM.—Any services procured under the pilot program shall be acquired—

(1) on a competitive basis; and

(2) from among commercial entities that—

(A) do not currently manage or operate facilities at a location where the pilot program is being conducted; and

(B) have an expertise in the management of large construction projects.

(e) REPORT.—Not later than February 1, 2000, the Secretary shall submit to the Committees on Armed Services of the Senate and

the House of Representatives a report on pilot program. The report shall include the Secretary's assessment of the feasibility and desirability of utilizing project management oversight services for Department of Energy construction projects.

SEC. 3177. EXTENSION OF REVIEW OF WASTE ISOLATION PILOT PLANT, NEW MEXICO.

Section 1433(a) of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 2073) is amended in the second sentence by striking ''nine additional one-year periods'' and inserting ''fourteen additional one-year periods''.

SEC. 3178. PROPOSED SCHEDULE FOR SHIPMENTS OF WASTE FROM THE ROCKY FLATS PLANT, COLORADO, TO THE WASTE ISOLATION PILOT PLANT, NEW MEXICO.

(a) SUBMITTAL OF PROPOSED SCHEDULE.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives a proposed schedule for the commencement of shipments of waste from the Rocky Flats Plant, Colorado, to the Waste Isolation Pilot Plant, New Mexico.

(b) ELEMENTS.—The schedule under subsection (a) shall set forth—

(1) the proposed commencement date of shipments of mixed transuranic waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant; and

(2) the proposed commencement date of shipments of unmixed transuranic waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant.

(c) REQUIREMENTS REGARDING SCHEDULE.—In preparing the schedule, the Secretary shall assume the following:

(1) A closure date for the Rocky Flats Plant in 2006.

(2) That all waste that is transferable from the Rocky Flats Plant to the Waste Isolation Pilot Plant will be removed from the Rocky Flats Plant by that closure date as specified in the current 2006 Rocky Flats Plant Closure Plan.

(3) That, to the maximum extent practicable, shipments of waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant will be carried out on an expedited schedule, but not interfere with other shipments of waste to the Waste Isolation Pilot Plant that are planned as of the date of the enactment of this Act.

SEC. 3179. COMPTROLLER GENERAL REPORT ON CLOSURE OF ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, COLORADO.

(a) REPORT.—Not later than December 31, 2000, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report assessing the progress in the closure of the Rocky Flats Environmental Technology Site, Colorado.

(b) REPORT ELEMENTS.—The report shall address the following:

(1) How decisions with respect to the future use of the Rocky Flats Environmental Technology Site effect ongoing cleanup at the site.

(2) Whether the Secretary of Energy could provide flexibility to the contractor at the site in order to quicken the cleanup of the site.

(3) Whether the Secretary could take additional actions throughout the nuclear weapons complex of the Department of Energy in order to quicken the closure of the site.

(4) The developments, if any, since the April 1999 report of the Comptroller General that could alter the pace of the closure of the site.

(5) The possibility of closure of the site by 2006.

(6) The actions that could be taken by the Secretary or Congress to ensure that the site would be closed by 2006.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

There are authorized to be appropriated for fiscal year 2000, $17,500,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

SEC. 3301. AUTHORIZED USES OF STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2000, the National Defense Stockpile Manager may obligate up to $78,700,000 of the funds in the National Defense Stockpile Transaction Fund for the authorized uses of such funds under section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(b)(2)), including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3302. LIMITATIONS ON PREVIOUS AUTHORITY FOR DISPOSAL OF STOCKPILE MATERIALS.

(a) PUBLIC LAW 105–261 AUTHORITY.—Section 3303(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2263; 50 U.S.C. 98d note) is amended—

(1) by striking ''(b) LIMITATION ON DISPOSAL QUANTITY.—'' and inserting ''(b) LIMITATIONS ON DISPOSAL AUTHORITY.—(1)''; and

(2) by adding at the end the following:

''(2) The President may not dispose of materials under this section in excess of the disposals necessary to result in receipts in the amounts specified in subsection (a).''.

(b) PUBLIC LAW 105–85 AUTHORITY.—Section 3305(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2058; 50 U.S.C. 98d note) is amended—

(1) by striking ''(b) LIMITATION ON DISPOSAL QUANTITY.—'' and inserting ''(b) LIMITATIONS ON DISPOSAL AUTHORITY.—(1)''; and

(2) by adding at the end the following:

''(2) The President may not dispose of cobalt under this section in excess of the disposals necessary to result in receipts in the amounts specified in subsection (a).''.

(c) PUBLIC LAW 104–201 AUTHORITY.—Section 3305(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2855; 50 U.S.C. 98d note) is amended—

(1) by striking ''(b) LIMITATION ON DISPOSAL QUANTITY.—'' and inserting ''(b) LIMITATIONS ON DISPOSAL AUTHORITY.—(1)''; and

(2) by adding at the end the following:

''(2) The President may not dispose of materials under this section in excess of the disposals necessary to result in receipts in the amounts specified in subsection (a).''.

TITLE XXXIV—PANAMA CANAL COMMISSION

SEC. 3401. SHORT TITLE.

This title may be cited as the ''Panama Canal Commission Authorization Act for Fiscal Year 2000''.

SEC. 3402. AUTHORIZATION OF EXPENDITURES.

(a) IN GENERAL.—Subject to subsection (b), the Panama Canal Commission is authorized to use amounts in the Panama Canal Revolving Fund to make such expenditures within the limits of funds and borrowing authority available to it in accordance with law, and to make such contracts and commitments, as may be necessary under the Panama Canal Act of 1979 (22 U.S.C. 3601 et seq.) for the operation, maintenance, improvement, and administration of the Panama Canal for the period October 1, 1999, through noon on December 31, 1999.

(b) LIMITATIONS.—For the period described in subsection (a), the Panama Canal Commission may expend from funds in the Panama Canal Revolving Fund not more than $25,000 for official reception and representation expenses, of which—

(1) not more than $7,000 may be used for official reception and representation expenses of the Supervisory Board of the Commission;

(2) not more than $3,500 may be used for official reception and representation expenses of the Secretary of the Commission; and

(3) not more than $14,500 may be used for official reception and representation expenses of the Administrator of the Commission.

SEC. 3403. PURCHASE OF VEHICLES.

Notwithstanding any other provision of law, the funds available to the Commission shall be available for the purchase and transportation to the Republic of Panama of replacement passenger motor vehicles, the purchase price of which shall not exceed $26,000 per vehicle.

SEC. 3404. EXPENDITURES ONLY IN ACCORDANCE WITH TREATIES.

Expenditures authorized under this title may be made only in accordance with the Panama Canal Treaties of 1977 and any law of the United States implementing those treaties.

SEC. 3405. OFFICE OF TRANSITION ADMINISTRATION.

(a) EXPENDITURES FROM PANAMA CANAL COMMISSION DISSOLUTION FUND.—The Office of Transition Administration established under subsection (b) of section 1305 of the Panama Canal Act of 1979 (22 U.S.C. 3714a) is authorized to obligate and expend funds from the Panama Canal Commission Dissolution Fund established under subsection (c) of such section for the purposes enumerated in such subsection until the fund terminates.

(b) ADMINISTRATIVE OFFICES.—The Office of Transition Administration shall have offices in the Republic of Panama and in Washington, District of Columbia. The office in Panama shall be subject to the authority of the United States chief of mission in the Republic of Panama.

(c) OVERSIGHT OF CLOSE-OUT ACTIVITIES.—The Panama Canal Commission shall enter into an agreement with the head of a department or agency of the Federal Government to supervise the close out of the affairs of the Commission under section 1305 of the Panama Canal Act of 1979 and to certify the completion of that function.

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''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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TITLE XIII—MILITARY VOTING RIGHTS ACT OF 1999

Sec. 1301. Short title.
Sec. 1302. Guarantee of residency.

Sec. 1303. State responsibility to guarantee military voting rights.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

For purposes of this Act, the term ''congressional defense committees'' means—

(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Army as follows:

(1) For aircraft, $1,498,188,000.

(2) For missiles, $1,411,104,000.

(3) For weapons and tracked combat vehicles, $1,678,865,000.

(4) For ammunition, $1,209,816,000.

(5) For other procurement, $3,647,370,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Navy as follows:

(1) For aircraft, $8,927,255,000.

(2) For weapons, including missiles and torpedoes, $1,392,100,000.

(3) For shipbuilding and conversion, $7,016,454,000.

(4) For other procurement, $4,197,791,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Marine Corps in the amount of $1,295,570,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for procurement of ammunition for the Navy and the Marine Corps in the amount of $542,700,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Air Force as follows:

(1) For aircraft, $9,704,866,000.

(2) For missiles, $2,389,208,000.

(3) For ammunition, $411,837,000.

(4) For other procurement, $7,142,177,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2000 for Defense-wide procurement in the amount of $2,293,417,000.

SEC. 105. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for fiscal year 2000 for procurement for the Inspector General of the Department of Defense in the amount of $2,100,000.

SEC. 106. CHEMICAL DEMILITARIZATION PROGRAM.

There is hereby authorized to be appropriated for fiscal year 2000 the amount of $1,164,500,000 for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare material of the United States that is not covered by section 1412 of such Act.

SEC. 107. DEFENSE HEALTH PROGRAMS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the Department of Defense for procurement for carrying out health care programs, projects, and activities of the Department of Defense in the total amount of $356,970,000.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR CERTAIN ARMY PROGRAMS.

Beginning with the fiscal year 2000 program year, the Secretary of the Army may, in accordance with section 2306b of title 10, United States Code, enter into multiyear contracts for procurement of the following:

(1) The M270A1 launcher.

(2) The Family of Medium Tactical Vehicles, except that the period of a multiyear contract may not exceed three years.

(3) The Command Launch Unit for the Javelin Advanced Anti-tank Weapon System-Medium.

(4) The missile for the Javelin Advanced Anti-tank Weapon System-Medium, except that the period of a multiyear contract may not exceed four years.

(5) The AH–64D Longbow Apache aircraft.

(6) The Wolverine heavy assault bridge.

(7) The system enhancement program for the M1A2 Abrams tank assembly.

(8) The Second Generation Forward Looking Infrared system for the M1A2 Abrams tank.

(9) The C2V Command and Control Vehicle, except that the period of a multiyear contract may not exceed four years.

(10) The Second Generation Forward Looking Infrared system for the Bradley A3 fighting vehicle, except that the period of a multiyear contract may not exceed four years.

(11) The improved Bradley acquisition system for the Bradley A3 fighting vehicle, except that the period of a multiyear contract may not exceed four years.

(12) The Bradley A3 fighting vehicle, except that the period of a multiyear contract may not exceed four years.

SEC. 112. CLOSE COMBAT TACTICAL TRAINER PROGRAM.

None of the funds authorized to be appropriated under section 101(5) may be used for the procurement of the close combat tactical trainers configured to mobile or fixed sites for tanks or to mobile or fixed sites for the Bradley A3 fighting vehicle under the Close Combat Tactical Trainer program of the Army until—

(1) the Secretary of the Army has submitted to the congressional defense committees a report containing—

(A) a discussion of the actions taken to correct the deficiencies in such trainers that have been identified by the Director of Operations Test and Evaluation of the Department of Defense before the date of the report; and

(B) the Secretary's certification that the close combat tactical trainers satisfy the reliability requirements established for the trainers under the program; and

(2) thirty days have elapsed since the date of the submittal of the report.

SEC. 113. ARMY AVIATION MODERNIZATION.

(a) MODERNIZATION PLAN.—The Secretary of the Army shall submit to the congressional defense committees a comprehensive plan for the modernization of the Army's helicopter forces. The plan shall include provisions for the following:

(1) For the AH–64D Apache Longbow program:

(A) Restoration of the original procurement objective of the program to the procurement of 747 aircraft and 227 fire control radars.

(B) Qualification and training of reserve component pilots as augmentation crews to ensure 24-hour warfighting capability in deployed attack helicopter units.

(C) Fielding of a sufficient number of aircraft in reserve component aviation units to implement the provisions of the plan required under subparagraph (B).

(2) For AH-1 Cobra helicopters, retirement of all AH–1 Cobra helicopters remaining in the fleet.

(3) For the RAH–66 Comanche program:

(A) Review of the total requirements and acquisition objectives for the program.

(B) Fielding of Comanche helicopters to the existing aviation force structure.

(C) Support for the plan for the AH–64D Apache program required under paragraph (1).

(4) For the UH–1 Huey helicopter program:

(A) A UH–1 modernization program.

(B) Revision of total force requirements for the aircraft to reflect the warfighting support requirements and State mission requirements for aircraft utilized by the Army National Guard.

(5) For the UH–60 helicopter program:

(A) Identification of the requirements for the aircraft.

(B) An acquisition strategy for meeting requirements that cannot be met by UH–1 Huey helicopters among the warfighting support requirements and State mission requirements for aircraft utilized by the Army National Guard.

(C) An upgrade program for fielded aircraft.

(6) For the CH–47 Chinook helicopter service life extension program, maintenance of the schedule and funding.

(7) For the OH-58D Kiowa Warrior helicopters, a modernization program.

(8) A revised assessment of the Army's present and future requirements for helicopters and its present and future helicopter inventory, including the number of aircraft, average age of aircraft, availability of spare parts, flight hour costs, roles and functions assigned to the fleet as a whole and to each type of aircraft, and the mix of active component and reserve component aircraft in the fleet.

(b) LIMITATION.—Not more than 90 percent of the amount authorized to be appropriated under section 101(2) may be obligated before the date that is 30 days after the date on which the Secretary of the Army submits the plan required under subsection (a) to the congressional defense committees.

SEC. 114. MULTIPLE LAUNCH ROCKET SYSTEM.

Of the funds authorized to be appropriated under section 101(2), $500,000 may be made available to complete the development of reuse and demilitarization tools and technologies for use in the disposition of Army MLRS inventory.

Subtitle C—Navy Programs

SEC. 121. LHD–8 AMPHIBIOUS DOCK SHIP PROGRAM.

(a) AUTHORIZATION OF SHIP.—The Secretary of the Navy is authorized to procure the amphibious dock ship to be designated LHD–8, subject to the availability of appropriations for that purpose.

(b) AMOUNT AUTHORIZED.—Of the amount authorized to be appropriated under section 102(a)(3) for fiscal year 2000, $375,000,000 is available for the advance procurement and advance construction of components for the LHD–8 amphibious dock ship 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.

SEC. 122. ARLEIGH BURKE CLASS DESTROYER PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT OF 6 ADDITIONAL VESSELS.—(1) Subsection (b) of section 122 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2446) is amended in the first sentence—

(A) by striking ''12 Arleigh Burke class destroyers'' and inserting ''18 Arleigh Burke class destroyers''; and

(B) by striking ''and 2001'' and inserting ''2001, 2002, and 2003''.

(2) The heading for such subsection is amended by striking ''TWELVE'' and inserting ''18''.

(b) FISCAL YEAR 2001 ADVANCE PROCUREMENT.—(1) Subject to paragraphs (2) and (3), the Secretary of the Navy is authorized, in fiscal year 2001, to enter into contracts for advance procurement for the Arleigh Burke class destroyers that are to be constructed under contracts entered into after fiscal year 2001 under section 122(b) of Public Law 104–201, as amended by subsection (a)(1).

(2) The authority to contract for advance procurement under paragraph (1) is subject to the availability of funds authorized and appropriated for fiscal year 2001 for that purpose in Acts enacted after September 30, 1999.

(3) The aggregate amount of the contracts entered into under paragraph (1) may not exceed $371,000,000.

(c) OTHER FUNDS FOR ADVANCE PROCUREMENT.—Notwithstanding any other provision of this Act, of the funds authorized to be appropriated under section 102(a) for procurement programs, projects, and activities of the Navy, up to $190,000,000 may be made available, as the Secretary of the Navy may direct, for advance procurement for the Arleigh Burke class destroyer program. Authority to make transfers under this subsection is in addition to the transfer authority provided in section 1001.

SEC. 123. REPEAL OF REQUIREMENT FOR ANNUAL REPORT FROM SHIPBUILDERS UNDER CERTAIN NUCLEAR ATTACK SUBMARINE PROGRAMS.

(a) REPEAL.—Paragraph (3) of section 121(g) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2444) is repealed.

(b) CONFORMING AMENDMENT.—Paragraph (5) of such section is amended by striking ''reports referred to in paragraphs (3) and (4)'' and inserting ''report referred to in paragraph (4)''.

SEC. 124. COOPERATIVE ENGAGEMENT CAPABILITY PROGRAM.

(a) LIMITATION.—Cooperative engagement equipment procured under the Cooperative Engagement Capability program of the Navy may not be installed into a commissioned vessel until the completion of operational test and evaluation of the shipboard cooperative engagement capability.

(b) CONSTRUCTION.—Subsection (a) shall not be construed to limit the installation of cooperative engagement equipment in new construction ships.

SEC. 125. F/A–18E/F AIRCRAFT PROGRAM.

(a) AUTHORITY.—Beginning with the fiscal year 2000 program year, the Secretary of the Navy may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear procurement contract for the procurement of F/A–18E/F aircraft.

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) to enter into a multiyear contract for the procurement of F/A–18E/F aircraft or authorize entry of the F/A–18E/F aircraft program into full-rate production until—

(1) the Secretary of Defense certifies to the Committees on Armed Services of the Senate and House of Representatives the results of operational test and evaluation of the F/A–18E/F aircraft.

(2) the Secretary of Defense determines that the results of operational test and evaluation demonstrate that the version of the aircraft to be procured under the multiyear contract in the higher quantity than the other version satisfies all key performance parameters appropriate to that version of aircraft in the operational requirements document for the F/A–18E/F program, as submitted on April 1, 1997, except that with respect to the range performance parameter a deviation of 1 percent shall be permitted.

Subtitle D—Air Force Programs

SEC. 131. F–22 AIRCRAFT PROGRAM.

Before awarding the contract for low-rate initial production under the F–22 aircraft program, the Secretary of Defense shall certify to the congressional defense committees that—

(1) the test plan in the engineering and manufacturing development program is adequate for determining the operational effectiveness and suitability of the F–22 aircraft; and

(2) the engineering and manufacturing development program and the production program can each be executed within the limitation on total cost applicable to that program under subsection (a) or (b), respectively, of section 217 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1660).

Subtitle E—Other Matters

SEC. 141. EXTENSION OF AUTHORITY TO CARRY OUT ARMAMENT RETOOLING AND MANUFACTURING SUPPORT INITIATIVE.

Section 193(a) of the Armament Retooling and Manufacturing Support Act of 1992 (subtitle H of title I of Public Law 102–484; 10 U.S.C. 2501 note) is amended by striking ''During fiscal years 1993 through 1999'' and inserting ''During fiscal years 1993 through 2001''.

SEC. 142. EXTENSION OF PILOT PROGRAM ON SALES OF MANUFACTURED ARTICLES AND SERVICES OF CERTAIN ARMY INDUSTRIAL FACILITIES WITHOUT REGARD TO AVAILABILITY FROM DOMESTIC SOURCES.

(a) EXTENSION OF PROGRAM.—Section 141 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1652; 10 U.S.C. 4543 note) is amended—

(1) in subsection (a), by striking ''During fiscal years 1998 and 1999'' and inserting ''During fiscal years 1998 through 2001''; and

(2) in subsection (b), by striking ''during fiscal year 1998 or 1999'' and inserting ''during a fiscal year covered by the pilot program''.

(b) EXTENSION OF DEADLINE FOR INSPECTOR GENERAL REPORT.—Subsection (c) of such section is amended by striking ''July 1, 1999'' and inserting ''July 1, 2000''.

SEC. 143. D-5 MISSILE PROGRAM.

(a) REPORT.—Not later than October 31, 1999, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the D–5 missile program.

(b) REPORT ELEMENTS.—The report under subsection (a) shall include the following:

(1) An inventory management plan for the D–5 missile program covering the life of the program, including—

(A) the location of D–5 missiles during the fueling of submarines;

(B) rotation of inventory; and

(C) expected attrition rate due to flight testing, loss, damage, or termination of service life.

(2) The cost of terminating procurement of D–5 missiles for each fiscal year prior to the current plan.

(3) An assessment of the capability of the Navy of meeting strategic requirements with a total procurement of less than 425 D–5 missiles, including an assessment of the consequences of—

(A) loading Trident submarines with fewer than 24 D–5 missiles; and

(B) reducing the flight test rate for D–5 missiles.

(4) An assessment of the optimal commencement date for the development and deployment of replacement systems for the current land-based and sea-based missile forces.

(5) The Secretary's plan for maintaining D–5 missiles and Trident submarines under START II and proposed START III, and whether requirements for such missiles and submarines would be reduced under such treaties.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $4,695,894,000.

(2) For the Navy, $8,207,616,000.

(3) For the Air Force, $13,573,308,000.

(4) For Defense-wide activities, $9,389,081,000, of which—

(A) $253,457,000 is authorized for the activities of the Director, Test and Evaluation; and

(B) $24,434,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR BASIC AND APPLIED RESEARCH.

(a) FISCAL YEAR 2000.—Of the amounts authorized to be appropriated by section 201, $4,156,812,000 shall be available for basic research and applied research projects.

(b) BASIC RESEARCH AND APPLIED RESEARCH DEFINED.—For purposes of this section, the term ''basic research and applied research'' means work funded in program elements for defense research and development under Department of Defense category 6.1 or 6.2.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. NATO COMMON-FUNDED CIVIL BUDGET.

Of the amount authorized to be appropriated by section 201(1), $750,000 shall be available for contributions for the common-funded Civil Budget of NATO.

SEC. 212. MICRO-SATELLITE TECHNOLOGY DEVELOPMENT PROGRAM.

(a) FUNDING.—Of the funds authorized to be appropriated under section 201(3), $25,000,000 is available for continued implementation of the micro-satellite technology program established pursuant to section 215 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1659).

(b) MICRO-SATELLITE TECHNOLOGY DEVELOPMENT PLAN.—The Secretary of Defense shall develop a micro-satellite technology development plan to guide technology investment decisions and prioritize technology demonstration activities.

(c) REPORT.—Not later than April 15, 1999, the Secretary shall submit to the congressional defense committees a report regarding the plan developed under subsection (b).

SEC. 213. SPACE CONTROL TECHNOLOGY.

(a) FUNDS AVAILABLE FOR AIR FORCE EXECUTION.—Of the funds authorized to be appropriated under section 201(3), $19,822,000 shall be available for space control technology development pursuant to the Department of Defense Space Control Technology Plan of 1999.

(b) FUNDS AVAILABLE FOR ARMY EXECUTION.—Of the funds authorized to be appropriated under section 201(1), $41,000,000 shall

be available for space control technology development. Of the funds made available pursuant to the preceding sentence, the Commanding General of the United States Army Space and Missile Defense Command may utilize such amounts as are necessary for any or all of the following activities:

(1) Continued development of the kinetic energy anti-satellite technology program necessary to retain an option of conducting a flight test within two years of any decision to do so.

(2) Technology development associated with the kinetic energy anti-satellite kill vehicle to temporarily disrupt satellite functions.

(3) Cooperative technology development with the Air Force, pursuant to the Department of Defense Space Control Technology Plan of 1999.

SEC. 214. SPACE MANEUVER VEHICLE.

(a) FUNDING.—Of the funds authorized to be appropriated under section 201(3), $35,000,000 is available for the space maneuver vehicle program.

(b) ACQUISITION OF SECOND FLIGHT TEST 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—'' the following new paragraph (1):

''(1) to focus Department of Defense support for advanced manufacturing technologies on high-risk projects for the development and application of technologies for use to satisfy manufacturing requirements essential to the national defense, as well as for use for repair and remanufacturing in support of the operations of systems commands, depots, air logistics centers, and shipyards;''.

(b) EXECUTION.—Subsection (c) of such section is amended—

(1) by redesignating paragraph (2) as paragraph (4); and

(2) by inserting after paragraph (1) the following:

''(2) The Secretary shall require that manufacturing technology projects proposed to be carried out under the program be selected principally on the basis of the extent to which the projects satisfy the purpose set forth in subsection (b)(1), as determined by a panel established to review the proposed projects and to make the selections.

''(3) A 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 shipyard serves as a sponsor for the project by certifying that funds available to the program office will be used to pay the costs of implementing a manufacturing technology developed and applied under the project to the successful satisfaction of requirements described in subsection (b)(1).''.

(c) CONSIDERATION OF COST-SHARING PROPOSALS.—Subsection (d) of such section is amended—

(1) by striking paragraphs (2) and (3);

(2) by striking ''(A)'' following ''(d) COMPETITION AND COST SHARING.—(1)''; and

(3) by striking ''(B) For each'' and all that follows through ''competitive procedures.'' and inserting the following: ''(2) The competitive procedures shall include among the factors to be considered in the evaluation of a proposal for a grant, contract, cooperative agreement, or other transaction for a project the extent to which the proposal provides for the prospective recipient to share in defraying the costs of the project.''.

SEC. 216. TESTING OF AIRBLAST AND IMPROVISED EXPLOSIVES.

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 63122D); 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 in separate, independently managed program elements throughout the future-years defense program;

(2) bases funding decisions and program schedules for each upper tier system on the performance of each system independent of the performance of the other system; and

(3) provides for accelerating the deployment of both of the upper tier systems to the maximum extent practicable.

(b) UPPER TIER SYSTEMS DEFINED.—For purposes of this section, the upper tier missile defense systems are the following:

(1) The Navy Theater Wide system.

(2) The Theater High-Altitude Area Defense system.

SEC. 222. REPEAL OF REQUIREMENT TO IMPLEMENT TECHNICAL AND PRICE COMPETITION FOR THEATER HIGH ALTITUDE AREA DEFENSE SYSTEM.

Subsection (a) of section 236 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1953) 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; and

(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 suited to the operational and technological environment that will exist when such a system can be deployed, the Secretary shall structure the space-based laser program schedule to include the following:

(1) Robust research and development on advanced technologies in parallel with the development of the integrated flight experiment.

(2) Architecture studies to assess alternative space-based laser constellation and system performance characteristics.

(3) Planning for the development of a space-based laser prototype that—

(A) utilizes the lessons learned from the integrated flight experiment;

(B) is supported by ongoing architecture and advanced technology research and development efforts; and

(C) is scheduled to be launched approximately two years before the date by which the objective space-based laser system configuration is to be completed.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the structure required by this section for the space-based laser program is consistent with the joint venture contracting approach and overall objective that the Department of Defense has established for the space-based laser program.

(e) REVISED PROGRAM BASELINE.—The Secretary, in consultation with the space-based laser joint venture team, shall promptly revise the space-based laser program baseline to reflect the requirements of this section.

(f) FUNDS AVAILABLE FOR BALLISTIC MISSILE DEFENSE ORGANIZATION EXECUTION.—Of the amounts authorized to be appropriated under section 201(4), $75,000,000 shall be available for the space-based laser program. Amounts made available under this subsection may be transferred to the Air Force for execution in support of the space-based laser program.

(g) FUNDS AVAILABLE FOR AIR FORCE EXECUTION.—Of the amounts authorized to be appropriated under section 201(3), $88,840,000 shall be available for the space-based laser program.

SEC. 224. AIRBORNE LASER PROGRAM.

(a) MODIFICATION OF PROGRAM DEFINITION AND RISK REDUCTION AIRCRAFT.—The Secretary of the Air Force may not commence any modification of the program definition and risk reduction aircraft for the Airborne Laser program until the Secretary of Defense certifies to Congress that he has determined that the commencement of the aircraft modification according to the existing schedule is justified on the basis of the results of test and analysis involving the following activities:

(1) The North 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-2.—Before the Authority-to-Proceed-2 may be approved for the Airborne Laser program, the Secretary of Defense shall—

(1) ensure that the Secretary of the Air Force has developed an appropriate plan for resolving the technical challenges identified in the Airborne Laser Program Assessment;

(2) approve the plan; and

(3) submit a report on the plan to the congressional defense committees.

(c) MILESTONE II EXIT CRITERIA.—The Secretary of Defense shall restructure the Airborne Laser program schedule and Milestone II exit criteria to ensure that, prior to the

making of a Milestone II decision approving entry of the program into engineering and manufacturing development—

(1) no modification of the engineering and manufacturing development aircraft is begun;

(2) the program definition and risk reduction aircraft is utilized in a robust series of flight tests that validates the technical maturity of the Airborne Laser program and provides sufficient information regarding the performance of the system across the full range of its validated operational requirements; and

(3) sufficient technical information is available to determine whether adequate progress is being made in the ongoing effort to address the operational issues identified in the Airborne Laser Program Assessment.

(d) AIRBORNE LASER PROGRAM 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 on March 9, 1999.

SEC. 225. SENSE OF CONGRESS REGARDING BALLISTIC MISSILE DEFENSE TECHNOLOGY FUNDING.

It is the sense of Congress that—

(1) because technology development provides the basis for future weapon systems, it is important to maintain a healthy funding balance between ballistic missile defense technology development and ballistic missile defense acquisition programs;

(2) funding planned within the future years defense program of the Department of Defense 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 economies 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) once the inventory of that missile has been depleted. In conducting the study, the Secretary shall consider the following options:

(A) Restarting of production of the conventional air launched cruise missile.

(B) Acquisition of a new type of weapon with the same lethality characteristics as those of the conventional air launched cruise missile or improved lethality characteristics.

(C) Utilization of current or planned munitions, with upgrades as necessary.

(2) The Secretary shall submit the results of this study to the Armed Services Committees of the House and Senate by January 15, 2000, so that the results might be—

(A) reflected in the budget for fiscal year 2001 submitted to Congress under section 1105 of title 31, United States Code; and

(B) reported to Congress as required under subsection (b).

(b) REPORT.—The report shall include a statement of how the Secretary intends to meet the requirements referred to in subsection (a)(1) in a timely manner as described in that subsection.

Subtitle D—Research and Development for Long-Term Military Capabilities

SEC. 231. ANNUAL REPORT ON EMERGING OPERATIONAL CONCEPTS.

(a) EXTENSION OF REPORTING REQUIREMENT.—Subsection (a) of section 1042 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2642; 10 U.S.C. 113 note) is amended by striking ''2000'' and inserting ''2002''.

(b) 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 threats, including asymmetrical threats, that could be posed to the national security interests of the United States by potential adversaries from 2020 to 2030;

''(2) the key characteristics and capabilities of future military systems (including both armed force-specific and joint systems) that will be needed to meet each such threat; and

''(3) the most significant research and development challenges that must be met, and the technological breakthroughs that must be made, to develop and field such systems.''.

SEC. 232. TECHNOLOGY AREA REVIEW AND ASSESSMENT.

Section 270(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2469; 10 U.S.C. 2501 note) is amended to read as follows:

''(b) TECHNOLOGY AREA REVIEW AND ASSESSMENT.—With the submission of the plan under subsection (a) each year, the Secretary shall also submit to the committees referred to in that subsection a summary of each technology area review and assessment conducted by the Department of Defense in support of that plan.''.

SEC. 233. REPORT BY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY.

(a) REQUIREMENT.—The Under Secretary of Defense for Acquisition and Technology shall submit to the congressional defense committees a report on the actions that are necessary to promote the research base and technological development that will be needed for ensuring that the Armed Forces have the military capabilities that are necessary for meeting national security requirements over the next two to three decades.

(b) CONTENT.—The report shall include the actions that have been taken or are planned to be taken within the Department of Defense to ensure that—

(1) the Department of Defense laboratories place an appropriate emphasis on revolutionary changes in military operations and the new technologies that will be necessary to support those operations;

(2) the Department helps sustain a high-quality national research base that includes organizations attuned to the needs of the Department, the fostering and creation of revolutionary technologies useful to the Department, and the capability to identify opportunities for new military capabilities in emerging scientific knowledge;

(3) the Department can identify, provide appropriate funding for, and ensure the coordinated development of joint technologies that will serve the needs of more than one of the Armed Forces;

(4) the Department can identify militarily relevant technologies that are developed in the private sector, rapidly incorporate those technologies into defense systems, and effectively utilize technology transfer processes;

(5) the Department can effectively and efficiently manage the transition of new technologies from the applied research and advanced technological development stage through the product development stage in a manner that ensures that maximum advantage is obtained from advances in technology; and

(6) the Department's educational institutions for the officers of the uniformed services incorporate into their officer education and training programs, as appropriate, materials necessary to ensure that the officers have the familiarity with the processes, advances, and opportunities in technology development that is necessary for making decisions that ensure the superiority of United States defense technology in the future.

SEC. 234. INCENTIVES TO PRODUCE INNOVATIVE NEW TECHNOLOGIES.

(a) TECHNICAL 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 and otherwise to provide an increased profit incentive for contractors to develop and produce complex and innovative new technologies, rather than to produce mature technologies with low technical risk.

(b) EXPIRATION OF AUTHORITY.—This section shall cease to be effective one year after the date on which the Secretary of Defense publishes in the Federal Register final regulations modifying the guidelines in accordance with subsection (a).

SEC. 235. DARPA COMPETITIVE PRIZES AWARD PROGRAM FOR ENCOURAGING DEVELOPMENT OF ADVANCED 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 carry out a program to award prizes in recognition of outstanding achievements in basic, advanced, and applied research, technology development, and prototype development that have the potential for application to the performance of the military missions of the Department of Defense.

''(b) COMPETITION REQUIREMENTS.—The Director shall use a competitive process for the selection of recipients of prizes under this section. The process shall include the widely-

advertised solicitation of submissions of research results, technology developments, and prototypes.

''(c) FORM OF PRIZE.—A prize awarded under this section shall be a monetary award together with a trophy, plaque, or medal or other emblem.

''(d) LIMITATIONS.—(1) The total amount made available for award of cash prizes in a fiscal year may not exceed $10,000,000.

''(2) No prize competition may result in the award of more than $1,000,000 in cash prizes without the approval of the Under Secretary of Defense for Acquisition and Technology.

''(e) RELATIONSHIP TO OTHER AUTHORITY.—The Director may exercise the authority under this section in conjunction with or in addition to the exercise of any other authority of the Director to acquire, support, or stimulate basic, advanced and applied research, technology development, or prototype projects.

''(f) ANNUAL REPORT.—Promptly after the end of each fiscal year, the Director shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the administration of the program for the fiscal year. The report shall include the following:

''(1) The military applications of the research, technology, or prototypes for which prizes were awarded.

''(2) The total amount of the prizes awarded.

''(3) The methods used for solicitation and evaluation of submissions, together with an assessment of the effectiveness of those methods.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2374 the following:

''2374a. Prizes for advanced technology.''.

SEC. 236. ADDITIONAL PILOT PROGRAM FOR REVITALIZING DEPARTMENT OF DEFENSE LABORATORIES.

(a) AUTHORITY.—(1) The Secretary of Defense may carry out a pilot program to demonstrate improved cooperative relationships 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 carried out under section 246 of the Strom Thurmond 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 of methods for achieving the objectives in subparagraphs (A) and (B).

(3) In selecting the laboratories for participation in the pilot program, the Secretary shall consider laboratories where innovative management techniques have been demonstrated, particularly as documented under sections 1115 through 1119 of title 31, United States Code, relating to Government agency performance and results.

(4) The Secretary may carry out the pilot program at each selected laboratory for a period of three years beginning not later than March 1, 2000.

(b) REPORT.—(1) Not later than March 1, 2000, the Secretary of Defense shall submit a report on the 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 participation of the laboratory in the pilot program. The report shall contain the following:

(A) A description of the concepts tested.

(B) The results of 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) STRENGTH 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 the following new paragraph:

''(4) The employees of a laboratory covered by a personnel demonstration project carried out under this section shall be exempt from, and may not be counted for the purposes of, any constraint or limitation in a statute or regulation in terms of man years, end strength, full time equivalent positions, supervisory ratios, or maximum number of employees in any category or categories of employment that may otherwise be applicable to the employees. The employees shall be managed by the director of the laboratory subject to the supervision of the Under Secretary of Defense for Acquisition and Technology.''.

(b) REDUCTIONS IN FORCE.—Notwithstanding any provision of law that requires a reduction in the size of the defense acquisition workforce—

(1) the employees of a Department of Defense laboratory shall not be considered as being included in that workforce for the purpose of that provision of law; and

(2) the Secretary of Defense, in carrying out the reduction under that provision of law, shall consider the size of the required reduction as being lowered by—

(A) the percent determined by dividing (on the basis of the equivalent of full-time employees) the total number of employees in the defense acquisition workforce as of the beginning of the reduction in force into the number of laboratory employees that, except for paragraph (1), would otherwise have been considered as being in the workforce to be reduced under that provision of law; or

(B) any other factor that the Secretary determines as being a more appropriate measure for the adjustment.

SEC. 238. USE OF WORKING-CAPITAL FUNDS FOR FINANCING RESEARCH AND DEVELOPMENT OF THE MILITARY DEPARTMENTS.

(a) AUTHORITY.—Section 2208 of title 10, United States Code, is amended by adding at the end the following:

''(r) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.—(1) Working-capital funds shall be used for financing all research, development, test, and evaluation activities and programs of the military departments.

''(2) The following transactions are authorized for the use of working-capital funds for activities and programs described in paragraph (1):

''(A) Acceptance of reimbursable orders from authorized customers.

''(B) Crediting of working-capital funds, out of funds available for a military department for research, development, test, and evaluation or any other appropriate source of funds, for goods and services provided to that military department.

''(3) The policies, procedures, and regulations of the Department of Defense that are applicable to the use and management of Department of Defense revolving funds shall be applied uniformly to all uses of working-capital funds for financing the activities and programs described in paragraph (1).''.

(b) IMPLEMENTATION.—(1) The Secretary of Defense shall amend the Department of Defense Financial Management Regulation to ensure that subsection (r)(3) of section 2208 of title 10, United States Code (as added by subsection (a)), is fully implemented.

(2) Not later than April 1, 2000, and August 1, 2000, the Under Secretary of Defense (Comptroller) shall submit to the Committees on Armed Services of the Senate and the House of Representatives written status reports on the progress made in implementing subsection (r) of section 2208 of title 10, United States Code, as added by subsection (a). Each status report shall, at a minimum, include the following:

(A) The schedule for completing the key actions necessary for implementation.

(B) The progress made in the implementation by the military departments and the other agencies of the Department of Defense through the date of the report.

(C) Each delay and obstacle encountered in the implementation, together with an explanation of the actions taken in each such case to ensure timely implementation.

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 designating lead agencies or executive agents in cases considered appropriate. The panel shall report its findings to the Secretary of Defense and to Congress not later than August 1, 2000.

(2) The 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,

electronic warfare, medicine, corporate laboratories, civil engineering, geophysics, and the environment.

(b) PERFORMANCE REVIEW PROCESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop an appropriate performance review process for rating the quality and relevance of work performed by the Department of Defense laboratories. The process shall include customer evaluation and peer review by Department of Defense personnel and appropriate experts from outside the Department of Defense. The process shall provide for rating all laboratories of the Army, Navy, and Air Force on a consistent basis.

Subtitle E—Other Matters

SEC. 251. REPORT ON AIR FORCE DISTRIBUTED MISSION TRAINING.

(a) REQUIREMENT.—The Secretary of the Air Force shall submit to Congress, not later than January 31, 2000, a report on the Air Force Distributed Mission Training program.

(b) CONTENT OF REPORT.—The report shall include a discussion of the following:

(1) The progress that the Air Force has made to demonstrate and prove the Air Force Distributed Mission Training concept of linking geographically separated, high-fidelity simulators to provide a mission rehearsal capability for Air Force units, and any units of any of the other Armed Forces 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, for 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 Marine Corps, $2,612,529,000.

(4) For the Air Force, $20,342,403,000.

(5) For Defense-wide activities, $10,963,033,000.

(6) For the Army Reserve, $1,376,813,000.

(7) For the Naval Reserve, $927,347,000.

(8) For the Marine Corps Reserve, $125,766,000.

(9) For the Air Force Reserve, $1,726,837,000.

(10) For the Army National Guard, $2,912,249,000.

(11) For the Air National Guard, $3,119,518,000.

(12) For the Defense Inspector General, $138,244,000.

(13) For the United States Court of Appeals for the Armed Forces, $7,621,000.

(14) For Environmental Restoration, Army, $378,170,000.

(15) For Environmental Restoration, Navy, $284,000,000.

(16) For Environmental Restoration, Air Force, $376,800,000.

(17) For Environmental Restoration, Defense-wide, $25,370,000.

(18) For Environmental Restoration, Formerly Used Defense Sites, $239,214,000.

(19) For Overseas Humanitarian, Demining, and CINC Initiatives, $55,800,000.

(20) For Drug Interdiction and Counter-drug Activities, Defense-wide, $745,265,000.

(21) For the Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund, $15,000,000.

(22) For Medical Programs, Defense, $10,453,487,000.

(23) For Cooperative Threat Reduction programs, $475,500,000.

(24) For Overseas Contingency Operations Transfer Fund, $2,387,600,000.

(25) For Combating Terrorism Activities Transfer Fund, $1,954,430,000.

(26) For quality of life enhancements, $1,845,370,000.

(27) For defense transfer programs, $31,000,000.

(b) GENERAL LIMITATION.—Notwithstanding paragraphs (1) through (27) of subsection (a), the total amount authorized to be appropriated for fiscal year 2000 under those paragraphs is $104,042,075,000.

SEC. 302. WORKING-CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working-capital and revolving funds in amounts as follows:

(1) For the Army Working-Capital Fund, $62,344,000.

(2) For the Defense Working-Capital Fund, Air Force, $28,000,000.

(3) For the National Defense Sealift Fund, $394,700,000.

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2000 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 Home and the Naval Home.

SEC. 304. TRANSFER FROM NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.

(a) TRANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $150,000,000 is authorized to be transferred from the National Defense Stockpile Transaction Fund to operation and maintenance accounts for fiscal year 2000 in amounts as follows:

(1) For the Army, $50,000,000.

(2) For the Navy, $50,000,000.

(3) For the Air Force, $50,000,000.

(b) TREATMENT OF TRANSFERS.—Amounts transferred under this section—

(1) shall be merged with, and be available for the same purposes and the same period as, the amounts in the accounts to which transferred; and

(2) may not be expended for an item that has been denied authorization of appropriations by Congress.

(c) RELATIONSHIP TO OTHER TRANSFER AUTHORITY.—The transfer authority provided in this section is in addition to the transfer authority provided in section 1001.

SEC. 305. OPERATIONAL METEOROLOGY AND OCEANOGRAPHY AND UNOLS.

Of the funds authorized to be appropriated in section 301(a), an additional $10,000,000 may be expended for Operational Meteorology and Oceanography and UNOLS.

SEC. 306. ARMED FORCES EMERGENCY SERVICES.

Of the funds in section 301(a)(5), $23,000,000 shall be made available to the American Red Cross to fund the Armed Forces Emergency Services.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 311. NATO COMMON-FUNDED MILITARY BUDGET.

Of the amount authorized to be appropriated pursuant to section 301(a)(1) for operation and maintenance for the Army, $216,400,000 shall be available for contributions for the common-funded Military Budget of the North Atlantic Treaty Organization.

SEC. 312. USE OF HUMANITARIAN AND CIVIC ASSISTANCE FUNDING FOR PAY AND ALLOWANCES OF SPECIAL OPERATIONS COMMAND RESERVES FURNISHING DEMINING TRAINING AND RELATED ASSISTANCE AS HUMANITARIAN ASSISTANCE.

Section 401(c) of title 10, United States Code, is amended by adding at the end the following:

''(5) Up to 5 percent of the funds available in any fiscal year for humanitarian and civic assistance described in subsection (e)(5) may be expended for the pay and allowances of reserve component personnel of the Special Operations Command for periods of duty for which the personnel, for a humanitarian purpose, furnish education and training on the detection and clearance of landmines or furnish related technical assistance.''.

SEC. 313. NATIONAL DEFENSE FEATURES PROGRAM.

Section 2218 of title 10, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l);

(2) by inserting after subsection (j) the following new subsection (k):

''(k) CONTRACTS FOR INCORPORATION OF DEFENSE FEATURES IN COMMERCIAL VESSELS.—(1) The head of any agency, after making a determination of the economic soundness of an offer to do so, may enter into a contract with the offeror for the offeror to install and maintain defense features for national defense purposes in one or more commercial vessels owned or controlled by the offeror in accordance with the purpose for which funds in the National Defense Sealift Fund are available under subsection (c)(1)(C).

''(2) The head of an agency may make advance payments to the contractor under the contract in one lump sum, annual payments, or any combination thereof for costs associated with the installation and maintenance of the defense features on one or more commercial vessels, as follows:

''(A) The costs to build, procure, and install any defense feature in a vessel.

''(B) The costs to maintain and test any defense feature on a vessel periodically.

''(C) Any increased costs of operation or any loss of revenue attributable to the installation or maintenance of any defense feature on a vessel.

''(D) Any additional costs associated with the terms and conditions of the contract.

''(3) For any contract under which the United States provides advance payments for the costs associated with installation or maintenance of any defense feature on a commercial vessel, the contractor shall provide to the United States any security interest in the vessel, by way of a preferred mortgage under section 31322 of title 46 or otherwise, that the head of the agency prescribes in order adequately to protect the United

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 contract is owned or controlled by the contractor, the contractor is to operate the vessel for the Department of Defense notwithstanding any other contract or commitment of that contractor; and

''(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 delegate authority under this subsection to any person in a position below the level of head of a procuring activity.''; and

(3) by adding at the end of subsection (l), as redesignated by paragraph (1), the following:

''(5) The term 'head of an agency' has the meaning given the term in section 2302(1) of this title.''.

SEC. 314. ADDITIONAL AMOUNTS FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.

(a) AUTHORIZATION OF ADDITIONAL AMOUNT.—Notwithstanding any other provision of this Act, the amount authorized to be appropriated by section 301(a)(20) is hereby increased by $59,200,000.

(b) USE OF ADDITIONAL AMOUNTS.—Of the amounts authorized to be appropriated by section 301(a)(20), as increased by subsection (a) of this section, funds shall be available in the following amounts for the following purposes:

(1) $6,000,000 shall be available for Operation Caper Focus.

(2) $17,500,000 shall be available for a Relocatable Over the Horizon (ROTHR) capability for the Eastern Pacific based in the continental United States.

(3) $2,700,000 shall be available for forward looking infrared radars for P–3 aircraft.

(4) $8,000,000 shall be available for enhanced intelligence capabilities.

(5) $5,000,000 shall be used for Mothership Operations.

(6) $20,000,000 shall be used for National Guard State plans.

Subtitle C—Environmental Provisions

SEC. 321. ENVIRONMENTAL TECHNOLOGY MANAGEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to hold the Department of Defense and the military departments accountable for achieving performance-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 performance of environmental technologies by establishing objectives for environmental technology programs, measuring performance against such objectives, and making public reports on the progress made in such performance.

(b) ENVIRONMENTAL TECHNOLOGY MANAGEMENT.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2358 the following new section:

''§ 2358a. Research and development: environmental technology

''(a) MANAGEMENT OF RESEARCH AND DEVELOPMENT.—The Secretary of Defense shall provide in accordance with this section for the management of projects engaged in under section 2358 of this title for the research, development, and evaluation of environmental technologies for the Department of Defense and the military departments.

''(b) RESPONSIBILITIES OF SECRETARY OF DEFENSE.—The Secretary of Defense shall—

''(1) establish guidelines for the development by the Department of Defense and the military departments of an investment control process for the selection, management, and evaluation of environmental technologies within the Department of Defense;

''(2) develop a strategic plan for the development of environmental technologies within the Department of Defense which shall specify goals and objectives for the development of environmental technologies within the Department and provide specific mechanisms for assuring the achievement of such goals and objectives;

''(3) establish guidelines for use by the officials concerned in preparing the annual performance plans and performance reports required by this section;

''(4) determine the feasibility of permitting such officials to develop quantifiable and measurable performance objectives for particular environmental technology projects; and

''(5) if the Secretary determines that the development of performance objectives for particular technology projects by the officials referred to in that paragraph is not feasible, establish a schedule for meeting the performance plan requirements set forth in subsection (c).

''(c) RESPONSIBILITIES WITHIN DEPARTMENT OF DEFENSE.—(1) Each official concerned shall—

''(A) develop and implement an investment control process for the selection, management, and evaluation of environmental technologies by the department or agencies; and

''(B) establish at the beginning of each fiscal year a performance plan for the environmental technology program of the department or agencies.

''(2) An investment control process under paragraph (1)(A) shall include, for the department or agency concerned, mechanisms—

''(A) to ensure the identification of end-user requirements for environmental technologies;

''(B) to prioritize such requirements within the context of funding constraints and the overall environmental technology requirements of the Department of Defense;

''(C) to avoid duplication and overlap in the research and development of environmental technologies both within the Department of Defense and between the Department of Defense and other public and private entities and persons;

''(D) to provide for the conduct of performance-based reviews of environmental technologies that take into account end-user evaluations of such technologies and permit a measurement of return on investments in such technologies;

''(E) to ensure that the environmental technology effort responds in an appropriate manner to end-user requirements, program and funding priorities and constraints, and the reviews conducted pursuant to subparagraph (D); and

''(F) to ensure appropriate protection of United States interests in any intellectual property rights associated with environmental technologies developed by or with the assistance of the department or agencies concerned.

''(3) A performance plan under paragraph (1)(B) for the environmental technology program of a department or agency for a fiscal year shall—

''(A) unless the Secretary of Defense determines that it is not feasible under subsection (b)(5), establish performance objectives for each environmental technology project under the program for the fiscal year based on end-user requirements and program priorities under the program, and express such objectives in a quantifiable and measurable form;

''(B) provide a basis for comparing the actual results of each project at the end of the fiscal year with the performance objectives for 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 such validation is not possible;

''(D) establish performance indicators for purposes of measuring or assessing relevant outputs and outcomes for each project for the fiscal year; and

''(E) establish mechanisms for determining the operational processes, skills and technology, human capital, information, or other resources necessary to meet the performance objectives for each project for the fiscal year.

''(d) ANNUAL REPORT.—(1) Not later than March 31 each year, the Secretary of Defense shall submit to Congress, at the same time as the Secretary submits the report required by section 2706(b) of this title, a report on the environmental technology program of the Department of Defense during the preceding fiscal year.

''(2) Each report under paragraph (1) shall, with respect to each project under the environmental technology program of the Department—

''(A) set forth the performance objectives established for the project for the fiscal year under subsection (c)(3) and assess the performance achieved with respect to the project in light of performance indicators for the project;

''(B) describe the extent to which the project met the performance objectives established for the project for the fiscal year;

''(C) if a project did not meet the performance objectives for the project for the fiscal year, include—

''(i) an explanation for the failure of the project to meet the performance objectives; and

''(ii) either—

''(I) a modified schedule for meeting the performance objectives; or

''(II) in the case of any performance objective determined to be impracticable or infeasible to meet, a statement of alternative actions to be taken with respect to the project; and

''(D) set forth the level of effort, including the funds obligated and expended, in the fiscal year for the achievement of each performance objective for the project.

''(e) OFFICIAL CONCERNED DEFINED.—In this section, the term 'official concerned' means the following:

''(1) The Deputy Under Secretary of Defense (Environmental Security), with respect to the environmental technology program of the Defense Agencies.

''(2) The Deputy Assistant Secretary of the Army for Environment, Safety, and Occupational Health, with respect to the environmental technology program of the Army or

any environmental program technology for which the Army is the executive agent.

''(3) The Deputy Assistant Secretary of the Navy (Environment and Safety), with respect to the environmental technology program of the Navy or any environmental technology program for which the Navy is the executive agent.

''(4) The Deputy Assistant Secretary of the Air Force (Environment, Safety, and Occupational Health), with respect to the environmental technology program of the Air Force or any environmental technology program for which the Air Force is the executive agent.''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by inserting after the item relating to section 2358 the following new item:

''2358a. Research and development: environmental technology.''.

SEC. 322. ESTABLISHMENT OF ENVIRONMENTAL RESTORATION ACCOUNTS FOR INSTALLATIONS CLOSED OR REALIGNED UNDER THE BASE CLOSURE LAWS AND FOR FORMERLY USED DEFENSE SITES.

(a) ACCOUNT FOR FORMERLY USED DEFENSE SITES.—Subsection (a) of section 2703 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) An account to be known as the 'Environmental Restoration Account, Army, Formerly Used Defense Sites'.''.

(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, Defense Base Closure and Realignment'.''.

(c) USE OF FUNDS IN BASE CLOSURE AND REALIGNMENT ACCOUNT.—(1) Subsection (b) 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, Defense Base Closure and Realignment established under subsection (a)(6) may be obligated and expended from the account only for carrying out environmental restoration required as the result of the closure or realignment of military installations pursuant to a base closure law. Such funds shall be the exclusive source of funds for such environmental restoration.

''(B) For purposes of this paragraph, the term 'base closure law' means the following:

''(i) Section 2687 of this title.

''(ii) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

''(iii) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).''.

(2) Section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking subsection (e).

(d) TRANSFER OF BRAC ENVIRONMENTAL RESTORATION FUNDS.—The Secretary of Defense shall transfer from the Department of Defense Base Closure Account 1990 established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) to the Environmental Restoration Account, Defense Base Closure and Realignment established by section 2703(a)(6) of title 10, United States Code (as amended by subsection (b)), such portion of the unobligated balance in the Department of Defense Base Closure Account 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)).

(e) FUNDING OF ADMINISTRATIVE EXPENSES AND TECHNICAL ASSISTANCE.—Section 2705(g) of title 10, United States Code, is amended to read as follows:

''(g) FUNDING.—(1) Except as provided in paragraph (2), funds in the accounts established by section 2703(a) of this title shall be available for administrative expenses and technical assistance under this section.

''(2) Funds in the account established by section 2703(a)(6) of this title shall be available for administrative expenses and technical assistance under this section with respect to an installation approved for closure or realignment under a base closure law only to the extent that the base closure law under which the installation is being closed or realigned provides for the funding of environmental restoration at the installation from an account established for purposes of carrying out the closure or realignment of installations.''.

(f) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) The amendments made by subsections (b) and (c) shall take effect on October 1, 2000.

SEC. 323. EXTENSION OF LIMITATION ON PAYMENT OF FINES AND PENALTIES USING FUNDS IN ENVIRONMENTAL RESTORATION ACCOUNTS.

Section 2703(e) of title 10, United States Code, is amended by striking ''through 1999,'' both places it appears and inserting ''through 2010,''.

SEC. 324. MODIFICATION OF REQUIREMENTS FOR ANNUAL REPORTS ON ENVIRONMENTAL COMPLIANCE ACTIVITIES.

(a) MODIFICATION OF REQUIREMENTS.—Subsection (b) of section 2706 of title 10, United States Code, is amended to read as follows:

''(b) REPORT ON ENVIRONMENTAL QUALITY PROGRAMS AND OTHER ENVIRONMENTAL ACTIVITIES.—(1) The Secretary of Defense shall submit to Congress each year, not later than 45 days after the date on which the President submits to Congress the budget for a fiscal year, a report on the progress made in carrying out activities under the environmental quality programs of the Department of Defense and the military departments.

''(2) Each report shall include the following:

''(A) A description of the environmental quality program of the Department of Defense, and of each of the military departments, during the period consisting of the four fiscal years preceding the fiscal year in which the report is submitted, the fiscal year in which the report is submitted, and the fiscal year following the fiscal year in which the report is submitted, including—

''(i) for each of the major activities under the program—

''(I) the amount expended, or proposed to be expended, in each fiscal year of the period;

''(II) an explanation for any significant change in the aggregate amount to be expended in the fiscal year in which the report is submitted, and in the following fiscal year, when compared with the fiscal year preceding each such fiscal year; and

''(III) an assessment of the manner in which the scope of the activities have changed over the course of the period; and

''(ii) a summary of the major achievements of the program and of any major problems with the program.

''(B) A list of the planned or ongoing projects necessary to support the environmental quality program of the Department of Defense, and of each of the military departments, during the period described in subparagraph (A) the cost of which has exceeded or is anticipated to exceed $1,500,000, including—

''(i) a separate list of the projects inside the United States and of the projects outside the United States;

''(ii) for each project commenced during the first four fiscal years of the period—

''(I) the amount specified in the initial budget request for the project;

''(II) the aggregate amount allocated to the project through the fiscal year preceding the fiscal year in which the report is submitted; and

''(III) the aggregate amount obligated for the project through that fiscal year;

''(iii) for each project commenced or to be commenced in the fiscal year in which the report is submitted—

''(I) the amount specified for the project in the budget for the fiscal year; and

''(II) the amount allocated to the project in the fiscal year;

''(iv) for each project to be commenced in the last fiscal year of the period, the amount, if any, specified for the project in the budget for the fiscal year; and

''(v) if the anticipated aggregate cost of any project covered by the report will exceed by more than 25 percent the amount specified in the initial budget request for such project, a justification for that variance.

''(C) A statement of the fines and penalties imposed or assessed against the Department of Defense and the military departments under Federal, State, or local environmental laws during the fiscal year in which the report is submitted and the four preceding fiscal years, setting forth—

''(i) each Federal environmental statute under which a fine or penalty was imposed or assessed during each such fiscal year;

''(ii) with respect to each such Federal statute—

''(I) the aggregate amount of fines and penalties imposed under the statute during each such fiscal year;

''(II) the aggregate amount of fines and penalties paid under the statute during each such fiscal year; and

''(III) the total amount required during such fiscal years for supplemental environmental projects in lieu of the payment of a fine or penalty under the statute and the extent to which the cost of such projects during such fiscal years has exceeded the original amount of the fine or penalty; and

''(iii) the amount of fines and penalties imposed or assessed during each such fiscal year with respect to each military installation inside and outside the United States.

''(D) A statement of the amounts expended, and anticipated to be expended, during the period described in subparagraph (A) for any activities overseas relating to the environment, including amounts for activities relating to environmental remediation, compliance, conservation, pollution prevention, and environmental technology and amounts for conferences, meetings, and studies for pilot programs, and for travel related to such activities.''.

(b) CONFORMING REPEAL.—That section is further amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

(c) DEFINITIONS.—Subsection (d) of that section, as redesignated by subsection (b)(2) of this section, 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.

''(5) The term 'major activities', with respect to an environmental quality program, means the following activities under the program:

''(A) Environmental compliance activities.

''(B) Conservation activities.

''(C) Pollution prevention activities.

''(D) Activities relating to environmental technology.''.

SEC. 325. MODIFICATION OF MEMBERSHIP OF STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM COUNCIL.

Section 2902(b)(1) of title 10, United States Code, is amended by striking ''Director of Defense Research and Engineering'' and inserting ''Deputy Under Secretary of Defense for Science and 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 Hazardous Substance Superfund established by section 9507 of the Internal Revenue Code of 1986 (26 U.S.C. 9507) to reimburse the Environmental Protection Agency for costs incurred by the Agency for actions taken under CERCLA at the Fresno Industrial Supply, Inc., site in Fresno, California, the following amounts:

(1) Not more than $778,425 for past response costs incurred by the Agency.

(2) 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 and Recovery of Past Response Costs In the Matter of: Fresno Industrial Supply Inc. Site, Fresno, California'' that was entered into by the Department of Defense and the Environmental Protection Agency on May 22, 1998.

(b) SOURCE OF FUNDS FOR PAYMENT.—(1) Subject to paragraph (2), any payment under subsection (a) shall be made using the following amounts:

(A) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Defense, established by section 2703(a)(1) of title 10, United States Code.

(B) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Army, established by section 2703(a)(2) of that title.

(C) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Navy, established by section 2703(a)(3) of that title.

(D) Amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Air Force, established by section 2703(a)(4) of that title.

(2) The portion of a payment under paragraph (1) that is derived from any account referred to in that paragraph shall bear the same ratio to the total amount of such payment as the amount of the hazardous substances at the Fresno Industrial Supply, Inc., site that are attributable to the department concerned bears to the total amount of the hazardous substances at that site.

(c) CERCLA 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. 328. PAYMENT OF STIPULATED PENALTIES ASSESSED UNDER CERCLA IN CONNECTION WITH F.E. WARREN AIR FORCE BASE, WYOMING.

(a) AUTHORITY.—The Secretary of the Air Force may pay, using funds described in subsection (b), not more than $20,000 as payment of stipulated civil penalties assessed on January 13, 1998, against F.E. Warren Air Force Base, Wyoming, under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(b) SOURCE OF FUNDS FOR PAYMENT.—Any payment under subsection (a) shall be made using amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Air Force, established by section 2703(a)(4) of title 10, United States Code.

SEC. 329. PROVISION OF INFORMATION AND GUIDANCE TO THE PUBLIC REGARDING ENVIRONMENTAL CONTAMINATION AT UNITED STATES MILITARY INSTALLATIONS FORMERLY OPERATED BY THE UNITED STATES THAT HAVE BEEN CLOSED.

(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 Act.

(2) CONGRESSIONAL LIST.—Not later than September 30, 2000, the Secretary of Defense shall provide Congress a list of information made public pursuant to paragraph (1).

(b) LIMITATION.—The requirement to provide information and guidance under subsection (a) 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).

(c) NATIONAL SECURITY.—Information the Secretary of Defense believes could adversely affect United States National Security shall not be released pursuant to this provision.

SEC. 330. ORDNANCE MITIGATION STUDY.

(a) The Secretary of Defense is directed to undertake a study and is authorized to remove ordnance infiltrating the Federal navigation channel and adjacent shorelines of the Toussaint River.

(b) The Secretary shall report to the congressional defense committees and the Senate Committee on Environment and Public Works on long-term solutions and costs related to the removal of ordnance in the Toussaint River, Ohio. The Secretary shall also evaluate any ongoing use of Lake Erie as an ordnance firing range and justify the need to continue such activities by the Department of Defense or its contractors. The Secretary shall report not later than April 1, 2000.

(c) This provision shall not modify any responsibilities and authorities provided in the Water Resources Development Act of 1986, as amended (Public Law 99–662).

(d) The Secretary is authorized to use any funds available to the Secretary to carry out the authority provided in subsection (a).

Subtitle D—Other Matters

SEC. 341. EXTENSION OF WARRANTY CLAIMS RECOVERY PILOT PROGRAM.

Section 391(f) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 104–85; 111 Stat. 1716; 10 U.S.C. 2304 note) is amended by striking ''September 30, 1999'' and inserting ''September 30, 2000''.

SEC. 342. ADDITIONAL MATTERS TO BE REPORTED BEFORE PRIME VENDOR CONTRACT FOR DEPOT-LEVEL MAINTENANCE AND REPAIR IS ENTERED INTO.

Section 346(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1979; 10 U.S.C. 2464 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) 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 RETAIL 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. 1987; 10 U.S.C. 2482 note) is amended by striking ''may not be implemented unless implementation of the recommendation'' and inserting ''may be implemented only if implementation of the recommendation is approved by all of the Secretaries of the military departments or''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking ''The operation'' and inserting ''Except as provided in subsection (c), the operation''.

SEC. 344. WAIVER OF REQUIRED CONDITION FOR SALES OF ARTICLES AND SERVICES OF INDUSTRIAL FACILITIES TO PURCHASERS OUTSIDE THE DEPARTMENT OF DEFENSE

(a) SALES TO DEFENSE CONTRACTORS.—Section 2208(j) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting ''(1)'' after ''(j)''; and

(3) by adding at the end the following:

''(2) WAIVER AUTHORITY.—The Secretary of Defense may waive the requirement for the conditions in paragraph (1) in the case of a particular sale if the Secretary determines that the waiver is necessary for reasons of national security and notifies Congress regarding the reasons for the waiver.''.

(b) SALES TO PURCHASERS GENERALLY.—Section 2553 of title 10, United States Code, is amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) WAIVER AUTHORITY.—The Secretary of Defense may waive the requirement for the condition in subsections (a)(1) and (c)(1) in the case of a particular sale if the Secretary determines that the waiver is necessary for reasons of national security and notifies Congress regarding the reasons for the waiver.''.

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 to be the lead agency for the development and implementation of a Smart Card program for the Department of Defense effective as of the date of the designation.

(2) The Secretary of Defense shall direct the Secretary of the 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. The group shall include senior representatives from 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.

(4) The Secretary of the Army and the Secretary of the Air Force, in coordination with the Secretary of the Navy, shall each develop and implement a program to demonstrate the benefits of Smart Card technology in the Army and the Air Force, respectively.

(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 implementation 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 the business plan to the congressional defense committees.

(c) FUNDING FOR INCREASED USE OF SMART CARDS.—(1) Of the funds authorized to be appropriated for the Navy for fiscal year 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)(1), 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 by the senior coordinating group in carrying out its duties under subsection (a)(3).

(e) DEFINITIONS.—In this section:

(1) The term ''Smart Card'' means a credit card-size device, normally for carrying and use by personnel, that contains one or more integrated circuits and may also employ one or more of the following technologies:

(A) Magnetic stripe.

(B) Bar codes, linear or two-dimensional.

(C) 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 344(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1977; 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 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 ''Public-Private Key Infrastructure (PKI) authentication device carrier'' means a device that physically stores, carries, and employs electronic authentication or encryption keys necessary to create a unique digital signature, digital certificate, or other mark on an electronic document or file.

SEC. 348. REVISION OF AUTHORITY TO DONATE CERTAIN ARMY MATERIEL FOR FUNERAL CEREMONIES.

(a) AUTHORITY.—Section 4683 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 inserting ''conditionally lend or donate excess M1 rifles (not more than 15)''; and

(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:

''(c) CONDITIONS ON DONATIONS.—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 32, United States Code, is amended by striking ''per purchase order'' in the second sentence and inserting ''per item''.

SEC. 350. AUTHORITY FOR PAYMENT OF SETTLEMENT CLAIMS.

(a) AUTHORITY TO MAKE PAYMENTS.—Subject to the provisions of this section, the Secretary of Defense is authorized to make payments for the settlement of the claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence.

(b) DEADLINE FOR EXERCISE OF AUTHORITY.—The Secretary shall make the decision to exercise the authority in subsection (a) not later than 90 days after the date of enactment of this Act.

(c) SOURCE OF PAYMENTS.—Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available for the Department of Navy for operation and maintenance for fiscal year 2000 or other unexpended balances from prior years, the Secretary shall make available $40,000,000 only for emergency and extraordinary expenses associated with the settlement of the claims arising from the accident and the subsequent determination that parties involved in the accident obstructed the investigation by disposing of evidence described in subsection (a).

(d) AMOUNT OF PAYMENT.—The amount of the payment under this section in settlement of the claims arising from the death of

any person associated with the accident described in subsection (a) may not exceed $2,000,000.

(e) TREATMENT OF PAYMENTS.—Any amount paid to a person under this section is intended to supplement any amount subsequently determined to be payable to the person under section 127 or chapter 163 of title 10, United States Code, or any other provision of law for administrative settlement of claims against the United States with respect to damages arising from the accident described in subsection (a).

(f) CONSTRUCTION.—The payment of an amount under this section may not be considered to constitute a statement of legal liability on the part of the United States or otherwise as evidence of any material fact in any judicial proceeding or investigation arising from the accident described in subsection (a).

(g) 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 deaths of the United States servicemen caused by the collision between a United States Air Force C–141 Starlifter aircraft and a German Luftwaffe Tupelov TU–154M aircraft off the coast of Namibia, on September 13, 1997.

SEC. 351. SENSE OF SENATE REGARDING SETTLEMENT OF CLAIMS OF AMERICAN SERVICEMEN'S FAMILIES REGARDING DEATHS RESULTING FROM THE ACCIDENT OFF THE COAST OF NAMIBIA ON SEPTEMBER 13, 1997.

(a) FINDINGS.—The Senate makes the following findings:

(1) On September 13, 1997, a German Luftwaffe Tupelov TU–154M aircraft collided with a United States Air Force C–141 Starlifter aircraft off the coast of Namibia.

(2) As a result of that collision nine members of the United States Air Force were killed, namely Staff Sergeant Stacey D. Bryant, 32, loadmaster, Providence, Rhode Island; Staff Sergeant Gary A. Bucknam, 25, flight engineer, Oakland, Maine; Captain Gregory M. Cindrich, 28, pilot, Byrans Road, Maryland; Airman 1st Class Justin R. Drager, 19, loadmaster, Colorado Springs, Colorado; Staff Sergeant Robert K. Evans, 31, flight engineer, Garrison, Kentucky; Captain Jason S. Ramsey, 27, pilot, South Boston, Virginia; Staff Sergeant Scott N. Roberts, 27, flight engineer, Library, Pennsylvania; Captain Peter C. Vallejo, 34, aircraft commander, Crestwood, New York; and Senior Airman Frankie L. Walker, 23, crew chief, Windber, Pennsylvania.

(3) The Final Report of the Ministry of Defense of the Defense Committee of the German Bundestag states unequivocally that, following an investigation, the Directorate of Flight Safety of the German Federal Armed Forces assigned responsibility for the collision to the Aircraft Commander/Commandant of the Luftwaffe Tupelov TU–154M aircraft for flying at a flight level that did not conform to international flight rules.

(4) The United States Air Force accident investigation report concluded that the primary cause of the collision was the Luftwaffe Tupelov TU–154M aircraft flying at an incorrect cruise altitude.

(5) Procedures for filing claims under the Status of Forces Agreement are unavailable to the families of the members of the United States Air Force killed in the collision.

(6) The families of the members of the United States Air Force killed in the collision have filed claims against the Government of Germany.

(7) The Senate has adopted an amendment authorizing the payment to citizens of Germany of a supplemental settlement of claims arising from the deaths caused by the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Government of Germany should promptly settle with the families of the members of the United States Air Force killed in a collision between a United States Air Force C–141 Starlifter aircraft and a German Luftwaffe Tupelov TU–154M aircraft off the coast of Namibia on September 13, 1997; and

(2) the United States should not make any payment to citizens of Germany as settlement of such citizens' claims for deaths arising from the accident involving a United States Marine Corps EA–6B aircraft on February 3, 1998, near Cavalese, Italy, until a comparable settlement is reached between the Government of Germany and the families described in paragraph (1) with respect to the collision described in that paragraph.

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.

(4) The Air Force, 360,877.

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 ''372,696'' and inserting in lieu thereof ''371,781'';

(2) in paragraph (3), by striking out ''172,200'' and inserting in lieu thereof ''172,148''; and

(3) in paragraph (4), by striking out ''370,802'' and inserting in lieu thereof ''360,877''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1999.

SEC. 403. REDUCTION OF END STRENGTHS BELOW LEVELS FOR TWO MAJOR REGIONAL CONTINGENCIES.

Section 691(d) of title 10, United States Code, is amended by striking ''unless'' and all that follows and inserting ''unless the Secretary of Defense first submits to Congress a written notification of the proposed lower end strength together with the justification for the lower end strength. The Secretary may submit the notification and justification with the budget for the department for the fiscal year.''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2000, as follows:

(1) The Army National Guard of the United States, 350,623.

(2) The Army Reserve, 205,000.

(3) The Naval Reserve, 90,288.

(4) The Marine Corps Reserve, 39,624.

(5) The Air National Guard of the United States, 106,744.

(6) The Air Force Reserve, 73,764.

(7) The Coast Guard Reserve, 8,000.

(b) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

(c) PERMANENT WAIVER AUTHORITY.—Section 115(c) of title 10, United States Code, is amended—

(1) by striking the ''and'' at the end of paragraph (1);

(2) by striking the period at the end of the paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following:

''(3) increase the end strength authorized pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of a reserve component of any of the armed forces by a number equal to not more than 2 percent of that end strength.''.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2000, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 22,430.

(2) The Army Reserve, 12,804.

(3) The Naval Reserve, 15,010.

(4) The Marine Corps Reserve, 2,272.

(5) The Air National Guard of the United States, 11,157.

(6) The Air Force Reserve, 1,134.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS.

(a) DUAL STATUS TECHNICIANS.—The minimum number of military technicians (dual status) as of September 30, 2000, for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army Reserve, 5,179.

(2) For the Army National Guard of the United States, 22,396.

(3) For the Air Force Reserve, 9,785.

(4) For the Air National Guard of the United States, 22,247.

(b) NON-DUAL STATUS TECHNICIANS.—The reserve components of the Army and Air Force are (notwithstanding section 129 of title 10, United States Code) authorized strengths for military technicians (non-dual status) as of September 30, 2000, as follows:

(1) For the Army Reserve, 1,295.

(2) For the Army National Guard of the United States, 1,800.

(3) For the Air Force Reserve, 342.

(4) For the Air National Guard of the United States, 342.

SEC. 414. INCREASE IN NUMBERS OF MEMBERS IN CERTAIN GRADES AUTHORIZED TO BE ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) OFFICERS.—The table in section 12011(a) of title 10, United States Code, is amended to read as follows:

''Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander	3,227	1,071	860	140
Lieutenant Colonel or Commander	1,611	520	777	90
Colonel or Navy Captain	471	188	297	30''.

(b) SENIOR ENLISTED MEMBERS.—The table in section 12012(a) of title 10, United States Code, is amended to read as follows:

''Grade	Army	Navy	Air Force	Marine Corps
E–9	645	202	405	20
E–8	2,593	429	1,041	94''.

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 $71,693,093,000, and in addition funds in the total amount of $1,838,426,000 are authorized to be appropriated as emergency appropriations to the Department of Defense for fiscal year 2000 for military personnel, as appropriated in section 2012 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31). 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 604(c) of title 10, United States Code, is amended by striking ''September 30, 2000'' and inserting ''September 30, 2003''.

(b) GRADE RELIEF.—Section 525(b)(5)(C) of such title is amended by striking ''September 30, 2000'' and inserting ''September 30, 2003''.

SEC. 502. ADDITIONAL THREE-STAR OFFICER POSITIONS FOR SUPERINTENDENTS OF SERVICE ACADEMIES.

(a) EXCLUSION OF SUPERINTENDENTS FROM GRADE LIMITATION.—Section 525(b) of title 10, United States Code, is amended by adding at the end the following:

''(7) An officer while serving in the position of Superintendent of the United States Military Academy, Superintendent of the United States Naval Academy, or Superintendent of the United States Air Force Academy, if serving in the grade of lieutenant general or vice admiral, is in addition to the number that would otherwise be permitted for that officer's armed force for that grade under subsection (a) or paragraph (1) or (2) of this subsection.''.

(b) RETIREMENT OF SUPERINTENDENTS.—(1)(A) Chapter 367 of title 10, United States Code, is amended by inserting after section 3920 the following:

''§ 3921. Mandatory retirement: Superintendent of the United States Military Academy

''Upon the termination of a detail of an officer to the position of Superintendent of the United States Military Academy, the Secretary of the Army shall retire the officer under any provision of this chapter under which the officer is eligible to retire.''.

(B) Chapter 403 of such title is amended by inserting after section 4333 the following:

''§ 4333a. Superintendent: condition for detail to position

''To be eligible for detail to the position of Superintendent of the Academy, an officer shall enter into an agreement with the Secretary of the Army to accept retirement upon termination of the detail.''.

(2)(A) Chapter 573 of such title is amended by inserting after the table of sections at the beginning of the chapter the following:

''§ 6371. Mandatory retirement: Superintendent of the United States Naval Academy

''Upon the termination of a detail of an officer to the position of Superintendent of the United States Naval Academy, the Secretary of the Navy shall retire the officer under any provision of chapter 571 of this title under which the officer is eligible to retire.''.

(B) Chapter 603 of such title is amended by inserting after section 6951 the following:

''§ 6951a. Superintendent

''(a) There is a Superintendent of the United States Naval Academy. The immediate governance of the Naval Academy is under the Superintendent.

''(b) The Superintendent shall be detailed to the position by the President. To be eligible for detail to the position, an officer shall enter into an agreement with the Secretary of the Navy to accept retirement upon termination of the detail.''.

(3)(A) Chapter 867 of such title is amended by inserting after section 8920 the following:

''§ 8921. Mandatory retirement: Superintendent of the United States Air Force Academy

''Upon the termination of a detail of an officer to the position of Superintendent of the United States Air Force Academy, the Secretary of the Air Force shall retire the officer under any provision of this chapter under which the officer is eligible to retire.''.

(B) Chapter 903 of such title is amended by inserting after section 9333 the following:

''§ 9333a. Superintendent: condition for detail to position

''To be eligible for detail to the position of Superintendent of the Academy, an officer shall enter into an agreement with the Secretary of the Air Force to accept retirement upon termination of the detail.''.

(c) CLERICAL AMENDMENTS.—(1)(A) The table of sections at the beginning of chapter 367 of title 10, United States Code, is amended by inserting after the item relating to section 3920 the following:

''3921. Mandatory retirement: Superintendent of the United States Military Academy.''.

(B) The table of sections at the beginning of chapter 403 of such title is amended by inserting after the item relating to section 4333 the following:

''4333a. Superintendent: condition for detail to position.''.

(2)(A) The table of sections at the beginning of chapter 573 of such title is amended by inserting before the item relating to section 6383 the following:

''6371. Mandatory retirement: Superintendent of the United States Naval Academy.''.

(B) The table of sections at the beginning of chapter 603 of such title is amended by inserting after the item relating to section 6951 the following:

''6951a. Superintendent.''.

(3)(A) The table of sections at the beginning of chapter 867 of such title is amended by inserting after the item relating to section 8920 the following:

''8921. Mandatory retirement: Superintendent of the United States Air Force Academy.''.

(B) The table of sections at the beginning of chapter 903 of such title is amended by inserting after the item relating to section 9333 the following:

''9333a. Superintendent: condition for detail to position.''.

(d) SAVINGS PROVISION.—The amendments made by this section shall not apply to an officer serving on the date of the enactment of this Act 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 for so long as the officer continues on and after that date to serve in the position without a break in the service in the position.

SEC. 503. INCREASE IN MAXIMUM NUMBER OF OFFICERS AUTHORIZED TO BE ON ACTIVE-DUTY LIST IN FROCKED GRADE OF BRIGADIER GENERAL OR REAR ADMIRAL.

Section 777(d)(1) of title 10, United States Code, is amended by striking ''the following:'' and all that follows and inserting ''55.''.

SEC. 504. RESERVE OFFICERS REQUESTING OR OTHERWISE CAUSING NONSELECTION FOR PROMOTION.

(a) REPORTING REQUIREMENT.—Section 617(c) of title 10, United States Code, is amended by striking ''regular''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to boards convened under section 611(a) of title 10, United States Code, on or after that date.

SEC. 505. MINIMUM GRADE OF OFFICERS ELIGIBLE TO SERVE ON BOARDS OF INQUIRY.

(a) RETENTION BOARDS FOR REGULAR OFFICERS.—Section 1187 of title 10, United States Code, is amended to read as follows:

''(a) ACTIVE DUTY OFFICERS.—Each officer who serves on a board convened under this chapter shall—

''(1) be an officer of the same armed force as the officer being required to show cause for retention 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; or

''(B) in the case of any other member of the board, is above major or lieutenant commander; and

''(3) be senior in grade and rank to any officer considered by that board.

''(b) 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; or

''(B) in the case of any other member of the board, above major or lieutenant commander; and

''(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 member of more than one board convened under this chapter to consider the same officer.

''(d) EXCLUSION FROM STRENGTH LIMITATION.—A retired general or flag officer who is on active duty for the purpose of serving on a board convened under this chapter shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.''.

(b) RETENTION BOARDS FOR RESERVE OFFICERS.—Subsection (a) of section 14906 of such title is amended to read as follows:

''(a) ACTIVE STATUS OFFICERS.—Each officer who serves on a board convened under this chapter shall—

''(1) be an officer of the same armed force as the officer being required to show cause for retention in an active status;

''(2) hold a grade that—

''(A) in the case of the President of the board, is above lieutenant colonel or commander; or

''(B) in the case of any other member of the board, is above major or lieutenant commander; and

''(3) be senior in grade and rank to any officer considered by that board.''.

SEC. 506. MINIMUM SELECTION OF WARRANT OFFICERS FOR PROMOTION FROM BELOW THE PROMOTION ZONE.

Section 575(b)(2) of title 10, United States Code, is amended by adding at the end the following new sentence: ''If the number determined under this subsection with respect to a promotion zone within a grade (or grade and competitive category) is less than one, the board may recommend one such officer for promotion from below the zone within that grade (or grade and competitive category).''.

SEC. 507. INCREASE IN THRESHOLD PERIOD OF ACTIVE DUTY FOR APPLICABILITY OF RESTRICTION ON HOLDING OF CIVIL OFFICE BY RETIRED REGULAR OFFICERS AND RESERVE OFFICERS.

Section 973(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''180 days'' and inserting ''270 days''; and

(2) in subparagraph (C), by striking ''180 days'' and inserting ''270 days''.

SEC. 508. EXEMPTION OF RETIREE COUNCIL MEMBERS FROM RECALLED RETIREE LIMITS.

Section 690(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph (D):

''(D) Any member of the Retiree Council of the Army, Navy, or Air Force for the period on active duty to attend the annual meeting of the Retiree Council.''.

Subtitle B—Reserve Component Matters

SEC. 511. ADDITIONAL EXCEPTIONS FOR RESERVE COMPONENT GENERAL AND FLAG OFFICERS FROM LIMITATION ON AUTHORIZED STRENGTH OF GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.

Section 526(d) of title 10, United States Code, is amended to read as follows:

''(d) EXCLUSION OF CERTAIN RESERVE COMPONENT OFFICERS.—(1) The limitations of this section do not apply to the following reserve component general or flag officers:

''(A) An officer on active duty for training.

''(B) An officer on active duty under a call or order specifying a period of less than 180 days.

''(2) Up to 25 reserve component general and flag officers serving on active duty at any one time under calls or orders specifying periods of 180 days or more may be excluded from the limitations of this section. Officers excluded under the preceding sentence are in addition to any other reserve component general or flag officers on active duty under calls or orders specifying periods of 180 days or more who are excluded from the limitations of this section under authority other than this paragraph.''.

SEC. 512. DUTIES OF RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) DUTIES.—Section 12310 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (d) and transferring such subsection, as so redesignated, to the end of the section; and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) 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 reserve 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 regarding reserve component matters.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 12310 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting ''GRADE.—'' after ''(a)'';

(2) in subsection (c)(1), by striking ''(c)(1) A Reserve'' and inserting ''(c) DUTIES RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION.—(1) Notwithstanding subsection (b), a Reserve''; and

(3) in subsection (d), as redesignated and transferred by subsection (a)(1), by inserting ''TRAINING.—'' after ''(d)''.

(c) REVIEW OF USE OF RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.—(1) The Secretary of Defense shall review how the Reserves on active duty in support of the reserves are used in relation to the duties set forth under subsection (b) of section 12310 of title 10, United States Code, as added by subsection (a)(2).

(2) Not later than March 1, 2000, the Secretary shall submit a report on the results of the review to the Committees on Armed Services of the Senate and the House of Representatives. The report shall address, at a minimum, the following issues:

(1) Whether the Reserves on active duty in support of the reserve should be considered as a separate category of Reserves on active duty.

(2) Whether those Reserves should be counted within the active component end strengths and funded by the appropriations for active component military personnel.

SEC. 513. REPEAL OF LIMITATION ON NUMBER OF RESERVES ON FULL-TIME ACTIVE DUTY IN SUPPORT OF PREPAREDNESS FOR RESPONSES TO EMERGENCIES INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) REPEAL.—Paragraph (4) of section 12310(c) of title 10, United States Code, is amended by striking the first sentence.

(b) CONFORMING AMENDMENTS.—Paragraph (6) of such section is amended—

(1) by striking ''or to increase the number of personnel authorized by paragraph (4)'' in the matter preceding subparagraph (A); and

(2) in subparagraph (A), by striking ''or for the requested additional personnel'' and all that follows through ''Federal levels''.

SEC. 514. EXTENSION OF PERIOD FOR RETENTION OF RESERVE COMPONENT MAJORS AND LIEUTENANT COMMANDERS WHO TWICE FAIL OF SELECTION FOR PROMOTION.

(a) PARITY WITH OFFICERS IN GRADES O–2 AND O–3.—Section 14506 of title 10, United States Code, is amended—

(1) by inserting ''the later of (1)'' after ''in accordance with section 14513 of this title on''; and

(2) by inserting before the period at the end the following: '', or (2) the first day of the seventh month after the month in which the President approves the report of the board which considered the officer for the second time''.

(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 removals of reserve officers from reserve active-status lists under section 14506 of title 10, United States Code, on or after that date.

SEC. 515. CONTINUATION OF OFFICER ON RESERVE ACTIVE-STATUS LIST FOR DISCIPLINARY ACTION.

(a) AUTHORITY.—Chapter 1407 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 14518. Continuation on reserve active-status list to complete disciplinary action

''When any action has been commenced against an officer on a reserve active-status list with a view to trying the officer by court-martial, the Secretary concerned may delay the separation or retirement of the officer under the provisions of this chapter until the completion of the action.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end:

''14518. Continuation on reserve active-status list to complete disciplinary action.''.

SEC. 516. RETENTION OF RESERVE COMPONENT CHAPLAINS UNTIL AGE 67.

Section 14703(b) of title 10, United States Code, is amended by striking ''(or, in the case of a reserve officer of the Army in the Chaplains or a reserve officer of the Air Force designated as a chaplain, 60 years of age)''.

SEC. 517. RESERVE CREDIT FOR PARTICIPATION IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.

Section 2126(b) of title 10, United States Code, is amended—

(1) by striking paragraphs (2) and (3) and inserting the following:

''(2) Service credited under paragraph (1) counts only for the award of retirement points for computation of years of service under section 12732 of this title and for computation of retired pay under section 12733 of this title.

''(3) The number of points credited to a member under paragraph (1) for a year of

participation in a course of study is 50. The points shall be credited to the member for one of the years of that participation at the end of each year after the completion of the course of study that the member serves in the Selected Reserve and is credited under section 12732(a)(2) of this title with at least 50 points. The points credited for the participation shall be recorded in the member's records as having been earned in the year of the participation in the course of study.'';

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following new paragraph (5):

''(5) A member of the Selected Reserve may be considered to be in an active status while pursuing a course of study under this subchapter only for purposes of sections 12732(a) and 12733(3) of this title.''.

SEC. 518. EXCLUSION OF RESERVE OFFICERS ON EDUCATIONAL DELAY FROM ELIGIBILITY FOR CONSIDERATION FOR PROMOTION.

(a) EXCLUSION.—Section 14301 of title 10, United States Code is amended by adding at the end the following:

''(h) OFFICERS ON EDUCATIONAL DELAY.—An officer on a reserve active-status list is ineligible for consideration for promotion, but shall remain on the reserve active-status list, while the officer is—

''(1) pursuing a program of graduate level education in an educational delay status approved by the Secretary concerned; and

''(2) receiving from the Secretary financial assistance in connection with the pursuit of the program in that status.''.

(b) RETROACTIVE EFFECT.—(1) Subsection (h) of section 14301 of title 10, United States Code (as added by subsection (a)), shall take effect on the date of the enactment of this Act and shall apply with respect to boards convened under section 14101(a) of such title before, on, or after that date.

(2) The Secretary of the military department concerned, upon receipt of request in a form and manner prescribed by the Secretary, shall expunge from the military records of an officer any indication of a failure of selection of the officer for promotion by a board referred to in paragraph (1) while the officer was ineligible for consideration by the board by reason of section 14301(h) of title 10, United States Code.

SEC. 519. EXCLUSION OF PERIOD OF PURSUIT OF PROFESSIONAL EDUCATION FROM COMPUTATION OF YEARS OF SERVICE FOR RESERVE OFFICERS.

(a) EXCLUSION.—The text of section 14706 of title 10, United States Code, is amended to read as follows:

''(a) IN GENERAL.—For the purpose of this chapter and chapter 1407 of this title, a reserve officer's years of service include all service of the officer as a commissioned officer of any uniformed service other than the following:

''(1) Service as a warrant officer.

''(2) Constructive service.

''(3) Except as provided in subsection (b), service as a commissioned officer of a reserve component while pursuing a program of advanced education leading to the first professional degree required for appointment, designation, or assignment as an officer in the Medical Corps, the Dental Corps, the Veterinary Corps, the Medical Service Corps, the Nurse Corps, the Army Medical Specialists Corps, or as a chaplain or judge advocate if the service—

''(A) follows appointment as a commissioned officer of a reserve component; and

''(B) precedes the officer's initial service on active duty or initial service in the Ready Reserve in the professional specialty for which the degree if required.

''(b) PRIOR SERVICE PROFESSIONAL PERSONNEL.—The exclusion in subsection (a)(3) does not apply to service described in that subsection that is performed by an officer who, prior to the described service—

''(1) served on active duty; or

''(2) participated as a member of the Ready Reserve other than in a student status.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to service as a commissioned officer on or after that date.

SEC. 520. CORRECTION OF REFERENCE RELATING TO CREDITING OF SATISFACTORY SERVICE BY RESERVE OFFICERS IN HIGHEST GRADE HELD.

Section 1370(d)(1) of title 10, United States Code, is amended by striking ''chapter 1225'' and inserting ''chapter 1223''.

SEC. 521. ESTABLISHMENT OF OFFICE OF THE COAST GUARD RESERVE.

(a) ESTABLISHMENT.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

''§ 53. Office of the Coast Guard Reserve; Director

''(a) ESTABLISHMENT OF OFFICE; DIRECTOR.—There is in the executive part of the Coast Guard an Office of the Coast Guard Reserve. The head of the Office is the Director of the Coast Guard Reserve. The Director of the Coast Guard Reserve is the principal adviser to the Commandant on Coast Guard Reserve matters and may have such additional functions as the Commandant may direct.

''(b) APPOINTMENT.—The President, by and with the advice and consent of the Senate, shall appoint the Director of the Coast Guard Reserve, from officers of the Coast Guard not on active duty, or on active duty under section 10211 of title 10, who—

''(1) have had at least 10 years of commissioned service;

''(2) are in a grade above captain; and

''(3) have been recommended by the Secretary of Transportation.

''(c) TERM.—(1) The Director of the Coast Guard Reserve holds office for a term determined by the President, normally two years, but not more than four years. An officer may be removed from the position of Director for cause at any time.

''(2) The Director of the Coast Guard Reserve, while so serving, holds a grade above Captain, without vacating the officer's permanent grade.

''(d) BUDGET.—The Director of the Coast Guard Reserve is the official within the executive part of the Coast Guard who, subject to the authority, direction, and control of the Secretary of Transportation and the Commandant, is responsible for preparation, justification, and execution of the personnel, operation and maintenance, and construction budgets for the Coast Guard Reserve. As such, the Director of the Coast Guard Reserve is the director and functional manager of appropriations made for the Coast Guard Reserve in those areas.

''(e) ANNUAL REPORT.—The Director of the Coast Guard Reserve shall submit to the Secretary of Transportation and the Secretary of Defense an annual report on the state of the Coast Guard Reserve and the ability of the Coast Guard Reserve to meet its missions. The report shall be prepared in conjunction with the Commandant and may be submitted in classified and unclassified versions.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 52 the following:

''53. Office of the Coast Guard Reserve; Director.''.

SEC. 522. CHIEFS OF RESERVE COMPONENTS AND THE ADDITIONAL GENERAL OFFICERS AT THE NATIONAL GUARD BUREAU.

(a) GRADE OF CHIEF OF ARMY RESERVE.—Section 3038(c) of title 10, United States Code, is amended by striking ''major general'' and inserting ''lieutenant general''.

(b) GRADE OF CHIEF OF NAVAL RESERVE.—Section 5143(c)(2) of such title is amended by striking ''rear admiral (lower half)'' and inserting ''rear admiral''.

(c) GRADE OF COMMANDER, MARINE FORCES RESERVE.—Section 5144(c)(2) of such title is amended by striking ''brigadier general'' and inserting ''major general''.

(d) GRADE OF CHIEF OF AIR FORCE RESERVE.—Section 8038(c) of such title is amended by striking ''major general'' and inserting ''lieutenant general''.

(e) THE ADDITIONAL GENERAL OFFICERS FOR THE NATIONAL GUARD BUREAU.—Subparagraphs (A) and (B) of section 10506(a)(1) of such title are each amended by striking ''major general'' and inserting ''lieutenant general''.

(f) EXCLUSION FROM LIMITATION ON GENERAL AND FLAG OFFICERS.—Section 526(d) of such title is amended to read as follows:

''(d) EXCLUSION OF CERTAIN RESERVE COMPONENT OFFICERS.—The limitations of this section do not apply to the following reserve component general or flag officers:

''(1) An officer on active duty for training.

''(2) An officer on active duty under a call or order specifying a period of less than 180 days.

''(3) The Chief of Army Reserve, the Chief of Naval Reserve, the Chief of Air Force Reserve, the Commander, Marine Forces Reserve, and the additional general officers assigned to the National Guard Bureau under section 10506(a)(1) of this title.''.

(g) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 60 days after the date of the enactment of this Act.

Subtitle C—Military Education and Training

SEC. 531. AUTHORITY TO EXCEED TEMPORARILY A STRENGTH LIMITATION FOR THE SERVICE ACADEMIES.

Section 511(a) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 105 Stat. 1359; 10 U.S.C. 4342 note) is amended—

(1) by inserting ''(1)'' after ''(a) REDUCTION IN AUTHORIZED STRENGTHS.—''; and

(2) by adding at the end the following:

''(2) The Secretary of the military department concerned may authorize the strength for an academy for any class year to exceed the strength limitation set forth in paragraph (1) by not more than 5 percent. Before granting that authority, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a written notification of the determination to authorize the excessive strength for that year. The notification shall include a discussion of the justification for exceeding the strength limitation and the actions that the Secretary plans to take to reduce the strength to a level within the strength limitation.''.

SEC. 532. REPEAL OF LIMITATION ON AMOUNT OF REIMBURSEMENT AUTHORIZED TO BE WAIVED FOR FOREIGN STUDENTS AT THE SERVICE ACADEMIES.

(a) REPEAL.—Sections 4344(b)(3), 6957(b)(3), and 9344(b)(3) of title 10, United States Code, are repealed.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to the academic year that includes that date and academic years that begin after that date.

SEC. 533. EXPANSION OF FOREIGN EXCHANGE PROGRAMS OF THE SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 4345 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''10 cadets'' and inserting ''24 cadets''; and

(2) in subsection (c)(3), by striking ''$50,000'' and inserting ''$120,000''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6957a of such title is amended—

(1) in subsection (b), by striking ''10 midshipmen'' and inserting ''24 midshipmen''; and

(2) in subsection (c)(3), by striking ''$50,000'' and inserting ''$120,000''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9345 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. 534. PERMANENT AUTHORITY FOR ROTC SCHOLARSHIPS FOR GRADUATE STUDENTS.

Section 2107(c)(2) of title 10, United States Code, is amended to read as follows:

''(2) The Secretary of the military department concerned may provide financial assistance, as described in paragraph (1), to a student enrolled in an advanced education program beyond the baccalaureate degree level if the student also is a cadet or midshipman in an advanced training program. Not more than 15 percent of the total number of scholarships awarded under this section in any year may be awarded under this paragraph.''.

SEC. 535. AUTHORITY FOR AWARD OF MASTER OF STRATEGIC STUDIES DEGREE BY THE UNITED STATES ARMY WAR COLLEGE.

(a) AUTHORITY FOR DEGREE.—Chapter 401 of title 10, United States Code, is amended by adding at the end the following:

''§ 4321. United States Army War College: master of strategic studies degree

''Under regulations prescribed by the Secretary of the Army, the Commandant of the United States Army War College, upon the recommendation of the faculty and Dean of the College, may confer the degree of master of strategic studies upon graduates of the college who have fulfilled the requirements for the degree.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by 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 9315 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) EDUCATIONAL QUALIFICATIONS OF FACULTY.—Notwithstanding section 3308 of title 5 or any other provision of law, the commander of the Air Education and Training Command may prescribe the minimum educational qualifications required for 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 9317(a) of title 10, United States Code, is amended to read as follows:

''(a) AUTHORITY.—Upon the recommendation of the faculty of a school of the Air University, the Commander of the Air University may confer a degree upon graduates of that school who fulfill the requirements for the degree, as follows:

''(1) The degree of master of strategic studies, for the Air War College.

''(2) The degree of master of military operational art and science, for the Air Command and Staff College.

''(3) The degree of master of airpower art and science, for the School of Advanced Airpower Studies.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of that section is amended to read as follows:

''§ 9317. Air University: graduate-level degrees''.

(2) The item relating to such section in the table of sections at the beginning of chapter 901 of title 10, United States Code, is amended to read as follows:

''9317. Air University: graduate-level degrees.''.

SEC. 538. PAYMENT OF TUITION FOR EDUCATION AND TRAINING OF MEMBERS IN THE DEFENSE ACQUISITION WORKFORCE.

Section 1745(a) of title 10, United States Code, is amended to read as follows:

''(a) TUITION REIMBURSEMENT AND TRAINING.—(1) The Secretary of Defense shall provide for tuition reimbursement and training (including a full-time course of study leading to a degree) for acquisition personnel in the Department of Defense.

''(2) For civilian personnel, the reimbursement and training shall be provided under section 4107(b) of title 5 for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, until September 30, 2001, a shortage of qualified personnel to serve in acquisition positions in the Department of Defense.

''(3) In the case of members of the armed forces, the limitation in section 2007(a) of this title shall not apply to tuition reimbursement and training provided for under this subsection.''.

SEC. 539. FINANCIAL ASSISTANCE PROGRAM FOR PURSUIT OF DEGREES BY OFFICER CANDIDATES IN MARINE CORPS PLATOON LEADERS CLASS PROGRAM.

(a) IN GENERAL.—(1) Part IV of subtitle E of title 10, United States Code, is amended by adding at the end the following:

''CHAPTER 1610—OTHER EDUCATIONAL ASSISTANCE PROGRAMS

''Sec.

''16401. Marine Corps Platoon Leaders Class Program: officer candidates pursuing degrees.

''§ 16401. Marine Corps Platoon Leader's Class Program: officer candidates pursuing degrees

''(a) 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 on a full-time basis 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; or

''(2) a doctor of jurisprudence or bachelor of laws degree in not more than three academic years.

''(b) 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—

''(i) to accept an appointment as a commissioned officer in the Marine Corps, if tendered by the President;

''(ii) to serve on active duty for at least five years; and

''(iii) under such terms and conditions as shall be prescribed by the Secretary, to serve in the Marine Corps Reserve until the eighth anniversary of the date of the appointment.

''(2)(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 26 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 shall be prescribed by the Secretary, but may not exceed $5,200 for any academic year.

''(e) LIMITATIONS.—(1) Financial assistance may be provided to a member under this section only for three consecutive academic years.

''(2) Not more than 1,200 members may participate in the financial assistance program under this section in any academic year.

''(f) FAILURE TO COMPLETE PROGRAM.—A member in receipt of financial assistance under this section may be ordered to active duty in the Marine Corps by the Secretary to serve 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 when offered;

''(2) fails to complete the military or academic requirements of the Marine Corps Platoon Leaders Class Program; or

''(3) is disenrolled from the Marine Corps Platoon Leaders Class Program for failure to maintain eligibility for an original appointment as a commissioned officer under section 532 of this title.

''(g) INSTITUTION 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 subtitle E of such title and at the beginning of part IV of such subtitle are amended by adding at the end the following:

''1610. Other Educational Assistance Programs ..... 16401''.

(b) CONFORMING AMENDMENT.—Section 3695(a)(5) of title 38, United States Code, is amended by striking ''Chapters 106 and 107'' and inserting ''Chapters 107, 1606, and 1610''.

(c) COMPUTATION OF CREDITABLE SERVICE.—Section 205 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 such title may not include a 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 12209 of title 10, United States Code, before implementation of a financial assistance program under section 12216 of such title (as added by subsection (a)) may, upon application, participate in the financial assistance program established under section 12216 of such title (as added by subsection (a)) if the member—

(A) is eligible for financial assistance under such section 12216;

(B) submits 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 (b)(4) of such section 12216.

(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 Commendations

SEC. 551. WAIVER OF TIME LIMITATIONS FOR AWARD OF CERTAIN DECORATIONS TO CERTAIN PERSONS.

(a) WAIVER.—Any limitation established by law or policy for the time within which a recommendation for the award of a military decoration or award must be submitted shall not apply to award of the decoration as described in subsection (b), the award of such decoration having been 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 heroic achievement performed in a manner above that normally to be expected during rescue operations for the S.S. Seagate, in September 1956, while serving as a member of the Coast Guard at Gray Harbor Lifeboat Station, Westport, Washington.

SEC. 552. AUTHORITY FOR AWARD OF MEDAL OF HONOR TO ALFRED RASCON FOR VALOR DURING THE VIETNAM CONFLICT.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Army, the President may award the Medal of Honor under section 3741 of that title to Alfred Rascon, of Laurel, Maryland, for the acts of valor described in subsection (b).

(b) ACTION DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Alfred Rascon on March 16, 1966, as an Army medic, serving in the grade of Specialist Four in the Republic of Vietnam with the Reconnaissance Platoon, Headquarters Company, 1st Battalion, 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.

(3) The Air Force Personnel Center.

(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 ''decoration'' means a medal or other decoration that a former member of the Armed Forces was awarded by the United States for military service of the United States.

SEC. 554. RETROACTIVE AWARD OF NAVY COMBAT ACTION RIBBON.

The Secretary of the Navy may award the Navy Combat Action Ribbon (established by Secretary of the Navy Notice 1650, dated February 17, 1969) to a member of the Navy and Marine Corps for participation in ground or surface combat during any period after December 6, 1941, and before March 1, 1961 (the date of the otherwise applicable limitation on retroactivity for the award of such decoration), if the Secretary determines that the member has not been previously recognized in appropriate manner for such participation.

Subtitle E—Amendments to Uniform Code of Military Justice

SEC. 561. INCREASE IN SENTENCING JURISDICTION OF SPECIAL COURTS-MARTIAL AUTHORIZED TO ADJUDGE A BAD CONDUCT DISCHARGE.

(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 month in which this Act is enacted, and shall apply with respect to charges referred to trial by special courts-martial on or after that effective date.

SEC. 562. REDUCED MINIMUM BLOOD AND BREATH ALCOHOL LEVELS FOR OFFENSE OF DRUNKEN OPERATION OR CONTROL OF A VEHICLE, AIRCRAFT, OR VESSEL.

(a) STANDARD.—Section 911(2) of title 10, United States Code (article 111(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 1491 of title 10, United States Code, is amended to read as follows:

''(a) RESPONSIBILITY.—The Secretary of Defense shall ensure that, upon request, a funeral honors detail is provided for the funeral of any veteran that occurs after December 31, 1999.''.

(b) ELIGIBILITY FOR HONORS.—Subsection (f) of such section is amended to read as follows:

''(h) 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 2301(f) of title 38.''.

(c) COMPOSITION OF FUNERAL HONORS DETAILS.—(1) Subsection (b) of such section is amended—

(A) by striking ''HONOR GUARD DETAILS.—'' and inserting ''FUNERAL HONORS DETAILS.—(1)'' ;

(B) by striking ''honor guard detail'' and inserting ''funeral honors detail''; and

(C) by striking ''not less than three persons'' and all that follows and inserting the following: ''two or more persons.''.

(2) Subsection (c) of such section is amended—

(A) by striking ''(c) PERSONS FORMING HONOR GUARDS.—An honor guard detail'' and inserting ''(2) At least two members of the funeral honors detail for the veteran's funeral shall be members of the armed forces.

At least one of those members shall be a member of the armed force of which the veteran was a member. The remainder of the 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.''.

(d) CEREMONY, SUPPORT, AND WAIVER.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (b) the following:

''(c) CEREMONY.—A funeral honors detail shall, at a minimum, perform at the funeral a ceremony that includes the folding and presentation of the flag of the United States to the veteran's family and the playing of Taps. Unless a 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 waive 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 emergency, 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.''.

(e) REGULATIONS.—The text of subsection (f) of such section, as redesignated by subsection (d)(1), is amended to read as follows:

''The Secretary of Defense shall prescribe regulations to carry out this section. The regulations shall include the following:

''(1) A system for selection of units of the armed forces and other organizations to provide funeral honors details.

''(2) Procedures for responding and coordinating responses to requests for funeral honors details.

''(3) Procedures for establishing standards and protocol.

''(4) Procedures for providing training and ensuring quality of performance.''.

(f) ACCEPTANCE OF VOLUNTARY SERVICES.—Section 1588(a) of title 10, United States Code, is amended by adding at the end the following:

''(4) Voluntary services as a member of a funeral honors detail under section 1491 of this title.''.

(g) DUTY STATUS OF RESERVES IN FUNERAL HONORS DETAILS.—(1) Chapter 1 of title 32, United States Code, is amended—

(A) in section 114—

(i) by striking ''honor guard functions'' both places that it appears and inserting ''funeral honors functions''; and

(ii) by striking ''drill or training otherwise required'' and inserting ''drill or training, but may be performed as funeral honors duty under section 115 of this title''; and

(B) by adding at the end the following:

''§ 115. Funeral honors duty performed as a Federal function

''(a) ORDER TO DUTY.—A member of the Army National Guard of the United States or the Air National Guard of the United States may be ordered to funeral honors duty, with the consent of the member, to prepare for or perform funeral honors functions at the funeral of a veteran under section 1491 of title 10. However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to perform funeral honors functions under this section without the consent of the Governor or other appropriate authority of the State concerned.

''(b) SERVICE CREDIT.—A member ordered to funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive—

''(1) service credit under section 12732(a)(2)(E) of title 10; and

''(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.

''(c) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section may be paid reimbursement for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.

''(d) 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 12732(a)(2)(E) of this title; and

''(2) if authorized by the Secretary concerned, the allowance under section 435 of title 37.

''(c) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section may be paid reimbursement for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 100 miles or more from the member's residence.

''(d) REGULATIONS.—The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.

''(e) MEMBERS OF THE NATIONAL GUARD.—This section does not apply to members of the Army National Guard of the United States or the Air National Guard of the United States. The performance of funeral honors duty by such members is provided for in section 115 of title 32.''.

(3) Section 12552 of title 10, United States Code, is amended—

(A) by striking ''honor guard functions'' and inserting ''funeral honors functions''; and

(B) by striking ''drill or training otherwise required'' and inserting ''drill or training, but may be performed as funeral honors duty under section 12503 of this title''.

(h) CREDITING OF ONE POINT FOR RESERVE SERVING ON DETAIL.—Section 12732(a)(2) of such title is amended—

(1) by inserting after subparagraph (D) the following:

''(E) One point for each day on which funeral honors duty is performed for at least two hours under section 12503 of this title or section 115 of title 32, unless the duty is performed while in a status for which credit is provided under another subparagraph of this paragraph.''; and

(2) by striking '', and (D)'' in the second sentence and inserting '', (D), and (E)''.

(i) BENEFITS FOR MEMBERS IN FUNERAL HONORS DUTY STATUS.—(1) Section 1074a(a) of such title is amended—

(A) in each of paragraphs (1) and (2)—

(i) by striking ''or'' at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting ''; or''; and

(iii) 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.''; and

(B) by adding at the end the following:

''(4) Each member of the armed forces who incurs or aggravates an injury, illness, or disease in the line of duty while remaining overnight immediately before serving on funeral honors duty under section 12503 of this title or section 115 of title 32 at or in the vicinity of the place at which the member was to so serve, if the place is outside reasonable commuting distance from the member's residence.''.

(2) Section 1076(a)(2) of such title is amended by adding at the end the following:

''(E) A member who died from an injury, illness, or disease incurred or aggravated while the member—

''(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 so serve; or

''(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.''.

(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) is a result of an injury, illness, or disease incurred or aggravated in line of duty—

''(i) while the member was serving on funeral honors duty under section 12503 of this title or section 115 of title 32;

''(ii) while the member was traveling to or from the place at which the member was to so serve; or

''(iii) while the member remained overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence;''.

(4) Section 1206(2) is amended to read as follows:

''(2) the disability is a result of an injury, illness, or disease incurred or aggravated in line of duty—

''(A) while—

''(i) performing active duty or inactive-duty training;

''(ii) traveling directly to or from the place at which such duty is performed; or

''(iii) remaining overnight immediately before the commencement of inactive-duty

training, or while remaining overnight between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training, if the site is outside reasonable commuting distance of the member's residence; or

''(B) while the member—

''(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 so serve; or

''(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;''.

(5) Section 1481(a)(2) of such title is amended—

(A) by striking ''or'' at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting ''; or''; and

(C) by adding at the end the following:

''(F) either—

''(i) serving on funeral honors duty under section 12503 of this title or section 115 of title 32;

''(ii) traveling directly to or from the place at which to so serve; or

''(iii) remaining overnight at or in the vicinity of that place before so serving, if the place is outside reasonable commuting distance from the member's residence.''.

(j) FUNERAL HONORS DUTY ALLOWANCE.—Chapter 4 of title 37, United States Code, is amended by adding at the end the following:

''§ 435. Allowance for funeral honors duty

''(a) AUTHORITY.—The Secretary concerned may authorize payment of an allowance to a member of the Ready Reserve for each day on which the member performs at least two hours of funeral honors duty pursuant to section 12503 of title 10 or section 115 of title 32.

''(b) AMOUNT.—The daily rate of an allowance paid under this section is $50.

''(c) FULL COMPENSATION.—Except for expenses reimbursed under subsection (c) of section 12503 of title 10 or subsection (c) of section 115 of title 32, the allowance paid under this section is the only monetary compensation authorized to be paid a member for the performance of funeral honors duty pursuant to such section, regardless of the grade in which serving, and shall constitute payment in full to the member.''.

(k) CLERICAL AMENDMENTS.—(1)(A) The heading for section 1491 of title 10, United States Code, is amended to read as follows:

''§ 1491. Funeral honors functions at funerals for veterans''.

(B) The heading for section 12552 of title 10, United States Code, is amended to read as follows:

''§ 12552. Funeral honors functions at funerals for veterans''.

(2)(A) The item relating to section 1491 in the table of sections at the beginning of chapter 75 of title 10, United States Code, is amended to read as follows:

''1491. Funeral honors functions at funerals for veterans.''.

(B) The table of sections at the beginning of chapter 1213 of title 10, United States Code, is amended by adding at the end the following:

''12503. Ready Reserve: funeral honors duty.''.

(C) The item relating to section 12552 table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended to read as follows:

''12552. Funeral honors functions at funerals for veterans.''.

(3)(A) The heading for section 114 of title 32, United States Code, is amended to read as follows:

''§ 114. Funeral honors functions at funerals for veterans''.

(B) The table of sections at the beginning of chapter 1 of title 32, United States Code, is amended by striking the item relating to section 114 and inserting the following:

''114. Funeral honors functions at funerals for veterans.

''115. Funeral honors duty performed as a Federal function.''.

(4) The table of sections at the beginning of chapter 4 of title 37, United States Code, is amended by adding at the end the following:

''435. Allowance for funeral honors duty.''.

SEC. 572. INCREASED AUTHORITY TO EXTEND DELAYED ENTRY PERIOD FOR ENLISTMENTS OF PERSONS WITH NO PRIOR MILITARY SERVICE.

(a) MAXIMUM PERIOD OF EXTENSION.—Section 513(b)(1) of title 10, United States Code, is amended by striking ''180 days'' in the second sentence and inserting ''365 days''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 573. ARMY COLLEGE FIRST PILOT PROGRAM.

(a) PROGRAM REQUIRED.—The Secretary of the Army shall establish a pilot program to assess whether the Army could increase the number of, and the level of the qualifications of, persons accessed into the Army by encouraging recruits to pursue higher education or vocational or technical training before entry into active service in the Army.

(b) DELAYED ENTRY WITH ALLOWANCE FOR HIGHER EDUCATION.—Under the pilot program, the Secretary may exercise the authority under section 513 of title 10, United States Code—

(1) to accept the enlistment of a person as a Reserve for service in the Selected Reserve or Individual Ready Reserve of the Army Reserve or, notwithstanding the scope of the authority under subsection (a) of that section, in the Army National Guard of the United States;

(2) to authorize, notwithstanding the period limitation in subsection (b) of such section, a delay of the enlistment of that person in a regular component under that subsection for the period during which the person is enrolled in and pursuing a program of education at an institution of higher education, or a program of vocational or technical training, on a full-time basis that is to be completed within two years after the date of the enlistment as a Reserve; and

(3) in the case of a person enlisted in a reserve component for service in the Individual Ready Reserve, pay an allowance to the person for each month of that period.

(c) MAXIMUM PERIOD OF DELAY.—The period of delay authorized a person under paragraph (2) of subsection (b) may not exceed the two-year period beginning on the date of the person's enlistment accepted under paragraph (1) of such subsection.

(d) AMOUNT OF ALLOWANCE.—(1) The monthly allowance paid under subsection (b)(3) is $150. The allowance may not be paid for more than 24 months.

(2) An allowance under this section is in addition to any other pay and allowances to which a member of a reserve component is entitled by reason of participation in the Ready Reserve of that component.

(e) COMPARISON GROUP.—To perform the assessment under subsection (a), the Secretary may define and study any group not including persons receiving a benefit under subsection (b) and compare that group with any group or groups of persons who receive such benefits under the pilot program.

(f) DURATION OF PILOT PROGRAM.—The pilot program shall be in effect during the period beginning on October 1, 1999, and ending on September 30, 2004.

(g) REPORT.—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) 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 entry delays and financial benefits for advanced education and training of recruits.

SEC. 574. REDUCTION IN REQUIRED FREQUENCY OF REPORTING ON THE SELECTED RESERVE EDUCATIONAL ASSISTANCE PROGRAM UNDER THE MONTGOMERY GI BILL.

The text of section 16137 of title 10, United States Code, is amended to read as follows:

''The Secretary of Defense shall submit to Congress a report not later than March 1 of every 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 and adjust the period covered by the report accordingly.''.

SEC. 575. PARTICIPATION OF MEMBERS IN MANAGEMENT OF ORGANIZATIONS ABROAD THAT PROMOTE INTERNATIONAL UNDERSTANDING.

Section 1033(b)(3) of title 10, United States Code, is amended by inserting after subparagraph (D) the following:

''(E) An entity that, operating in a foreign nation where United States personnel are serving at United States military activities, promotes understanding and tolerance between such personnel (and their families) and the people of that host foreign nation through programs that foster social relations between those persons.''.

SEC. 576. FORENSIC PATHOLOGY INVESTIGATIONS BY ARMED FORCES MEDICAL EXAMINER.

(a) INVESTIGATION AUTHORITY.—Chapter 75 of title 10, United States Code, is amended by striking the heading for the chapter and inserting the following:

''CHAPTER 75—DECEASED PERSONNEL

''Subchapter	Sec.
''I. Death Investigations	1471
''II. Death Benefits	1475

''SUBCHAPTER I—DEATH INVESTIGATIONS

''Sec.

''1471. Forensic pathology investigations.

''§ 1471. Forensic pathology investigations

''(a) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the

Armed Forces Medical Examiner may conduct a forensic pathology investigation to determine the cause or manner of death of a deceased person under circumstances described in subsection (b). The investigation may include an autopsy of the decedent's remains.

''(b) BASIS FOR INVESTIGATION.—A forensic pathology investigation of a death under this section is justified if—

''(1) either—

''(A) it appears that the decedent was killed or that, whatever the cause of the decedent's death, the cause was unnatural;

''(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 found dead or died at an installation garrisoned by units of the armed forces that is under the exclusive jurisdiction of the United States;

''(ii) was a member of the armed forces on active duty or inactive duty for training;

''(iii) 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

''(iv) was a civilian dependent of a member of the armed forces and was found dead or died outside the United States;

''(B) in any other authorized Department of Defense investigation of matters which involves the death, a factual determination of the cause or manner of the death is necessary; or

''(C) in any other authorized investigation being conducted by the Federal Bureau of Investigation, the National Transportation Safety Board, or any other Federal agency, an authorized official of such agency with authority to direct a forensic pathology investigation requests that the Armed Forces Medical Examiner conduct such an investigation.

''(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.

''(d) LIMITATION IN CONCURRENT JURISDICTION CASES.—(1) The exercise of authority under this section is subject to the exercise of primary jurisdiction for the investigation of a death—

''(A) in the case of a death in a State, by the State or a local government of the State; or

''(B) in the case of a death in a foreign country, by that foreign country under any applicable treaty, status of forces agreement, or other international agreement between the United States and that foreign country.

''(2) Paragraph (1) does not limit the authority of the Armed Forces Medical Examiner to conduct a forensic pathology investigation of a death that is subject to the exercise of primary jurisdiction by another sovereing if the investigation by the other sovereing 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 one or more qualified pathologists to conduct the investigation;

''(2) to the extent practicable and consistent with responsibilities under this section, give due regard to any applicable law protecting religious beliefs;

''(3) as soon as practicable, notify the decedent's family, if known, that the forensic pathology investigation is being conducted;

''(4) as soon as practicable after the completion of the investigation, authorize release of the decedent's remains to the family, if known; and

''(5) promptly report the results of the forensic pathology investigation to the official responsible for the overall investigation of the death.

''(f) DEFINITION OF STATE.—In this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, and Guam.''.

(b) REPEAL OF AUTHORITY FOR EXISTING INQUEST PROCEDURES.—Sections 4711 and 9711 of title 10, United States Code, are repealed.

(c) TECHNICAL AND CLERICAL AMENDMENTS.—(1) Chapter 75 of such title, as amended by subsection (a), is further amended by inserting before section 1475 the following:

''SUBCHAPTER II—DEATH BENEFITS''.

(2) The item relating to chapter 75 in the tables of chapters at the beginning subtitle A of such title and at the beginning of part II of such subtitle is amended to read as follows

''75. Deceased Personnel ..... 1471''.

(3) The table of sections at the beginning chapter 445 of such title is amended by striking the item relating to section 4711.

(4) The table of sections at the beginning chapter 945 of such title is amended by striking the item relating to section 9711.

SEC. 577. NONDISCLOSURE OF INFORMATION ON MISSING PERSONS RETURNED TO UNITED STATES CONTROL.

Section 1506 of title 10, United States Code, is amended by adding at the end the following:

''(f) NONDISCLOSURE OF CERTAIN INFORMATION.—A record of the content of a debriefing of a missing person returned to United States control during the period beginning July 8, 1959, and ending February 10, 1996, that was conducted by an official of the United States authorized to conduct the debriefing is privileged information and, notwithstanding sections 552 and 552a of title 5, may not be disclosed, in whole or in part, under either such section.''.

SEC. 578. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS PURPOSES.

(a) AUTHORITY.—Subchapter I of chapter 134 of title 10, United States Code, is amended by adding at the end the following:

''§ 2249c. Use of recruiting materials for public relations

''Advertising materials developed for use for recruitment and retention of personnel for the armed forces may be used for public relations purposes of the Department of Defense under such conditions and subject to such restrictions as the Secretary of Defense shall prescribe.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following:

''2249c. Use of recruiting materials for public relations.''.

SEC. 579. IMPROVEMENT AND TRANSFER OF JURISDICTION OF TROOPS-TO-TEACHERS PROGRAM.

(a) RECODIFICATION, IMPROVEMENT, AND TRANSFER OF PROGRAM.—(1) Section 1151 of title 10, United States Code, is amended to read as follows:

''§ 1151. Assistance to certain separated or retired members to obtain certification and employment as teachers

''(a) PROGRAM AUTHORIZED.—The administering Secretary may carry out a program—

''(1) to assist eligible members of the armed forces after their discharge or release, or retirement, from active duty to obtain certification or licensure as elementary or secondary school teachers or as vocational or technical teachers; and

''(2) to facilitate the employment of such members by local educational agencies identified under subsection (b)(1).

''(b) IDENTIFICATION OF LOCAL EDUCATIONAL AGENCIES AND STATES.—(1)(A) In carrying out the program, the administering Secretary shall periodically identify local educational agencies that—

''(i) are receiving grants under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) as a result of having within their jurisdictions concentrations of children from low-income families; or

''(ii) are experiencing a shortage of qualified teachers, in particular a shortage of science, mathematics, special education, or vocational or technical teachers.

''(B) The administering Secretary may identify local educational agencies under subparagraph (A) through surveys conducted for that purpose or by utilizing information on local educational agencies that is available to the Secretary of Education from other sources.

''(2) In carrying out the program, the administering Secretary shall also conduct a survey of States to identify those States that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the armed forces toward satisfying certification or licensure requirements for teachers.

''(c) ELIGIBLE MEMBERS.—(1) Subject to paragraph (2), the following members shall be eligible for selection to participate in the program:

''(A) Any member who—

''(i) during the period beginning on October 1, 1990, and ending on September 30, 1999, was involuntarily discharged or released from active duty for purposes of a reduction of force after six or more years of continuous active duty immediately before the discharge or release; and

''(ii) satisfies such other criteria for eligibility as the administering Secretary may prescribe.

''(B) Any member—

''(i) who, on or after October 1, 1999—

''(I) is retired for length of service with at least 20 years of active service computed under section 3925, 3926, 8925, or 8926 of this title or for purposes of chapter 571 of this title; or

''(II) is retired under section 1201 or 1204 of this title;

''(ii) who—

''(I) in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a baccalaureate or advanced degree from an accredited institution of higher education; or

''(II) in the case of a member applying for assistance for placement as a vocational or technical teacher—

''(aa) has received the equivalent of one year of college from an accredited institution of higher education and has 10 or more years of military experience in a vocational or technical field; or

''(bb) otherwise meets the certification or licensure requirements for a vocational or technical teacher in the State in which such member seeks assistance for placement under the program; and

''(iii) who satisfies any criteria prescribed under subparagraph (A)(ii).

''(2) A member described in paragraph (1) shall be eligible to participate in the program only if the member's last period of service in the armed forces was characterized as honorable by the Secretary concerned.

''(d) INFORMATION REGARDING PROGRAM.—(1) The administering Secretary shall provide information regarding the program, and make applications for the program available, to members as part of preseparation counseling provided under section 1142 of this title.

''(2) The information provided to members shall—

''(A) indicate the local educational agencies identified under subsection (b)(1); and

''(B) identify those States surveyed under subsection (b)(2) that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the armed forces toward satisfying such requirements.

''(e) SELECTION OF PARTICIPANTS.—(1)(A) Selection of members to participate in the program shall be made on the basis of applications submitted to the administering Secretary on a timely basis. An application shall be in such form and contain such information as that Secretary may require.

''(B) An application shall be considered to be submitted on a timely basis if the application is submitted as follows:

''(i) In the case of an applicant who is eligible under subsection (c)(1)(A), not later than September 30, 2003.

''(ii) In the case of an applicant who is eligible under subsection (c)(1)(B), not later than four years after the date of the retirement of the applicant from active duty.

''(2) In selecting participants to receive assistance for placement as elementary or secondary school teachers or vocational or technical teachers, the administering Secretary shall give priority to members who—

''(A) have educational or military experience in science, mathematics, special education, or vocational or technical subjects and agree to seek employment as science, mathematics, or special education teachers in elementary or secondary schools or in other schools under the jurisdiction of a local educational agency; or

''(B) have educational or military experience in another subject area identified by that Secretary, in consultation with the National Governors Association, as important for national educational objectives and agree to seek employment in that subject area in elementary or secondary schools.

''(3) The administering Secretary may not select a member to participate in the program unless that Secretary has sufficient appropriations for the program available at the time of the selection to satisfy the obligations to be incurred by the United States under subsection (g) with respect to that member.

''(f) AGREEMENT.—A member selected to participate in the program shall be required to enter into an agreement with the administering Secretary in which the member agrees—

''(1) to obtain, within such time as that Secretary may require, certification or licensure as an elementary or secondary school teacher or vocational or technical teacher; and

''(2) to accept an offer of full-time employment as an elementary or secondary school teacher or vocational or technical teacher for not less than four school years with a local educational agency identified under subparagraph (A) or (B) of subsection (b)(1), to begin the school year after obtaining that certification or licensure.

''(g) STIPEND AND BONUS FOR PARTICIPANTS.—(1)(A) Subject to subparagraph (B), the administering Secretary shall pay to each participant in the program a stipend in an amount equal to $5,000.

''(B) The total number of stipends that may be paid under this paragraph in any fiscal year may not exceed 3,000.

''(2)(A) Subject to subparagraph (B), the administering Secretary may, in lieu of paying a stipend under paragraph (1), pay a bonus of $10,000 to each participant in the program who agrees under subsection (f) to accept full-time employment as an elementary or secondary school teacher or vocational or technical teacher for not less than four years in a high need school.

''(B) The total number of bonuses that may be paid under this paragraph in any fiscal year may not exceed 1,000.

''(C) In this paragraph, the term 'high need school' means an elementary school or secondary school that meets one or more of the following criteria:

''(i) A drop out rate that exceeds the national average school drop out rate.

''(ii) A large percentage of students (as determined by the Secretary of Education in consultation with the National Assessment Governing Board) who speak English as a second language.

''(iii) A large percentage of students (as so determined) who are at risk of educational failure by reason of limited proficiency in English, poverty, race, geographic location, or economic circumstances.

''(iv) A population of students at least one-half of which are from families with an income below the poverty line (as that term is defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

''(v) A large percentage of students (as so determined) who qualify for assistance under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

''(vi) Any other criteria established by the administering Secretary in consultation with the National Assessment Governing Board.

''(3) Stipends and bonuses paid under this subsection shall be taken into account in determining the eligibility of the participant concerned for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(h) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—(1) If a participant in the program fails to obtain teacher certification or licensure or employment as an elementary or secondary school teacher or vocational or technical teacher as required under the agreement or voluntarily leaves, or is terminated for cause, from the employment during the four years of required service, the participant shall be required to reimburse the administering Secretary for any stipend paid to the participant under subsection (g)(1) in an amount that bears the same ratio to the amount of the stipend as the unserved portion of required service bears to the four years of required service.

''(2) If a participant in the program who is paid a bonus under subsection (g)(2) fails to obtain employment for which the bonus was paid, or voluntarily leaves or is terminated for cause from the employment during the four years of required service, the participant shall be required to reimburse the administering Secretary for the bonus in an amount that bears the same ratio to the amount of the bonus as the unserved portion of required service bears to the four years of required service.

''(3)(A) The obligation to reimburse the administering Secretary under this subsection is, for all purposes, a debt owing the United States.

''(B) A discharge in bankruptcy under title 11 shall not release a participant from the obligation to reimburse the administering Secretary under this subsection.

''(C) Any amount owed by a participant under paragraph (1) or (2) shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the reimbursement is determined to be due for securities having maturities of ninety days or less and shall accrue from the day on which the participant is first notified of the amount due.

''(i) EXCEPTIONS TO REIMBURSEMENT PROVISIONS.—(1) A participant in the program shall not be considered to be in violation of an agreement entered into under subsection (f) during any period in which the participant—

''(A) is pursuing a full-time course of study related to the field of teaching at an eligible institution;

''(B) is serving on active duty as a member of the armed forces;

''(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

''(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

''(E) is seeking and unable to find full-time employment as a teacher in an elementary or secondary school or as a vocational or technical teacher for a single period not to exceed 27 months; or

''(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the administering Secretary.

''(2) A participant shall be excused from reimbursement under subsection (h) if the participant becomes permanently totally disabled as established by sworn affidavit of a

qualified physician. The administering Secretary may also waive reimbursement in cases of extreme hardship to the participant, as determined by that Secretary.

''(j) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—The receipt by a participant in the program of any assistance under the program shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 of title 38 or chapter 1606 of this title.

''(k) 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.

''(l) ASSISTANCE TO STATES IN ACTIVITIES UNDER PROGRAM.—(1) Subject to paragraph (2), the administering Secretary may make grants to States participating in the program, or to consortia of such States, in order to permit such States or consortia of States to operate offices for purposes of recruiting eligible members for participation in the program and facilitating the employment of participants in the program in schools in such States or consortia of States.

''(2) The total amount of grants under paragraph (1) in any fiscal year may not exceed $4,000,000.

''(m) LIMITATION ON USE OF FUNDS FOR MANAGEMENT INFRASTRUCTURE.—The administering Secretary may utilize not more than five percent of the funds available to carry out the program for a fiscal year for purposes of establishing and maintaining the management infrastructure necessary to support the program.

''(n) DEFINITIONS.—In this section:

''(1) The term 'administering Secretary', with respect to the program authorized by this section, means the following:

''(A) The Secretary of Defense with respect to the armed forces (other than the Coast Guard) for the period beginning on October 23, 1992, and ending on the date of the completion of the transfer of responsibility for the program to the Secretary of Education under section 579(c) of the National Defense Authorization Act for Fiscal Year 2000.

''(B) The Secretary of Transportation with respect to the Coast Guard for the period referred to in subparagraph (A).

''(C) The Secretary of Education for any period after the period referred to in subparagraph (A).

''(2) The term 'State' includes the District of Columbia, American Samoa, the Federated States of Micronesia, Guam, the Republic of the Marshall Islands, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Republic of Palau, and the United States Virgin Islands.

''(3) The term 'alternative certification or licensure requirements' means State or local teacher certification or licensure requirements that permit a demonstrated competence in appropriate subject areas gained in careers outside of education to be substituted for traditional teacher training course work.''.

(2) The table of sections at the beginning of chapter 58 of such title is amended by striking the item relating to section 1151 and inserting the following new item:

''1151. Assistance to certain separated or retired members to obtain certification and employment as teachers.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

(c) 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 Education of any on-going functions and responsibilities of the Secretary of Defense and the Secretary of Transportation with respect to the program authorized by section 1151 of title 10, United States Code, for the period beginning on October 23, 1992, and ending on 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)), in the recruitment and retention of qualified personnel by local educational agencies identified under subsection (b)(1) of such section 1151.

(2) The report under paragraph (1) shall include information on the following:

(A) The number of participants in the program.

(B) The schools in which such participants are employed.

(C) The grade levels at which such participants teach.

(D) The subject matters taught by such participants.

(E) The effectiveness of the teaching of such participants, as indicated by any relevant test scores of the students of such participants.

(F) The extent of any academic improvement in the schools in which such participants teach by reason of their teaching.

(G) The rates of retention of such participants by the local educational agencies employing such participants.

(H) The effect of any stipends or bonuses under subsection (g) of such section 1151 in enhancing participation in the program or in enhancing recruitment or retention of participants in the program by the local educational agencies employing such participants.

(I) Such other matters as the Secretary of Education or the Comptroller General, as the case may be, considers appropriate.

(3) The report of the Comptroller General under paragraph (1) shall also include any recommendations of the Comptroller General as to means of improving the program, including means of enhancing the recruitment and retention of participants in the program.

SEC. 580. SUPPORT FOR EXPANDED CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR DEPENDENTS.

(a) AUTHORITY.—(1) Subchapter II of chapter 88 of title 10, United States Code, is amended—

(A) by redesignating section 1798 as section 1800; and

(B) by inserting after section 1797 the following:

''§ 1798. Child care services and youth program services for dependents: financial assistance for providers

''(a) AUTHORITY.—The Secretary of Defense may provide financial assistance to an eligible civilian provider of child care services or 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 furnishing of the services for military installations; and

''(3) ensures that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards of the Department of Defense that are applicable to the furnishing of such services.

''(b) ELIGIBLE PROVIDER.—A provider of child care services or youth program services is eligible for financial assistance under paragraph (1) if the provider—

''(1) is licensed to provide the services under applicable State and local law;

''(2) has previously provided such services for members of the armed forces or employees of the Federal Government; and

''(3) either—

''(A) is a provider of otherwise federally funded or sponsored child development services;

''(B) provides the services in a child development center owned and operated by a private, not-for-profit organization;

''(C) is a provider of family child care services;

''(D) conducts a before-school or after-school child care program in a public school facility;

''(E) conducts an otherwise federally funded or federally sponsored school age child care or youth services program;

''(F) conducts a school age child care or youth services program that is owned and operated by a not-for-profit organization; or

''(G) is a provider of another category of child care services or youth services determined by the Secretary 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.

''§ 1799. Child care services and youth program services for dependents: participation by children and youth otherwise ineligible

''(a) AUTHORITY.—The Secretary may authorize participation in child care or youth programs of the Department of Defense, to the extent of the availability of space and services, by children and youth under the age of 19 who are not dependents of members

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 of military families into civilian communities.

''(2) To make more efficient use of Department of Defense facilities and resources.

''(3) To establish or support a partnership or consortium arrangement with schools and other 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. The report shall include an evaluation of the effectiveness of the authority for achieving the objectives set out under subsection (c). The report may include any recommendations for legislation that the Secretary considers appropriate to enhance the capability of the Department of Defense to attain those objectives.

''(2) A biennial report under this subsection may be combined with the biennial report under section 1798(d) of this title into one report for submission to Congress.''.

(2) The table of sections at the beginning of such subchapter is amended by striking the item relating to section 1798 and inserting the following:

''1798. Child care services and youth program services for dependents: financial assistance for providers.''.

''1799. Child care services and youth program services for dependents: participation by children and youth otherwise ineligible.

''1800. Definitions.''.

(b) FIRST BIENNIAL REPORTS.—The first biennial reports under sections 1798(d) and 1799(d) of title 10, United States Code (as added by subsection (a)), shall be submitted not later than March 31, 2002, and shall cover fiscal years 2000 and 2001.

SEC. 581. RESPONSES TO DOMESTIC VIOLENCE IN THE ARMED FORCES.

(a) MILITARY-CIVILIAN TASK FORCE ON DOMESTIC VIOLENCE.—(1) The Secretary of Defense shall establish a Military-Civilian Task Force on Domestic Violence. The Secretary shall appoint the members of the task force in accordance with 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 from time to time any analyses and recommendations for policies regarding how the Armed Forces can effectively respond, and improve responses, to cases of domestic violence that the task force considers appropriate.

(B) The task force shall submit to Congress an annual report containing a detailed discussion of the achievements in responses to domestic violence in the Armed Forces, pending research on domestic violence, and any recommendations for actions to improve the responses of the Armed Forces to domestic violence in the Armed Forces that the task force considers appropriate.

(C) The task force shall—

(i) meet in plenary session at least once annually; and

(ii) visit military installations overseas annually and military installations within the United States semiannually.

(3) The Secretary shall appoint the members of the task force. The task force shall include the following:

(A) Representatives of Department of Defense family advocacy programs.

(B) Medical personnel.

(C) Judge advocates.

(D) Military police or other law enforcement personnel of the Armed Forces.

(E) Commanders.

(F) Personnel who plan, execute, and evaluate training of the Armed Forces.

(G) Civilian personnel who are experts on domestic violence, family advocates, providers of services specifically for victims of domestic violence, and researchers in domestic violence including, but not limited to, the following:

(i) At least two representatives from the national domestic violence resource center and the special issue resource centers referred to in section 308 of the Family Violence Prevention and Services Act (42 U.S.C. Sec. 10407).

(ii) At least two representatives from national domestic violence and sexual assault policy organizations.

(iii) At least two representatives from selected States' domestic violence and sexual assault coalitions.

(iv) At least two local domestic violence and sexual assault service providers in communities located near military installations.

(H) Civilian law enforcement personnel (appointed in consultation with the Attorney General).

(I) Representatives of the Department of Justice (appointed in consultation with the Attorney General) from the following offices:

(i) The Office on Violence Against Women.

(ii) The Violence Against Women Grants Office.

(J) Representatives of the Department of Health and Human Services (appointed in consultation with the Secretary of Health and Human Services) from the Family Violence Prevention and Services Office.

(4) The Secretary shall ensure that the task force includes the following:

(A) Representatives of the Office of the Secretary of Defense.

(B) General and flag officers.

(C) Noncommissioned officers.

(D) Other enlisted personnel.

(5) The Secretary of Defense shall annually designate to chair the task force one member of the task force from among the members on a list of nominees submitted to the Secretary for that purpose by the task force.

(6) Each member of the task force shall serve without compensation (other than the compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, as the case may be), but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular places of business in the performance of services for the task force.

(7) The Assistant Secretary of Defense for Force Management Policy, under the direction of the Under Secretary of Defense for Personnel and Readiness, shall provide oversight of the task force and shall provide the task force with the personnel, facilities, and other administrative support that is necessary for the performance of the task force's duties. The Assistant Secretary shall provide for the Secretaries of the military department to provide support described in paragraph (8)(B) for the task force on a rotating basis.

(8) The Secretary of the military department concerned shall—

(A) coordinate visits of the task force to military installations; and

(B) as designated by the Assistant Secretary of Defense and in coordination with Assistant Secretary, provide administrative, logistical, and other support for the meetings of the task force.

(9) The task force shall terminate three years after the date on which all members of the task force are appointed.

(b) UNIFORM RESPONSES.—Not later than six months after receiving the report of the task force under subsection (a)(2)(A), the Secretary of Defense shall, in consultation with the task force, prescribe the following:

(1) Standard formats for memorandums of agreement or understanding to be used by the Secretaries of the military departments for entering into agreements with civilian law enforcement authorities relating to acts of domestic violence involving members of the Armed Forces.

(2) A requirement for a commanding officer of a member of the Armed Forces ordered by a superior not to have contact with a person to give a written copy of the order to each person protected by the order within 24 hours after the issuance of the order.

(3) Standard guidance on the factors for commanders to consider when determining appropriate action for substantiated allegations of domestic violence by a person subject to that Code.

(4) A standard training program for all commanding officers in the Armed Forces, including a standard curriculum, on the handling of domestic violence cases.

(c) REPORTING REQUIREMENTS.—(1) The Secretary shall establish a central database of information on the cases of domestic violence involving members of the Armed Forces.

(2) The Secretary shall require the administrator of each family advocacy program of the Armed Forces to maintain and 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 commander, any law enforcement authority of the Armed Forces, or a family advocacy program of the Department of Defense.

(B) The number of the cases that involve evidence determined sufficient for supporting disciplinary action and, for each such case, a description of the substantiated allegation and the action taken by command authorities in the case.

(C) The number of the cases that involve evidence determined insufficient for supporting disciplinary action and, for each such case, a description of the allegation.

(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 (RETIRED) HUSBAND E. KIMMEL AND MAJOR GENERAL (RETIRED) WALTER C. SHORT ON RETIRED LISTS.

(a) FINDINGS.—Congress makes the following findings:

(1) The late Rear Admiral (retired) Husband E. Kimmel, formerly serving in the

grade of admiral as the Commander in Chief of the United States Fleet and the Commander in Chief, United States Pacific Fleet, had an excellent and unassailable record throughout his career in the United States Navy prior to the December 7, 1941 attack on Pearl Harbor.

(2) The late Major General (retired) Walter C. Short, 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 message of September 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, known as the Fourteen-Part Message.

(4) On December 16, 1941, Admiral Kimmel and Lieutenant General Short were relieved of their commands and returned to their permanent ranks of rear admiral and major general.

(5) Admiral William Harrison Standley, who served as a member of the investigating commission known as the Roberts Commission that accused Admiral Kimmel and Lieutenant General Short of ''dereliction of duty'' only six weeks after the attack on Pearl Harbor, later disavowed the report maintaining that ''these two officers were martyred'' and ''if they had been brought to trial, both would have been cleared of the charge''.

(6) On October 19, 1944, a Naval Court of Inquiry—

(A) exonerated Admiral Kimmel on the grounds that his military decisions and the disposition of his forces at the time of the December 7, 1941 attack on Pearl Harbor were proper ''by virtue of the information that Admiral Kimmel had at hand which indicated neither the probability nor the imminence of an air attack on Pearl Harbor'';

(B) criticized the higher command for not sharing with Admiral Kimmel ''during the very critical period of 26 November to 7 December 1941, important information . . . regarding the Japanese situation''; and

(C) concluded that the Japanese attack and its outcome was attributable to no serious fault on the part of anyone in the naval service.

(7) On June 15, 1944, an investigation conducted by Admiral T. C. Hart at the direction of the Secretary of the Navy produced evidence, subsequently confirmed, that essential intelligence concerning Japanese intentions and war plans was available in Washington but was not shared with Admiral Kimmel.

(8) On October 20, 1944, the Army Pearl Harbor Board of Investigation determined that—

(A) Lieutenant General Short had not been kept ''fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for war'';

(B) detailed information and intelligence about Japanese intentions and war plans were available in ''abundance'', but were not shared with Lieutenant General Short's Hawaii command; and

(C) Lieutenant General Short was not provided ''on the evening of December 6th and the early morning of December 7th, the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this''.

(9) The reports by both the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation were kept secret, and Rear Admiral (retired) Kimmel and Major General (retired) Short were denied their requests to defend themselves through trial by court-martial.

(10) The joint committee of Congress that was established to investigate the conduct of 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.

(11) The Officer Personnel Act of 1947, in establishing a promotion system for the Navy and the Army, provided a legal basis for the President to honor any officer of the Armed Forces of the United States who served his country as a senior commander during World War II with a placement of that officer, with the advice and consent of the Senate, on the retired list with the highest grade held while on the active duty list.

(12) On April 27, 1954, the then Chief of Naval Personnel, Admiral J. L. Holloway, Jr., recommended that Rear Admiral Kimmel be advanced in rank in accordance with the provisions of the Officer Personnel Act of 1947.

(13) On November 13, 1991, a majority of the members of the Board for the Correction of Military Records of the Department of the Army found that the late Major General (retired) Short ''was unjustly held responsible for the Pearl Harbor disaster'' and that ''it would be equitable and just'' to advance him to the rank of lieutenant general on the retired list''.

(14) In October 1994, the then Chief of Naval Operations, Admiral Carlisle Trost, withdrew his 1988 recommendation against the advancement of Rear Admiral (retired) Kimmel (by then deceased) and recommended that the case of Rear Admiral Kimmel be reopened.

(15) Although the Dorn Report, a report on the results of a Department of Defense study that was issued on December 15, 1995, did not provide support for an advancement of the late Rear Admiral (retired) Kimmel or the late Major General (retired) Short in grade, it did set forth as a conclusion of the study that ''responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and Lieutenant General Short, it should be broadly shared''.

(16) The Dorn Report found—

(A) that ''Army and Navy officials in Washington were privy to intercepted Japanese diplomatic communications . . . which provided crucial confirmation of the imminence of war'';

(B) that ''the evidence of the handling of these messages in Washington reveals some ineptitude, some unwarranted assumptions and misestimations, limited coordination, ambiguous language, and lack of clarification and follow-up at higher levels''; and

(C) that ''together, these characteristics resulted in failure . . . to appreciate fully and to convey to the commanders in Hawaii the sense of focus and urgency that these intercepts should have engendered''.

(17) On July 21, 1997, Vice Admiral David C. Richardson (United States Navy, retired) responded to the Dorn Report with his own study which confirmed findings of the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation and established, among other facts, that the war effort in 1941 was undermined by a restrictive intelligence distribution policy, and the degree to which the commanders of the United States forces in Hawaii were not alerted about the impending attack on Hawaii was directly attributable to the withholding of intelligence from then Admiral Kimmel and Lieutenant General Short.

(18) Rear Admiral (retired) Kimmel and Major General (retired) Short are the only two officers eligible for advancement under the Officer Personnel Act of 1947 as senior World War II commanders who were excluded from the list of retired officers presented for advancement on the retired lists to their highest wartime ranks under that Act.

(19) This singular exclusion from advancement of Rear Admiral (retired) Kimmel and Major General (retired) Short from the Navy retired list and the Army retired list, respectively, serves only to perpetuate the myth that the senior commanders in Hawaii were derelict in their duty and responsible for the success of the attack on Pearl Harbor, and is a distinct and unacceptable expression of dishonor toward two of the finest officers who have served in the Armed Forces of the United States.

(20) Major General (retired) Walter Short died on September 23, 1949, and Rear Admiral (retired) Husband Kimmel died on May 14, 1968, without having been accorded the honor of being returned to their wartime ranks as were their fellow veterans of World War II.

(21) The Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and honor of the late Rear Admiral (retired) Kimmel and the late Major General (retired) Short through their posthumous advancement on the retired lists to their highest wartime grades.

(b) REQUEST FOR ADVANCEMENT ON RETIRED LISTS.—(1) The President is requested—

(A) to advance the late Rear Admiral (retired) Husband E. Kimmel to the grade of admiral on the retired list of the Navy; and

(B) to advance the late Major General (retired) Walter C. Short to the grade of lieutenant general on the retired list of the Army.

(2) Any advancement in grade on a retired list requested under paragraph (1) shall not increase or otherwise modify the compensation or benefits from the United States to which any person is now or may in the future be entitled based upon the military service of the officer advanced.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the late Rear Admiral (retired) Husband E. Kimmel performed his duties as Commander in Chief, United States Pacific Fleet, competently and professionally, and, therefore, the losses incurred by the United States in the attacks on the naval base at Pearl Harbor, 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 Admiral Kimmel; and

(2) the late Major General (retired) Walter C. Short performed his duties as Commanding General, Hawaiian Department,

competently and professionally, and, therefore, the losses incurred by the United States in the attacks on Hickam Army Air Field and Schofield Barracks, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by the then Lieutenant General Short.

SEC. 583. EXIT SURVEY FOR SEPARATING MEMBERS.

(a) REQUIREMENT.—The Secretary of Defense shall develop and carry out a survey on attitudes toward military service to be completed by members of the Armed Forces who voluntarily separate from the Armed Forces or transfer from a regular component to a reserve component during the period beginning on January 1, 2000, and ending on June 30, 2000, or such later date as the Secretary determines necessary in order to obtain enough survey responses to provide a sufficient basis for meaningful analysis of survey results. Completion of the survey shall be required of such personnel as part of outprocessing activities. The Secretary of each military department shall suspend exit surveys and interviews of that department during the period described in the first sentence.

(b) SURVEY CONTENT.—The survey shall, at a minimum, cover the following subjects:

(1) Reasons for leaving military service.

(2) Plans for activities after separation (such as enrollment in school, use of Montgomery GI Bill benefits, and work).

(3) Affiliation with a Reserve component, together with the reasons for affiliating or not affiliating, as the case may be.

(4) Attitude toward pay and benefits for service in the Armed Forces.

(5) Extent of job satisfaction during service as a member of the Armed Forces.

(6) Such other matters as the Secretary determines appropriate to the survey concerning reasons for choosing to separate from the Armed Forces.

(c) REPORT.—Not later than February 1, 2001, the Secretary shall submit to Congress a report containing the results of the surveys. The report shall include an analysis of the reasons why military personnel voluntarily separate from the Armed Forces and the post-separation plans of those personnel. The Secretary shall utilize the report's findings in crafting future responses to declining retention and recruitment.

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:

COMMISSIONED OFFICERS[1]

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O–10[2]	$0.00	$0.00	$0.00	$0.00	$0.00
O–9	0.00	0.00	0.00	0.00	0.00
O–8	6,594.30	6,810.30	6,953.10	6,993.30	7,171.80
O–7	5,479.50	5,851.80	5,851.50	5,894.40	6,114.60
O–6	4,061.10	4,461.60	4,754.40	4,754.40	4,772.40
O–5	3,248.40	3,813.90	4,077.90	4,127.70	4,291.80
O–4	2,737.80	3,333.90	3,556.20	3,606.04	3,812.40
O–3[3]	2,544.00	2,884.20	3,112.80	3,364.80	3,525.90
O–2[3]	2,218.80	2,527.20	2,910.90	3,000.00	3,071.10
O–1[3]	1,926.30	2,004.90	2,423.10	2,423.10	2,423.10

Pay Grade	Over 8	Over 10	Over 12	Over 14	Over 16
O–10[2]	$0.00	$0.00	$0.00	$0.00	$0.00
O–9	0.00	0.00	0.00	0.00	0.00
O–8	7,471.50	7,540.80	7,824.60	7,906.20	8,150.10
O–7	6,282.00	6,475.80	6,669.00	6,863.10	7,471.50
O–6	4,976.70	5,004.00	5,004.00	5,169.30	5,791.20
O–5	4,291.80	4,420.80	4,659.30	4,971.90	5,286.00
O–4	3,980.40	4,251.50	4,464.00	4,611.00	4,758.90
O–3[3]	3,702.60	3,850.20	4,040.40	4,139.10	4,139.10
O–2[3]	3,071.10	3,071.10	3,071.10	3,071.10	3,071.10
O–1[3]	2,423.10	2,423.10	2,423.10	2,423.10	2,423.10

Pay Grade	Over 18	Over 20	Over 22	Over 24	Over 26
O–10[2]	$0.00	$10,655.10	$10,707.60	$10,930.20	$11,318.40
O–9	0.00	9,319.50	9,453.60	9,647.70	9,986.40
O–8	8,503.80	8,830.20	9,048.00	9,048.00	9,048.00
O–7	7,985.40	7,985.40	7,985.40	7,985.40	8,025.60
O–6	6,086.10	6,381.30	6,549.00	6,719.10	7,049.10
O–5	5,436.00	5,583.60	5,751.90	5,751.90	5,751.90
O–4	4,808.70	4,808.70	4,808.70	4,808.70	4,808.70
O–3[3]	4,139.10	4,139.10	4,139.10	4,139.10	4,139.10
O–2[3]	3,071.10	3,071.10	3,071.10	3,071.10	3,071.10
O–1[3]	2,423.10	2,423.10	2,423.10	2,423.10	2,423.10

[1] Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

[2] While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is calculated to be $12,441.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

[3] Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

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

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O–3E	$0.00	$0.00	$0.00	$3,364.80	$3,525.90

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

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O–2E	0.00	0.00	0.00	3,009.00	3,071.10
O–1E	0.00	0.00	0.00	2,423.10	2,588.40
	Over 8	Over 10	Over 12	Over 14	Over 16
O–3E	$3,702.60	$3,850.20	$4,040.40	$4,200.30	$4,291.80
O–2E	3,168.60	3,333.90	3,461.40	3,556.20	3,556.20
O–1E	2,683.80	2,781.30	2,877.60	3,009.00	3,009.00
	Over 18	Over 20	Over 22	Over 24	Over 26
O–3E	$4,416.90	$4,416.90	$4,416.90	$4,416.90	$4,416.90
O–2E	3,556.20	3,556.20	3,556.20	3,556.20	3,556.20
O–1E	3,009.00	3,009.00	3,009.00	3,009.00	3,009.00

WARRANT OFFICERS
Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
W–5	$0.00	$0.00	$0.00	$0.00	$0.00
W–4	2,592.00	2,788.50	2,868.60	2,947.50	3,083.40
W–3	2,355.90	2,555.40	2,555.40	2,588.40	2,694.30
W–2	2,063.40	2,232.60	2,232.60	2,305.80	2,423.10
W–1	1,719.00	1,971.00	1,971.00	2,135.70	2,232.60
	Over 8	Over 10	Over 12	Over 14	Over 16
W–5	$0.00	$0.00	$0.00	$0.00	$0.00
W–4	3,217.20	3,352.80	3,485.10	3,622.20	3,753.60
W–3	2,814.90	2,974.20	3,071.10	3,177.00	3,298.20
W–2	2,555.40	2,852.60	2,749.80	2,844.30	2,949.00
W–1	2,332.80	2,433.30	2,533.20	2,634.00	2,734.80
	Over 18	Over 20	Over 22	Over 24	Over 26
W–5	$0.00	$4,475.10	$4,628.70	$4,782.90	$4,937.40
W–4	3,888.00	4,019.00	4,155.60	4,289.70	4,427.10
W–3	3,418.50	3,539.10	3,659.40	3,780.00	3,900.90
W–2	3,058.40	3,163.80	3,270.90	3,378.30	3,378.30
W–1	2,835.00	2,910.90	2,910.90	2,910.90	2,910.90

ENLISTED MEMBERS
Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E–9[4]	$0.00	$0.00	$0.00	$0.00	$0.00
E–8	0.00	0.00	0.00	0.00	0.00
E–7	1,765.80	1,927.80	2,001.00	2,073.00	2,147.70
E–6	1,518.90	1,678.20	1,752.60	1,824.30	1,899.30
E–5	1,332.60	1,494.00	1,566.00	1,640.40	1,714.50
E–4	1,242.90	1,373.10	1,447.20	1,520.10	1,593.90
E–3	1,171.50	1,260.60	1,334.10	1,335.90	1,335.90
E–2	1,127.40	1,127.40	1,127.40	1,127.40	1,127.40
E–1	[5] 1,005.60	1,005.60	1,005.60	1,005.60	1,005.60
	Over 8	Over 10	Over 12	Over 14	Over 16
E–9[4]	$0.00	$3,015.30	$3,083.40	$3,169.80	$3,271.50
E–8	2,528.40	2,601.60	2,669.70	2,751.60	2,840.10
E–7	2,220.90	2,294.10	2,367.30	2,439.30	2,514.00
E–6	1,973.10	2,047.20	2,118.60	2,191.50	2,244.60
E–5	1,789.50	1,861.50	1,936.20	1,936.20	1,936.20
E–4	1,593.90	1,593.90	1,593.90	1,593.90	1,593.90
E–3	1,335.90	1,335.90	1,335.90	1,335.90	1,335.90
E–2	1,127.40	1,127.40	1,127.40	1,127.40	1,127.40
E–1	1,005.60	1,005.60	1,005.60	1,005.60	1,005.60
	Over 18	Over 20	Over 22	Over 24	Over 26
E–9[4]	$3,373.20	$3,473.40	$3,609.30	$3,744.00	$3,915.80
E–8	2,932.50	3,026.10	3,161.10	3,295.50	3,483.60
E–7	2,588.10	2,660.40	2,787.60	2,926.20	3,134.40
E–6	2,283.30	2,283.30	2,285.70	2,285.70	2,285.70
E–5	1,936.20	1,936.20	1,936.20	1,936.20	1,936.20
E–4	1,593.90	1,593.90	1,593.90	1,593.90	1,593.90
E–3	1,335.90	1,335.90	1,335.90	1,335.90	1,335.90
E–2	1,127.40	1,127.40	1,127.40	1,123.20	1,127.40
E–1	1,005.60	1,005.60	1,005.60	1,005.60	1,005.60

[4] While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, basic pay for this grade is $4,701.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code.
[5] 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. 602. PAY INCREASES FOR FISCAL YEARS 2001 THROUGH 2006.

(a) ECI+0.5 PERCENT INCREASE FOR ALL MEMBERS.—Section 1009(c) of title 37, United States Code, is amended—

(1) by inserting ''(1)'' after ''(c) EQUAL PERCENTAGE INCREASE FOR ALL MEMBERS.—''; and

(2) by adding at the end the following:

''(2) Notwithstanding paragraph (1), but subject to subsection (d), an adjustment taking effect under this section during each of fiscal years 2001 through 2006 shall provide all eligible members with an increase in the

monthly basic pay by the percentage equal to the sum of one percent plus the percentage calculated as provided under section 5303(a) of title 5 for such fiscal year (without regard to whether rates of pay under the statutory pay systems are actually increased during such fiscal year under that section by the percentage so calculated).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2000.

SEC. 603. SPECIAL SUBSISTENCE ALLOWANCE FOR FOOD STAMP ELIGIBLE MEMBERS.

(a) ALLOWANCE.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

''§ 402a. Special subsistence allowance: members eligible for food stamps

''(a) ENTITLEMENT.—Upon the application of an eligible member of a uniformed service described in subsection (b)(1), the Secretary concerned shall pay the member a special subsistence allowance for each month for which the member is eligible to receive food stamp assistance, as determined by the Secretary.

''(b) COVERED MEMBERS.—(1) A member referred to subsection (a) is an enlisted member in pay grade E–5 or below.

''(2) For the purposes of this section, a member shall be considered as being eligible to receive food stamp assistance if the household of the member meets the income standards of eligibility established under section 5(c)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(c)(2)), not taking into account the special subsistence allowance that may be payable to the member under this section and any allowance that is payable to the member under section 403 or 404a of this title.

''(c) TERMINATION OF ENTITLEMENT.—The entitlement of a member to receive payment of a special subsistence allowance terminates upon the occurrence of any of the following events:

''(1) Termination of eligibility for food stamp assistance.

''(2) Payment of the special subsistence allowance for 12 consecutive months.

''(3) Promotion of the member to a higher grade.

''(4) Transfer of the member in a permanent change of station.

''(d) REESTABLISHED ENTITLEMENT.—(1) After a termination of a member's entitlement to the special subsistence allowance under subsection (c), the Secretary concerned shall resume payment of the special subsistence allowance to the member if the Secretary determines, upon further application of the member, that the member is eligible to receive food stamps.

''(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.

''(g) RELATIONSHIP TO BASIC ALLOWANCE FOR SUBSISTENCE.—The special subsistence allowance under this section is in addition to the basic allowance for subsistence under section 402 of this title.

''(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term 'food stamp assistance' means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

''(i) TERMINATION OF AUTHORITY.—No special subsistence allowance may be made under this section for any month beginning after September 30, 2004.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 402 the following:

''402a. Special subsistence allowance: members eligible for food stamps.''.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on the first day of the first month that begins not less than 180 days after the date of the enactment of this Act.

(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 1999, the Secretary of Defense shall submit to Congress a report setting forth the number of members of the uniformed services who are eligible for assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) In preparing the report, the Secretary shall consult with the Secretary of Transportation (with respect to the Coast Guard), who shall provide the Secretary of Defense with any information that the Secretary determines necessary to prepare the report.

(3) No report is required under this section after March 1, 2004.

SEC. 604. PAYMENT FOR UNUSED LEAVE IN CONJUNCTION WITH A REENLISTMENT.

Section 501 of title 37, United States Code, is amended—

(1) in subsection (a)(1), by inserting '', termination of an enlistment in conjunction with the commencement of a successive enlistment (without regard to the date of the expiration of the term of the enlistment being terminated),'' after ''honorable conditions''; and

(2) in subsection (b)(2), by striking '', or entering into an enlistment,''.

SEC. 605. CONTINUANCE OF PAY AND ALLOWANCES WHILE IN DUTY STATUS (WHEREABOUTS UNKNOWN).

(a) CONTINUANCE OF PAY AND ALLOWANCES.—(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 to the member as if the member were in a missing 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—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) The term 'duty status (whereabouts unknown)' means a transitory casualty status designated for a member of 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 consider the available relevant evidence sufficient for making a definite determination that the member is missing, has deserted, is absent without leave, or is dead.''.

SEC. 606. EQUITABLE TREATMENT OF CLASS OF 1987 OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) YEARS OF SERVICE CREDIT.—An officer of the uniformed services who entered the Uniformed Services University of the Health Sciences as a student in 1983 and who successfully completed the course of instruction at the University in 1987 shall be treated for purposes of determining pay and years of service in the same manner as a student at the University who graduated in 1986, notwithstanding the enactment of the Defense Officer Personnel Management Act (Public Law 96–513; 94 Stat. 2835).

(b) PROSPECTIVE APPLICABILITY.—This section shall take effect on October 1, 1999. No entitlement to increased pay or allowances accrues for periods before such date, and no eligibility accrues for consideration for selection for promotions by boards convened before such date.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF CERTAIN BONUSES AND SPECIAL PAYS.

(a) AVIATION OFFICER RETENTION BONUS.—Section 301b(a) of title 37, United States Code, is amended by striking ''December 31, 1999,'' and inserting ''December 31, 2000,''.

(b) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(c) ENLISTMENT BONUSES FOR MEMBERS WITH CRITICAL SKILLS.—Sections 308a(c) and 308f(c) of title 37, United States Code, are each amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(d) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(e) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(e) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(c) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(f) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312c(d) of title 37, United States Code, is amended by striking ''any fiscal year beginning before October 1, 1998, and the 15-month period beginning on that date and ending on December 31, 1999'' and inserting ''the 15-month period beginning on October 1, 1998, and ending on December 31, 1999, and any year beginning after December 31, 1999, and ending before January 1, 2001''.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

(a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section 302g(f) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(b) SELECTED RESERVE REENLISTMENT BONUS.—Section 308b(f) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(c) SELECTED RESERVE ENLISTMENT BONUS.—Section 308c(e) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(d) SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section 308d(c) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(e) SELECTED RESERVE AFFILIATION BONUS.—Section 308e(e) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(f) READY RESERVE ENLISTMENT AND REENLISTMENT BONUS.—Section 308h(g) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(g) PRIOR SERVICE ENLISTMENT BONUS.—Section 308i(f) of title 37, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(h) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 16302(d) of title 10, United States Code, is amended by striking ''January 1, 2000'' and inserting in lieu thereof ''January 1, 2001''.

SEC. 613. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR NURSE OFFICER CANDIDATES, REGISTERED NURSES, AND NURSE ANESTHETISTS.

(a) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended by striking ''December 31, 1999'' and inserting ''December 31, 2000''.

(b) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(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 302e(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 PROVISION.—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),''; and

(3) adding at the end the following:

''(2) Paragraph (1) applies with respect to agreements executed during the period beginning on the first day of the first month that begins on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000 and ending on December 31, 2004.''.

(b) REPEAL OF LIMITATION TO CERTAIN YEARS OF CAREER AVIATION SERVICE.—Subsection (b) of such section is amended—

(1) by striking paragraph (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 ''than—'' and all that follows and inserting ''than $25,000 for each year covered by the written agreement to remain on active duty.''.

(d) PRORATION AUTHORITY FOR COVERAGE OF INCREASED PERIOD OF ELIGIBILITY.—Subsection (d) of such section is amended by striking ''14 years of commissioned service'' and inserting ''25 years of aviation service''.

(e) TERMINOLOGY.—Such section is further amended—

(1) in subsection (f), by striking ''A retention bonus'' and inserting ''Any amount''; and

(2) in subsection (i)(1), by striking ''retention bonuses'' in the first sentence and inserting ''special pay under this section''.

(f) REPEAL OF CONTENT REQUIREMENTS FOR ANNUAL REPORT.—Subsection (i)(1) of such section is further amended by striking the second sentence.

(g) TECHNICAL AMENDMENT.—Subsection (g)(3) of such section if amended by striking the second sentence.

(h) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month that begins on or after the date of the enactment of this Act.

SEC. 616. CAREER ENLISTED FLYER INCENTIVE PAY.

(a) INCENTIVE PAY AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301e the following new section 301f:

''§ 301f. Incentive pay: career enlisted flyers

''(a) PAY AUTHORIZED.—An enlisted member described in subsection (b) may be paid career enlisted flyer incentive pay as provided in this section.

''(b) ELIGIBLE MEMBERS.—An enlisted member referred to in subsection (a) is an enlisted member of the armed forces who—

''(1) is entitled to basic pay under section 204 of this title or is entitled to compensation under paragraph (1) or (2) of section 206(a) of this title;

''(2) holds a military occupational specialty or military rating designated as a career enlisted flyer specialty or rating by the Secretary concerned in regulations prescribed under subsection (f) and continues to be proficient in the skills required for that specialty or rating, or is in training leading to the award of such a specialty or rating; and

''(3) is qualified for aviation service.

''(c) MONTHLY PAYMENT.—(1) Career enlisted flyer incentive pay may be paid a member referred to in subsection (b) for each month in which the member performs aviation service that involves frequent and regular performance of operational flying duty by the member.

''(2)(A) Career enlisted flyer incentive pay may be paid a member referred to in subsection (b) for each month in which the member performs service, without regard to whether or the extent to which the member performs operational flying duty during the month, as follows:

''(i) In the case of a member who has performed at least 6, and not more than 15, years of aviation service, the member may be so paid after the member has frequently and regularly performed operational flying duty in each of 72 months if the member so performed in at least that number of months before completing the member's first 10 years of performance of aviation service.

''(ii) In the case of a member who has performed more than 15, and not more than 20, years of aviation service, the member may be so paid after the member has frequently and regularly performed operational flying duty in each of 108 months if the member so performed in at least that number of months before completing the member's first 15 years of performance of aviation service.

''(iii) In the case of a member who has performed more than 20, and not more than 25, years of aviation service, the member may be so paid after the member has frequently and regularly performed operational flying duty in each of 168 months if the member so performed in at least that number of months before completing the member's first 20 years of performance of aviation service.

''(B) The Secretary concerned, or a designee of the Secretary concerned not below the level of personnel chief of the armed force concerned, may reduce the minimum number of months of frequent and regular performance of operational flying duty applicable in the case of a particular member under—

''(i) subparagraph (A)(i) to 60 months;

''(ii) subparagraph (A)(ii) to 96 months; or

''(iii) subparagraph (A)(iii) to 144 months.

''(C) A member may not be paid career enlisted flyer incentive pay in the manner provided under subparagraph (A) after the member has completed 25 years of aviation service.

''(d) MONTHLY RATES.—(1) The monthly rate of any career enlisted flyer incentive pay paid under this section to a member on active duty shall be prescribed by the Secretary concerned, but may not exceed the following:

''Years of aviation service	Monthly rate
4 or less	$150
Over 4	$225
Over 8	$350
Over 14	$400.

''(2) The monthly rate of any career enlisted flyer incentive pay paid under this section to a member of a reserve component for each period of inactive-duty training during which aviation service is performed shall be equal to 1/30 of the monthly rate of career enlisted flyer incentive pay provided under paragraph (1) for a member on active duty with the same number of years of aviation service.

''(e) NONAPPLICABILITY TO MEMBERS RECEIVING HAZARDOUS DUTY INCENTIVE PAY OR SPECIAL PAY FOR DIVING DUTY.—A member receiving incentive pay under section 301(a) of this title or special pay under section 304 of this title may not be paid special pay under this section for the same period of service.

''(f) REGULATIONS.—The Secretary concerned shall prescribe regulations for the administration of this section. The regulations shall include the following:

''(1) Definitions of the terms 'aviation service' and 'frequently and regularly performed

operational 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 section.

''(g) DEFINITION.—In this section, the term 'operational flying duty' means—

''(1) flying performed under competent orders while serving in assignments in which basic flying skills normally are maintained in the performance of assigned duties as determined by the Secretary concerned; and

''(2) flying performed by members in training that leads to the award of a military occupational specialty or rating referred to in subsection (b)(2).''.

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating to section 301e the following new item:

''301f. Incentive pay; career enlisted flyers.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

(c) SAVE PAY PROVISION.—In the case of an enlisted member of a uniformed service who is a designated career enlisted flyer entitled to receive hazardous duty incentive pay under section 301(b) or 301(c)(2)(A) of title 37, United States Code, as of October 1, 1999, the member shall be entitled from that date to payment of incentive pay at the monthly rate that is the higher of—

(1) the monthly rate of incentive pay authorized by such section 301(b) or 301(c)(2)(A) as of September 30, 1999; or

(2) the monthly rate of incentive pay authorized by section 301f of title 37, United States Code, as added by subsection (a).

SEC. 617. RETENTION BONUS FOR SPECIAL WARFARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301f, as added by section 616 of this Act, the following new section:

''§ 301g. Special pay: special warfare officers extending period of active duty

''(a) BONUS AUTHORIZED.—A special warfare officer described in subsection (b) who executes a written agreement to remain on active duty in special warfare service for at least one year may, upon the acceptance of the agreement by the Secretary concerned, be paid a retention bonus as provided in this section.

''(b) COVERED OFFICERS.—A special warfare officer referred to in subsection (a) is an officer of a uniformed service who—

''(1) is qualified for a military occupational specialty or designator identified by the Secretary concerned as a special warfare military occupational specialty or designator and is serving in a position for which that specialty or designator is authorized;

''(2) is in pay grade O–3, or is in pay grade O–4 and is not on a list of officers recommended for promotion, at the time the officer applies for an agreement under this section;

''(3) has completed at least 6, but not more than 14, years of active commissioned service; and

''(4) has completed any service commitment incurred to be commissioned as an officer.

''(c) AMOUNT OF BONUS.—The amount of a retention bonus paid under this section may not be more than $15,000 for each year covered by the written agreement.

''(d) PRORATION.—The term of an agreement under subsection (a) and the amount of the bonus payable under subsection (c) may be prorated as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 14 years of active commissioned service.

''(e) PAYMENT.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount payable pursuant to the agreement becomes fixed and may be paid—

''(1) in a lump sum equal to the amount of half the total amount payable under the agreement at the time the agreement is accepted by the Secretary concerned followed by payments of equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

''(2) in graduated annual payments under regulations prescribed by the Secretary concerned with the first payment being payable at the time the agreement is accepted by the Secretary concerned and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

''(f) ADDITIONAL PAY.—A retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

''(g) REPAYMENT.—(1) If an officer who has entered into a written agreement under subsection (a) and has received all or part of a retention bonus under this section fails to complete the total period of active duty in special warfare service as specified in the agreement, the Secretary concerned may require the officer to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, all sums paid the officer under this section.

''(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a) does not discharge the officer signing the agreement from a debt arising under such agreement or under paragraph (1).

''(h) REGULATIONS.—The Secretaries concerned shall prescribe regulations to carry out this section, including the definition of the term 'special warfare service' for purposes of this section. Regulations prescribed by the Secretary of a military department under this section shall be subject to the approval of the Secretary of Defense.''.

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, as amended by section 110(a) of this Act, is amended by inserting after the item relating to section 301f the following new item:

''301g. Special pay: special warfare officers extending period of active duty.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

SEC. 618. RETENTION BONUS FOR SURFACE WARFARE OFFICERS EXTENDING PERIODS OF ACTIVE DUTY.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by inserting after section 301g, as added by section 617 of this Act, the following new section:

''§ 301h. Special pay: surface warfare officers extending period of active duty

''(a) SPECIAL PAY AUTHORIZED.—(1) A surface warfare officer described in subsection (b) who executes a written agreement described in paragraph (2) may, upon the acceptance 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 afloat.

''(b) COVERED OFFICERS.—A surface warfare officer referred to in subsection (a) is an officer of the Regular Navy or Naval Reserve on active duty who—

''(1) is designated and serving as a surface warfare officer;

''(2) is in pay grade O–3 at the time the officer applies for an agreement under this section;

''(3) has been selected for assignment as a department head on a surface ship;

''(4) has completed at least four, but not more than eight, years of active commissioned service; and

''(5) has completed any service commitment incurred to be commissioned as an officer.

''(c) AMOUNT OF BONUS.—The amount of a retention bonus paid under this section may not be more than $15,000 for each year covered by the written agreement.

''(d) PRORATION.—The term of an agreement under subsection (a) and the amount of the bonus payable under subsection (c) may be prorated as long as such agreement does not extend beyond the date on which the officer making such agreement would complete 10 years of active commissioned service.

''(e) PAYMENT.—Upon acceptance of a written agreement under subsection (a) by the Secretary of the Navy, the total amount payable pursuant to the agreement becomes fixed and may be paid—

''(1) in a lump sum equal to the amount of half the total amount payable under the agreement at the time the agreement is accepted by the Secretary followed by payments of equal annual installments on the anniversary of the acceptance of the agreement until the payment in full of the balance of the amount that remains payable under the agreement after the payment of the lump sum amount under this paragraph; or

''(2) in equal annual payments with the first payment being payable at the time the agreement is accepted by the Secretary and subsequent payments being payable on the anniversaries of the acceptance of the agreement.

''(f) ADDITIONAL PAY.—A retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

''(g) REPAYMENT.—(1) If an officer who has entered into a written agreement under subsection (a) and has received all or part of a retention bonus under this section fails to complete the total period of active duty specified in the agreement, the Secretary of the Navy may require the officer to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, all sums paid under this section.

''(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owned to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a) does not discharge the officer signing the agreement from a debt arising under such agreement or under paragraph (1).

''(h) REGULATIONS.—The Secretary of the Navy shall prescribe regulations to carry out this section.''.

(2) The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by inserting after the item relating to section 301g, as added by section 111(a) of this Act, the following new item:

''301h. Special pay: surface warfare officers extending period of active duty.''.

(b) 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''; and

(2) by adding at the end the following:

''(b) ADDITIONAL SPECIAL PAY FOR BOARD CERTIFICATION.—A commissioned officer entitled to special pay under subsection (a) who has been awarded a diploma as a Diplomate in a specialty recognized by the American Veterinarian Medical Association is entitled to special pay (in addition to the special pay under that subsection) at the same rate as is provided under section 302c(b) of this title for an officer referred to in that section who has the same number of years of creditable service as the commissioned officer.''.

(b) EFFECTIVE DATE.—Section 303(b) of title 37, United States Code, as added by subsection (a), shall apply with respect to months beginning after September 30, 1999.

SEC. 620. INCREASE IN RATE OF DIVING DUTY SPECIAL PAY.

(a) INCREASE.—Section 304(b) of title 37, United States Code, is amended—

(1) by striking ''$200'' and inserting ''$240''; and

(2) by striking ''$300'' and inserting ''$340''.

(b) EFFECTIVE DATE.—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) subparagraph (A)(i), by striking ''ten'' and inserting ''15''; and

(2) in subparagraph (B), by striking ''$45,000'' and inserting ''$60,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to reenlistments and extensions of enlistments taking effect on or after that date.

SEC. 622. CRITICAL SKILLS ENLISTMENT BONUS.

(a) INCREASE.—Section 308a(a) of title 37, United States Code, is amended in the first sentence by striking ''$12,000'' and inserting ''$20,000''.

(b) LUMP-SUM PAYMENT OF CRITICAL SKILLS ENLISTMENT BONUS.—Section 308a(a) of title 37, United States Code, is amended—

(1) by inserting ''(1)'' after ''(a)'';

(2) by striking all after ''may be paid a bonus'' and inserting a period; 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 satisfied.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect 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 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 ''$5,000'' and inserting ''$8,000''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 624. SPECIAL PAY FOR MEMBERS OF THE COAST GUARD RESERVE ASSIGNED TO HIGH PRIORITY UNITS OF THE SELECTED RESERVE.

Section 308d(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. 625. REDUCED MINIMUM PERIOD OF ENLISTMENT IN ARMY IN CRITICAL SKILL FOR ELIGIBILITY FOR ENLISTMENT BONUS.

(a) REDUCED REQUIREMENT.—Paragraph (3) of section 308f(a) of title 37, United States Code, is amended by striking ''3 years'' and inserting ''2 years''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.

SEC. 626. ELIGIBILITY FOR RESERVE COMPONENT PRIOR SERVICE ENLISTMENT BONUS UPON ATTAINING A CRITICAL SKILL.

(a) NEWLY ATTAINED CRITICAL SKILL.—Section 308i(a) of title 37, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) A bonus may only be paid under this section to a person who meets each of the following requirements:

''(A) The person has completed that person's military service obligation but has less than 14 years of total military service.

''(B) The person has received an honorable discharge at the conclusion of military service.

''(C) The person is not being released from active service for the purpose of enlistment in a reserve component.

''(D) The person is position eligible under paragraph (3).

''(E) The person has not previously been paid a bonus (except under this section) for enlistment, reenlistment, or extension of enlistment in a reserve component.

''(3) A person is position eligible for the purposes of paragraph (2)(D) if the person—

''(A) is projected to occupy a position as a member of the Selected Reserve in a specialty in which the person—

''(i) successfully served while a member on active duty; and

''(ii) attained a level of qualification while a member on active duty commensurate with the grade and years of service of the member; or

''(B) is occupying a position as a member of the Selected Reserve in a specialty in which the person—

''(i) has completed training or retraining in the specialty skill that is designated as critically short; and

''(ii) has attained a level of qualification in the designated critically short specialty skill that is commensurate with the member's grade and years of service.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to enlistments beginning on or after that date.

SEC. 627. INCREASE IN SPECIAL PAY AND BONUSES FOR NUCLEAR-QUALIFIED OFFICERS.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(a) of title 37, United States Code, is amended by striking ''$15,000'' and inserting ''$25,000''.

(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(a)(1) of title 37, United States Code, is amended by striking ''$10,000'' and inserting ''$20,000''.

(c) NUCLEAR CAREER ANNUAL INCENTIVE BONUSES.—Section 312c of title 37, United States Code, is amended—

(1) in subsection (a)(1), by striking ''$12,000'' and inserting ''$22,000''; and

(2) in subsection (b)(1), by striking ''$5,500'' and inserting ''$10,000''.

(d) EFFECTIVE DATE.—(1) The amendments made by this section shall take effect on October 1, 1999.

(2) The amendments made by subsections (a) and (b) shall apply with respect to agreements accepted under section 312(a) and 312b(a), respectively, of title 37, United States Code, on or after October 1, 1999.

(3) The amendments made by subsection (c) shall apply with respect to nuclear service years beginning on or after October 1, 1999.

SEC. 628. INCREASE IN MAXIMUM MONTHLY RATE AUTHORIZED FOR FOREIGN LANGUAGE PROFICIENCY PAY.

(a) INCREASE IN MAXIMUM MONTHLY RATE.—Section 316(b) of title 37, United States Code, is amended by striking ''$100'' and inserting ''$300''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, and shall apply with respect to foreign language proficiency pay paid under section 316 of title 37, United States Code, for months beginning on or after that date.

SEC. 629. SENSE OF THE SENATE REGARDING TAX TREATMENT OF MEMBERS RECEIVING SPECIAL PAY.

It is the sense of the Senate that members of the Armed Forces who receive special pay for duty subject to hostile fire or imminent danger (37 U.S.C. 310) should receive the same tax treatment as members serving in combat zones.

Subtitle C—Travel and Transportation Allowances

SEC. 641. PAYMENT OF TEMPORARY LODGING EXPENSES TO ENLISTED MEMBERS MAKING FIRST PERMANENT CHANGE OF STATION.

Section 404a(a) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking ''or'' at the end of the paragraph;

(2) in paragraph (2), by inserting ''or'' after the semicolon; and

(3) by inserting after paragraph (2) the following:

''(3) in the case of an enlisted member, to the member's first permanent duty station from the member's home of record or initial technical training school;''.

SEC. 642. DESTINATION AIRPORT FOR EMERGENCY LEAVE TRAVEL TO THE CONTINENTAL UNITED STATES.

Section 411d(b)(1)(A) of title 37, United States Code, is amended to read as follows:

''(A) to either—

''(i) the international airport in the continental United States closest to the location from which the member and the member's dependents departed; or

''(ii) any other airport in the continental United States that is closer to the destination than is that international airport if the cost of the transportation to the other airport is less expensive than the cost of the transportation to that international airport; or''.

SEC. 643. CLARIFICATION OF PER DIEM ELIGIBILITY OF CERTAIN MILITARY TECHNICIANS (DUAL STATUS) SERVING ON ACTIVE DUTY WITHOUT PAY OUTSIDE THE UNITED STATES.

(a) CLARIFICATION.—Section 1002(b) of title 37, United States Code, is amended—

(1) by inserting ''(1)'' after ''(b)''; and

(2) by adding at the end the following:

''(2) If the Secretary concerned determines that a military technician (dual status) on leave from technician employment under section 6323(d) of title 5 is performing active duty without pay outside the United States without having been afforded an adequate opportunity to satisfy administrative requirements for a commutation of subsistence and quarters under paragraph (1), the Secretary concerned may authorize payment of a per diem allowance to the technician under chapter 4 of this title instead of the commutation while the technician is performing that duty.''.

(b) DEFINITION.—Section 101 of such title is amended by adding at the end the following:

''(27) The term 'military technician (dual status)' has the meaning given the term in section 10216(a) of title 10.''.

(c) RETROACTIVE EFFECTIVE DATE.—The amendments made by this section shall be effective as of February 10, 1996.

SEC. 644. EXPANSION AND CODIFICATION OF AUTHORITY FOR SPACE REQUIRED TRAVEL 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

''A member of a reserve component is authorized to travel in a space required status on aircraft of the armed forces between the member's home and place of inactive-duty training outside the continental United States (including a place other than the place of the member's unit training assembly if the member is performing the inactive-duty training in another location) when there is no transportation between those locations by means of road, railroad, or a combination of road and railroad. A member traveling in that status on any such aircraft under the authority of this section is not authorized to receive travel, transportation, or per diem allowances in connection with the travel.''.

(2) The table of sections at the beginning of that chapter is amended by adding at the end the following:

''12322. Reserves traveling to inactive-duty training OCONUS: space required travel.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—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 commencing on or after that date.

SEC. 645. REIMBURSEMENT OF TRAVEL EXPENSES INCURRED BY MEMBERS OF THE ARMED FORCES IN CONNECTION WITH LEAVE CANCELED FOR INVOLVEMENT IN KOSOVO-RELATED ACTIVITIES.

(a) AUTHORITY.—The Secretary of the military department concerned may reimburse a member of the Armed Forces under the jurisdiction of the Secretary for expenses of travel (to the extent not otherwise reimbursable under law) that have been incurred by the member in connection with approved leave canceled to meet an exigency in connection with United States participation in Operation Allied Force.

(b) ADMINISTRATIVE PROVISIONS.—The Secretary of Defense shall prescribe the procedures and documentation required for application for, and payment of, reimbursements to members of the Armed Forces under subsection (a).

Subtitle D—Retired Pay, Survivor Benefits, and Related Matters

SEC. 651. RETIRED PAY OPTIONS FOR PERSONNEL ENTERING UNIFORMED SERVICES ON OR AFTER AUGUST 1, 1986.

(a) REDUCED RETIRED PAY ONLY FOR MEMBERS ELECTING 15-YEAR SERVICE BONUS.—(1) Paragraph (2) of section 1409(b) of title 10, United States Code, is amended by inserting after ''July 31, 1986,'' the following: ''has elected to receive a bonus under section 318 of title 37,''.

(2)(A) Paragraph (2)(A) of section 1401a(b) of title 10, United States Code, is amended by striking ''The Secretary shall increase the retired pay of each member and former member who first became a member of a uniformed service before August 1, 1986,'' and inserting ''Except as otherwise provided in this subsection, the Secretary shall increase the retired pay of each member and former member''.

(B) Paragraph (3) of such section 1401a(b) is amended by inserting after ''August 1, 1986,'' the following: ''and has elected to receive a bonus under section 318 of title 37,''.

(3) Section 1410 of title 10, United States Code, is amended by inserting after ''August 1, 1986,'' the following: ''who has elected to receive a bonus under section 318 of title 37,''.

(b) OPTIONAL LUMP-SUM BONUS AT 15 YEARS OF SERVICE.—(1) Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 318. Special pay: 15-year service bonus elected by members entering on or after August 1, 1986

''(a) PAYMENT OF BONUS.—The Secretary concerned shall pay a bonus to a member of a uniformed service who is eligible and elects to receive the bonus under this section.

''(b) ELIGIBILITY FOR BONUS.—A member of a uniformed service serving on active duty is eligible to receive a bonus under this section if the member—

''(1) first became a member of a uniformed service on or after August 1, 1986;

''(2) has completed 15 years of active duty in the uniformed services; and

''(3) if not already obligated to remain on active duty for a period that would result in at least 20 years of active-duty service, executes a written agreement (prescribed by the Secretary concerned) to remain continuously on active duty for five years after the date of the completion of 15 years of active-duty service.

''(c) ELECTION.—(1) A member eligible to receive a bonus under this section may elect to receive the bonus. The election shall be made in such form and within such period as the Secretary concerned requires.

''(2) An election made under this subsection is irrevocable.

''(d) NOTIFICATION OF ELIGIBILITY.—The Secretary concerned shall transmit a written notification of the opportunity to elect to receive a bonus under this section to each member who is eligible (or upon execution of an agreement described in subsection (b)(3), would be eligible) to receive the bonus. The Secretary shall complete the notification within 180 days after the date on which the member completes 15 years of active duty. The notification shall include the procedures for electing to receive the bonus and an explanation of the effects under sections 1401a, 1409, and 1410 of title 10 that such an election has on the computation of any retired or retainer pay which the member may become eligible to receive.

''(e) FORM AND AMOUNT OF BONUS.—A bonus under this section shall be paid in one lump sum of $30,000.

''(f) TIME FOR PAYMENT.—Payment of a bonus to a member electing to receive the bonus under this section shall be made not later than the first month that begins on or after the date that is 60 days after the Secretary concerned receives from the member an election that satisfies the requirements imposed under subsection (c).

''(g) REPAYMENT OF BONUS.—(1) If a person paid a bonus under this section fails to complete the total period of active duty specified in the agreement entered into under subsection (b)(3), the person shall refund to the United States the amount that bears the same ratio to the amount of the bonus payment as the unserved part of that total period bears to the total period.

''(2) Subject to paragraph (3), an obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) The Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

''(4) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement under this section does not discharge the member signing such agreement from a debt arising under the agreement or this subsection.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''318. Special pay: 15-year service bonus elected by members entering on or after August 1, 1986.''.

(c) CONFORMING AMENDMENTS TO SURVIVOR BENEFIT PLAN PROVISIONS.—(1) Section 1451(h)(3) of title 10, United States Code, is amended by inserting ''OF CERTAIN MEMBERS'' after ''RETIREMENT''.

(2) Section 1452(i) of such title is amended by striking ''When the retired pay'' and inserting ''Whenever the retired pay''.

(d) RELATED TECHNICAL AMENDMENTS.—(1) Section 1401a(b) 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, 1986 MEMBERS.—''.

(2) Section 1409(b)(2) of title 10, United States Code, is amended by inserting ''CERTAIN'' after ''REDUCTION APPLICABLE TO'' in the paragraph heading.

(3)(A) The heading of section 1410 of such title is amended by inserting ''**certain**'' before ''**members**''.

(B) The item relating to such section in the table of sections at the beginning of chapter 71 of title 10, United States Code, is amended by inserting ''certain'' before ''members''.

SEC. 652. PARTICIPATION IN THRIFT SAVINGS PLAN.

(a) PARTICIPATION AUTHORITY.—(1)(A) Chapter 3 of title 37, United States Code, is amended by adding at the end the following:

''§ 211. Participation in Thrift Savings Plan

''(a) AUTHORITY.—A member of the uniformed services serving on active duty and a member of the Ready Reserve in any pay status may participate in the Thrift Savings Plan in accordance with section 8440e of title 5.

''(b) RULE OF CONSTRUCTION REGARDING SEPARATION.—For the purposes of section 8440e of title 5, the following actions shall be considered separation of a member of the uniformed services from Government employment:

''(1) Release of the member from active-duty service (not followed by a resumption of active-duty service within 30 days after the effective date of the release).

''(2) Transfer of the member by the Secretary concerned to a retired list maintained by the Secretary.''.

(B) The table of sections at the beginning of such chapter is amended by adding at the end the following:

''211. Participation in Thrift Savings Plan.''.

(2)(A) Subchapter III of chapter 84 of title 5, United States Code, is amended by adding at the end the following:

''§ 8440e. Members of the uniformed services on active duty

''(a) PARTICIPATION AUTHORIZED.—(1) A member of the uniformed services authorized to participate in the Thrift Savings Plan under section 211(a) of title 37 may contribute to the Thrift Savings Fund.

''(2) An election to contribute to the Thrift Savings Fund under paragraph (1) may be made only during a period provided under section 8432(b) for individuals subject to this chapter.

''(b) APPLICABILITY OF THRIFT SAVINGS PLAN PROVISIONS.—Except as otherwise provided in this section, the provisions of this 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) The amount contributed by a member of the uniformed services for any pay period out of basic pay may not exceed 5 percent of such member's basic pay for such pay period.

''(2) The amount contributed by a member of the Ready Reserve for any pay period for any compensation received under section 206 of title 37 may not exceed 5 percent of such member's compensation for such pay period, to the extent allowable under the Internal Revenue Code of 1986.

''(d) OTHER MEMBER CONTRIBUTIONS.—A member of the uniformed services making contributions to the Thrift Savings Fund out of basic pay, or out of compensation under section 206 of title 37, may also contribute (by direct transfer to the Fund) any part of any special or incentive pay that the member receives under section 308, 308a through 308h, or 318 of title 37, to the extent allowable under the Internal Revenue Code of 1986.

''(e) AGENCY CONTRIBUTIONS GENERALLY PROHIBITED.—Except as provided in section 211(c) of title 37, no contribution under section 8432(c) of this title may be made for the benefit of a member of the uniformed services making contributions to the Thrift Savings Fund under subsection (a).

''(f) BENEFITS AND ELECTIONS OF BENEFITS.—In applying section 8433 to a member of the uniformed services who has an account balance in the Thrift Savings Fund—

''(1) any reference in such section to separation from Government employment shall be construed to refer to an action described in section 211(b) of title 37; and

''(2) the reference in section 8433(g)(1) to contributions made under section 8432(a) shall be treated as being a reference to contributions made to the Fund by the member, whether made under section 8351, 8432(a), or this section.

''(g) BASIC PAY DEFINED.—For purposes of this section, the term 'basic pay' means basic pay that is payable under section 204 of title 37.''.

(B) The table of sections at the beginning of chapter 84 of title 5, United States Code, is amended by adding after the item relating to section 8440d the following:

''8440e. Members of the uniformed services on active duty.''.

(3) Section 8432b(b) of title 5, United States Code, is amended—

(A) in paragraph (1), by striking ''Each employee'' and inserting ''Except as provided in paragraph (4), each employee'';

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following new paragraph (4):

''(4) No contribution may be made under this section for a period for which an employee made a contribution under section 8440e.''.

(4) Section 8473 of title 5, United States Code, is amended—

(A) in subsection (a), by striking ''14 members'' and inserting ''15 members''; and

(B) in subsection (b)—

(i) by striking ''14 members'' and inserting ''15 members'';

(ii) by striking ''and'' at the end of paragraph (8);

(iii) by striking the period at the end of paragraph (9) and inserting ''; and''; and

(iv) by adding at the end the following:

''(10) 1 shall be appointed to represent participants (under section 8440e) who are members of the uniformed services.''.

(5) Paragraph (11) of section 8351(b) of title 5, United States Code, is redesignated as paragraph (8).

(b) APPLICABILITY.—(1) Except as provided in paragraph (2), the authority of members of the uniformed services to participate in the Thrift Savings Plan under section 211 of title 37, United States Code (as added by subsection (a)(1)), shall take effect on July 1, 2000.

(2)(A) The Secretary of Defense may postpone the authority of members of the Ready Reserve to so participate in the Thrift Savings Plan until 180 days after the date specified in paragraph (1) if the Secretary, after consultation with the Executive Director appointed by the Federal Thrift Retirement Investment Board, determines that permitting such members to participate in the Thrift Savings Plan on that date would place an excessive burden on the administrative capacity of the Board to accommodate participants in the Thrift Savings Plan.

(B) The Secretary shall notify the congressional defense committees of any determination made under subparagraph (A).

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Executive Director appointed by the Federal Thrift Retirement Investment Board shall issue regulations to implement section 8440e of title 5, United States Code (as added by subsection (a)(2)) and section 211 of title 37, United States Code (as added by subsection (a)(1)).

SEC. 653. SPECIAL RETENTION INITIATIVE.

Section 211 of title 37, United States Code, as added by section 652, is amended by adding at the end the following:

''(c) AGENCY CONTRIBUTIONS FOR RETENTION IN CRITICAL SPECIALTIES.—(1) The Secretary concerned may enter into an agreement with a member to make contributions to the Thrift Savings Fund for the benefit of the member if the member—

''(A) is in a specialty designated by the Secretary as critical to meet requirements (whether such specialty is designated as critical to meet wartime or peacetime requirements); and

''(B) commits in such agreement to continue to serve on active duty in that specialty for a period of six years.

''(2) Under any agreement entered into with a member under paragraph (1), the Secretary shall make contributions to the Fund for the benefit of the member for each pay period of the 6-year period of the agreement for which the member makes a contribution out of basic pay to the Fund under this section. Paragraph (2) of section 8432(c) applies to the Secretary's obligation to make contributions under this paragraph, except that the reference in such paragraph to contributions under paragraph (1) of such section does not apply.''.

SEC. 654. REPEAL OF REDUCTION IN RETIRED PAY FOR CIVILIAN EMPLOYEES.

(a) REPEAL.—(1) Section 5532 of title 5, United States Code, is repealed.

(2) The chapter analysis at the beginning of chapter 55 of such title is amended by striking the item relating to section 5532.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

SEC. 655. CREDIT TOWARD PAID-UP SBP COVERAGE FOR MONTHS COVERED BY MAKE-UP PREMIUM PAID BY PERSONS ELECTING SBP COVERAGE DURING SPECIAL OPEN ENROLLMENT PERIOD.

Section 642 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2045; 10 U.S.C. 1448 note) is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection (h):

''(h) CREDIT TOWARD PAID-UP COVERAGE.—Upon payment of the total amount of the premiums charged a person under subsection

(g), the retired pay of a person participating in the Survivor Benefit Plan pursuant to an election under this section shall be treated, for the purposes of subsection (j) of section 1452 of title 10, United States Code, as having been reduced under such section 1452 for the months in the period for which the person's retired pay would have been reduced if the person had elected to participate in the Survivor Benefit Plan at the first opportunity that was afforded the person to participate.''.

SEC. 656. PAID-UP COVERAGE UNDER RETIRED SERVICEMAN'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 the later of—

''(1) the 360th month for which the person retired pay or retainer pay is reduced pursuant to such an election; and

''(2) the month during which the person attains 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.''.

SEC. 657. PERMANENT AUTHORITY FOR PAYMENT OF ANNUITIES TO CERTAIN MILITARY SURVIVING SPOUSES.

Subsection (f) of section 644 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1801; 10 U.S.C. 1448 note) is repealed.

SEC. 658. EFFECTUATION OF INTENDED SBP ANNUITY FOR FORMER SPOUSE WHEN NOT ELECTED BY REASON OF UNTIMELY DEATH OF RETIREE.

(a) CASES NOT COVERED BY EXISTING AUTHORITY.—Paragraph (3) of section 1450(f) of title 10, United States Code, as in effect on the date of the enactment of this Act, shall apply in the case of a former spouse of any person referred to in that paragraph who—

(1) incident to a proceeding of divorce, dissolution, or annulment—

(A) entered into a written agreement on or after August 21, 1983, to make an election under section 1448(b) of such title to provide an annuity to the former spouse (the agreement 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

(B) was required by a court order dated on or after such date to make such an election for the former spouse; and

(2) before making the election, died within 21 days after the date of the agreement referred to in paragraph (1)(A) or the court order referred to in paragraph (1)(B), as the case may be.

(b) ADJUSTED TIME LIMIT FOR REQUEST BY FORMER SPOUSE.—For the purposes of paragraph (3)(C) of section 1450(f) of title 10, United States Code, a court order or filing referred to in subsection (a)(1) of this section that is dated before October 19, 1984, shall be deemed to be dated on the date of the enactment of this Act.

SEC. 659. SPECIAL COMPENSATION FOR SEVERELY DISABLED UNIFORMED SERVICES RETIREES.

(a) AUTHORITY.—(1) 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 in accordance with subsection (a) is the following:

''(1) For any month for which the retiree has a qualifying service-connected disability rated as total, $300.

''(2) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $200.

''(3) For any month for which the retiree has a qualifying service-connected disability rated as 80 percent or 70 percent, $100.

''(c) ELIGIBLE MEMBERS.—An eligible disabled uniformed services retiree referred to in subsection (a) is a member of the uniformed services in a retired status (other than a member who is retired under chapter 61 of this title) who—

''(1) completed at least 20 years of service in the uniformed services that are creditable for purposes of computing the amount of retired pay to which the member is entitled; and

''(2) has a qualifying service-connected disability.

''(d) QUALIFYING SERVICE-CONNECTED DISABILITY DEFINED.—In this section, the term 'qualifying service-connected disability' means a service-connected disability that—

''(1) was incurred or aggravated in the performance of duty as a member of a uniformed service, as determined by the Secretary concerned; and

''(2) is rated as not less than 70 percent disabling—

''(A) by the Secretary concerned as of the date on which the member is retired from the uniformed services; or

''(B) by the Secretary of Veterans Affairs within four years following the date on which the member is retired from the uniformed services.

''(e) STATUS OF PAYMENTS.—Payments under this section are not retired pay.

''(f) SOURCE OF FUNDS.—Payments under this section for any fiscal year shall be paid out of funds appropriated for pay and allowances payable by the Secretary concerned for that fiscal year.

''(g) OTHER DEFINITIONS.—In this section:

''(1) The term 'service-connected' has the meaning give that term in section 101 of title 38.

''(2) The term 'disability rated as total' means—

''(A) a disability that is rated as total under the standard schedule of rating disabilities in use by the Department of Veterans Affairs; or

''(B) a disability for which the scheduled rating is less than total but for which a rating of total is assigned by reason of inability of the disabled person concerned to secure or follow a substantially gainful occupation as a result of service-connected disabilities.

''(3) The term 'retired pay' includes retainer pay, emergency officers' retirement pay, and naval pension.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1413. Special compensation for certain severely disabled uniformed services retirees.''.

(b) EFFECTIVE DATE.—Section 1413 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 1999, and shall apply to months that begin on or after that date. No benefit may be paid to any person by reason of that section for any period before that date.

SEC. 660. COMPUTATION OF SURVIVOR BENEFITS.

(a) INCREASED BASIC ANNUITY.—(1) Subsection (a)(1)(B)(i) of section 1451 of title 10, United States Code, is amended by striking ''35 percent of the base amount.'' and inserting ''the product of the base amount and the percent applicable for the month. The percent applicable for a month is 35 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000, 40 percent for months beginning after such date and before October 2004, and 45 percent for months beginning after September 2004.''.

(2) Subsection (a)(2)(B)(i)(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''.

(3) Subsection (c)(1)(B)(i) of such section is amended—

(A) by striking ''35 percent'' and inserting ''the applicable percent''; and

(B) by adding at the end the following: ''The percent applicable for a month under the preceding sentence is the percent specified under subsection (a)(1)(B)(i) as being applicable for the month.''.

(4) The heading for subsection (d)(2)(A) of such section is amended to read as follows: ''COMPUTATION OF ANNUITY.—''.

(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 used for the computation shall be an even multiple of 5 percent and, whatever the percent specified in the election, may not exceed 20 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000, 15 percent for months beginning after that date and before October 2004, and 10 percent for months beginning after September 2004.''.

(c) RECOMPUTATION OF ANNUITIES.—(1) Effective on the first day of each month referred to in paragraph (2)—

(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 months:

(A) The first month that begins after the date of the enactment of this Act.

(B) October 2004.

(d) RECOMPUTATION 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 retired pay under section 1460 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 ''$528'' and inserting ''$600''; and

(2) in subsection (b)(1), by striking ''$429'' and inserting ''$488''.

(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 of title 38, United States Code, for fiscal year 2000.

SEC. 672. TERMINATION OF REDUCTIONS OF BASIC PAY.

(a) REPEALS.—(1) Section 3011 of title 38, United States Code, is amended by striking subsection (b).

(2) Section 3012 of such title is amended by striking subsection (c).

(3) The amendments made by paragraphs (1) and (2) shall take effect on the date of the enactment of this Act and shall apply to individuals whose initial obligated period of active duty under section 3011 or 3012 of title 38, United States Code, as the case may be, begins on or after such date.

(b) TERMINATION OF REDUCTIONS IN PROGRESS.—Any reduction in the basic pay of an individual referred to in section 3011(b) 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 with 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 such date shall be deemed to be fully satisfied as of such date.

(c) CONFORMING AMENDMENT.—Section 3034(e)(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 ''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):

''(b)(1) Whenever the Secretary determines it appropriate under the regulations prescribed pursuant to paragraph (6), the Secretary may make payments of basic educational assistance under this subchapter on an accelerated basis.

''(2) The Secretary may pay basic educational assistance on an accelerated basis only to an individual entitled to payment of such assistance under this subchapter who has made a request for payment of such assistance on an accelerated basis.

''(3) If an adjustment under section 3015(g) of this title in the monthly rate of basic educational assistance will occur during a period for which a payment of such assistance is made on an accelerated basis under this subsection, the Secretary shall—

''(A) pay on an accelerated basis the amount such assistance otherwise payable under this subchapter for the period without regard to the adjustment under that section; and

''(B) pay on the date of the adjustment any additional amount of such assistance that is payable for the period as a result of the adjustment.

''(4) The entitlement to basic educational assistance under this subchapter of an individual who is paid such assistance on an accelerated basis under this subsection shall be charged at a rate equal to one month for each month of the period covered by the accelerated payment of such assistance.

''(5) Basic educational assistance shall be paid on an accelerated basis under this subsection as follows:

''(A) In the case of assistance for a course leading to a standard college degree, at the beginning of the quarter, semester, or term of the course in a lump-sum amount equivalent to the aggregate amount of monthly assistance otherwise payable under this subchapter for the quarter, semester, or term, as the case may be, of the course.

''(B) In the case of assistance for a course other than a course referred to in subparagraph (A)—

''(i) at the later of (I) the beginning of the course, or (II) a reasonable time after the request for payment by the individual concerned; and

''(ii) in any amount requested by the individual concerned up to the aggregate amount of monthly assistance otherwise payable under this subchapter for the period of the course.

''(6) The Secretary shall prescribe regulations for purposes of making payments of basic educational assistance on an accelerated basis under this subsection. Such regulations shall specify the circumstances under which accelerated payments may be made and include requirements relating to the request for, making and delivery of, and receipt and use of such payments.''.

SEC. 674. TRANSFER OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE BY CERTAIN MEMBERS OF THE ARMED FORCES.

(a) AUTHORITY TO TRANSFER TO FAMILY MEMBERS.—Subchapter II of chapter 30 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces

''(a)(1) Subject to the provisions of this section, the Secretary concerned may, for the purpose of enhancing recruiting and retention and at that Secretary's sole discretion, permit an individual described in paragraph (2) who is entitled to basic educational assistance under this subchapter to elect to transfer such individual's entitlement to such assistance, in whole or in part, to the dependents specified in subsection (b).

''(2) An individual referred to in paragraph (1) is any individual who is a member of the Armed Forces at the time of the approval by the Secretary concerned of the individual's request to transfer entitlement to educational assistance under this section.

''(3) Subject to the time limitation for use of entitlement under section 3031 of this title, an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement at any time after the approval of individual's request to transfer such entitlement without regard to whether the individual is a member of the Armed Forces when the transfer is executed.

''(b) An individual approved to transfer an entitlement to basic educational assistance under this section may transfer the individual's entitlement to such assistance as follows:

''(1) To the individual's spouse.

''(2) To one or more of the individual's children.

''(3) To a combination of the individuals referred to in paragraphs (1) and (2).

''(c)(1) An individual transferring an entitlement to basic educational assistance under this section shall—

''(A) designate the dependent or dependents to whom such entitlement is being transferred and the percentage of such entitlement to be transferred to each such dependent; and

''(B) specify the period for which the transfer shall be effective for each dependent designated under subparagraph (A).

''(2) The aggregate amount of the entitlement transferable by an individual under this section may not exceed the aggregate amount of the entitlement of such individual to basic educational assistance under this subchapter.

''(3) An individual transferring an entitlement under this section may modify or revoke the transfer at any time before the use of the transferred entitlement begins. An individual shall make the modification or revocation by submitting written notice of the action to the Secretary concerned.

''(d)(1) The use of any entitlement transferred under this section shall be charged against the entitlement of the individual making the transfer at the rate of one month for each month of transferred entitlement that is used.

''(2) Except as provided in under subsection (c)(1)(B) and subject to paragraphs (3) and (4), a dependent to whom entitlement is transferred under this section is entitled to basic educational assistance under this subchapter in the same manner and at the same rate as the individual from whom the entitlement was transferred.

''(3) Notwithstanding section 3031 of this title, a child to whom entitlement is transferred under this section may not use any entitlement so transferred after attaining the age of 26 years.

''(4) The administrative provisions of this chapter (including the provisions set forth in section 3034(a)(1) of this title) shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible veteran for purposes of such provisions.

''(e) In the event of an overpayment of basic educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the individual making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of this title.

''(f) The Secretary of Defense shall prescribe regulations for purposes of this section. Such regulations shall specify the manner and effect of an election to modify or revoke a transfer of entitlement under subsection (c)(3) and shall specify the manner of the applicability of the administrative provisions referred to in subsection (d)(4) to a dependent to whom entitlement is transferred under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is

amended by inserting after the item relating to section 3019 the following new item:

''3020. Transfer of entitlement to basic educational assistance: members of the Armed Forces.''.

SEC. 675. AVAILABILITY OF EDUCATIONAL ASSISTANCE BENEFITS 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);

(2) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(3) by adding at the end the following:

''(C) includes—

''(i) a preparatory course for a test that is required or utilized for admission to an institution of higher education; and

''(ii) a preparatory course for test that is required or utilized for admission to a graduate school.''.

PART II—OTHER EDUCATIONAL BENEFITS

SEC. 681. ACCELERATED PAYMENTS OF CERTAIN EDUCATIONAL ASSISTANCE FOR MEMBERS OF SELECTED RESERVE.

Section 16131 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(j)(1) Whenever a person entitled to an educational assistance allowance under this chapter so requests and the Secretary concerned, in consultation with the Chief of the reserve component concerned, determines it appropriate, the Secretary may make payments of the educational assistance allowance to the person on an accelerated basis.

''(2) An educational assistance allowance shall be paid to a person on an accelerated basis under this subsection as follows:

''(A) In the case of an allowance for a course leading to a standard college degree, at the beginning of the quarter, semester, or term of the course in a lump-sum amount equivalent to the aggregate amount of monthly allowance otherwise payable under this chapter for the quarter, semester, or term, as the case may be, of the course.

''(B) In the case of an allowance for a course other than a course referred to in subparagraph (A)—

''(i) at the later of (I) the beginning of the course, or (II) a reasonable time after the Secretary concerned receives the person's request for payment on an accelerated basis; and

''(ii) in any amount requested by the person up to the aggregate amount of monthly allowance otherwise payable under this chapter for the period of the course.

''(3) If an adjustment in the monthly rate of educational assistance allowances will be made under subsection (b)(2) during a period for which a payment of the allowance is made to a person on an accelerated basis, the Secretary concerned shall—

''(A) pay on an accelerated basis the amount of the allowance otherwise payable for the period without regard to the adjustment under that subsection; and

''(B) pay on the date of the adjustment any additional amount of the allowance that is payable for the period as a result of the adjustment.

''(4) A person's entitlement to an educational assistance allowance under this chapter shall be charged at a rate equal to one month for each month of the period covered by an accelerated payment of the allowance to the person under this subsection.

''(5) The regulations prescribed by the Secretary of Defense and the Secretary of Transportation under subsection (a) shall provide for the payment of an educational assistance allowance on an accelerated basis under this subsection. The regulations shall specify the circumstances under which accelerated payments may be made and the manner of the delivery, receipt, and use of the allowance so paid.

''(6) In this subsection, the term 'Chief of the reserve component concerned' means the following:

''(A) The Chief of Army Reserve, with respect to members of the Army Reserve.

''(B) the Chief of Naval Reserve, with respect to members of the Naval Reserve.

''(C) The Chief of Air Force Reserve, with respect to members of the Air Force Reserve.

''(D) The Commander, Marine Reserve Forces, with respect to members of the Marine Corps Reserve.

''(E) The Chief of the National Guard Bureau, with respect to members of the Army National Guard and the Air National Guard.

''(F) The Commandant of the Coast Guard, with respect to members of the Coast Guard Reserve.''.

SEC. 682. MODIFICATION OF TIME FOR USE BY CERTAIN MEMBERS OF SELECTED RESERVE OF ENTITLEMENT TO CERTAIN EDUCATIONAL ASSISTANCE.

Section 16133(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5)(A) In the case of a person who continues to serve as member of the Selected Reserve as of the end of the 10-year period applicable to the person under subsection (a), as extended, if at all, under paragraph (4), the period during which the person may use the person's entitlement shall expire at the end of the 5-year period beginning on the date the person is separated from the Selected Reserve.

''(B) The provisions of paragraph (4) shall apply with respect to any period of active duty of a person referred to in subparagraph (A) during the 5-year period referred to in that subparagraph.''.

PART III—REPORT

SEC. 685. REPORT ON EFFECT OF EDUCATIONAL BENEFITS IMPROVEMENTS ON RECRUITMENT AND RETENTION OF MEMBERS OF THE ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to 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 title and under the amendments made by this title are having on recruitment and retention of personnel for 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 PERSTEMPO.

(a) MANAGEMENT OF DEPLOYMENTS OF INDIVIDUALS.—Part II of subtitle A of title 10, United States Code, is amended by inserting after chapter 49 the following:

''CHAPTER 50—MISCELLANEOUS COMMAND RESPONSIBILITIES

''Sec.

''991. Management of deployments of members.

''§ 991. Management of deployments of members

''(a) GENERAL OR FLAG OFFICER RESPONSIBILITIES.—The first general officer or flag officer in the chain of command of a member of the armed forces shall 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 member's chain of command approves the deployment or continued deployment of the member.

''(b) DEPLOYMENT DEFINED.—(1) For the purposes of this section, a member of the armed forces is deployed or in a deployment on any day on which, pursuant to orders, the member is performing service in a training exercise or operation at a location or under circumstances that make it infeasible for the member to spend off-duty time in the housing in which the member resides when on garrison duty at the member's permanent duty station.

''(2) For the purposes of this section, a member 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) RECORDKEEPING.—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 the applicability of this section to a member or any group of members when 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.''.

(b) PER DIEM ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS.—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 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) DEFINITION OF DEPLOYED.—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 991(b) of title 10.

''(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 member under section 991(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.

''(e) RELATIONSHIP TO OTHER ALLOWANCES.—Any per diem payable to a member under this section is in addition to any other per diem, allowance, special pay, or incentive that is payable to the member under any other provision of law.

''(f) NATIONAL SECURITY WAIVER.—No per diem may be paid under this section 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 part II of such subtitle are amended by inserting after the item relating to chapter 49 the following:

''50. Miscellaneous Command Responsibilities ..... 991''.

(2) The table of sections at the beginning of chapter 7 of title 37, United States Code, is amended by inserting after the item relating to section 434 the following:

''435. Per diem allowance for lengthy or numerous deployments.''.

(d) 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) 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 AMOUNT.—Section 2007(a) 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:

''(4) in the case of a member deployed outside the United States in support of a contingency operation or similar operation, all of the charges may be paid while the member is so deployed.''.

(b) INCREASED AUTHORITY SUBJECT TO APPROPRIATIONS.—The authority to pay additional tuition assistance under paragraph (4) of section 2007(a) of title 10, United States Code, as added by subsection (a), may be exercised only to the extent provided for in appropriations Acts.

SEC. 694. ADMINISTRATION OF SELECTED RESERVE EDUCATION LOAN REPAYMENT PROGRAM FOR COAST GUARD RESERVE.

Subsection (a)(1) of section 16301 of title 10, United States Code, is 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 of the 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 UPON RETIREMENT.

(a) PUBLIC HEALTH SERVICE.—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:

''(17) Section 6141, Presentation of United States flag upon retirement.''; and

(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 ''An Act to revise, codify, and enact into law, title 10 of the United States Code, entitled 'Armed Forces', and title 32 of the United States Code, entitled 'National Guard' '', approved August 10, 1956 (33 U.S.C. 857a), is amended—

(1) by adding at the end of subsection (a) the following:

''(17) Section 6141, Presentation of United States flag upon retirement.''; and

(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 releases from active duty for retirement on or after that date from service in the commissioned Regular Corps of the Public Health Service or for service as a commissioned officer of the National Oceanic and Atmospheric Administration on the active list, as the case may be.

SEC. 696. PARTICIPATION OF ADDITIONAL MEMBERS OF THE 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 3018C the following new section:

''§ 3018D. Opportunity to enroll: certain VEAP participants; active duty personnel not previously enrolled

''(a) Notwithstanding any other provision of law, an individual who—

''(1) either—

''(A)(i) is a participant on the date of the enactment of this section in the educational benefits program provided by chapter 32 of this title; or

''(ii) disenrolled from participation in that program before that date; or

''(B) has made an election under section 3011(c)(1) or 3012(d)(1) of this title not to receive educational assistance under this chapter and has not withdrawn that election under section 3018(a) of this title as of the date of the enactment of this section;

''(2) is serving on active duty (excluding periods referred to in section 3202(1)(C) of this title in the case of an individual described in paragraph (1)(A)) on the date of the enactment of this section;

''(3) before applying for benefits under this section, has completed the requirements of a secondary school diploma (or equivalency certificate) or has successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree;

''(4) if discharged or released from active duty before the date on which the individual makes an election described in paragraph (5), is discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned; and

''(5) during the one-year period beginning on the date of the enactment of this section, makes an irrevocable election to receive benefits under this section in lieu of benefits under chapter 32 of this title or withdraws the election made under section 3011(c)(1) or 3012(d)(1) of this title, as the case may be, pursuant to procedures which the Secretary of each military department shall provide in accordance with regulations prescribed by the Secretary of Defense for the purpose of carrying out this section or which the Secretary of Transportation shall provide for such purpose with respect to the Coast Guard when it is not operating as a service in the Navy;

is entitled to basic educational assistance under this chapter.

''(b)(1) Except as provided in paragraphs (2) and (3), in the case of an individual who makes an election under subsection (a)(5) to become entitled to basic educational assistance under this chapter—

''(A) the basic pay of the individual shall be reduced (in a manner determined by the Secretary of Defense) until the total amount by which such basic pay is reduced is—

''(i) $1,200, in the case of an individual described in subsection (a)(1)(A); or

''(ii) $1,500, in the case of an individual described in subsection (a)(1)(B); or

''(B) to the extent that basic pay is not so reduced before the individual's discharge or release from active duty as specified in subsection (a)(4), the Secretary shall collect from the individual an amount equal to the difference between the amount specified for the individual under subparagraph (A) and the total amount of reductions with respect to the individual under that subparagraph, which shall be paid into the Treasury of the United States as miscellaneous receipts.

''(2) In the case of an individual previously enrolled in the educational benefits program provided by chapter 32 of this title, the Secretary shall reduce the total amount of the reduction in basic pay otherwise required by paragraph (1) by an amount equal to so much of the unused contributions made by the individual to the Post-Vietnam Era Veterans Education Account under section 3222(a) of this title as do not exceed $1,200.

''(3) An individual may at any time pay the Secretary an amount equal to the difference between the total of the reductions otherwise required with respect to the individual under this subsection and the total amount of the reductions with respect to the individual under this subsection at the time of the payment. Amounts paid under this paragraph shall be paid into the Treasury of the United States as miscellaneous receipts.

''(c)(1) Except as provided in paragraph (3), an individual who is enrolled in the educational benefits program provided by chapter 32 of this title and who makes the election described in subsection (a)(5) shall be disenrolled from the program as of the date of such election.

''(2) For each individual who is disenrolled from such program, the Secretary shall refund—

''(A) to the individual in the manner provided in section 3223(b) of this title so much of the unused contributions made by the individual to the Post-Vietnam Era Veterans Education Account as are not used to reduce the amount of the reduction in the individual's basic pay under subsection (b)(2); and

''(B) to the Secretary of Defense the unused contributions (other than contributions made under section 3222(c) of this title) made by such Secretary to the Account on behalf of such individual.

''(3) Any contribution made by the Secretary of Defense to the Post-Vietnam Era

Veterans Education Account pursuant to section 3222(c) of this title on behalf of an individual referred to in paragraph (1) shall remain in such account to make payments of benefits to the individual under section 3015(f) of this title.

''(d)(1) The requirements of sections 3011(a)(3) and 3012(a)(3) of this title shall apply to an individual who makes an election described in subsection (a)(5), except that the completion of service referred to in such section shall be the completion of the period of active duty being served by the individual on the date of the enactment of this section.

''(2) The procedures provided in regulations referred to in subsection (a) shall provide for notice of the requirements of subparagraphs (B), (C), and (D) of section 3011(a)(3) of this title and of subparagraphs (B), (C), and (D) of section 3012(a)(3) of this title. Receipt of such notice shall be acknowledged in writing.''.

(2) The table of sections at the beginning of chapter 30 of that title is amended by inserting after the item relating to section 3018C the following new item:

''3018D. Opportunity to enroll: certain VEAP participants; active duty personnel not previously enrolled.''.

(b) CONFORMING AMENDMENT.—Section 3015(f) of that title is amended by striking ''or 3018C'' and inserting ''3018C, or 3018D''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that any law enacted after the date of the enactment of this Act which includes provisions terminating or reducing the contributions of members of the Armed Forces for basic educational assistance under subchapter II of chapter 30 of title 38, United States Code, should terminate or reduce by an identical amount the contributions of members of the Armed Forces for such assistance under section of section 3018D of that title, as added by subsection (a).

SEC. 697. REVISION OF EDUCATIONAL ASSISTANCE INTERVAL PAYMENT REQUIREMENTS.

(a) IN GENERAL.—Clause (C) of the third sentence of section 3680(a) of title 38, United States Code, is amended to read as follows:

''(C) during periods between school terms where the educational institution certifies the enrollment of the eligible veteran or eligible person on an individual term basis if (i) the period between such terms does not exceed eight weeks, and (ii) both the term preceding and the term following the period are not shorter in length than the period.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to payments of educational assistance under title 38, United States Code, for months beginning on or after the date of the enactment of this Act.

SEC. 698. IMPLEMENTATION OF THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM.

(a) CLARIFICATION OF BENEFITS RESPONSIBILITY.—Subsection (a) of section 1060a of title 10, United States Code, is amended by striking ''may carry out a program to provide special supplemental food benefits'' and inserting ''shall carry out a program to provide supplemental foods and nutrition education''.

(b) FUNDING.—Subsection (b) of such section is amended to read as follows:

''(b) FEDERAL PAYMENTS.—The Secretary of Defense shall use funds available for the Department of Defense to provide supplemental foods and nutrition education and to pay for costs for nutrition services and administration under the program required under subsection (a).''.

(c) PROGRAM ADMINISTRATION.—Subsection (c)(1)(A) of such section is amended by adding at the end the following: ''In the determining of eligibility for the program benefits, a person already certified for participation in the special supplemental nutrition program for women, infants, and children under section 17 of the Child Nutrition Act of 1996 (42 U.S.C. 1786) shall be considered eligible for the duration of the certification period under that program.''.

(d) NUTRITIONAL RISK STANDARDS.—Subsection (c)(1)(B) of such section is amended by inserting ''and nutritional risk standards'' after ''income eligibility standards''.

(e) DEFINITIONS.—Subsection (f) of such section is amended by adding at the end the following:

''(4) The terms 'costs for nutrition services and administration', 'nutrition education' and 'supplemental foods' have the meanings given the terms in paragraphs (4), (7), and (14), respectively, of section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)).''.

TITLE VII—HEALTH CARE

Subtitle A—TRICARE Program

SEC. 701. IMPROVEMENT OF TRICARE BENEFITS AND MANAGEMENT.

(a) IMPROVEMENT OF TRICARE PROGRAM.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1097a the following:

''§ 1097b. TRICARE: benefits and services

''(a) COMPARABILITY TO FEHBP BENEFITS.—The Secretary of Defense shall, to the maximum extent practicable, ensure that the health care coverage available through the TRICARE program is substantially similar to the health care coverage available under similar health benefits plans offered under the Federal Employees Health Benefits program established under chapter 89 of title 5.

''(b) PORTABILITY.—The Secretary of Defense shall provide that any covered beneficiary enrolled in the TRICARE program may receive benefits under that program at facilities that provide benefits under that program throughout the various regions of that program.

''(c) ACCESS.—(1) The Secretary of Defense shall, to the maximum extent practicable, minimize the authorization or certification requirements imposed upon covered beneficiaries under the TRICARE program as a condition of access to benefits under that program.

''(2) The Secretary of Defense shall, to the maximum extent practicable, utilize practices for processing claims under the TRICARE program that are similar to the best industry practices for processing claims for health care services in a simplified and expedited manner. To the maximum extent practicable, such practices shall include electronic processing of claims.

''(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 may reimburse health care 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.

''(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 section 1095 of this title to collect from a third-party payer the reasonable costs of health care services described in paragraph (2) that are incurred by the facility on behalf of a covered beneficiary under that program.

''(2) The Secretary of Defense shall prescribe regulations for the administration of this subsection. The regulations shall set forth the method to be used for the computation of the reasonable costs of inpatient, outpatient, and other health care services. The method of computation may be—

''(A) a method that is based on—

''(i) per diem rates;

''(ii) all-inclusive rates for each visit;

''(iii) diagnosis-related groups; or

''(iv) rates prescribed under the regulations implementing sections 1079 and 1086 of this title; or

''(B) any other method considered appropriate.

''(c) CONSULTATION REQUIREMENT.—The Secretary of Defense shall carry out the responsibilities under this section after consultation with the other administering Secretaries.''.

(2) The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1097a the following new item:

''1097b. TRICARE: benefits and services.

''1097c. TRICARE: financial management.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect one year after the date of the enactment of this Act.

(c) REPORT ON IMPLEMENTATION.—(1) Not later than 6 months after the date of the enactment of this Act, the Secretary of Defense, in consultation with the other administering Secretaries, shall submit to Congress a report assessing the effects of the implementation of the requirements and authorities set forth in sections 1097b and 1097c of title 10, United States Code (as added by subsection (a)).

(2) The report shall include the following:

(A) An assessment of the cost of the implementation of such requirements and authorities.

(B) An assessment of whether the implementation of any such requirements and authorities will result in the utilization by the TRICARE program of the best industry practices with respect to the matters covered by such requirements and authorities.

(3) In this subsection, the term ''administering Secretaries'' has the meaning given that term in section 1072(3) of title 10, United States Code.

SEC. 702. EXPANSION AND REVISION OF AUTHORITY FOR DENTAL PROGRAMS FOR DEPENDENTS AND RESERVES.

(a) AUTHORITY.—Chapter 55 of title 10, United States Code, is amended by striking sections 1076a and 1076b and inserting the following:

''§ 1076a. TRICARE dental program

''(a) ESTABLISHMENT OF DENTAL PLANS.—The Secretary of Defense may establish, and in the case of the dental plan described in

paragraph (1) shall establish, the following voluntary enrollment dental plans:

''(1) PLAN FOR SELECTED RESERVE AND INDIVIDUAL READY RESERVE.—A dental insurance plan for members of the Selected Reserve of the Ready Reserve and for members of the Individual Ready Reserve described in subsection 10144(b) of this title.

''(2) PLAN FOR OTHER RESERVES.—A dental insurance plan for members of the Individual Ready Reserve not eligible to enroll in the plan established under paragraph (1).

''(3) PLAN FOR ACTIVE DUTY DEPENDENTS.—Dental benefits plans for eligible dependents of members of the uniformed services who are on active duty for a period of more than 30 days.

''(4) PLAN FOR READY RESERVE DEPENDENTS.—A dental benefits plan for eligible dependents of members of the Ready Reserve of the reserve components who are not on active duty for more than 30 days.

''(b) ADMINISTRATION OF PLANS.—The plans established under this section shall be administered under regulations prescribed by the Secretary of Defense in consultation with the other administering Secretaries.

''(c) CARE AVAILABLE UNDER PLANS.—Dental plans established under subsection (a) may provide for the following dental care:

''(1) Diagnostic, oral examination, and preventive services and palliative emergency care.

''(2) Basic restorative services of amalgam and composite restorations, stainless steel crowns for primary teeth, and dental appliance repairs.

''(3) Orthodontic services, crowns, gold fillings, bridges, complete or partial dentures, and such other services as the Secretary of Defense considers to be appropriate.

''(d) PREMIUMS.—

''(1) PREMIUM SHARING PLANS.—(A) The dental insurance plan established under subsection (a)(1) and the dental benefits plans established under subsection (a)(3) are premium sharing plans.

''(B) Members enrolled in a premium sharing plan for themselves or for their dependents shall be required to pay a share of the premium charged for the benefits provided under the plan. The member's share of the premium charge may not exceed $20 per month for the enrollment.

''(C) Effective as of January 1 of each year, the amount of the premium required under subparagraph (A) shall be increased by the percent equal to the lesser of—

''(i) the percent by which the rates of basic pay of members of the uniformed services are increased on such date; or

''(ii) the sum of one-half percent and the percent computed under section 5303(a) of title 5 for the increase in rates of basic pay for statutory pay systems for pay periods beginning on or after such date.

''(D) The Secretary of Defense may reduce the monthly premium required to be paid under paragraph (1) in the case of enlisted members in pay grade E–1, E–2, E–3, or E–4 if the Secretary determines that such a reduction is appropriate to assist such members to participate in a dental plan referred to in subparagraph (A).

''(2) FULL PREMIUM PLANS.—(A) The dental insurance plan established under subsection (a)(2) and the dental benefits plan established under subsection (a)(4) are full premium plans.

''(B) Members enrolled in a full premium plan for themselves or for their dependents shall be required to pay the entire premium charged for the benefits provided under the plan.

''(3) PAYMENT PROCEDURES.—A member's share of the premium for a plan established under subsection (a) may be paid by deductions from the basic pay of the member and from compensation paid under section 206 of title 37, as the case may be. The regulations prescribed under subsection (b) shall specify the procedures for payment of the premiums by enrollees who do not receive such pay.

''(e) COPAYMENTS UNDER PREMIUM SHARING PLANS.—A member or dependent who receives dental care under a premium sharing plan referred to in subsection (d)(1) shall—

''(1) in the case of care described in subsection (c)(1), pay no charge for the care;

''(2) in the case of care described in subsection (c)(2), pay 20 percent of the charges for the care; and

''(3) in the case of care described in subsection (c)(3), pay a percentage of the charges for the care that is determined appropriate by the Secretary of Defense, after consultation with the other administering Secretaries.

''(f) TRANSFER OF MEMBERS.—If a member whose dependents are enrolled in the plan established under subsection (a)(3) is transferred to a duty station where dental care is provided to the member's eligible dependents under a program other than that plan, the member may discontinue participation under the plan. If the member is later transferred to a duty station where dental care is not provided to such member's eligible dependents except under the plan established under subsection (a)(3), the member may reenroll the dependents in that plan.

''(g) CARE OUTSIDE THE UNITED STATES.—The Secretary of Defense may exercise the authority provided under subsection (a) to establish dental insurance plans and dental benefits plans for dental benefits provided outside the United States for the eligible members and dependents of members of the uniformed services. In the case of such an overseas dental plan, the Secretary may waive or reduce any copayments required by subsection (e) to the extent the Secretary determines appropriate for the effective and efficient operation of the plan.

''(h) WAIVER OF REQUIREMENTS FOR SURVIVING DEPENDENTS.—The Secretary of Defense may waive (in whole or in part) any requirements of a dental plan established under this section as the Secretary determines necessary for the effective administration of the plan for a dependent who is an eligible dependent described in subsection (k)(2).

''(i) AUTHORITY SUBJECT TO APPROPRIATIONS.—The authority of the Secretary of Defense to enter into a contract under this section for any fiscal year is subject to the availability of appropriations for that purpose.

''(j) LIMITATION ON REDUCTION OF BENEFITS.—The Secretary of Defense may not reduce benefits provided under a plan established under this section until—

''(1) the Secretary provides notice of the Secretary's intent to reduce such benefits to the Committees on Armed Services of the Senate and the House of Representatives; and

''(2) one year has elapsed following the date of such notice.

''(k) ELIGIBLE DEPENDENT DEFINED.—In this section, the term 'eligible dependent'—

''(1) means a dependent described in subparagraph (A), (D), or (I) of section 1072(2) of this title; and

''(2) includes any such dependent of a member who dies while on active duty for a period of more than 30 days or a member of the Ready Reserve if the dependent is enrolled on the date of the death of the member in a dental benefits plan established under subsection (a), except that the term does not include the dependent after the end of the one-year period beginning on the date of the member's death.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by striking out the items relating to sections 1076a and 1076b and inserting the following:

''1076a. TRICARE dental program.''.

SEC. 703. SENSE OF CONGRESS REGARDING AUTOMATIC ENROLLMENT OF MEDICARE-ELIGIBLE BENEFICIARIES IN THE TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.

It is the sense of Congress that—

(1) any person who is enrolled in a managed health care program of the Department of Defense where the TRICARE Senior Prime demonstration program is implemented and who attains eligibility for medicare should be automatically authorized to enroll in the TRICARE Senior Prime demonstration program; and

(2) the Secretary of Defense, in coordination with the other administering Secretaries referred to in section 1072(3) of title 10, United States Code, should modify existing policies and procedures for the TRICARE Senior Prime demonstration program as necessary to permit the automatic enrollment.

SEC. 704. TRICARE BENEFICIARY ADVOCATES.

(a) ESTABLISHMENT OF POSITIONS.—The Secretary of Defense shall require in regulations that—

(1) each lead agent under the TRICARE program—

(A) designate a person to serve full-time as a beneficiary advocate for TRICARE beneficiaries; and

(B) provide for toll-free telephone communication between TRICARE beneficiaries and the beneficiary advocate; and

(2) the commander of each medical care facility under chapter 55 of title 10, United States Code, designate a person to serve, as a primary or collateral duty, as beneficiary advocate for TRICARE beneficiaries served at that facility.

(b) DUTIES.—The Secretary shall prescribe the duties of the position of beneficiary advocate 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:

''(g) OPEN ENROLLMENT DEMONSTRATION PROGRAM.—(1) The Secretary of Defense shall conduct a demonstration program under which covered beneficiaries shall be permitted to enroll at any time in a managed care plan offered by a designated provider consistent with the enrollment requirements for the TRICARE Prime option under the TRICARE program but without regard to the limitation in subsection (b). Any demonstration program under this subsection shall cover designated providers, selected by the Department of Defense, and the service areas of the designated providers.

''(2) Any demonstration program carried out under this section shall commence on October 1, 1999, and end on September 30, 2001.

''(3) Not later than March 15, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and

the House of Representatives a report on any demonstration program carried out under this subsection. The report shall include, at a minimum, an evaluation of the benefits of the open enrollment opportunity to covered beneficiaries and a recommendation concerning whether to authorize open enrollments in the managed care plans of designated providers permanently.''.

Subtitle B—Other Matters

SEC. 711. CARE AT FORMER UNIFORMED SERVICES TREATMENT FACILITIES FOR ACTIVE DUTY MEMBERS STATIONED AT CERTAIN REMOTE LOCATIONS.

(a) AUTHORITY.—Care may be furnished by a designated provider pursuant to any contract entered into by the designated provider under section 722(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) to eligible members who reside within the service area of the designated provider.

(b) ELIGIBILITY.—A member of the Armed Forces is eligible for care under subsection (a) if the member is a member described in section 731(c) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1811; 10 U.S.C. 1074 note).

(c) APPLICABLE POLICIES.—In furnishing care to an eligible member under subsection (a), a designated provider shall adhere to the Department of Defense policies applicable to the furnishing of care under the TRICARE Prime Remote program, including coordinating with uniformed services medical authorities for hospitalizations and all referrals for specialty care.

(d) REIMBURSEMENT RATES.—The Secretary of Defense, in consultation with the designated providers, shall prescribe reimbursement rates for care furnished to eligible members under subsection (a). The rates prescribed for care may not exceed the amounts allowable under the TRICARE Standard plan for the same care.

SEC. 712. ONE-YEAR EXTENSION OF CHIROPRACTIC HEALTH CARE DEMONSTRATION PROGRAM.

Section 731(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 1092 note) is amended by striking ''1999'' and inserting ''2000''.

SEC. 713. PROGRAM YEAR STABILITY IN HEALTH CARE BENEFITS.

Section 1073 of title 10, United States Code, is amended—

(1) by inserting ''(a) RESPONSIBLE OFFICIALS.—'' at the beginning of the text of the section; and

(2) by adding at the end the following:

''(b) STABILITY IN PROGRAM OF BENEFITS.—The Secretary of Defense shall, to the maximum extent practicable, provide a stable program of benefits under this chapter throughout each fiscal year. To achieve the stability in the case of contracts entered into under this chapter, the contracts shall be administered so as to implement at the beginning of a fiscal year all changes in benefits and administration that are to be made for that fiscal year. However, the Secretary of Defense may implement any such change after the fiscal year begins if the Secretary determines that the change would significantly improve the provision of care to eligible beneficiaries under this chapter or that the later implementation of the change would, for other reasons, result in a more effective provision of care to eligible beneficiaries.''.

SEC. 714. BEST VALUE CONTRACTING.

(a) AUTHORITY.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073 the following:

''§ 1073a. Contracts for health care: best value contracting

''(a) AUTHORITY.—Under regulations prescribed by the administering Secretaries, health care contracts shall be awarded in the administration of this chapter to the offeror or offerors that will provide the best value to the United States to the maximum extent consistent with furnishing high-quality health care in a manner that protects the fiscal and other interests of the United States.

''(b) FACTORS CONSIDERED.—In the determination of best value—

''(1) consideration shall be given to the factors specified in the regulations; and

''(2) greater weight shall be accorded to technical and performance-related factors than to cost and price-related factors.

''(c) APPLICABILITY.—The authority under the regulations shall apply to any contract in excess of $5,000,000.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1073 the following:

''1073a. Contracts for health care: best value contracting.''.

SEC. 715. AUTHORITY TO ORDER RESERVE COMPONENT MEMBERS TO ACTIVE DUTY FOR HEALTH SURVEILLANCE STUDIES.

Section 12301 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(h) When authorized by the Secretary of Defense, the Secretary concerned may order a member of a reserve component to active duty, with the consent of that member, for a Department of Defense health surveillance study required under other authority, including any associated medical evaluation of the member. The Secretary concerned may, with the member's consent, retain the member on active duty for medical treatment authorized by law for a condition associated with the study or evaluation. A member of the Army National Guard of the United States or of the Air National Guard of the United States may not be ordered to active duty under this subsection without the consent of the governor or other appropriate authority of the State concerned.''.

SEC. 716. CONTINUATION OF PREVIOUSLY PROVIDED CUSTODIAL CARE BENEFITS FOR CERTAIN CHAMPUS BENEFICIARIES.

(a) CONTINUATION OF COVERAGE.—Subject to subsection (c), the Secretary of Defense may continue payment under the Civilian Health and Medical Program of the Uniformed Services (as defined in section 1072 of title 10, United States Code) for domiciliary or custodial care services, otherwise excluded by regulations implementing section 1077(b)(1) of such title, on behalf of beneficiaries described in subsection (b).

(b) COVERED BENEFICIARIES.—Beneficiaries referred to in subsection (a) are covered beneficiaries (as defined in section 1072 of such title) who, prior to the effective date of final regulations to implement the individual case management program authorized by section 1079(a)(17) of such title, were provided domiciliary or custodial care services for which the Secretary provided payment.

(c) SECRETARIAL AUTHORITY.—The authority provided by subsection (a) is subject to a case-by-case determination by the Secretary that discontinuation of payment for domiciliary or custodial care services or transition under the case management program authorized by such section 1079(a)(17) to alternative programs and services would be inadequate to meet the needs of, and unjust to, the beneficiary.

SEC. 717. ENHANCEMENT OF DENTAL BENEFITS FOR RETIREES.

Subsection (d) of section 1076c of title 10, United States Code, is amended to read as follows:

''(d) BENEFITS AVAILABLE UNDER THE PLAN.—The dental insurance plan established under subsection (a) shall provide benefits for dental care and treatment which may be comparable to the benefits authorized under section 1076a of this title for plans established under that section and shall include diagnostic services, preventative services, endodontics and other basic restorative services, surgical services, and emergency services.''.

SEC. 718. MEDICAL AND DENTAL CARE FOR CERTAIN MEMBERS INCURRING INJURIES ON INACTIVE-DUTY TRAINING.

(a) ORDER TO ACTIVE DUTY AUTHORIZED.—(1) Chapter 1209 of title 10, United States Code, is amended by adding at the end the following:

''§ 12322. Active duty for health care

''A member of a uniformed service described in paragraph (1)(B) or (2)(B) of section 1074a(a) of this title may be ordered to active duty, and a member of a uniformed service described in paragraph (1)(A) or (2)(A) of such section may be continued on active duty, for a period of more than 30 days while the member is being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty as described in such paragraph.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

''12322. Active duty for health care.''.

(b) MEDICAL AND DENTAL CARE FOR MEMBERS.—Subsection (e) of section 1074a of such title is amended to read as follows:

''(e)(1) A member of a uniformed service on active duty for health care or recuperation reasons, as described in paragraph (2), is entitled to medical and dental care on the same basis and to the same extent as members covered by section 1074(a) of this title while the member remains on active duty.

''(2) Paragraph (1) applies to a member described in paragraph (1) or (2) of subsection (a) who, while being treated for (or recovering from) an injury, illness, or disease incurred or aggravated in the line of duty, is continued on active duty pursuant to a modification or extension of orders, or is ordered to active duty, so as to result in active duty for a period of more than 30 days.''.

(c) MEDICAL AND DENTAL CARE FOR DEPENDENTS.—Subparagraph (D) of section 1076(a)(2) of such title is amended to read as follows:

''(D) A member on active duty who is entitled to benefits under subsection (e) of section 1074a of this title by reason of paragraph (1), (2), or (3) of subsection (a) of such section.''.

SEC. 719. HEALTH CARE QUALITY INFORMATION AND TECHNOLOGY ENHANCEMENT.

(a) PURPOSE.—It is the purpose of this section to ensure that the Department of Defense addresses issues of medical quality surveillance and implements solutions for those issues in a timely manner that is consistent with national policy and industry standards.

(b) DEPARTMENT OF DEFENSE CENTER FOR MEDICAL INFORMATICS AND DATA.—(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;

(D) to develop a capability for conducting research on quality of health care;

(E) to conduct research on matters of quality of health care;

(F) to develop decision support tools for health care providers;

(G) to refine medical performance report cards; and

(H) to conduct educational programs on medical informatics to meet identified needs.

(2) The Center shall serve as a primary resource for the Department of Defense for matters concerning the capture, processing, and dissemination of data on health care quality.

(c) AUTOMATION AND CAPTURE OF CLINICAL DATA.—The Secretary of Defense shall accelerate the efforts of the Department of Defense to automate, capture, and exchange controlled clinical data and present providers with clinical guidance using a personal information carrier, clinical lexicon, or digital patient record.

(d) ENHANCEMENT THROUGH DOD-DVA MEDICAL INFORMATICS COUNCIL.—(1) The Secretary of Defense shall establish a Medical Informatics Council consisting of the following:

(A) The Assistant Secretary of Defense for Health Affairs

(B) The Director of the TRICARE Management Activity of the Department of Defense.

(C) The Surgeon General of the Army.

(D) The Surgeon General of the Navy.

(E) The Surgeon General of the Air Force.

(F) Representatives of the Department of Veterans Affairs, whom the Secretary of Veterans Affairs shall designate.

(G) Representatives of the Department of Health and Human Services, whom the Secretary of Health and Human Services shall designate.

(H) Any additional members that the Secretary of Defense may appoint to represent health care insurers and managed care organizations, academic health institutions, health care providers (including representatives of physicians and representatives of hospitals), and accreditors of health care plans and organizations.

(2) The primary mission of the Medical Informatics Council shall be to coordinate the development, deployment, and maintenance of health care informatics systems that allow for the collection, exchange, and processing of health care quality information for 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 systems and clinical decision support systems within the Departments of Defense and Veterans Affairs.

(D) Standardization of processes used to collect, evaluate, and disseminate health care quality information.

(E) Refinement of methodologies by which the quality of health care provided within the Departments of Defense and Veterans Administration is evaluated.

(F) Protecting the confidentiality of personal health information.

(3) The Council shall submit to Congress an annual report on the activities of the Council and on the coordination of development, deployment, and maintenance of health care informatics systems within the Federal Government and between the Federal Government and the private sector.

(4) The Assistant Secretary of Defense for Health Affairs shall consult with the Council on the issues described in paragraph (2).

(5) A member of the Council is not, by reason of service on the Council, an officer or employee of the United States.

(6) No compensation shall be paid to members of the Council for service on the Council. In the case of a member of the Council who is an officer or employee of the Federal Government, the preceding sentence does not apply to compensation paid to the member as an officer or employee of the Federal Government.

(7) The Federal Advisory Committee Act (5 U.S.C. App. 2) shall not apply to the Council.

(e) ANNUAL REPORT.—The Assistant Secretary of Defense for Health Affairs shall submit to Congress each year a report on the quality of health care furnished under the health care programs of the Department of Defense. The report shall cover the most recent fiscal year ending before the date of the report and shall contain a discussion of the quality of the health care measured on the basis of each statistical and customer satisfaction factor that the Assistant Secretary determines appropriate, including, at a minimum, the following:

(1) Health outcomes.

(2) Extent of use of health report cards.

(3) Extent of use of standard clinical pathways.

(4) Extent of use of innovative processes for surveillance.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to other amounts authorized to be appropriated for the Department of Defense for fiscal year 2000 by other provisions of this Act, that are available to carry out subsection (b), there is authorized to be appropriated for the Department of Defense for such fiscal year for carrying out this subsection the sum of $2,000,000.

SEC. 720. JOINT TELEMEDICINE AND TELEPHARMACY DEMONSTRATION PROJECTS BY THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Defense and Secretary of Veterans Affairs shall carry out joint demonstration projects for purposes of evaluating the feasibility and practicability of providing health care services and pharmacy services by means of telecommunications.

(b) SERVICES TO BE PROVIDED.—The services provided under the demonstration projects shall include the following:

(1) Radiology and imaging services.

(2) Diagnostic services.

(3) Referral services.

(4) Clinical pharmacy services.

(5) Any other health care services or pharmacy services designated by the Secretaries.

(c) SELECTION OF LOCATIONS.—(1) The Secretaries shall carry out the demonstration projects at not more than five locations selected by the Secretaries from locations in which are located both a uniformed services treatment facility and a Department of Veterans Affairs medical center that are affiliated with academic institutions having a demonstrated expertise in the provision of health care services or pharmacy services by means of telecommunications.

(2) Representatives of a facility and medical center selected under paragraph (1) shall, to the maximum extent practicable, carry out the demonstration project in consultation with representatives of the academic institution or institutions with which affiliated.

(d) PERIOD OF DEMONSTRATION PROJECTS.—The Secretaries shall carry out the demonstration projects during the three-year period beginning on October 1, 1999.

(e) REPORT.—Not later than December 31, 2002, the Secretaries shall jointly submit to Congress a report on the demonstration projects. The report shall include—

(1) a description of each demonstration project; and

(2) an evaluation, based on the demonstration projects, of the feasibility and practicability of providing health care services and pharmacy services, including the provision of such services to field hospitals of the Armed Forces and to Department of Veterans Affairs outpatient health care clinics, by means of telecommunications.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

SEC. 801. EXTENSION OF TEST PROGRAM FOR NEGOTIATION OF COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.

Section 834(e) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 15 U.S.C. 637 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2005''.

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 1991 (10 U.S.C. 2302 note) is amended to read as follows:

''(2) A program participation term for any period of not more than three years, except that the term may be a period of up to five years if the Secretary of Defense determines in writing that unusual circumstances justify a program participation term in excess of three years.''.

(b) INCENTIVES AUTHORIZED FOR MENTOR FIRMS.—Subsection (g) of such section is amended—

(1) in paragraph (1), by striking ''shall'' and inserting ''may'';

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking ''shall'' and inserting ''may'';

(ii) by striking ''subsection (f)'' and all that follows through ''(i) as a line item'' and inserting ''subsection (f) as provided for in a line item'';

(iii) by striking the semicolon preceding clause (ii) and inserting '', except that this clause does not apply in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract.''; and

(iv) by striking clauses (ii), (iii), and (iv); and

(B) by striking subparagraph (B) and inserting the following:

''(B) The determinations made in annual performance reviews of a mentor firm's mentor-protege agreement under subsection (l)(2)

shall be a major factor in the determinations of amounts of reimbursement, if any, that the mentor firm is eligible to receive in the remaining years of the program participation term under the agreement.

''(C) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm may not exceed $1,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify a reimbursement of a higher amount.''; and

(3) in paragraph (3)(A), by striking ''either subparagraph (A) or (C) of paragraph (2) or are reimbursed pursuant to subparagraph (B) of such paragraph'' and inserting ''paragraph (2)''.

(c) FIVE-YEAR EXTENSION OF AUTHORITY.—Subsection (j) of such section is amended to read as follows:

''(j) EXPIRATION OF AUTHORITY.—(1) No mentor-protege agreement may be entered into under subsection (e) after September 30, 2004.

''(2) No reimbursement may be paid, and no credit toward the attainment of a subcontracting goal may be granted, under subsection (g) for any cost incurred after September 30, 2005.''.

(d) REPORTS AND REVIEWS.—Subsection (l) of such section is amended to read as follows:

''(l) REPORTS AND REVIEWS.—(1) The mentor firm and protege firm under a mentor-protege agreement shall submit to the Secretary of Defense 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 of costs. The Secretary shall determine on the basis of the review whether—

''(i) all costs reimbursed to the mentor firm under the agreement were reasonably incurred to furnish assistance to the protege firm in accordance with the requirements of this section and applicable regulations; and

''(ii) the mentor firm and protege firm accurately reported progress made by the protege firm in employment, revenues, and participation in Department of Defense contracts during the program participation term covered by the mentor-protege agreement and the two fiscal years following the expiration of the program participation term.

''(B) The Secretary shall act through the Commander of the Defense Contract Management Command in carrying out the reviews and making the determinations under subparagraph (A).

''(3) Not later than 6 months after the end of each of fiscal years 2000 through 2004, the Secretary of Defense shall submit to Congress an annual report on the mentor-protege program for that fiscal year.

''(2) The annual report for a fiscal year shall include, at a minimum, the following:

''(A) The number of mentor-protege agreements that were entered into during the fiscal year.

''(B) The number of mentor-protege agreements that were in effect during the fiscal year.

''(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 subsection (e)(2) 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 that subsection, together with the justification for the approval.

''(F) Trends in the progress made in employment, revenues, and participation in Department of Defense contracts by the protege firms 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.''.

(e) REPEAL OF LIMITATION ON AVAILABILITY OF FUNDING.—Subsection (n) of such section is repealed.

(f) EFFECTIVE DATE AND SAVINGS PROVISION.—(1) The amendments made by this section shall take effect on October 1, 1999, and shall apply with respect to mentor-protege agreements that are entered into under section 831(e) of the National Defense Authorization Act for Fiscal Year 1991 on or after that date.

(2) Section 831 of the National Defense Authorization Act for Fiscal Year 1991, as in effect on September 30, 1999, shall continue to apply with respect to mentor-protege agreements entered into before October 1, 1999.

SEC. 803. REPORT ON TRANSITION OF SMALL BUSINESS INNOVATION RESEARCH PROGRAM ACTIVITIES INTO DEFENSE ACQUISITION PROGRAMS.

(a) REQUIREMENT FOR REPORT.—Not later than March 1, 2000, the Secretary of Defense shall submit to Congress a report on the status of the implementation of the Small Business Innovation Research program transition plan that was developed pursuant to section 818 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2089).

(b) CONTENT OF REPORT.—The report shall include the following:

(1) The status of the implementation of each of the provisions in the transition plan.

(2) For any provision of the plan that has not been fully implemented as of the date of the report—

(A) the reasons for the provision not having been fully implemented; and

(B) a schedule, with specific milestones, for the implementation of the provision.

SEC. 804. AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) GAO EXAMINATION OF RECORDS.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1721; 10 U.S.C. 2371 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) COMPTROLLER GENERAL REVIEW.—(1) Each agreement entered into by an official referred to in subsection (a) to carry out a project under that subsection that provides for payments in a total amount in excess of $5,000,000 shall include a clause that provides for the Comptroller General, in the discretion of the Comptroller General, to examine the records of any party to the agreement or any entity that participates in the performance of the agreement.

''(2) The official referred to in subsection (a) who is entering into an agreement described in paragraph (1) may waive the applicability of the requirement in that paragraph to the agreement if the official determines that it would not be in the public interest to apply the requirement to the agreement. The waiver shall be effective with respect to the agreement only if the official transmits a notification of the waiver to Congress and the Comptroller General before entering into the agreement. The notification shall include the rationale for the determination.

''(3) The Comptroller General may not examine records pursuant to a clause included in an agreement under paragraph (1) more than three years after the final payment is made by the United States under the agreement.''.

(b) TECHNICAL CORRECTION.—Subsection (b)(1) of such section is amended by striking ''(e)(2) and (e)(3) of such section 2371'' and inserting ''(e)(1)(B) and (e)(2) of such section 2371''.

SEC. 805. PILOT PROGRAM FOR COMMERCIAL SERVICES.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to treat procurements of commercial services as procurements of commercial items.

(b) DESIGNATION OF PILOT PROGRAM CATEGORIES.—The Secretary of Defense may designate the following categories of services as commercial services covered by the pilot program:

(1) Utilities and housekeeping services.

(2) Education and training services.

(3) Transportation, travel and relocation services.

(c) TREATMENT AS COMMERCIAL ITEMS.—A Department of Defense contract for the procurement of commercial services designated by the Secretary for the pilot program shall be treated as a contract for the procurement of commercial items, as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)), if the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government. These items shall not be considered commercial items for purposes of section 4202(e) of the Clinger-Cohen Act (10 U.S.C. 2304 note).

(d) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall issue guidance to procurement officials on contracting for commercial services under the pilot program. The guidance shall place particular emphasis on ensuring that negotiated prices for designated services, including prices negotiated without competition, are fair and reasonable.

(e) DURATION OF PILOT PROGRAM.—(1) The pilot program shall begin on the date that the Secretary issues the guidance required by subsection (d) and may continue for a period, not in excess of five years, that the Secretary shall establish.

(2) The pilot program shall cover Department of Defense contracts for the procurement of commercial services designated by the Secretary under subsection (b) that are awarded or modified during the period of the pilot program, regardless of whether the contracts are 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;

(B) the quality and timeliness of the services provided under such contracts;

(C) the number of Federal Government personnel that are necessary to enter into and administer such contracts; and

(D) the impact of the program on levels of contracting with small business concerns, HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(2) The Secretary shall submit the report—

(A) not later than 90 days after the end of the third full fiscal year for which the pilot program is in effect; or

(B) if the period established for the pilot program under subsection (e)(1) does not cover three full fiscal years, not later than 90 days after the end of the designated period.

(g) PRICE TREND ANALYSIS.—The Secretary of Defense shall apply the procedures developed pursuant to section 803(c) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2081; 10 U.S.C. 2306a note) to collect and analyze information on price trends for all services covered by the pilot program and for the services in such categories of services not covered by the pilot program to which the Secretary considers it appropriate to apply those procedures.

(h) RELATIONSHIP TO PREFERENCE ON TRANSPORTATION OF SUPPLIES.—Nothing in this section shall be construed as modifying, superseding, impairing, or restricting requirements, authorities, or responsibilities under section 2631 of title 10, United States Code.

(i) DEFINITIONS.—In this section:

(1) The term ''small business concern'' means a business concern that meets the applicable size standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(2) The term ''small business concern owned and controlled by socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

(3) The term ''small business concern owned and controlled by women'' has the meaning given the term in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D)).

(4) The term ''HUBZone small business concern'' has the meaning given the term in section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3)).

SEC. 806. STREAMLINED APPLICABILITY OF COST ACCOUNTING STANDARDS.

(a) APPLICABILITY.—Paragraph (2) of section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)(2)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) by striking subparagraph (B) and inserting the following:

''(B) The cost accounting standards shall not apply to a contractor or subcontractor for a fiscal year (or other one-year period used for cost accounting by the contractor or subcontractor) if the total value of all of the contracts and subcontracts covered by the cost accounting standards that were entered into by the contractor or subcontractor, respectively, in the previous or current fiscal year (or other one-year cost accounting period) was less than $50,000,000.

''(C) Subparagraph (A) does not apply to the following contracts or subcontracts for the purpose of determining whether the contractor or subcontractor is subject to the cost accounting standards:

''(i) Contracts or subcontracts for the acquisition of commercial items.

''(ii) Contracts or subcontracts where the price negotiated is based on prices set by law or regulation.

''(iii) Firm, fixed-price contracts or subcontracts awarded on the basis of adequate price competition without submission of certified cost or pricing data.

''(iv) Contracts or subcontracts with a value that is less than $5,000,000.''.

(b) WAIVER.—Such section is further amended by adding at the end the following:

''(5)(A) The head of an executive agency may waive the applicability of cost accounting standards for a contract or subcontract with a value less than $10,000,000 if that official determines in writing that—

''(i) the contractor or subcontractor is primarily engaged in the sale of commercial items; and

''(ii) the contractor or subcontractor would not otherwise be subject to the cost accounting standards.

''(B) The head of an executive agency may also waive the applicability of cost accounting standards for a contract or subcontract under extraordinary circumstances when necessary to meet the needs of the agency. A determination to waive the applicability of cost accounting standards under this subparagraph shall be set forth in writing and shall include a statement of the circumstances justifying the waiver.

''(C) The head of an executive agency may not delegate the authority under subparagraph (A) or (B) to any official in the executive agency below the senior policymaking level in the executive agency.

''(D) The Federal Acquisition Regulation shall include the following:

''(i) Criteria for selecting an official to be delegated authority to grant waivers under subparagraph (A) or (B).

''(ii) The specific circumstances under which such a waiver may be granted.

''(E) The head of each executive agency shall report the waivers granted under subparagraphs (A) and (B) for that agency to the Board on an annual basis.''.

(c) CONSTRUCTION REGARDING CERTAIN NOT-FOR-PROFIT ENTITIES.—The amendments made by this section shall not be construed as modifying or superseding, nor as intended to impair or restrict, the applicability of the cost accounting standards to—

(1) any educational institution or federally funded research and development center that is associated with an educational institution in accordance with Office of Management and Budget Circular A–21, as in effect on January 1, 1999; or

(2) any contract with a nonprofit entity that provides research and development and related products or services to the Department of Defense.

SEC. 807. GUIDANCE ON USE OF TASK ORDER AND DELIVERY ORDER CONTRACTS.

(a) GUIDANCE IN THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act shall be revised to provide guidance to agencies on the appropriate use of task order and delivery order contracts in accordance with sections 2304a through 2304d of title 10, United States Code, and sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k).

(b) CONTENT OF GUIDANCE.—The regulations issued pursuant to subsection (a) shall, at a minimum, provide the following:

(1) Specific guidance on the appropriate use of government-wide and other multi-agency contracts entered in accordance with the provisions of law referred to in that subsection.

(2) Specific guidance on steps that agencies should take in entering and administering multiple award task order and delivery order contracts to ensure compliance with—

(A) the requirement in section 5122 of the Clinger-Cohen Act (40 U.S.C. 1422) for capital planning and investment control in purchases of information technology products and services;

(B) the requirement in section 2304c(b) of title 10, United States Code, and section 303J(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b)) to ensure that all contractors are afforded a fair opportunity to be considered for the award of task orders and delivery orders; and

(C) the requirement in section 2304c(c) of title 10, United States Code, and section 303J(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(c)) for a statement of work in each task order or delivery order issued that clearly specifies all tasks to be performed or property to be delivery under the order.

(c) GSA FEDERAL SUPPLY SCHEDULES PROGRAM.—The Administrator for Federal Procurement Policy shall consult with the Administrator of General Services to assess the effectiveness of the multiple awards schedule program of the General Services Administration referred to in section 309(b)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(b)(3)) that is administered as the Federal Supply Schedules program. The assessment shall include examination of the following:

(1) The administration of the program by the Administrator of General Services.

(2) The ordering and program practices followed by Federal customer agencies in using schedules established under the program.

(d) GAO REPORT.—Not later than one year after the date on which the regulations required by subsection (a) are published in the Federal Register, the Comptroller General shall submit to Congress an evaluation of executive agency compliance with the regulations, together with any recommendations that the Comptroller General considers appropriate.

SEC. 808. CLARIFICATION OF DEFINITION OF COMMERCIAL ITEMS WITH RESPECT TO ASSOCIATED SERVICES.

Section 4(12) (E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(E)) is amended to read as follows:

''(E) Installation services, maintenance services, repair services, training services, and other services if—

''(i) the services are procured for support of an item referred to in subparagraph (A), (B), (C), or (D), regardless of whether such services are provided by the same source or at the same time as the item; and

''(ii) the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government.''.

SEC. 809. USE OF SPECIAL SIMPLIFIED PROCEDURES FOR PURCHASES OF COMMERCIAL ITEMS IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD.

(a) EXTENSION OF AUTHORITY.—Section 4202(e) of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106; 110 Stat. 654; 10 U.S.C. 2304 note) is amended by striking ''three years after the date on which such amendments take effect pursuant to section 4401(b)'' and inserting ''January 1, 2002''.

(b) GAO REPORT.—Not later than March 1, 2001, the Comptroller General shall submit to Congress an evaluation of the test program authorized by section 4204 of the Clinger-Cohen Act of 1996, together with any recommendations that the Comptroller General considers appropriate regarding the test program or the use of special simplified procedures for purchases of commercial items in excess of the simplified acquisition threshold.

SEC. 810. EXTENSION OF INTERIM REPORTING RULE FOR CERTAIN PROCUREMENTS LESS THAN $100,000.

Section 31(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(e)) is amended by striking ''October 1, 1999'' and inserting ''October 1, 2004''.

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 AND HEADQUARTERS SUPPORT ACTIVITIES PERSONNEL.

(a) REVISED LIMITATION.—Section 130a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''75 percent'' and inserting ''65 percent''; and

(2) in subsection (c), by striking ''October 1, 1997'' and inserting ''October 1, 1989''.

(b) REPEAL OF PHASED REDUCTION REQUIREMENT.—Subsection (b) of such section is repealed.

(c) CONFORMING 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) Any recommendations that the commander considers appropriate regarding—

''(A) the development or procurement of advanced technologies, systems, or weapons or systems platforms, or other changes in doctrine, organization, training, materiel, leadership, personnel, or the allocation of resources, as a result of joint warfighting experimentation activities;

''(B) the elimination of unnecessary equipment and redundancies in capabilities and forces across the armed forces; and

''(C) the fielding of advanced technologies across the armed forces for purposes of the development of joint operational concepts or the conduct of joint warfighting experiments.

''(6) A description of any actions taken by the Secretary of Defense to implement the recommendations of the commander.''.

SEC. 903. ACCEPTANCE OF GUARANTEES IN CONNECTION WITH GIFTS TO THE UNITED STATES MILITARY ACADEMY.

(a) AUTHORITY.—Chapter 403 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4359. Acceptance of guarantees with gifts for major projects

''(a) ACCEPTANCE AUTHORITY.—The Secretary of the Army may, subject to subsection (c), accept from a donor a qualified guarantee for the completion of a major project for the benefit of the Academy.

''(b) OBLIGATION AUTHORITY.—Funds available for a project for which a guarantee has been accepted under this section may be obligated and expended for the project without regard to whether the total amount of the funds and other resources available for the project (not taking into account the amount of the guarantee) is sufficient to pay for completion of the project.

''(c) DEFINITIONS.—In this section:

''(1) MAJOR PROJECT.—The term 'major project' means a project for the purchase or other procurement of real or personal property, or for the construction of any improvement to real property, the total cost of which is, or is estimated to be, at least $1,000,000.

''(2) QUALIFIED GUARANTEE.—The term 'qualified guarantee', with respect to a major project, means a guarantee that—

''(A) is made by a person in connection with the person's donation, specifically for the project, of a total amount in cash or securities that, as determined by the Secretary of the Army, is sufficient to defray a substantial portion of the total cost of the project;

''(B) is made to facilitate or expedite the completion of the project in reasonable anticipation that other donors will contribute sufficient funds or other resources in amounts sufficient to pay for completion of the project;

''(C) is set forth as a written agreement that provides for the donor to furnish in cash or securities, in addition to the donor's other gift or gifts for the project, any additional amount that may become necessary for paying the cost of completing the project by reason of a failure to obtain from other donors or sources funds or other resources in amounts sufficient to pay the cost of completing the project; and

''(D) is accompanied by—

''(i) an unconditional letter of credit for the benefit of the Academy that is in the amount of the guarantee and is issued by a major United States commercial bank; or

''(ii) a qualified account control agreement.

''(3) QUALIFIED ACCOUNT CONTROL AGREEMENT.—The term 'qualified account control agreement', with respect to a guarantee of a donor, means an agreement among the donor, the Secretary of the Army, and a major United States investment management firm that—

''(A) ensures the availability of sufficient funds or other financial resources to pay the amount guaranteed during the period of the guarantee;

''(B) provides for the perfection of a security interest in the assets of the account for the United States for the benefit of the Academy with the highest priority available for liens and security interests under applicable law;

''(C) requires the donor to maintain in an account with the investment management firm assets having a total value that is not less than 130 percent of the amount guaranteed; and

''(D) requires the investment management firm, at any time that the value of the account is less than the value required to be maintained under subparagraph (C), to liquidate any noncash assets in the account and reinvest the proceeds in Treasury bills issued under section 3104 of title 31.

''(4) MAJOR UNITED STATES COMMERCIAL BANK.—The term 'major United States commercial bank' means a commercial bank that—

''(A) is headquartered in the United States; and

''(B) has net assets in a total amount considered by the Secretary of the Army to qualify the bank as a major bank.

''(5) MAJOR UNITED STATES INVESTMENT MANAGEMENT FIRM.—The term 'major United States investment management firm' means an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a–3)) that—

''(A) is headquartered in the United States; and

''(B) manages for others the investment of assets in a total amount considered by the Secretary of the Army to qualify the firm as a major investment management firm.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4359. Acceptance of guarantees with gifts for major projects.''.

SEC. 904. MANAGEMENT OF THE CIVIL AIR PATROL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that no major change to the governance structure of the Civil Air Patrol should be mandated by Congress until a review of potential improvements in the management and oversight of Civil Air Patrol operations is conducted.

(b) GAO STUDY.—The Comptroller General shall conduct a study of potential improvements to Civil Air Patrol operations, including Civil Air Patrol financial management, Air Force and Civil Air Patrol oversight, and the Civil Air Patrol safety program. Not later than February 15, 2000, the Inspector General shall submit a report on the results of the study to the congressional defense committees.

(c) INSPECTOR GENERAL REVIEW.—(1) The Inspector General of the Department of Defense shall review the financial and management operations of the Civil Air Patrol. The review shall include an audit.

(2) Not later than February 15, 2000, the Inspector General shall submit to the congressional defense committees a report on the review, including, specifically, the results of the audit. The report shall include any recommendations that the Inspector General considers appropriate regarding actions necessary to ensure the proper oversight of the financial and management operations of the Civil Air Patrol.

SEC. 905. MINIMUM INTERVAL FOR UPDATING AND REVISING DEPARTMENT OF DEFENSE STRATEGIC PLAN.

Section 306(b) of title 5, United States Code, is amended by striking '', and shall be updated and revised at least every three years.'' and inserting a period and the following: ''The strategic plan shall be updated and revised at least every three years, except that the strategic plan for the Department of Defense shall be updated and revised at least every four years.''.

SEC. 906. PERMANENT REQUIREMENT FOR QUADRENNIAL DEFENSE REVIEW.

(a) REVIEW REQUIRED.—Chapter 2 of title 10, United States Code, is amended by inserting after section 117 the following:

''§ 118. Quadrennial defense review

''(a) REVIEW REQUIRED.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall conduct in each year in which a President is inaugurated a comprehensive examination of the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program

and policies with a view toward determining and expressing the defense strategy of the United States and establishing a revised defense plan for the ensuing 10 years and a revised defense plan for the ensuing 20 years.

''(b) CONSIDERATION OF REPORTS OF NATIONAL DEFENSE PANEL.—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 larger than the force structure discussed under paragraph (1), together with the benefits and risks associated with the larger force structure.

''(3) The size, characteristics, and organization of an alternative force structure that is suited for implementing the strategy but is significantly smaller than the force structure discussed under paragraph (1), together with the benefits and risks associated with the smaller force structure.

''(4) The threats examined for purposes of the review and the scenarios 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 preparations for and participation in peace operations and military operations other than war.

''(7) The effect on the force structure of the utilization by the armed forces of technologies anticipated to be available for the ensuing 10 years and technologies anticipated to be available for the ensuing 20 years, including precision guided munitions, stealth, night vision, digitization, and communications, and the changes in organization, doctrine, and operational concepts that would result from the utilization of such technologies.

''(8) The manpower and sustainment policies required under the defense strategy to support engagement in conflicts lasting more than 120 days.

''(9) The anticipated roles and missions of the reserve components in the defense strategy and the strength, capabilities, and equipment necessary to assure that the reserve components can capably discharge those roles and missions.

''(10) The appropriate ratio of combat forces to support forces (commonly referred to as the ''tooth-to-tail'' ratio) under the defense strategy, including, in particular, the appropriate number and size of headquarters units and Defense Agencies for that purpose.

''(11) The air-lift and sea-lift capabilities required to support the defense strategy.

''(12) The forward presence, pre-positioning, and other anticipatory deployments necessary under the defense strategy for conflict deterrence and adequate military response to anticipated conflicts.

''(13) The extent to which resources must be shifted among two or more theaters under the defense strategy in the event of conflict in 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, as follows:

''(A) Three members appointed by the Secretary of Defense.

''(B) Three members appointed by the Chairman of the Committee on Armed Services of the Senate, in consultation with the ranking member of the committee.

''(C) Three members appointed by the Chairman of the Committee on Armed Services of the House of Representatives, in consultation with the ranking member of the committee.

''(2) The 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 meet the 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; and

''(F) identify the issues that the Panel recommends for assessment during the next quadrennial review to be conducted under section 118 of this title.

''(2) The matters to be assessed under paragraph (1)(A) are the defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies established since the previous quadrennial defense review under section 118 of this title.

''(3) The Panel shall conduct the assessments under paragraph (1) with a view toward recommending—

''(A) the most critical changes that should be made to the defense strategy of the United States for the ensuing 10 years and the most critical changes that should be made to the defense strategy of the United States for the ensuing 20 years; and

''(B) any changes considered appropriate by the Panel regarding the major weapon systems programmed for the force, including any alternatives to those weapon systems.

''(d) REPORT.—(1) The Panel, in the year that it is conducting an assessment under subsection (c), shall submit to the Secretary of Defense and to the Committees on Armed Services of the Senate and the House of Representatives two reports on the 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 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 equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5 for each day (including travel time) during which the member is engaged in the performance of the duties of the Panel.

''(2) The members of the Panel shall be allowed travel expenses, including per diem 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 payable for level V of the Executive Schedule under section 5316 of such title.

''(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 shall ensure that sufficient personnel are detailed to the Panel to enable the Panel to carry out its duties effectively.

''(5) To the maximum extent practicable, the members and employees of the Panel shall 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 the cost of commercial transportation is less expensive.

''(g) ADMINISTRATIVE PROVISIONS.—(1) The Panel may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

''(2) The Secretary shall furnish the Panel any administrative and support services requested by the Panel.

''(3) The Panel may accept, use, and dispose of gifts or donations of services or property.

''(h) PAYMENT OF PANEL EXPENSES.—The compensation, travel expenses, and per diem allowances of members and employees of the Panel shall be paid out of funds available to the Department of Defense for the payment of compensation, travel allowances, and per diem allowances, respectively, of civilian employees of the Department. The other expenses of the Panel shall be paid out of funds available to the Department for the payment of similar expenses incurred by the Department.

''(i) TERMINATION.—The Panel shall terminate at the end of the year following the year in which the Panel submits its final report under subsection (d)(1)(B). For the period that begins 90 days after the date of submittal of the report, the activities and staff of the panel shall be reduced to a level that the Secretary of Defense considers sufficient to continue the availability of the panel for consultation with the Secretary of Defense and with the Committees on Armed Services of the Senate and the House of Representatives.''.

(c) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 2 of title 10, United States Code, is amended by inserting after the item relating to section 117 the following:

''118. Quadrennial defense review.''.

(2) The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following:

''184. National Defense Panel.''.

Subtitle B—Commission To Assess United States National Security Space Management and Organization

SEC. 911. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a commission known as the ''Commission To Assess United States National Security Space Management and Organization'' (hereafter in this subtitle referred to as the ''Commission'').

(b) COMPOSITION.—The Commission shall be composed of nine members appointed by the Secretary of Defense. In selecting individuals for appointment to the Commission, the Secretary should consult with—

(1) the Speaker of the House of Representatives concerning the appointment of three of the members of the Commission;

(2) the majority leader of the Senate concerning the appointment of three of the members of the Commission; and

(3) the minority leader of the House of Representatives and the minority leader of the Senate concerning the appointment of three of the members of the Commission.

(c) QUALIFICATIONS.—Members of the Commission shall be appointed from among private citizens of the United States who have knowledge and expertise in the areas of national security space policy, programs, organizations, and future national security concepts.

(d) CHAIRMAN.—The Speaker of the House of Representatives, after consultation with the majority leader of the Senate and the minority leaders of the House of Representatives and the Senate, shall designate one of the members of the Commission to serve as chairman of the Commission.

(e) 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) INITIAL ORGANIZATION REQUIREMENTS.—(1) All appointments to the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting not later than 60 days after the date as of which all members of the Commission have been appointed, but not earlier than October 15, 1999.

SEC. 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 the two aspects.

(2) The benefits of establishing any of the following:

(A) An independent military department and service dedicated to the national security space mission.

(B) A corps within the Air Force dedicated to the national security space mission.

(C) A position of Assistant Secretary of Defense for Space within the Office of the Secretary of Defense.

(D) Any other change to the existing organizational structure of the Department of Defense for national security space management and organization.

(3) The benefits of establishing a new major force program, or other budget mechanism, for managing national security space funding within the Department of Defense.

(b) COOPERATION FROM GOVERNMENT OFFICIALS.—In carrying out its duties, the Commission should receive the full and timely cooperation of the Secretary of Defense, 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. POWERS.

(a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this subtitle, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense, the other departments and agencies of the intelligence community, and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this subtitle.

SEC. 915. COMMISSION PROCEDURES.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(c) COMMISSION.—The Commission may establish panels composed of less than full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this subtitle.

SEC. 916. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The appointment of a staff director shall be subject to the approval of the Commission.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS–15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of

the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 917. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 918. FUNDING.

Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2000. Upon receipt of a written certification from the Chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

SEC. 919. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 913.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1) Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2000 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $2,000,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. SECOND BIENNIAL FINANCIAL MANAGEMENT IMPROVEMENT PLAN.

The second biennial financial management improvement plan submitted to Congress under section 2222 of title 10, United States Code, shall include the following matters:

(1) An inventory of the finance and accounting systems and data feeder systems of the Department of Defense and, for each such system—

(A) a statement regarding whether the system complies with the requirements applicable to the system under sections 3512, 3515, and 3521 of title 31, United States Code;

(B) a statement regarding whether the system is to be retained, consolidated, or eliminated;

(C) a detailed plan of the actions that are being taken or are to be taken within the Department of Defense (including provisions for schedule, performance objectives, interim milestones, and necessary resources)—

(i) to ensure easy and reliable interfacing of the system (or a consolidated or successor system) with the department's core finance and accounting systems and with other data feeder systems; and

(ii) to institute appropriate internal controls that, among other benefits, ensure the integrity of the data in the system (or a consolidated or successor system);

(D) for each system that is to be consolidated or eliminated, a detailed plan of the actions that are being taken or are to be taken (including provisions for schedule and interim milestones) in carrying out the consolidation or elimination, including a discussion of both the interim or migratory systems and any further consolidation that may be involved; and

(E) a list of the officials in the Department of Defense who are responsible for ensuring that actions referred to in subparagraphs (C) and (D) are taken in a timely manner.

(2) A description of each major procurement action that is being taken within the Department of Defense to replace or improve a finance and accounting system or a data feeder system listed in the inventory under paragraph (1) and, for each such procurement action, the measures that are being taken or are to be taken to ensure that the new or enhanced system—

(A) provides easy and reliable interfacing of the system with the core finance and accounting systems of the department and with other data feeder systems; and

(B) includes appropriate internal controls that, among other benefits, ensure the integrity of the data in the system.

(3) A financial management competency plan that includes performance objectives, milestones (including interim objectives), responsible officials, and the necessary resources to accomplish the performance objectives, together with the following:

(A) A description of the actions necessary to ensure that the person in each comptroller position (or comparable position) in the Department of Defense, whether a member of the Armed Forces or a civilian employee, has the education, technical competence, and experience to perform in accordance with the core competencies necessary for financial management.

(B) A description of the education that is necessary for a financial manager in a senior grade to be knowledgeable in—

(i) applicable laws and administrative and regulatory requirements, including the requirements and procedures relating to Government performance and results under sections 1105(a)(28), 1115, 1116, 1117, 1118, and 1119 of title 31, United States Code;

(ii) the strategic planning process and how the process relates to resource management;

(iii) budget operations and analysis systems;

(iv) management analysis functions and evaluation; and

(v) the principles, methods, techniques, and systems of financial management.

(C) The advantages and disadvantages of establishing and operating a consolidated Department of Defense school that instructs in the principles referred to in subparagraph (B)(v).

(D) The applicable requirements for formal civilian education.

(4) A detailed plan (including performance objectives and milestones and standards for measuring progress toward attainment of the objectives) for—

(A) improving the internal controls and internal review processes of the Defense Finance and Accounting Service to provide reasonable assurances that—

(i) obligations and costs are in compliance with the applicable laws;

(ii) funds, property, and other assets are safeguarded against waste, loss, unauthorized use, and misappropriation;

(iii) revenues and expenditures applicable to agency operations are properly recorded and accounted for so as to permit the preparation of accounts and reliable financial and statistical reports and to maintain accountability over assets;

(iv) obligations and expenditures are recorded contemporaneously with each transaction;

(v) organizational and functional duties are performed separately at each step in the cycles of transactions (including, in the case of a contract, the specification of requirements, the formation of the contract, the certification of contract performance, receiving and warehousing, accounting, and disbursing); and

(vi) use of progress payment allocation systems results in posting of payments to appropriation accounts consistent with section 1301 of title 31, United States Code.

(B) ensuring that the Defense Finance and Accounting Service has—

(i) a single standard transaction general ledger that, at a minimum, uses double-entry bookkeeping and complies with the United States Government Standard General Ledger at the transaction level as required under section 803(a) of the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note);

(ii) an integrated data base for finance and accounting functions; and

(iii) automated cost, performance, and other output measures;

(C) providing a single, consistent set of policies and procedures for financial transactions throughout the Department of Defense;

(D) ensuring compliance with applicable policies and procedures for financial transactions throughout the Department of Defense; and

(E) reviewing safeguards for preservation of assets and verifying the existence of assets.

(5) An internal controls checklist which, consistent with the authority in sections 3511 and 3512 of title 31, United States Code, the Comptroller General shall prescribe as the standards for use throughout the Department of Defense, together with a statement of the Department of Defense policy on use of the checklist throughout the department.

SEC. 1003. SINGLE PAYMENT DATE FOR INVOICE FOR VARIOUS SUBSISTENCE ITEMS.

Section 3903 of title 31, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) A contract for the procurement of subsistence items that is entered into under the prime vendor program of the Defense Logistics Agency may specify for the purposes of section 3902 of this title a single required payment date that is to be applicable to an invoice for subsistence items furnished under the contract when more than one payment due date would otherwise be applicable to the invoice under the regulations prescribed under paragraphs (2), (3), and (4) of subsection (a) or under any other provisions of law. The required payment date specified in the contract shall be consistent with prevailing industry practices for the subsistence items, but may not be more than 10 days after the date of receipt of the invoice or the certified date of receipt of the items. The Director of the Office of Management and Budget shall provide in the regulations under subsection (a) that when a required payment date is so specified for an invoice, no other payment due date applies to the invoice.''.

SEC. 1004. AUTHORITY TO REQUIRE USE OF ELECTRONIC TRANSFER OF FUNDS FOR DEPARTMENT OF DEFENSE PERSONNEL PAYMENTS.

(a) AUTHORITY.—Chapter 165 of title 10, United States Code, is amended by adding at the end the following:

''§ 2784. Payments to personnel: electronic transfers of funds

''(a) AUTHORITY.—The Secretary of Defense may require that pay, allowances, retired or retainer pay, and any other payments out of funds available to the Department of Defense to or for members of the armed forces, former members of the armed forces, employees or former employees of the Department of Defense, or dependents of such personnel be made by electronic transfer of funds. For any such requirement, the Secretary of Defense may prescribe in regulations any exceptions that the Secretary considers appropriate.

''(b) RELATIONSHIP TO OTHER LAW.—The authority under subsection (a) is independent of the authority provided under section 3332 of title 31 and may be exercised without regard to any exception provided under that section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

''2784. Payments to personnel: electronic transfers of funds.''.

(c) STUDY AND REPORT ON DEPARTMENT OF DEFENSE ELECTRONIC FUND TRANSFERS.—(1) Subject to paragraph (3), the Secretary of Defense shall conduct a feasibility study to determine—

(A) whether all electronic payments issued by the Department of Defense should be routed through the Regional Finance Centers of the Department of the Treasury for verification and reconciliation;

(B) whether all electronic payments made by the Department of Defense should be subjected to the same level of reconciliation as United States Treasury checks, including matching each payment issued with each corresponding deposit at financial institutions;

(C) whether the appropriate computer security controls are in place in order to ensure the integrity of electronic payments;

(D) the estimated costs of implementing the processes and controls described in subparagraphs (A), (B), (C); and

(E) the period that would be required to implement the processes and controls.

(2) Not later than March 1, 2000, the Secretary of Defense shall submit a report to Congress containing the results of the study required by paragraph (1).

(3) In this subsection, the term ''electronic payment'' means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, or computer or magnetic tape so as to order, instruct, or authorize a debit or credit to a financial account.

SEC. 1005. PAYMENT OF FOREIGN LICENSING FEES OUT OF PROCEEDS OF SALES OF MAPS, CHARTS, AND NAVIGATIONAL BOOKS.

(a) IN GENERAL.—Subchapter II of chapter 22 of title 10, United States Code, is amended—

(1) by redesignating section 456 as section 457; and

(2) by inserting after section 455 the following new section 456:

''§ 456. 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 hereby made available for the purpose), any licensing or other fees imposed by foreign countries or international organizations for the acquisition or use of data or products by the Agency.

''(b) DISPOSITION OF OTHER PROCEEDS.—Any proceeds of sales not paid under the authority in subsection (a) shall be deposited by the Secretary of Defense in the Treasury as miscellaneous receipts.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of that subchapter is amended by striking the item relating to section 456 and inserting the following new items:

''456. Maps, charts, and navigational publications: use of proceeds of sale for foreign licensing and other fees.

''457. Civil actions barred.''.

SEC. 1006. AUTHORITY FOR DISBURSING OFFICERS TO SUPPORT USE OF AUTOMATED TELLER MACHINES ON NAVAL VESSELS FOR FINANCIAL TRANSACTIONS.

Section 3342(a) of title 31, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3)(B) and inserting ''; and''; and

(3) by adding at the end the following new paragraph (4):

''(4) with respect to automated teller machines on naval vessels—

''(A) provide operating funds to the automated teller machines; and

''(B) accept, for safekeeping, deposits and transfers of funds made through the automated teller machines.''.

SEC. 1007. CENTRAL TRANSFER ACCOUNT FOR COMBATING TERRORISM.

(a) AMOUNT FOR FISCAL YEAR 2000.—(1) Of the amounts authorized to be appropriated under this Act for the Department of Defense for fiscal year 2000, $1,954,430,000 shall be available from the sources and in the amounts specified in paragraph (2) for the missions of the Department of Defense related to combating terrorism inside and outside the United States.

(2) The amounts and sources referred to in paragraph (1) are as follows:

(A) $229,820,000 of the total amount authorized to be appropriated pursuant to title I for fiscal year 2000.

(B) $212,510,000 of the total amount authorized to be appropriated pursuant to title II for fiscal year 2000.

(C) $1,512,100,000 of the total amount authorized to be appropriated pursuant to title III for fiscal year 2000 (except for the amount authorized to be appropriated under section 301(a)(25)).

(b) TRANSFER.—(1) The amounts made available under subsection (a) from the authorizations of appropriations referred to in that subsection shall be transferred to the amount authorized to be appropriated under section 301(a)(25).

(2) The transfer authority provided in this section is in addition to the transfer authority provided in section 1001.

(c) BUDGET PROPOSALS FOR FISCAL YEARS AFTER FISCAL YEAR 2000.—The budget of the United States Government submitted to Congress under section 1105 of title 31, United States Code, for each fiscal year after fiscal year 2000 shall set forth separately for a single account the amount requested for the missions of the Department of Defense related to combating terrorism inside and outside the United States.

SEC. 1008. UNITED STATES CONTRIBUTION TO NATO COMMON-FUNDED BUDGETS IN FISCAL YEAR 2000.

(a) FISCAL YEAR 2000 LIMITATION.—The total amount contributed by the Secretary of Defense in fiscal year 2000 for the common-funded budgets of NATO may be any amount up to, but not in excess of, the amount specified in subsection (b) (rather than the maximum amount that would otherwise be applicable to those contributions under the fiscal year 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 for contributions 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.

(4) The total amount of the contributions authorized to be made under section 2501.

(c) DEFINITIONS.—For purposes of this section:

(1) COMMON-FUNDED BUDGETS OF NATO.—The term ''common-funded budgets of NATO'' means the Military Budget, the Security Investment Program, and the Civil Budget of the North Atlantic Treaty Organization (and any successor or additional account or program of NATO).

(2) FISCAL YEAR 1998 BASELINE LIMITATION.—The term ''fiscal year 1998 baseline limitation'' means the maximum annual amount of Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(2)(C)(ii) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.

SEC. 1009. RESPONSIBILITIES AND ACCOUNTABILITY FOR FINANCIAL MANAGEMENT.

(a) UNDER SECRETARY OF DEFENSE (COMPTROLLER).—(1) Section 135 of title 10, United States Code, is amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (c) the following:

''(d)(1) The Under Secretary is responsible for ensuring that the financial statements of the Department of Defense are in a condition to receive an unqualified audit opinion and that such an opinion is obtained for the statements.

''(2) If the Under Secretary delegates the authority to perform a duty, including any duty relating to disbursement or accounting, to another officer, employee, or entity of the United States, the Under Secretary continues after the delegation to be responsible and accountable for the activity, operation, or performance of a system covered by the delegated authority.''.

(2) Subsection (c)(1) of such section is amended by inserting ''and to ensure accountability to the citizens of the United States, Congress, the President, and managers within the Department of Defense'' before the semicolon at the end.

(b) MANAGEMENT OF CREDIT CARDS.—(1) The Under Secretary of Defense (Comptroller) shall prescribe regulations governing the use and control of all credit cards and convenience checks that are issued to Department of Defense personnel for official use. The regulations shall be consistent with regulations that apply government-wide regarding use of credit cards by Federal Government personnel for official purposes.

(2) The regulations shall include safeguards and internal controls to ensure the following:

(A) There is a record of all credited card holders that is annotated with the limitations on amounts that are applicable to the use of each card by each credit card holder.

(B) The credit card holders and authorizing officials are responsible for reconciling the charges appearing on each statement of account with receipts and other supporting documentation and for forwarding reconciled statements to the designated disbursing office in a timely manner.

(C) Disputes and discrepancies are resolved in the manner prescribed in the applicable Governmentwide credit card contracts entered into by the Administrator of General Services.

(D) Credit card payments are made promptly within prescribed deadlines to avoid interest penalties.

(E) Rebates and refunds based on prompt payment on credit card accounts are properly recorded in the books of account.

(F) Records of a credit card transaction (including records on associated contracts, reports, accounts, and invoices) are retained in accordance with standard Federal Government policies on the disposition of records.

(c) REMITTANCE ADDRESSES.—The Under Secretary of Defense (Comptroller) shall prescribe regulations setting forth controls on alteration of remittance addresses. The regulations shall ensure that—

(1) a remittance address for a disbursement that is provided by an officer or employee of the Department of Defense authorizing or requesting the disbursement is not altered by any officer or employee of the department authorized to prepare the disbursement; and

(2) a remittance address for a disbursement is altered only if the alteration is—

(A) requested by the person to whom the disbursement is authorized to be remitted; and

(B) made by an officer or employee authorized to do so who is not an officer or employee referred to in paragraph (1).

SEC. 1010. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999.

Amounts authorized to be appropriated to the Department of Defense for fiscal year 1999 in the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization were increased (by a supplemental appropriation) or decreased (by a rescission), or both, in the 1999 Emergency Supplemental Appropriations Act.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. SALES OF NAVAL SHIPYARD ARTICLES AND SERVICES TO NUCLEAR SHIP CONTRACTORS.

(a) WAIVER OF REQUIRED CONDITIONS.—Chapter 633 of title 10, United States Code, is amended by inserting after section 7299a the following:

''§ 7300. Contracts for nuclear ships: sales of naval shipyard articles and services to contractors

''The conditions set forth in section 2208(j)(2) of this title and subsections (a)(1) and (c)(1) of section 2553 of this title shall not apply to a sale of articles or services of a naval shipyard that is made to a contractor under a Department of Defense contract for a nuclear ship in order to facilitate the contractor's fulfillment of that contract.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7299a the following:

''7300. Contracts for nuclear ships: sales of naval shipyard articles and services to contractors.''.

SEC. 1012. PERIOD OF DELAY AFTER NOTICE OF PROPOSED TRANSFER OF VESSEL STRICKEN FROM NAVAL VESSEL REGISTER.

Section 7306(d) of title 10, United States Code, is amended—

(1) by striking ''(1)'';

(2) by striking ''(A)'' and inserting ''(1)''; and

(3) by striking ''(B)'' and all that follows and inserting the following:

''(2) following the date on which such notice is sent to Congress, there has elapsed 60 days on which at least one of the Houses of Congress has been in session.''.

SEC. 1013. TRANSFER OF NAVAL VESSEL TO FOREIGN COUNTRY.

(a) THAILAND.—The Secretary of the Navy is authorized to transfer to the Government of Thailand the CYCLONE class coastal patrol craft CYCLONE (PC1) or a craft with a similar hull. The transfer shall be made on a sale, lease, lease/buy, or grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) COSTS.—Any expense incurred by the United States in connection with the transfer authorized under subsection (a) shall be charged to the Government of Thailand.

(c) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the Secretary of the Navy shall require, as a condition of the transfer of the vessel to the Government of Thailand under this section, that the Government of Thailand have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a United States Naval shipyard or other shipyard located in the United States.

(d) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under subsection (a) shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

Subtitle C—Miscellaneous Report Requirements and Repeals

SEC. 1021. PRESERVATION OF CERTAIN DEFENSE REPORTING REQUIREMENTS.

(a) PRESERVATION.—Any provision of law specified in subsections (b) through (i) that requires the submittal to Congress (or any committee of the Congress) of any annual, semiannual, or other regular periodic report shall remain in effect with respect to that requirement (notwithstanding any other provision of law) in accordance with the terms of the specified provision of law.

(b) TITLE 10.—Subsection (a) applies with respect to the following provisions of title 10, United States Code, listed in the Clerk's Report (defined in subsection (j)):

(1) Sections 113(c) and 113(j), listed on page 57 of the Clerk's Report.

(2) Section 115a(a), listed on page 57 of the Clerk's Report as 10 U.S.C. 115(b)(3)(A).

(3) Section 139(f), listed on page 62 of the Clerk's Report as 10 U.S.C. 138(g)(1).

(4) Section 221, listed on page 64 of the Clerk's Report as 10 U.S.C. 114.

(5) Section 226, specified on page 149 of the Clerk's Report as section 1002 of Public Law 102–190.

(6) Section 662(b), listed on page 58 of the Clerk's Report.

(7) Section 1464(c), listed on page 60 of the Clerk's Report.

(8) Section 2006(e)(3), listed on page 76 of the Clerk's Report.

(9) Section 2010, listed on page 57 of the Clerk's Report.

(10) Section 2011(e), listed on page 56 of the Clerk's Report as Pub. L. 102–190, Sec. 1052(a).

(11) Section 2208(q), listed on page 64 of the Clerk's Report as 10 U.S.C. 2208(i).

(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. 2304 note.

(17) Section 2662(b), listed on pages 69, 74, and 76 of the Clerk's Report.

(18) Section 2687(b), listed on page 62 of the Clerk's Report.

(19) Section 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 12302(d), listed on page 14 of the Clerk's Report as 10 U.S.C. 673(d).

(24) Section 16137, listed on page 59 of the Clerk's Report as 10 U.S.C. 2137.

(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)).

(d) NATIONAL DEFENSE AND MILITARY CONSTRUCTION AUTHORIZATION ACTS.—Subsection (a) applies with respect to provisions of law listed in the Clerk's Report (defined in subsection (j)), as follows:

(1) FISCAL YEAR 1982.—The following provisions of the Military Construction Authorization Act, 1982 (Public Law 97–99):

(A) Section 703(g) (95 Stat. 1376), listed on page 62 of the Clerk's Report.

(B) Section 704 (95 Stat. 1377), listed on pages 68, 73, and 75 of the Clerk's Report.

(2) FISCAL YEARS 1988 AND 1989.—Section 1121(f) of the National Defense Authorization Act for Fiscal Year 1988 and 1989 (Public Law 100–180; 101 Stat. 1148; 10 U.S.C. 113 note) (listed on page 61 of the Clerk's Report).

(3) FISCAL YEARS 1990 AND 1991.—Section 113(b) of the National Defense Authorization Act for Fiscal Year 1990 and 1991 (Public Law 101–189; 103 Stat. 1373) (listed on page 2 of the Clerk's Report).

(4) FISCAL YEARS 1992 AND 1993.—The following provisions of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190):

(A) Section 822(b) (42 U.S.C. 6687(b)), listed on page 36 of the Clerk's Report.

(B) Section 1097 (22 U.S.C. 2751 note), listed on page 15 of the Clerk's Report.

(e) OTHER NATIONAL SECURITY LAWS.—Subsection (a) applies with respect to provisions of law listed in the Clerk's Report (defined in subsection (j)), as follows:

(1) STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.—Any provision of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.), referred to on page 169 of the Clerk's Report.

(2) NATIONAL SECURITY ACT OF 1947.—Section 108 of the National Security Act of 1947 (50 U.S.C. 404a), listed on page 33 of the Clerk's Report as Pub. L. 99–433, Sec. 603(a)).

(3) IRAQ RESOLUTION.—Section 3 of the Authorization for Use of Military Force Against Iraq Resolution (50 U.S.C. 1541 note), listed on page 14 of the Clerk's Report as Pub. L. 102–1, Sec. 3).

(4) MILITARY SELECTIVE SERVICE ACT.—Section 10(g) of the Military Selective Service Act (50 U.S.C. App. 460(g)) (listed on page 191 of the Clerk's Report).

(5) NATIONAL EMERGENCIES ACT.—The following provisions of the National Emergencies Act:

(A) Section 202(d) (50 U.S.C. 1622(d)), listed on page 33 of the Clerk's Report.

(B) Section 401(c) (50 U.S.C. 1641(c)), listed on page 33 of the Clerk's Report.

(6) FOOD AND FORAGE ACT.—Section 3732 of the Revised Statutes, popularly known as the ''Food and Forage Act'' (listed on page 64 of the Clerk's Report as 41 U.S.C. 11).

(7) SPECIAL NATIONAL DEFENSE CONTRACTING AUTHORITY.—Section 4 of the Act entitled ''An Act to authorize the making, amending, and modification of contracts to facilitate the national defense'', approved August 28, 1958 (listed on several pages of the Clerk's Report, including pages 9, 48, 51, 64, 69, 74, 76, 134, 142, 174, 179, and 186, as 50 U.S.C. 1434).

(f) OTHER LAWS ADMINISTERED BY THE DEPARTMENT OF DEFENSE.—Subsection (a) applies with respect to the following provisions of law listed in the Clerk's Report (defined in subsection (j)):

(1) DEFENSE DEPENDENTS' EDUCATION ACT OF 1978.—Section 1405 of the Defense Dependents' Education Act of 1978 (title XIV of Public Law 95–561; 20 U.S.C. 924) (listed on page 77 of the Clerk's Report).

(2) ARMED FORCES RETIREMENT HOME ACT OF 1991.—Section 1516(f) of the Armed Forces Retirement Home Act of 1991 (title XV of Public Law 101–510; 104 Stat. 1728; 24 U.S.C. 416) (listed on page 56 of the Clerk's Report).

(g) PROVISIONS OF LAW REQUIRING DEPARTMENT OF ENERGY REPORTS.—Subsection (a) applies with respect to provisions of law listed in part IV–A–5 of the Clerk's Report (defined in subsection (j)), relating to reports to be submitted by the Secretary of Energy (or any other official of the Department of Energy), as follows:

(1) NATIONAL DEFENSE AUTHORIZATION ACTS.—The following provisions of provisions law:

(A) Section 1436(e) of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 42 U.S.C. 2121 note) (listed on page 83 of the Clerk's Report).

(B) Section 3141(c) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 42 U.S.C. 7274a(c)) (listed on page 87 of the Clerk's Report).

(C) Section 3134 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 42 U.S.C. 7274c) (listed on page 87 of the Clerk's Report).

(2) TITLE 10, UNITED STATES CODE.—Sections 7424(b), 7425(b), and 7431(c) of title 10, United States Code (listed on page 89 of the Clerk's Report).

(3) ENERGY POLICY AND CONSERVATION ACT.—Section 165(b) of the Energy Policy and Conservation Act (Public Law 94–163; 42 U.S.C. 6245(b)) (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 3554(e)(2) of title 31, United States Code (listed on page 8 of the Clerk's Report as 31 U.S.C. 3554(e)(2)).

(B) Section 9503(a) (listed on page 151 of the Clerk's Report as 31 U.S.C. 9503(a)(1)(B)).

(2) TITLE 36.—Section 300110(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 provisions of law listed in the Clerk's Report (defined in subsection (j)):

(1) SUPPLEMENTAL APPROPRIATIONS ACT, 1982.—Section 503(f) of the Supplemental Appropriations Act, 1987 (Public Law 100–71; 101 Stat. 471; 5 U.S.C. 7301 note) (listed on page 151 of the Clerk's Report), insofar as the report under that section relates to activities of the Department of Defense.

(2) BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION ACT.—Section 1411(b) of the Barry Goldwater Scholarship and Excellence in Education Act (title XIV of Public Law 99–661 (20 U.S.C. 4710(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 42 U.S.C. 1973ff(b)(6)).

(5) NATIONAL SCIENCE AND TECHNOLOGY POLICY, ORGANIZATION, AND PRIORITIES ACT OF 1976.—Section 603(e) of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6683(e)) (specified on page 36 of the Clerk's Report as section 841(a) of Public Law 101–189).

(6) LAWS REQUIRING MARITIME ADMINISTRATION REPORTS.—Provisions of law listed under the heading ''Maritime Administration'' in Part IV–A–12 in 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 139.

(j) CLERK'S REPORT DEFINED.—For the purposes of this section, the term ''Clerk's Report'' means the document submitted by the Clerk of 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:

''(c) ANNUAL REPORT ON COMBATANT COMMAND REQUIREMENTS.—(1) Not later than August 15 of each year, the Chairman shall submit to the committees of Congress named in paragraph (2) a report on the requirements of the combatant commands established under section 161 of this title. The report shall contain the following:

''(A) A consolidation of the integrated priority lists of requirements of the combatant commands.

''(B) The Chairman's views on the consolidated lists.

''(2) The committees of Congress referred to in paragraph (1) are the Committees on Armed Services and on Appropriations of the Senate and House of Representatives.''.

SEC. 1023. REPORT ON ASSESSMENTS OF READINESS TO EXECUTE THE NATIONAL MILITARY STRATEGY.

(a) REQUIREMENT FOR REPORT.—(1) The Secretary of Defense shall submit to the Committees 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-moderate risk to moderate-high risk.

(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.

(2) 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 operations 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) LIMITATION ON USE OF FUNDS PENDING SUBMITTAL OF REPORT.—Of the funds authorized to be appropriated under section

301(a)(5) for the Office of the Secretary of Defense and the Joint Chiefs of Staff, not more than 75 percent of such funds may be expended until the report required in subsection (a) is submitted.

SEC. 1024. REPORT ON INVENTORY AND CONTROL OF MILITARY EQUIPMENT.

(a) REPORT REQUIRED.—Not later than August 31, 2000, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the inventory and control of the military equipment of the Department of Defense as of the end of fiscal year 1999. The report shall address the inventories of each of the Army, Navy, Air Force, and Marine Corps separately.

(b) CONTENT.—The report shall include the following:

(1) For each item of military equipment in the inventory, stated by item nomenclature—

(A) the quantity of the item in the inventory as of the beginning of the fiscal year;

(B) the quantity of acquisitions of the item during the fiscal year;

(C) the quantity of disposals of the item during the fiscal year;

(D) the quantity of losses of the item during the performance of military missions during the fiscal year; and

(E) the quantity of the item in the inventory as of the end of the fiscal year.

(2) A reconciliation of the quantity of each item in the inventory as of the beginning of the fiscal year with the quantity of the item in the inventory as of the end of fiscal year.

(3) For each item of military equipment that cannot be reconciled—

(A) an explanation of why the quantities cannot be reconciled; and

(B) a discussion of the remedial actions planned to be taken, including target dates for accomplishing the remedial actions.

(4) Supporting schedules identifying the location of each item that are available to Congress or auditors of the Comptroller General upon request.

(c) MILITARY EQUIPMENT DEFINED.—For the purposes of this section, the term ''military equipment'' means all equipment that is used in support of military missions and is maintained on the visibility systems of the Army, Navy, Air Force, or Marine Corps.

(d) INSPECTOR GENERAL REVIEW.—Not later than November 30, 2000, the Inspector General of the Department of Defense shall review the report submitted to the committees under subsection (a) and shall submit to the committees any comments that the Inspector General considers appropriate.

SEC. 1025. SPACE TECHNOLOGY GUIDE.

(a) REQUIREMENT.—The Secretary of Defense shall develop a detailed guide for investment in space science and technology, demonstrations of space technology, and planning and development for space technology systems. In the development of the guide, the goal shall be to identify the technologies and technology demonstrations needed for the United States to take full advantage of use of space for national security purposes.

(b) RELATIONSHIP TO FUTURE-YEARS DEFENSE PROGRAM.—The space technology guide shall include two alternative technology paths. One shall be consistent with the applicable funding limitations associated with the future-years defense program. The other shall reflect the assumption that it is not constrained by funding limitations.

(c) RELATIONSHIP TO ACTIVITIES OUTSIDE THE DEPARTMENT OF DEFENSE.—The Secretary shall include in the guide a discussion of the potential for cooperative investment and technology development with other departments and agencies of the United States and with private sector entities.

(d) UTILIZATION OF PREVIOUS STUDIES AND REPORTS.—The Secretary shall take into consideration previously completed studies and reports that may be relevant to the development of the guide, including the United States Space Command's Long Range Plan of 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 REGARDING SEXUAL OR DOMESTIC ABUSE.

(a) STUDY AND REPORT.—(1) The Comptroller General shall study the policies, procedures, and practices of the military departments for protecting the confidentiality of communications between—

(A) a dependent of a member of the Armed Forces who—

(i) is a victim of sexual harassment, sexual assault, or intrafamily abuse; or

(ii) has engaged in such misconduct; and

(B) a therapist, counselor, advocate, or other professional from whom the dependent seeks professional services in connection with effects of such misconduct.

(2) Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall conclude the study and submit a report on the results of the study to Congress 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;

(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 21, 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 proposal in the latest quadrennial defense review to reduce the Federal civilian workforce involved in the operation of the eight storage sites for lethal chemical agents and munitions in the continental United States and to convert to contractor operation of the storage sites. The workforce reductions addressed in the report shall include those that are to be effectuated by 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 sites and the workforce operating the storage sites have—

(A) the capabilities necessary to respond effectively to emergencies involving chemical accidents; and

(B) the industrial capabilities necessary to meet replenishment and surge requirements.

(3) The risks associated with the proposed workforce reductions and contractor performance, particularly regarding chemical accidents, incident response capabilities, community-wide emergency preparedness programs, and current or planned chemical demilitarization programs.

(4) The effects of the proposed workforce reductions and contractor performance on the capability to satisfy permit requirements regarding environmental protection that are applicable to the performance of current and future chemical demilitarization and industrial missions.

(5) The effects of the proposed workforce reductions and contractor performance on the capability to perform assigned industrial missions, particularly the materiel replenishment missions for chemical or biological defense or for chemical munitions.

(6) 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 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 specific 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 OFFICE 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.

(b) DECONTAMINATION READINESS PLAN.—The Secretary of Defense shall prepare a decontamination readiness plan for the Consequence Management Program Integration Office. The plan shall include the following:

(1) The actions necessary to ensure that the units designated to carry out decontamination missions under the program are at the highest level of readiness for carrying out the missions.

(2) The funding necessary for attaining and maintaining that level of readiness.

(3) Procedures for ensuring that each decontamination unit is available to respond to an incident in the United States that involves a weapon of mass destruction within 12 hours after being notified of the incident by a Rapid Assessment and Initial Detection Team.

SEC. 1030. ANALYSIS OF RELATIONSHIP BETWEEN THREATS AND BUDGET SUBMISSION FOR FISCAL YEAR 2001.

(a) REQUIREMENT FOR REPORT.—The Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Director of Central Intelligence, shall submit to the congressional defense committees, on the date that the President submits the budget for fiscal year 2001 to Congress under section 1105(a) of title 31, United States Code, a report on the relationship between the budget proposed for budget function 050 (National Defense) for that fiscal year and the then-current and emerging threats to the national security interests of the United States identified in the annual national security strategy report required under section 108 of the National Security Act of 1947 (50 U.S.C. 404a).

(b) CONTENT.—The report shall contain the following:

(1) A detailed description of the threats referred to in subsection (a);

(2) An analysis of such threats in terms of the probability that an attack or other threat event will actually occur, the military challenge posed by the threats, and the potential damage that the threats could have to the national security interests of the United States.

(3) An analysis of the allocation of funds in the fiscal year 2001 budget and the future-years defense program that addresses the threats in each category.

(4) A justification for each major defense acquisition program (as defined in section 2430 of title 10, United States Code) that is provided for in the budget in light of the description and analyses set forth in the report.

(c) FORM OF REPORT.—The report shall be submitted in unclassified form, but may also be submitted in classified form if necessary.

SEC. 1031. REPORT ON NATO'S DEFENSE CAPABILITIES INITIATIVE.

(a) FINDINGS.—Congress makes the following findings:

(1) At the Washington Summit meeting of the North Atlantic Council in April 1999, NATO Heads of State and Governments launched a Defense Capabilities Initiative.

(2) The Defense Capabilities Initiative is designed to improve the defense capabilities of the individual nations of the NATO Alliance to ensure the effectiveness of future operations across the full spectrum of Alliance missions in the present and foreseeable security environment.

(3) Under the Defense Capabilities Initiative, special focus will be given to improving interoperability among Alliance forces and to increasing defense capabilities through improvements in the deployability and mobility of Alliance forces, the sustainability and logistics of the forces, the survivability and effective engagement capability of the forces, and command and control and information systems.

(4) The successful implementation of the Defense Capabilities Initiative will serve to enable all NATO allies to make a more equitable contribution to the full spectrum of Alliance missions, thereby increasing burdensharing within the Alliance and enhancing the ability of European allies to undertake operations pursuant to the European Security and Defense Identity within the Alliance.

(b) ANNUAL REPORT.—(1) Not later than January 31 of each year, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and International Relations of the House of Representatives a report on implementation of the Defense Capabilities Initiative by the nations of the NATO Alliance. The report shall include the following:

(A) A discussion of the work of the temporary High-Level Steering Group, or any successor group, established to oversee the implementation of the Defense Capabilities Initiative and to meet the requirement of coordination and harmonization among relevant planning disciplines.

(B) A description of the actions taken, including implementation of the Multinational Logistics Center concept and development of the C3 system architecture, by the Alliance as a whole to further the Defense Capabilities Initiative.

(C) A description of the actions taken by each of our NATO allies to improve the capabilities of their forces in each of the following areas:

(i) Interoperability with other Alliance forces.

(ii) Deployability and mobility.

(iii) Sustainability and logistics.

(iv) Survivability and effective engagement capability.

(v) Command and control and information systems.

(4) The report shall be submitted in unclassified form, but may also be submitted in classified form if necessary.

SEC. 1032. REVIEW OF INCIDENCE OF STATE MOTOR VEHICLE VIOLATIONS BY ARMY PERSONNEL.

(a) REVIEW AND REPORT REQUIRED.—The Secretary of the Army shall review the incidence of violations of State and local motor vehicle laws applicable to the operation and parking of Army motor vehicles by Army personnel during fiscal year 1999, and, not later than March 31, 2000, submit a report on the results of the review to Congress.

(b) CONTENT OF REPORT.—The report under subsection (a) shall include the following:

(1) A quantitative description of the extent of the violations described in subsection (a).

(2) An estimate of the total amount of the fines that are associated with citations issued for the violations.

(3) Any recommendations that the Inspector General considers appropriate to curtail the incidence of the violations.

SEC. 1033. REPORT ON USE OF NATIONAL GUARD FACILITIES AND INFRASTRUCTURE FOR SUPPORT OF PROVISION OF VETERANS SERVICES.

(a) REPORT.—(1) The Chief of the National Guard Bureau shall, in consultation with the Secretary of Veterans Affairs, submit to the Secretary of Defense a report assessing the feasibility and desirability of using the facilities and electronic infrastructure of the National Guard for support of the provision of services to veterans by the Secretary. The report shall include an assessment of any costs and benefits associated with the use of such facilities and infrastructure for such support.

(2) The Secretary of Defense shall transmit to Congress the report submitted under paragraph (1), together with any comments on the report that the Secretary considers appropriate.

(b) TRANSMITTAL DATE.—The report shall be transmitted under subsection (a)(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 (2), including the installations visited, the duration of the visits, and the activities conducted during the visits.

(3) The involvement, if any, of the general and flag officers referred to in paragraph (2) in the Tiananmen Square massacre of June 1989.

(4) A list of facilities in the People's Republic of China that United States military officers have visited as a result of any military-to-military contact program between the United States and the People's Republic of China since January 1, 1993.

(5) A list of facilities in the People's Republic of China that have been the subject of a requested visit by the Department of Defense which has been denied by People's Republic of China authorities.

(6) A list of facilities in the United States that have been the subject of a requested visit by the People's Liberation Army which has been denied by the United States.

(7) Any official documentation, such as memoranda for the record, after-action reports and final itineraries, and all receipts for expenses over $1,000, concerning military-to-military contacts or exchanges between the United States and the People's Republic of China in 1999.

(8) An assessment regarding whether or not any People's Republic of China military officials have been shown classified material as a result of military-to-military contacts or exchanges between the United States and the People's Republic of China.

(9) The report shall be submitted no later than March 31, 2000, and shall be unclassified but may contain a classified annex.

Subtitle D—Other Matters

SEC. 1041. LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.

(a) ONE-YEAR EXTENSION.—Subsection (g) of section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1948), as amended by section 1501 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2171), is further amended by striking ''and 1999'' and inserting ''through 2000''.

(b) MINIMUM LEVELS FOR CERTAIN SYSTEMS.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking ''71'' and inserting ''76''; and

(2) in paragraph (2), by striking ''18'' and inserting ''14''.

SEC. 1042. LIMITATION ON REDUCTION IN UNITED STATES STRATEGIC NUCLEAR FORCES.

(a) LIMITATION ON REDUCTION OF UNITED STATES STRATEGIC NUCLEAR FORCES.—None of the funds authorized to be appropriated by this or any other Act for fiscal year 2000 may be used to reduce the number of United States strategic nuclear forces below the maximum number of those forces, for each category of nuclear arms, permitted the United States under the START II Treaty unless the President submits to Congress a report containing an assessment indicating that such reductions would not impede the capability of the United States to respond 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 may be construed to authorize the retirement or dismantlement, or the preparation for retirement or dismantlement, of any strategic nuclear delivery system described in section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) below the level specified for the system in that section, as amended by section 1041.

(c) DEFINITIONS.—In this section:

(1) START II TREATY DEFINED.—The term ''START II Treaty'' means the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, and related protocols and memorandum of understanding, signed at Moscow on January 3, 1993.

(2) UNITED STATES STRATEGIC NUCLEAR FORCES.—The term ''United States strategic nuclear forces'' includes intercontinental ballistic missiles (ICBMs) and ICBM launchers, submarine-launched ballistic missiles (SLBMs) and SLBM launchers, heavy bombers, ICBM warheads, SLBM warheads, and heavy bomber nuclear armaments.

SEC. 1043. COUNTERPROLIFERATION PROGRAM REVIEW COMMITTEE.

(a) EXTENSION OF COMMITTEE.—Section 1605(f) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 22 U.S.C. 2751 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2004''.

(b) EXECUTIVE SECRETARY OF THE COMMITTEE.—Paragraph (5) of section 1605(a) of the National Defense Authorization Act for Fiscal Year 1994 (22 U.S.C. 2751 note) is amended to read as follows:

''(5) The Assistant Secretary of Defense for Strategy and Threat Reduction shall serve as executive secretary to the committee.''.

(c) EARLIER DEADLINE FOR ANNUAL REPORT ON COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.—Section 1503(a) of the National Defense Authorization Act for Fiscal Year 1995 (22 U.S.C. 2751 note) is amended by striking ''May 1 of each year'' and inserting ''February 1 of each year''.

SEC. 1044. LIMITATION REGARDING COOPERATIVE THREAT REDUCTION PROGRAMS.

Funds authorized to be appropriated under this Act may not be obligated or expended for assistance for a country under any Cooperative Threat Reduction program specified under section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 50 U.S.C. 2362 note) until 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 military modernization program that exceeds legitimate defense requirements.

SEC. 1045. PERIOD COVERED BY ANNUAL REPORT ON ACCOUNTING FOR 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. 5955 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 IN FISCAL YEAR 2000.—The total amount of the assistance for fiscal year 2000 that is provided by the Secretary of Defense under section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) as activities of the Department of Defense in support of activities under that Act may not exceed $15,000,000.

(b) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (f) of section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) is amended by striking ''1999'' and inserting ''2000''.

SEC. 1047. INFORMATION ASSURANCE INITIATIVE.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States is becoming increasingly dependent upon information systems for national security, economic security, and a broad range of other vital national interests.

(2) Presidential Decision Directive 63, dated May 22, 1998, recognizes the importance of information assurance and sets forth policy and organizational recommendations for addressing the information assurance challenges.

(3) The Department of Defense has undertaken significant steps to address threats to the Defense Information Infrastructure, including the establishment of a Defense Information Assurance Program.

(4) Notwithstanding those actions and other important actions taken by the President and the Secretary of Defense to address the challenges of information assurance, the Department of Defense, other Federal departments and agencies, and a broad range of private sector entities continue to face new challenges and threats to their information systems.

(5) Although the Secretary of Defense can and should play an important role in helping address a broad range of information warfare threats to the United States, the Secretary necessarily focuses primarily on addressing the vulnerabilities of the information systems and other infrastructures, within and outside of the Department of Defense, on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(6) It is important for the Secretary of Defense to work closely with the heads of all departments and agencies of the Federal Government concerned to identify areas in which the Department of Defense can contribute to securing critical national infrastructures beyond the areas under the direct oversight and control of the Secretary of Defense.

(b) DEFENSE INFORMATION ASSURANCE PROGRAM.—(1) The Secretary of Defense shall carry out an information assurance program.

(2) The Secretary shall submit to Congress an annual report on the program. The annual report shall include the Department of Defense information assurance guide applicable under subsection (c) as of the date of the report. The first report shall be submitted not later than March 15, 1999.

(c) DEFENSE INFORMATION ASSURANCE GUIDE.—(1) The Secretary of Defense shall prepare a Department of Defense information assurance guide for the development of appropriate organizational structures and technologies for information assurance under the program. The Secretary shall modify or replace the guide from time to time to maintain the current relevance of the guide.

(2) The Department of Defense information assurance guide shall include the following:

(A) A plan for developing information assurance technologies, including the criteria used to prioritize research, development, and procurement investments in such technologies.

(B) A plan for organizing the Department of Defense to defend against information warfare threats, including the organizational changes that are planned or being considered together with a recitation of the organizational changes that have been implemented.

(C) A plan for joint efforts by the Department of Defense with other departments and agencies of the Federal Government and with State and local organizations to strengthen the security of the information systems and infrastructures in the United States, with particular emphasis on the systems and elements of the infrastructure on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(D) An assessment of the threats to information systems and infrastructures on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises, including an assessment of technical or other vulnerabilities in Defense Department information and communications systems.

(E) A plan for conducting exercises, war games, simulations, experiments, and other activities designed to prepare the Department of Defense to respond to information warfare threats.

(F) Any proposal for legislation that the Secretary considers necessary for implementing the Defense information assurance program or for otherwise responding to information warfare threats.

(G) Any other information that the Secretary determines relevant.

(d) INFORMATION ASSURANCE TESTBED.—(1) The Secretary of Defense shall develop 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 that the Secretary determines as being concerned with defense information assurance.

(2) The information assurance testbed shall be organized to provide the following:

(A) An integrated organizational structure within the Department of Defense to plan

and facilitate the conduct of simulations, wargames, exercises, 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-Department of Defense organizations that are responsible for the oversight and management of critical information systems and infrastructures on which the Department of Defense depends for the conduct of daily operations and the conduct of operations in crises.

(e) FUNDING.—(1) Of the amounts authorized to be appropriated under section 104—

(A) $10,000,000 is available for procurement by the Defense Information Systems Agency of secure terminal equipment for use by the Armed Forces and Defense Agencies; and

(B) $10,000,000 is available for development and procurement of tools for real-time computer intrusion detection, analysis, and warning.

(2) Of the amounts authorized to be appropriated under section 201(4)—

(A) $5,000,000 in program element 65710D8 is available for establishing and operating the information assurance testbed established pursuant to subsection (d); and

(B) $85,000,000 in program element 33140G is available for—

(i) secure wireless communications;

(ii) public key infrastructure;

(iii) tool development by the Information Operations Technology Center;

(iv) critical infrastructure modeling; and

(v) software security research.

(3) Of the amounts authorized to be appropriated under section 301(a)(5), $10,000,000 is available for training, education, and retention of information technology professionals of the Department of Defense.

SEC. 1048. DEFENSE SCIENCE BOARD TASK FORCE ON TELEVISION AND RADIO AS A PROPAGANDA INSTRUMENT IN TIME OF MILITARY CONFLICT.

(a) DEFENSE SCIENCE BOARD TASK FORCE ON RADIO AND TELEVISION AS A PROPAGANDA INSTRUMENT IN TIME OF CONFLICT.—The Secretary of Defense shall establish a task force of the Defense Science Board to examine the use of radio and television broadcasting as a propaganda instrument and the adequacy of the capabilities of the United States Armed Forces in this area to deal with situations such as the conflict in the Federal Republic of Yugoslavia.

(b) DUTIES OF THE TASK FORCE.—The task force shall assess and develop recommendations as to the appropriate capabilities, if any, that the United States Armed Forces should have to broadcast radio and television into an area so as to ensure that the general public in that area are exposed to the facts of the conflict. In making the assessment and developing the recommendations, the task force shall review the following:

(1) The capabilities of the United States Armed Forces to develop programming and to broadcast factual information that can reach a large segment of the general public in a country like the Federal Republic of Yugoslavia.

(2) The potential of various airborne or land-based mechanisms to have capabilities described in paragraph (1), including but not limited to desirable improvements to the EC–130 Commando Solo aircraft, and the utilization of other airborne platforms, unmanned aerial vehicles, and land-based transmitters in conjunction with satellites.

(3) Other issues relating to the use of television and radio as a propaganda instrument in time of conflict.

(c) REPORT.—The task force shall submit to the Secretary of Defense a report containing its assessments and recommendations not later than February 1, 2000. The Secretary shall submit the report, together with the comments and recommendations of the Secretary of Defense, to the congressional defense committees not later than March 1, 2000.

(d) FEDERAL REPUBLIC OF YUGOSLAVIA DEFINED.—In this section, the term ''Federal Republic of Yugoslavia'' means the Federal Republic of Yugoslavia (Serbia and Montenegro).

SEC. 1049. PREVENTION OF INTERFERENCE WITH DEPARTMENT OF DEFENSE USE OF FREQUENCY SPECTRUM.

(a) COMPATIBILITY WITH DEFENSE SYSTEMS.—A non-Department of Defense entity operating a communication system, device, or apparatus on any portion of the frequency spectrum used by the Department of Defense, whether or not licensed to do so, shall ensure that the system, device, or apparatus is designed not to interfere with and not to receive interference from the communication systems that are operated by or for the Department of Defense on that portion of the frequency spectrum as of the date of 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 because of a violation of subsection (a) by a non-Department of Defense entity, that entity shall be liable to the United States for the costs incurred by the United States for the redesign or rebuilding of the Department of Defense system or, if the entity is a department or agency of the United States, shall transfer to the Department of Defense funds in the amount of such costs.

(c) EFFECTIVE DATE.—This section applies with respect to operation of a communication system, device, or apparatus fielded on or after October 1, 1999.

(d) NONAPPLICABILITY.—This section does not apply to any upgrades, modifications, or system redesign to a Department of Defense communication system made after the date of enactment of this Act where that modification, upgrade or redesign would result in interference with or receiving interference from a non-Department of Defense system.

SEC. 1050. OFF-SHORE ENTITIES INTERFERING WITH DEPARTMENT OF DEFENSE USE OF THE FREQUENCY SPECTRUM.

(a) LIMITATION ON USE OF FUNDS.—Funds authorized to be appropriated or otherwise made available by this or any other Act may not be obligated to enter into any contract with, make any payment to, or issue any broadcast or other license or permit to any entity that broadcasts from outside the United States into the United States on any frequency that, as of the date of the enactment of this Act, is reserved to or used by the Department of Defense, unless the broadcasting is authorized under law.

(b) SAVINGS PROVISION.—The provisions of subsection (a) shall not be construed to interfere with the enforcement authority of the Federal Communications Commission under the Communications Act of 1934 or any other law.

SEC. 1051. REPEAL OF LIMITATION ON AMOUNT OF FEDERAL EXPENDITURES FOR THE NATIONAL GUARD CHALLENGE PROGRAM.

Section 509(b) of title 32, United States Code, is amended by striking '', except that Federal expenditures under the program may not exceed $50,000,000 for any fiscal year''.

SEC. 1052. NONDISCLOSURE OF INFORMATION ON PERSONNEL OF OVERSEAS, SENSITIVE, OR ROUTINELY DEPLOYABLE UNITS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 130a the following:

''§ 130b. Nondisclosure of information: personnel in overseas, sensitive, or routinely deployable units

''(a) EXEMPTION FROM DISCLOSURE.—Notwithstanding any other provision of law, the Secretary of Defense and, with respect to the Coast Guard when it is not operating as a service in the Navy, the Secretary of Transportation may authorize to be withheld from disclosure to the public the name, rank, duty address, official title, and information regarding the pay of—

''(1) members of the armed forces assigned to overseas, sensitive, or routinely deployable units; and

''(2) employees of the Department of Defense or of the Coast Guard whose duty stations are with overseas, sensitive, or routinely deployable units.

''(b) EXCEPTIONS.—(1) The authority in subsection (a) is subject to such exceptions as the President may direct.

''(2) Subsection (a) does not authorize any official to withhold, or to authorize the withholding of, information from Congress.

''(c) DEFINITIONS.—In this section:

''(1) The term 'unit' means a military organization of the armed forces designated as a unit by competent authority.

''(2) The term 'overseas unit' means a unit that is located outside the continental United States and its territories.

''(3) The term 'sensitive unit' means a unit that is primarily involved in training for the conduct of, or conducting, special activities or classified missions, including the following:

''(A) A unit involved in collecting, handling, disposing, or storing of classified information and materials.

''(B) A unit engaged in training—

''(i) special operations units;

''(ii) security group commands weapons stations; or

''(iii) communications stations.

''(C) Any other unit that is designated as a sensitive unit by the Secretary of Defense or, in the case of the Coast Guard when it is not operating as a service in the Navy, by the Secretary of Transportation.

''(4) The term 'routinely deployable unit'—

''(A) means a unit that normally deploys from its permanent home station on a periodic or rotating basis to meet peacetime operational requirements that, or to participate in scheduled training exercises that, routinely require deployments outside the United States and its territories; and

''(B) includes a unit that is alerted for deployment outside the United States and its territories during an actual execution of a contingency plan or in support of a crisis operation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

''130b. Nondisclosure of information: personnel in overseas, sensitive, or routinely deployable units.''.

SEC. 1053. NONDISCLOSURE OF OPERATIONAL FILES OF THE NATIONAL IMAGERY AND MAPPING AGENCY.

(a) AUTHORITY TO WITHHOLD.—Subchapter II of chapter 22 of title 10, United States Code, as amended by section 1005, is further amended by adding at the end the following:

''§ 458. Withholding of operational files from public disclosure

''(a) AUTHORITY.—The Secretary of Defense may withhold from public disclosure operational files described in subsection (b) to the same extent that operational files may be withheld under section 701 of the National Security Act of 1947 (50 U.S.C. 431).

''(b) COVERED OPERATIONAL FILES.—The authority under subsection (a) applies to operational files in the possession of the National Imagery and Mapping Agency that—

''(1) 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 1005, 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 SIGNIFICANCE.

(a) AUTHORITY TO WITHHOLD.—Subchapter II of chapter 22 of title 10, United States Code, as amended by section 1053, is further amended by adding at the end the following:

''§ 459. Withholding of certain commercially significant information from public disclosure

''(a) AUTHORITY.—The Secretary of Defense may withhold from public disclosure information in the possession of the National Imagery and Mapping Agency if the Secretary determines in writing that—

''(1) public disclosure of the information would compete with or otherwise adversely affect commercial operations in any existing or emerging commercial industry or the operation of any existing or emerging commercial market; 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 imagery intelligence from public disclosure under the National Security Act of 1947 (50 U.S.C. 401 et seq.), Executive Order No. 12951 or any successor Executive order, or directives of the President.

''(2) In the administration of the authority under subsection (a) with respect to imagery and imagery intelligence, the Secretary of Defense shall be subject to the policies and directives prescribed by the Director of Central Intelligence for the public disclosure of such information.''.

(b) CLERICAL AMENDMENT.—The 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.''.

SEC. 1055. CONTINUED ENROLLMENT OF DEPENDENTS IN DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS AFTER LOSS OF ELIGIBILITY.

Section 2164(c)(3) of title 10, United States Code, is amended to read as follows:

''(3) The Secretary may, for good cause, authorize a dependent of a member of the armed forces or of a Federal employee to continue enrollment in a program under this subsection notwithstanding a change in the status of the member or employee that, except for this paragraph, would otherwise terminate the eligibility of the dependent to be enrolled in the program. The enrollment may continue for as long as the Secretary considers appropriate. The Secretary may remove the dependent from the program at any time that the Secretary determines that there is good cause for the removal.''.

SEC. 1056. UNIFIED SCHOOL BOARDS FOR ALL DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT SCHOOLS IN THE COMMONWEALTH OF PUERTO RICO AND GUAM.

Section 2164(d)(1) of title 10, United States Code, is amended by adding at the end the following: ''The Secretary may provide for the establishment of one school board for all such schools in the Commonwealth of Puerto Rico and one school board for all such schools in Guam instead of one school board for each military installation in those locations.''.

SEC. 1057. DEPARTMENT OF DEFENSE STARBASE PROGRAM.

(a) PROGRAM AUTHORITY.—Chapter 111 of title 10, United States Code, is amended by inserting after section 2193 the following:

''§ 2193b. Improvement of education in technical fields: program for support of elementary and secondary education in science, mathematics, and technology

''(a) AUTHORITY FOR PROGRAM.—The Secretary of Defense may conduct a science, mathematics, and technology education improvement program known as the 'Department of Defense STARBASE Program'. The Secretary shall carry out the program through the secretaries of the military departments.

''(b) PURPOSE.—The purpose of the program is to improve knowledge and skills of students in kindergarten through twelfth grade in mathematics, science, and technology.

''(c) STARBASE ACADEMIES.—(1) The Secretary shall provide for the establishment of at least 25 academies under the program.

''(2) An academy established under the program shall provide the following:

''(A) For each elementary and secondary grade level, the presentation of a curricula of 20 hours of instruction in science, mathematics, and technology.

''(B) Outreach programs for the support of elementary and secondary level instruction in science, mathematics, and technology at other locations.

''(3) The Secretary may support the establishment and operation of any academy in excess of two academies in a State only if the Secretary has first authorized in writing the establishment of the academy and the costs of the establishment and operation of the academy are paid out of funds provided by sources other than the Department of Defense. Any such costs that are paid out of appropriated funds shall be considered as paid out of funds provided by such other sources if such sources fully reimburse the United States for the costs.

''(d) AUTHORIZED SUPPORT.—The following support may be provided for activities under the program:

''(1) Administrative and instructional personnel.

''(2) Facilities.

''(3) Instructional materials, including textbooks.

''(4) Equipment.

''(5) To the extent considered appropriate by the Secretary of the military department concerned, any additional resources (including transportation and billeting) that may be available.

''(e) PERSONS ELIGIBLE TO PARTICIPATE IN PROGRAM.—The Secretary of Defense shall prescribe the standards and procedures for selecting persons to participate in the program.

''(f) PROGRAM PERSONNEL.—(1) The Secretary of the military department concerned may—

''(1) authorize members of the armed forces to provide command, administrative, training, or supporting services for the program on a full-time basis; and

''(2) employ or procure by contract civilian personnel to provide such services.

''(g) REGULATIONS.—The Secretary of Defense shall prescribe regulations governing the conduct of the program.

''(g) FUNDING.—(1) The Secretary shall ensure that each academy meeting at least the minimum operating standards established for academies under the program is funded at a level of at least $200,000 for each fiscal year.

''(2) The Secretary of Defense and the Secretaries of the military departments may accept financial and other support for the program from other departments and agencies of the Federal Government, State governments, local governments, and not-for-profit and other organizations in the private sector.

''(h) ANNUAL REPORT.—Within 90 days after the end of each fiscal year, the Secretary of Defense shall submit a report on the program to Congress. The report shall contain a discussion of the design and conduct of the program and an evaluation of the effectiveness of the program.

''(i) STATE DEFINED.—In this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and Guam.''.

(b) EXISTING STARBASE ACADEMIES.—While continuing in operation, the academies existing on the date of the enactment of this Act under the Department of Defense STARBASE Program, as such program is in effect on such date, shall be counted for the purpose of meeting the requirement under section 2193b(c)(1) of title 10, United States Code (as added by subsection (a)), relating to the minimum number of STARBASE academies.

(c) REORGANIZATION OF CHAPTER.—Chapter 111 of title 10, United States Code, as amended by subsection (a), is further amended—

(1) by inserting after section 2193 and before the section 2193b added by subsection (a) the following:

''§ 2193a. Improvement of education in technical fields: general authority for support of elementary and secondary education in science and mathematics'';

(2) by transferring subsection (b) of section 2193 to section 2193a (as added by paragraph (1)), inserting such subsection after the heading for section 2193a, and striking out ''(b)''; and

(3) by redesignating subsection (c) of section 2193 as subsection (b).

(d) CLERICAL AMENDMENTS.—(1) The heading for section 2192 of such title is amended to read as follows:

"§ 2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering".

(2) The heading for section 2193 is amended to read as follows:

"§ 2193. Improvement of education in technical fields: grants for higher education in science and mathematics".

(3) The table of sections at the beginning of such chapter is amended by striking the items relating to sections 2192 and 2193 and inserting the following:

''2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering.

''2193. Improvement of education in technical fields: grants for higher education in science and mathematics.

''2193a. Improvement of education in technical fields: general authority for support of elementary and secondary education in science and mathematics.

''2193b. Improvement of education in technical fields: program for support of elementary and secondary education in science, mathematics, and technology.''.

SEC. 1058. PROGRAM TO COMMEMORATE THE 50TH ANNIVERSARY OF THE KOREAN WAR.

(a) PERIOD OF PROGRAM.—Section 1083(a) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1918; 10 U.S.C. 113 note) is amended by striking ''The Secretary of Defense'' and inserting ''During fiscal years 2000 through 2004, the Secretary of Defense''.

(b) CHANGE OF NAME.—(1) Section 1083(c) of such Act is amended by striking '' 'The Department of Defense Korean War Commemoration' '' and inserting in lieu thereof '' 'The United States of America Korean War Commemoration' ''.

(2) The amendment made by paragraph (1) may not be construed to supersede rights that are established or vested before the date of the enactment of this Act.

(c) FUNDING.—Section 1083(f) of such Act is amended to read as follows:

''(f) USE OF FUNDS.—(1) Funds appropriated for the Army for fiscal years 2000 through 2004 for operation and maintenance shall be available for the program authorized under subsection (a).

''(2) The total amount expended by the Department of Defense through the Department of Defense 50th Anniversary of the Korean War Commemoration Committee, an entity within the Department of the Army, to carry out the program authorized under subsection (a) for fiscal years 2000 through 2004 may not exceed $7,000,000.

''(3) The limitation in paragraph (2) shall not apply to expenditures by a unit of the Armed Forces or a similar organization to commemorate the Korean War from funds available to the unit or similar organization for that purpose.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1999.

SEC. 1059. EXTENSION AND REAUTHORIZATION OF DEFENSE PRODUCTION ACT OF 1950.

(a) EXTENSION OF TERMINATION DATE.—Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking ''September 30, 1999'' and inserting ''September 30, 2000''.

(b) EXTENSION OF AUTHORIZATION.—Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking ''the fiscal years 1996, 1997, 1998, and 1999'' and inserting ''fiscal years 1996 through 2000''.

SEC. 1060. EXTENSION TO NAVAL AIRCRAFT OF COAST GUARD AUTHORITY FOR DRUG INTERDICTION ACTIVITIES.

Section 637(c) of title 14, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) it is a naval aircraft on which one or more members of the Coast Guard are assigned.''.

SEC. 1061. REGARDING THE NEED FOR VIGOROUS PROSECUTION OF WAR CRIMES, GENOCIDE, AND CRIMES AGAINST HUMANITY IN THE FORMER 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 an 'armed conflict', within the meaning of 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 Alabanian 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 men of all ages, 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 war crimes suspects that have yet to be served, despite knowledge of the suspects' whereabouts;

(11) vigorous prosecution of war crimes after the conflict in Bosnia may have prevented the ongoing atrocities in Kosovo; and

(12) investigative reporters have identified specific documentary evidence implicating the Serbian leadership in the commission of war crimes.

(b) It is the sense of Congress that—

(1) the United States, in coordination with other United Nations contributors, should provide sufficient resources for an expeditious and thorough investigation of allegations of the atrocities and war crimes committed in Kosovo;

(2) the United States, through its intelligence services, should provide all possible cooperation in the gathering of evidence of sufficient specificity and credibility to secure the indictment of those responsible for the commission of war crimes, crimes against humanity, and genocide in the former Yugoslavia;

(3) where evidence warrants, indictments for war crimes, crimes against humanity, and genocide should be issued against suspects regardless of their position within the Serbian leadership;

(4) the United States and all nations have an obligation to honor arrest warrants issued by the ICTY, and the United States should use all appropriate means to apprehend war criminals already under indictment; and

(5) NATO should not accept any diplomatic resolution to the conflict in Kosovo that would bar the indictment, apprehension, or prosecution of war criminals for crimes committed during operations in Kosovo.

SEC. 1062. EXPANSION OF LIST OF DISEASES PRESUMED TO BE SERVICE-CONNECTED FOR RADIATION-EXPOSED VETERANS.

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 determine and certify to the Senate whether or not the new Strategic Concept of NATO imposes any new commitment or obligation on the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, if the President certifies under subsection (a) that the new Strategic Concept of NATO imposes any new 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 beyond 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

Council in Washington, DC, on April 23 and 24, 1999.

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.

(b) REPORTS.—Not later than 20 days, or earlier than 14 days, after the first day of the engagement of the United States in any armed conflict described in subsection (a), the President shall, if the armed conflict continues, submit a report to Congress setting forth—

(1) the specific steps the United States has taken and will continue to take to institute the embargo and financial asset seizures pursuant to subsection (a); and

(2) any foreign sources of trade of revenue that directly or indirectly support the ability of the adversarial government to sustain a military conflict against the Armed Forces of the United States.

SEC. 1065. CONDITIONS FOR LENDING OBSOLETE OR CONDEMNED RIFLES FOR FUNERAL CEREMONIES.

Section 4683(a)(2) of title 10, United States Code, is amended to read as follows:

''(2) issue and deliver those rifles, together with blank ammunition, to those units without charge if the rifles and ammunition are to be used for ceremonies and funerals in honor of veterans at national or other cemeteries.''.

SEC. 1066. PROHIBITION ON THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN NATIONS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) PROHIBITION.—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) DEFINITIONS.—In this section:

(1) ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.—The term ''entity controlled by a foreign government'' has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term ''veterans memorial object'' means any object, including a physical structure or portion thereof, that—

(A) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.

SEC. 1067. MILITARY ASSISTANCE TO CIVIL AUTHORITIES FOR RESPONDING TO TERRORISM.

(a) AUTHORITY.—During fiscal year 2000, the Secretary of Defense, upon the request of the Attorney General, may provide assistance to civil authorities in responding to an act or threat of an act of terrorism, including an act of terrorism or threat of an act of terrorism that involves a weapon of mass destruction, within the United States if the Secretary of Defense determines that—

(1) special capabilities and expertise of the Department of Defense are necessary and critical to respond to the act or threat; and

(2) the provision of such assistance will not adversely affect the military preparedness of the armed forces.

(b) NATURE OF ASSISTANCE.—Assistance provided under subsection (a) may include the deployment of Department of Defense personnel and the use of any Department of Defense resources to the extent and for such period as the Secretary of Defense determines necessary to prepare for, prevent, or respond to an act or threat described in that subsection. Actions taken to provide the assistance may include the prepositioning of Department of Defense personnel, equipment, and supplies.

(c) REIMBURSEMENT.—(1) Assistance provided under this section shall normally be provided on a reimbursable basis. Notwithstanding any other provision of law, the amounts of reimbursement shall be limited to the amounts of the incremental costs of providing the assistance. In extraordinary circumstances, the Secretary of Defense may waive reimbursement upon determining that a waiver of the reimbursement is in the national security interests of the United States and submitting to Congress a notification of the determination.

(2) If funds are appropriated for the Department of Justice to cover the costs of responding to an act or threat for which assistance is provided under subsection (a), the Department of Defense shall be reimbursed out of such funds for the costs incurred by the department in providing the assistance without regard to whether the assistance was provided on a nonreimbursable basis.

(d) LIMITATION ON FUNDING.—Not more than $10,000,000 may be obligated to provide assistance pursuant to subsection (a) in a fiscal year.

(e) PERSONNEL RESTRICTIONS.—In carrying out this section, a member of the Army, Navy, Air Force, or Marine Corps may not, unless authorized by another provision of law—

(1) directly participate in a search, seizure, arrest, or other similar activity; or

(2) collect intelligence for law enforcement purposes.

(f) NONDELEGABILITY OF AUTHORITY.—(1) The Secretary of Defense may not delegate to any other official authority to make determinations and to authorize assistance under this section.

(2) The Attorney General may not delegate to any other official authority to make a request for assistance under subsection (a).

(h) RELATIONSHIP TO OTHER AUTHORITY.—(1) The authority provided in this section is in addition to any other authority available to the Secretary of Defense.

(2) Nothing in this section shall be construed to restrict any authority regarding use of members of the armed forces or equipment of the Department of Defense that was in effect before the date of enactment of this Act.

(i) DEFINITIONS.—In this section:

(1) The term ''threat of an act of terrorism'' includes any circumstance providing a basis for reasonably anticipating an act of terrorism, as determined by the Secretary of Defense in consultation with the Attorney General and the Secretary of the Treasury.

(2) The term ''weapon of mass destruction'' has the meaning given the term in section 1403 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302(1)).

SEC. 1068. SENSE OF THE CONGRESS REGARDING THE CONTINUATION OF SANCTIONS AGAINST LIBYA.

(a) FINDINGS.—Congress makes the following findings:

(1) On December 21, 1988, 270 people, including 189 United States citizens, were killed in a terrorist bombing on Pan Am Flight 103 over Lockerbie, Scotland.

(2) Britain and the United States indicted two Libyan intelligence agents, Abd al-Baset Ali al-Megrahi and Al-Amin Khalifah Fhimah, in 1991 and sought their extradition from Libya to the United States or the United Kingdom to stand trial for this heinous terrorist act.

(3) The United Nations Security Council called for the extradition of the suspects in Security Council Resolution 731 and imposed sanctions on Libya in Security Council Resolutions 748 and 883 because Libyan leader Colonel Muammar Qadhafi refused to transfer the suspects to either the United States or the United Kingdom to stand trial.

(4) The United Nations Security Council Resolutions 731, 748, and 883 demand that Libya cease all support for terrorism, turn over the two suspects, cooperate with the investigation and the trial, and address the issue of appropriate compensation.

(5) The sanctions in United Nations Security Council Resolutions 748 and 883 include—

(A) a worldwide ban on Libya's national airline;

(B) a ban on flights into and out of Libya by other nations' airlines; and

(C) a prohibition on supplying arms, airplane parts, and certain oil equipment to Libya, and a blocking of Libyan Government funds in other countries.

(6) Colonel Muammar Qadhafi for many years refused to extradite the suspects to either the United States or the United Kingdom and had insisted that he would only transfer the suspects to a third and neutral country to stand trial.

(7) On August 24, 1998, the United States and the United Kingdom agreed to the proposal that Colonel Qadhafi transfer the suspects to The Netherlands, where they would stand trial under a Scottish court, under Scottish law, and with a panel of Scottish judges.

(8) The United Nations Security Council endorsed the United States-United Kingdom proposal on August 27, 1998 in United Nations Security Council Resolution 1192.

(9) The United States, consistent with United Nations Security Council resolutions, called on Libya to ensure the production of evidence, including the presence of witnesses before the court, and to comply fully with all the requirements of the United Nations Security Council resolutions.

(10) After years of intensive diplomacy, Colonel Qadhafi finally transferred the two Libyan suspects to The Netherlands on April 5, 1999, and the United Nations Security Council, in turn, suspended its sanctions against Libya that same day.

(11) Libya has only fulfilled one of four conditions (the transfer of the two suspects accused in the Lockerbie bombing) set forth in United Nations Security Council Resolutions 731, 748, and 883 that would justify the lifting of United Nations Security Council sanctions against Libya.

(12) Libya has not fulfilled the other three conditions (cooperation with the Lockerbie

investigation and trial; renunciation of and ending support for terrorism; and payment of appropriate compensation) necessary to lift the United Nations Security Council sanctions.

(13) The United Nations Secretary General is expected to issue a report to the Security Council on or before July 5, 1999, on the issue of Libya's compliance with the remaining conditions.

(14) Any member of the United Nations Security Council has the right to introduce a resolution to lift the sanctions against Libya after the United Nations Secretary General's report has been issued.

(15) The United States Government considers Libya a state sponsor of terrorism and the State Department Report, ''Patterns of Global Terrorism; 1998'', stated that Colonel Qadhafi ''continued publicly and privately to support Palestinian terrorist groups, including the PIJ and the PFLP–GC''.

(16) United States Government sanctions (other than sanctions on food or medicine) should be maintained on Libya, and in accordance with United States law, the Secretary of State should keep Libya on the list of countries the governments of which have repeatedly provided support for acts of international terrorism under section 6(j) of the Export Administration Act of 1979 in light of Libya's ongoing support for terrorist groups.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should use all diplomatic means necessary, including the use of the United States veto at the United Nations Security Council, to prevent the Security Council from lifting sanctions against Libya until Libya fulfills all of the conditions set forth in United Nations Security Council Resolutions 731, 748, and 883.

SEC. 1069. INVESTIGATIONS OF VIOLATIONS OF EXPORT CONTROLS BY UNITED STATES SATELLITE MANUFACTURERS.

(a) NOTICE TO CONGRESS OF INVESTIGATIONS.—The President shall promptly notify Congress whenever an investigation is undertaken of an alleged violation of 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 on behalf of any United States person or firm that is the subject of an investigation described in subsection (a). The notice shall include a justification for the waiver.

(c) NOTICE IN APPLICATIONS.—It is the sense of Congress that any United States person or firm subject to an investigation described in subsection (a) that submits to the United States an application for the export of a commercial satellite should include in the application a notice of the investigation.

(d) PROTECTION OF CLASSIFIED AND OTHER SENSITIVE INFORMATION.—The Senate and the House of Representatives shall each establish, by rule or resolution of such House, procedures to protect from unauthorized disclosure classified information, informatioin relating to intelligence sources and methods, and sensitive law enforcement information that is furnished to Congress pursuant to this section.

(e) EXCEPTION.—The requirements of subsections (a) and (b) shall not apply if the President determines that notification of Congress would jeopardize an on-going criminal investigation. If the President makes such a determination he shall provide written notification to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives and the Minority Leader of the House of Representatives. Such notification shall include a justification for any such determination.

SEC. 1070. ENHANCEMENT OF ACTIVITIES OF DEFENSE THREAT REDUCTION AGENCY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations—

(1) to authorize the personnel of the Defense Threat Reduction Agency (DTRA) who monitor satellite launch campaigns overseas to suspend such campaigns at any time if the suspension is required for purposes of the national security of the United States;

(2) to establish appropriate professional and technical qualifications for such personnel;

(3) to allocate funds and other resources to the Agency at levels sufficient to prevent any shortfalls in the number of such personnel;

(4) to establish mechanisms in accordance with the provisions of section 1514(a)(2)(A) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 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, for amounts expended by the Agency in monitoring the launch campaign;

(5) to establish a formal technology training program for personnel of the Agency who monitor satellite launch campaigns overseas, including a structured framework for providing training in areas of export control laws;

(6) to review and improve guidelines on the scope of permissible discussions with foreign persons regarding technology and technical information, including the technology and technical information that should not be included in such discussions;

(7) to provide, on at least an annual basis, briefings to the officers and employees of United States commercial satellite entities on United States export license standards, guidelines, and restrictions, and encourage such officers and employees to participate in such briefings;

(8) to establish a system for—

(A) the preparation and filing by personnel of the Agency who monitor satellite launch campaigns overseas of detailed reports of all activities observed by such personnel in the course of monitoring such campaigns;

(B) the systematic archiving of reports filed under subparagraph (A); and

(C) the preservation of such reports in accordance with applicable laws; and

(9) to establish a counterintelligence program within the Agency as part of its satellite launch monitoring program.

(b) ANNUAL REPORT ON IMPLEMENTATION OF SATELLITE TECHNOLOGY SAFEGUARDS.—(1) The Secretary of Defense and the Secretary of State shall each submit to Congress each year, as part of the annual report for that year under section 1514(a)(8) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, the following:

(A) A summary of the satellite launch campaigns and related activities monitored by the Defense Threat Reduction Agency during the preceding year.

(B) A description of 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 Agency monitors, and in complying with United States export control laws, during that year.

(2) Each report under paragraph (1) shall be submitted in classified form and unclassified form.

SEC. 1071. IMPROVEMENT OF LICENSING ACTIVITIES BY THE DEPARTMENT OF STATE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prescribe regulations to provide, consistent with the need to protect classified, law enforcement, or other sensitive information, timely notice to the manufacturer of a commercial satellite of United States origin of the reasons for a denial or approval with conditions, as the case may be, of the application for license involving the overseas launch of such satellite.

SEC. 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. 401a(4)).

SEC. 1073. ADHERENCE OF PEOPLE'S REPUBLIC OF CHINA TO MISSILE TECHNOLOGY CONTROL REGIME.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should take all actions appropriate to 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—

(A) demonstrated a sustained and verified commitment to the nonproliferation of missiles and missile technology; and

(B) adopted an effective export control system for implementing guidelines under the Missile Technology Control Regime and the MTCR Annex.

(b) DEFINITIONS.—In this section:

(1) The term ''Missile Technology Control Regime'' means the policy statement, between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the MTCR Annex, and any amendments thereto.

(2) The term ''MTCR Annex'' means the Guidelines and Equipment and Technology Annex of the Missile Technology Control Regime, and any amendments thereto.

SEC. 1074. UNITED STATES COMMERCIAL SPACE LAUNCH CAPACITY.

It is the sense of Congress that—

(1) Congress and the President should work together to stimulate and encourage the expansion of a commercial space launch capacity in the United States, including by taking actions to eliminate legal or regulatory barriers to long-term competitiveness in the United States commercial space launch industry; and

(2) Congress and the President should—

(A) reexamine the current United States policy of permitting the export of commercial satellites of United States origin to the People's Republic of China for launch;

(B) review the advantages and disadvantages of phasing out the policy over time, including advantages and disadvantages identified by Congress, the executive branch, the United States satellite industry, the United States space launch industry, the United States telecommunications industry, and other interested persons; and

(C) if the phase out of the policy is adopted, permit launches of commercial satellites of United States origin by the People's Republic of China only if—

(i) such launches are licensed as of the commencement of the phase out of the policy; and

(ii) additional actions are taken to minimize the transfer of technology to the People's Republic of China during the course of such launches.

SEC. 1075. ANNUAL REPORTS ON SECURITY IN THE TAIWAN STRAIT.

(a) IN GENERAL.—Not later than February 1 of each year, beginning in the first calendar year after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report, in both classified and unclassified form, detailing the security situation in the Taiwan Strait.

(b) REPORT ELEMENTS.—Each report shall include—

(1) an analysis of the military forces facing Taiwan from the People's Republic of China;

(2) an evaluation of additions during the preceding year to the offensive military capabilities of the People's Republic of China; and

(3) an assessment of any challenges during the preceding year to the deterrent forces of the Republic of China on Taiwan, consistent with the commitments made by the United States in the Taiwan Relations Act (Public Law 96–8).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on International Relations and the Committee on Armed Services of the House of Representatives.

SEC. 1076. DECLASSIFICATION OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.

Section 3161(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2260; 50 U.S.C. 435 note) is amended by adding at the end the following:

''(9) The actions to be taken to ensure that records subject to Executive Order No. 12958 that have previously been determined to be suitable for release to the public are reviewed on a page by page basis for Restricted Data or Formerly Restricted Data unless such records have been determined to be highly unlikely to contain Restricted Data or Formerly Restricted Data.''.

SEC. 1077. DISENGAGING FROM NONCRITICAL OVERSEAS MISSIONS INVOLVING UNITED STATES COMBAT FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) It is the National Security Strategy of the United States to ''deter and defeat large-scale, cross-border aggression in two distant theaters in overlapping time frames''.

(2) The deterrence of Iraq and Iran in Southwest Asia and the deterrence of North Korea in Northeast Asia represent two such potential large-scale, cross-border theater requirements.

(3) The United States has 120,000 troops permanently assigned to those theaters.

(4) The United States has an additional 70,000 forces assigned to non-NATO/non-Pacific threat foreign countries.

(5) The United States has more than 6,000 troops in Bosnia-Herzegovina on indefinite assignment.

(6) The United States has diverted permanently assigned resources from other theaters to support operations in the Balkans.

(7) The United States provides military forces to seven active United Nations peacekeeping operations, including some missions that have continued for decades.

(8) Between 1986 and 1998, the number of American military deployments per year has nearly tripled at the same time the Department of Defense budget has been reduced in real terms by 38 percent.

(9) The Army has 10 active-duty divisions today, down from 18 in 1991, while on an average day in fiscal year 1998, 28,000 United States Army soldiers were deployed to more than 70 countries for over 300 separate missions.

(10) Active Air Force fighter wings have gone from 22 to 13 since 1991, while 70 percent of air sorties in Operation Allied Force over the Balkans are United States-flown and the Air Force continues to enforce northern and southern no-fly zones in Iraq. In response, the Air Force has initiated a ''stop loss'' program to block normal retirements and separations.

(11) The United States Navy has been reduced in size to 339 ships, its lowest level since 1938, necessitating the redeployment of the only overseas homeported aircraft carrier from the Western Pacific to the Mediterranean to support Operation Allied Force.

(12) In 1998 just 10 percent of eligible carrier naval aviators—27 out of 261—accepted continuation bonuses and remained in service.

(13) In 1998 48 percent of Air Force pilots eligible for continuation opted to leave the service.

(14) The Army could fall 6,000 below Congressionally authorized troop strength by the end of 1999.

(b) SENSE OF CONGRESS.—It is the sense of Congress that:

(1) The readiness of United States military forces to execute the National Security Strategy of the United States is being eroded from a combination of declining defense budgets and expanded missions.

(2) There may be missions to which the United States is contributing Armed Forces from which the United States can begin disengaging.

(c) REPORT REQUIREMENT.—Not later than March 1, 2000, the President shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives, and to the Committees on Appropriations in both Houses, a report prioritizing the ongoing global missions to which the United States is contributing troops. The President shall include in the report a feasibility analysis of how the United States can—

(1) shift resources from low priority missions in support of higher priority missions;

(2) consolidate or reduce United States troop commitments worldwide;

(3) end low priority missions.

SEC. 1078. SENSE OF THE SENATE ON NEGOTIATIONS WITH INDICTED WAR CRIMINALS.

(a) IN GENERAL.—It is the sense of the Senate that the United States, as a member of NATO, should not negotiate with Slobodan Milosevic, an indicted war criminal, or any other indicted war criminal with respect to reaching an end to the conflict in the Federal Republic of Yugoslavia

(b) YUGOSLAVIA DEFINED.—In this section, the term ''Federal Republic of Yugoslavia'' means the Federal Republic of Yugoslavia (Serbia and Montenegro).

SEC. 1079. COAST GUARD EDUCATION FUNDING.

Section 2006 of title 10, United States Code, is amended—

(1) by striking ''Department of Defense education liabilities'' in subsection (a) and inserting ''armed forces education liabilities'';

(2) by striking paragraph (1) of subsection (b) and inserting the following:

''(1) The term 'armed forces educational liabilities' means liabilities of the armed forces for benefits under chapter 30 of title 38 and for Department of Defense benefits under chapter 1606 of this title.'';

(3) by inserting ''Department of Defense'' after ''future'' in subsection (b)(2)(C);

(4) by striking ''106'' in subsection (b)(2)(C) and inserting ''1606'';

(5) by inserting ''and the Secretary of the Department in which the Coast Guard is operating'' after ''Defense'' in subsection (c)(1);

(6) by striking ''Department of Defense'' in subsection (d) and inserting ''armed forces'';

(7) by inserting ''the Secretary of the Department in which the Coast Guard is operating'' in subsection (d) after ''Secretary of Defense,'';

(8) by inserting ''and the Department in which the Coast Guard is operating'' after ''Department of Defense'' in subsection (f)(5);

(9) by inserting ''and the Secretary of the Department in which the Coast Guard is operating'' in paragraphs (1) and (2) of subsection (g) after ''The Secretary of Defense''; and

(10) by striking ''of a military department.'' in subsection (g)(3) and inserting ''concerned.''.

SEC. 1080. TECHNICAL AMENDMENT TO PROHIBITION ON RELEASE OF CONTRACTOR PROPOSALS UNDER THE FREEDOM OF INFORMATION ACT.

Section 2305(g) of title 10, United States Code, is amended in paragraph (1) by striking ''the Department of Defense'' and inserting

''an agency named in section 2303 of this title''.

SEC. 1081. ATTENDANCE AT PROFESSIONAL MILITARY EDUCATION SCHOOLS BY MILITARY PERSONNEL OF THE NEW MEMBER 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) MILITARY EDUCATION AND TRAINING PROGRAMS.—The Secretary of each military department shall give due consideration to according a high priority to the attendance of military personnel of Poland, Hungary, and the Czech Republic at professional military education schools and training programs in the United States, including the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, the National Defense University, the war colleges of the Armed Forces, the command and general staff officer courses of the Armed Forces, and other schools and training programs of the Armed Forces that admit personnel of foreign armed forces.

SEC. 1082. SENSE OF CONGRESS REGARDING UNITED STATES-RUSSIAN COOPERATION IN COMMERCIAL SPACE LAUNCH SERVICES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should agree to 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) DEFINITIONS.—

(1) IN GENERAL.—The terms ''commercial space launch services'' and ''Russian space launch service providers'' have the same meanings given those terms in Article I of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding International Trade in Commercial Space Launch Services, signed in Washington, D.C., on September 2, 1993.

(2) QUANTITATIVE LIMITATIONS APPLICABLE TO COMMERCIAL SPACE LAUNCH SERVICES.—The term ''quantitative limitations applicable to commercial space launch services'' means the quantitative limits applicable to commercial space launch services contained in Article IV of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Regarding International Trade in Commercial Space Launch Services, signed in Washington, D.C., on September 2, 1993, as amended by the agreement between the United States and the Russian Federation done at Washington, D.C., on January 30, 1996.

SEC. 1083. RECOVERY AND IDENTIFICATION OF REMAINS OF CERTAIN WORLD WAR II SERVICEMEN.

(a) RESPONSIBILITIES OF THE SECRETARY OF THE ARMY.—(1) The Secretary of the Army, in consultation with the Secretary of Defense, shall make every reasonable effort, as a matter of high priority, to search for, recover, and identify the remains of United States servicemen of the United States aircraft lost in the Pacific theater of operations during World War II, including in New Guinea.

(2) The Secretary of the Army shall submit to Congress not later than September 30, 2000, a report detailing the efforts made by the United States Army Central Identification Laboratory to accomplish the objectives described in paragraph (1).

(b) RESPONSIBILITIES OF THE SECRETARY OF STATE.—The Secretary of State, upon request by the Secretary of the Army, shall work with officials of governments of sovereign nations in the Pacific theater of operations of World War II to overcome any political obstacles that have the potential for precluding the Secretary of the Army from accomplishing the objectives described in subsection (a)(1).

SEC. 1084. CHEMICAL AGENTS USED FOR DEFENSIVE TRAINING.

(a) AUTHORITY TO TRANSFER AGENTS.—(1) The Secretary of Defense may transfer to the Attorney General, in accordance with the Chemical Weapons Convention, quantities of lethal chemical agents required to support training at the Center for Domestic Preparedness in Fort McClellan, Alabama. The quantity of lethal chemical agents transferred under this section may not exceed that required to support training for emergency first-response personnel in addressing the health, safety, and law enforcement concerns associated with potential terrorist incidents that might involve the use of lethal chemical weapons or agents, or other training designated by the Attorney General.

(2) The Secretary of Defense, in coordination with the Attorney General, shall determine the amount of lethal chemical agents that shall be transferred under this section. Such amount shall be transferred from quantities of lethal chemical agents that are produced, acquired, or retained by the Department of Defense.

(3) The Secretary of Defense may not transfer lethal chemical agents under this section until—

(A) the Center referred to in paragraph (1) is transferred from the Department of Defense to the Department of Justice; and

(B) the Secretary determines that the Attorney General is prepared to receive such agents.

(4) To carry out the training described in paragraph (1) and other defensive training not prohibited by the Chemical Weapons Convention, the Secretary of Defense may transport lethal chemical agents from a Department of Defense facility in one State to a Department of Justice or Department of Defense facility in another State.

(5) Quantities of lethal chemical agents transferred under this section shall meet all applicable requirements for transportation, storage, treatment, and disposal of such agents and for any resulting hazardous waste products.

(b) ANNUAL REPORT.—The Secretary of Defense, in consultation with Attorney General, shall report annually to Congress regarding the disposition of lethal chemical agents transferred under this section.

(c) NON-INTERFERENCE WITH TREATY OBLIGATIONS.—Nothing in this section may be construed as interfering with United States treaty obligations under the Chemical Weapons Convention.

(d) CHEMICAL WEAPONS CONVENTION DEFINED.—In this section, the term ''Chemical Weapons Convention'' means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature on January 13, 1993.

SEC. 1085. RUSSIAN NONSTRATEGIC NUCLEAR ARMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the interest of Russia to fully implement the Presidential Nuclear Initiatives announced in 1991 and 1992 by then-President of the Soviet Union Gorbachev and then-President of Russia Yeltsin;

(2) the President of the United States should call on Russia to match the unilateral reductions in the United States inventory of tactical nuclear weapons, which have reduced the inventory by nearly 90 percent; and

(3) if the certification under section 1044 is made, the President should emphasize the continued interest of the United States in working cooperatively with Russia to reduce the dangers associated with Russia's tactical nuclear arsenal.

(b) ANNUAL REPORTING REQUIREMENT.—(1) Each annual report on accounting for United States assistance under Cooperative Threat Reduction programs that is submitted to Congress under section 1206 of Public Law 104–106 (110 Stat. 471; 22 U.S.C. 5955 note) after fiscal year 1999 shall include, regarding Russia's arsenal of tactical nuclear warheads, the following:

(A) Estimates regarding current types, numbers, yields, viability, locations, and deployment status of the warheads.

(B) An assessment of the strategic relevance of the warheads.

(C) An assessment of the current and projected threat of theft, sale, or unauthorized use of the warheads.

(D) A summary of past, current, and planned United States efforts to work cooperatively with Russia to account for, secure, and reduce Russia's stockpile of tactical nuclear warheads and associated fissile material.

(2) The Secretary shall include in the annual report, with the matters included under paragraph (1), the views of the Director of Central Intelligence and the views of the Commander in Chief of the United States Strategic Command regarding those matters.

(c) VIEWS OF THE DIRECTOR OF CENTRAL INTELLIGENCE.—The Director of Central Intelligence shall submit to the Secretary of Defense, for inclusion in the annual report under subsection (b), the Director's views on the matters described in paragraph (1) of that subsection regarding Russia's tactical nuclear weapons.

SEC. 1086. COMMEMORATION OF THE VICTORY OF FREEDOM IN THE COLD WAR.

(a) FINDINGS.—Congress makes the following findings:

(1) The Cold War between the United States and the former Union of Soviet Socialist Republics was the longest and most

costly struggle for democracy and freedom in the history of mankind.

(2) Whether millions of people all over the world would live in freedom hinged on the outcome of the Cold War.

(3) Democratic countries bore the burden of the struggle and paid the costs in order to preserve and promote democracy and freedom.

(4) The Armed Forces and the taxpayers of the United States bore the greatest portion of such a burden and struggle in order to protect such principles.

(5) Tens of thousands of United States soldiers, sailors, Marines, and airmen paid the ultimate price during the Cold War in order to preserve the freedoms and liberties enjoyed in democratic countries.

(6) The Berlin Wall erected in Berlin, Germany, epitomized the totalitarianism that the United States struggled to eradicate during the Cold War.

(7) The fall of the Berlin Wall on November 9, 1989, marked the beginning of the end for Soviet totalitarianism, and thus the end of the Cold War.

(8) November 9, 1999, is the 10th anniversary of the fall of the Berlin Wall.

(b) DESIGNATION OF VICTORY IN THE COLD WAR DAY.—Congress hereby—

(1) designates November 9, 1999, as ''Victory in the Cold War Day''; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe that week with appropriate ceremonies and activities.

(c) COLD WAR MEDAL.—(1) Chapter 57 of title 10, United States Code, is amended by adding at the end the following:

''§ 1133. Cold War medal: award

''(a) AWARD.—There is hereby authorized an award of an appropriate decoration, as provided for under subsection (b), to all individuals who served honorably in the United States Armed Forces during the Cold War in order to recognize the contributions of such individuals to United States victory in the Cold War.

''(b) DESIGN.—The Joint Chiefs of Staff shall, under regulations prescribed by the President, design for purposes of this section a decoration called the 'Victory in the Cold War Medal'. The decoration shall be of appropriate design, with ribbons and appurtenances.

''(c) PERIOD OF COLD WAR.—For purposes of subsection (a), the term 'Cold War' shall mean the period beginning on August 14, 1945, and ending on November 9, 1989.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1133. Cold War medal: award.''.

(d) PARTICIPATION OF ARMED FORCES IN CELEBRATION OF ANNIVERSARY OF END OF COLD WAR.—(1) Subject to paragraphs (2) and (3), amounts authorized to be appropriated by section 301(1) shall be available for the purpose of covering the costs of the Armed Forces in participating in a celebration of the 10th anniversary of the end of the Cold War to be held in Washington, District of Columbia, on November 9, 1999.

(2) The total amount of funds available under paragraph (1) for the purpose set forth in that paragraph may not exceed $15,000,000.

(3)(A) The Secretary of Defense may accept contributions from the private sector for the purpose of reducing the costs of the Armed Forces described in paragraph (1).

(B) The amount of funds available under paragraph (1) for the purpose set forth in that paragraph shall be reduced by an amount equal to the amount of contributions accepted by the Secretary under subparagraph (A).

(e) COMMISSION ON VICTORY IN THE COLD WAR.—(1) There is hereby established a commission to be known as the ''Commission on Victory in the Cold War'' (in this subsection to be referred to as the ''Commission'').

(2) The Commission shall be composed of twelve individuals, as follows:

(A) Two shall be appointed by the President.

(B) Two shall be appointed by the Minority Leader of the Senate.

(C) Two shall be appointed by the Minority Leader of the House of Representatives.

(D) Three shall be appointed by the Majority Leader of the Senate.

(E) Three shall be appointed by the Speaker of the House of Representatives.

(3) The Commission shall have as its duty the review and approval of the expenditure of funds by the Armed Forces under subsection (d) prior to the participation of the Armed Forces in the celebration referred to in paragraph (1) of that subsection, whether such funds are derived from funds of the United States or from amounts contributed by the private sector under paragraph (3)(A) of that subsection.

(4) In addition to the duties provided for under paragraph (3), the Commission shall also have the authority to design and award medals and decorations to current and former public officials and other individuals whose efforts were vital to United States victory in the Cold War.

(5) The Commission shall be chaired by two individuals as follows:

(A) One selected by and from among those appointed pursuant to subparagraphs (A), (B), and (C) of paragraph (2).

(B) One selected by and from among those appointed pursuant to subparagraphs (D) and (E) of paragraph (2).

TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

SEC. 1101. ACCELERATED IMPLEMENTATION OF VOLUNTARY EARLY RETIREMENT AUTHORITY.

Section 1109(d)(1) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2145; 5 U.S.C. 8336 note) is amended by striking ''October 1, 2000'' and inserting ''October 1, 1999''.

SEC. 1102. DEFERENCE TO EEOC PROCEDURES FOR INVESTIGATION OF COMPLAINTS OF SEXUAL HARASSMENT MADE BY EMPLOYEES.

Section 1561(a) of title 10, United States Code, is amended by striking ''or a civilian employee under the supervision of the officer''.

SEC. 1103. RESTORATION OF LEAVE OF EMERGENCY ESSENTIAL EMPLOYEES SERVING IN A COMBAT ZONE.

(a) SERVICE IN A COMBAT ZONE AS EXIGENCY OF THE PUBLIC BUSINESS.—Section 6304(d) of title 5, United States Code, is amended by adding a the end the following:

''(4)(A) For the purpose of this subsection, service of a Department of Defense emergency essential employee in a combat zone is an exigency of the public business for that employee. Any leave that, by reason of such service, is lost by the employee by operation of this section (regardless of whether such leave was scheduled) shall be restored to the employee and shall be credited and available in accordance with paragraph (2).

''(B) As used in subparagraph (A)—

''(i) the term 'Department of Defense emergency essential employee' means an employee of the Department of Defense who is designated under section 1580 of title 10 as an emergency essential employee; and

''(ii) the term 'combat zone' has the meaning given such term in section 112(c)(2) of the Internal Revenue Code of 1986.''.

(b) DESIGNATION OF EMERGENCY ESSENTIAL EMPLOYEES.—(1) Chapter 81 of title 10, United States Code, is amended by inserting after the table of sections at the beginning of such chapter the following new section 1580:

''§ 1580. Emergency essential employees: designation

''(a) CRITERIA FOR DESIGNATION.—The Secretary of Defense or the Secretary of the military department concerned may designate as an emergency essential employee any employee of the Department of Defense, whether permanent or temporary, the duties of whose position meet all of the following criteria:

''(1) It is the duty of the employee to provide immediate and continuing support for combat operations or to support maintenance and repair of combat essential systems of the armed forces.

''(2) It is necessary for the employee to perform that duty in a combat zone after the evacuation of nonessential personnel, including any dependents of members of the armed forces, from the zone in connection with a war, a national emergency declared by Congress or the President, or the commencement of combat operations of the armed forces in the zone.

''(3) It is impracticable to convert the employee's position to a position authorized to be filled by a member of the armed forces because of a necessity for that duty to be performed without interruption.

''(b) ELIGIBILITY OF EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES.—A nonappropriated fund instrumentality employee is eligible for designation as an emergency essential employee under subsection (a).

''(c) DEFINITIONS.—In this section:

''(1) The term 'combat zone' has the meaning given that term in section 112(c)(2) of the Internal Revenue Code of 1986.

''(2) The term 'nonappropriated fund instrumentality employee' has the meaning given that term in section 1587(a)(1) of this title.''.

(2) The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 1581 the following:

''1580. Emergency essential employees: designation.''.

SEC. 1104. LEAVE WITHOUT LOSS OF BENEFITS FOR MILITARY RESERVE TECHNICIANS ON ACTIVE DUTY IN SUPPORT OF COMBAT OPERATIONS.

(a) ELIMINATION OF RESTRICTION TO SITUATIONS INVOLVING NONCOMBAT OPERATIONS.—Section 6323(d)(1) of title 5, United States Code, is amended by striking ''noncombat''.

(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 days of leave under section 6323(d)(1) of title 5, United States Code, on or after that date.

SEC. 1105. WORK SCHEDULES AND PREMIUM PAY OF SERVICE ACADEMY FACULTY.

(a) UNITED STATES MILITARY ACADEMY.—Section 4338 of title 10, United States Code, is amended by adding at the end the following new subsection (c):

''(c) The Secretary of the Army may, notwithstanding the provisions of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

''(1) The work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

''(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6952 of title 10, United States Code, is amended by—

(1) redesignating subsection (c) as subsection (d); and

(2) inserting after subsection (b) the following new subsection (c):

''(c) The Secretary of the Navy may, notwithstanding the provisions of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

''(1) The work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

''(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9338 of title 10, United States Code, is amended by adding at the end the following new subsection (c):

''(c) The Secretary of the Air Force may, notwithstanding the provisions of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

''(1) The work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

''(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.''.

SEC. 1106. SALARY SCHEDULES AND RELATED BENEFITS FOR FACULTY AND STAFF OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

Section 2113(f) of title 10, United States Code, is amended by adding at the end the following:

''(3) The limitations in sections 5307 and 5373 of title 5 do not apply to the authority of the Secretary under paragraph (1) to prescribe salary schedules and other related benefits.''.

SEC. 1107. EXTENSION OF CERTAIN TEMPORARY AUTHORITIES TO PROVIDE BENEFITS FOR EMPLOYEES IN CONNECTION WITH DEFENSE WORKFORCE REDUCTIONS AND RESTRUCTURING.

(a) LUMP-SUM PAYMENT OF SEVERANCE PAY.—Section 5595(i)(4) of title 5, United States Code, is amended by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 1996 and before October 1, 1999'' and inserting ''February 10, 1996, and before October 1, 2003''.

(b) VOLUNTARY SEPARATION INCENTIVE.—Section 5597(e) of such title is amended by striking ''September 30, 2001'' and inserting ''September 30, 2003''.

(c) CONTINUATION OF FEHBP ELIGIBILITY.—Section 8905a(d)(4)(B) of such title is amended by striking clauses (i) and (ii) and inserting the following:

''(i) October 1, 2003; or

''(ii) February 1, 2004, if specific notice of such separation was given to such individual before October 1, 2003.''.

TITLE XII—NATIONAL MILITARY MUSEUM AND RELATED MATTERS

Subtitle A—Commission on National Military Museum

SEC. 1201. ESTABLISHMENT.

(a) ESTABLISHMENT.—There is hereby established a commission known as the ''Commission on the National Military Museum'' (in this subtitle referred to as the ''Commission'').

(b) COMPOSITION.—(1) The Commission shall be composed of 10 individuals appointed from among individuals who have an expertise in military or museum matters, of whom—

(A) six shall be appointed by the President;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) 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.

(c) 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 90 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting not later than 60 days after the date as of which all members of the Commission have been appointed, but not earlier than October 15, 1999.

SEC. 1202. DUTIES OF COMMISSION.

(a) IN GENERAL.—The Commission shall conduct a study in order to make recommendations to Congress regarding an authorization for the construction of a national military museum in the National Capital Area.

(b) STUDY ELEMENTS.—In conducting the study, the Commission shall—

(1) determine whether existing military museums, historic sites, and memorials in the United States are adequate—

(A) to provide in a cost-effective manner for display 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, State and local governments, and private sources, respectively;

(5) assess the potential for fundraising for the museum during the 20-year period following the authorization of construction of the museum; and

(6) assess and recommend various governing structures for the museum, including a governing structure that places the museum within the Smithsonian Institution.

SEC. 1203. REPORT.

The Commission shall, not later than 12 months after the date of its first meeting, submit to Congress a report on its findings and conclusions under this subtitle, including any recommendations under section 1202.

SEC. 1204. POWERS.

(a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this subtitle, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this subtitle.

SEC. 1205. COMMISSION PROCEDURES.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(c) COMMISSION.—The Commission may establish panels composed of less than full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations

made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this subtitle.

SEC. 1206. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The appointment of a staff director shall be subject to the approval of the Commission.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS–15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 1207. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 1208. FUNDING.

(a) IN GENERAL.—Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2000.

(b) REQUEST.—Upon receipt of a written certification from the Chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

(c) AVAILABILITY OF CERTAIN FUNDS.—Of the funds available for activities of the Commission under this section, $2,000,000 shall be available for the activities, if any, of the Commission under section 1202(c).

SEC. 1209. TERMINATION OF COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 1203.

Subtitle B—Related Matters

SEC. 1211. FUTURE USE OF NAVY ANNEX PROPERTY, ARLINGTON, VIRGINIA.

(a) LIMITATION ON FUTURE USE.—No transfer of any real property of the Navy Annex property, or other use of that property not authorized as of the date of the enactment of this Act, may be carried out until 2 years after the later of—

(1) the date of the submittal of the study on the expansion of Arlington Cemetery required by the Joint Explanatory Statement of the Committee of Conference to accompany the Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261); or

(2) the date of the submittal of the report of the Commission on the National Military Museum under section 1203.

(b) NAVY ANNEX PROPERTY DESCRIBED.—For purposes of subsection (a), the Navy Annex property is the parcels of real property under the jurisdiction of the Federal Government located in Arlington, Virginia, as follows:

(1) A parcel bounded by Columbia Pike to the south and east, the rear property line of the residential properties fronting Oak Street to the west, and the southern limit of Southgate Road to the north.

(2) A parcel bounded by Shirley Memorial Boulevard (Interstate Route 395) to the south, the eastern edge of the Department of Transportation of the Commonwealth of Virginia to the west, Columbia Pike to the north, and the access road to Shirley Memorial Boulevard immediately east of Joyce Street to the east.

TITLE XIII—MILITARY VOTING RIGHTS ACT OF 1999

SEC. 1301. SHORT TITLE.

This title may be cited as the ''Military Voting Rights Act of 1999''.

SEC. 1302. GUARANTEE OF RESIDENCY.

Article VII of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. 700 et seq.) is amended by adding at the end the following:

''SEC. 704. (a) For purposes of voting for an office of the United States or of a State, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—

''(1) be deemed to have lost a residence or domicile in that State;

''(2) be deemed to have acquired a residence or domicile in any other State; or

''(3) be deemed to have become resident in or a resident of any other State.

''(b) In this section, the term 'State' includes a territory or possession of the United States, a political subdivision of a State, territory, or possession, and the District of Columbia.''.

SEC. 1303. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973ff–1) is amended—

(1) by inserting ''(a) ELECTIONS FOR FEDERAL OFFICES.—'' before ''Each State shall—''; and

(2) by adding at the end the following:

''(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—

''(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and run-off elections for State and local offices; and

''(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.''.

(b) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking out ''**FOR FEDERAL OFFICE**''.

MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 2000

On May 27, 1999, the bill, S. 1061, was passed by the Senate. The text of the bill is as follows:

S. 1061

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 ''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.
Sec. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Consolidation of Air Force Research Laboratory facilities at Rome Research Site, Rome, New York.

TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Improvements to military family housing units.

Sec. 2403. Military family housing improvement program.
Sec. 2404. Energy conservation projects.
Sec. 2405. Authorization of appropriations, Defense Agencies.
Sec. 2406. Modification of authority to carry out certain fiscal year 1997 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
Sec. 2702. Extension of authorizations of certain fiscal year 1997 projects.
Sec. 2703. Extension of authorizations of certain fiscal year 1996 projects.
Sec. 2704. Effective date.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Program Changes

Sec. 2801. Exemption from notice and wait requirements of military construction projects supported by burdensharing funds undertaken for war or national emergency.
Sec. 2802. Prohibition on carrying out military construction projects funded using incremental funding.
Sec. 2803. Defense Chemical Demilitarization Construction Account.
Sec. 2804. Limitation on authority regarding ancillary supporting facilities under alternative authority for acquisition and construction of military housing.
Sec. 2805. Availability of funds for planning and design in connection with acquisition of reserve component facilities.
Sec. 2806. Modification of limitations on reserve component facility projects for certain safety projects.
Sec. 2807. Expansion of entities eligible to participate in alternative authority for acquisition and improvement of military housing.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Extension of authority for leases of property for special operations activities.
Sec. 2812. Enhancement of authority relating to utility privatization.

Subtitle C—Defense Base Closure and Realignment

Sec. 2821. Conveyance of property at installations closed or realigned under the base closure laws without consideration for economic redevelopment purposes.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

Sec. 2831. Land conveyance, Army Reserve Center, Bangor, Maine.
Sec. 2832. Land conveyances, Twin Cities Army Ammunition Plant, Minnesota.
Sec. 2833. Repair and conveyance of Red Butte Dam and Reservoir, Salt Lake City, Utah.

PART II—NAVY CONVEYANCES

Sec. 2841. Clarification of land exchange, Naval Reserve Readiness Center, Portland, Maine.
Sec. 2842. Land conveyance, Newport, Rhode Island.
Sec. 2843. Land conveyance, Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas.
Sec. 2844. Land conveyance, Naval Training Center, Orlando, Florida.

PART III—AIR FORCE CONVEYANCES

Sec. 2851. Land conveyance, McClellan Nuclear Radiation Center, California.
Sec. 2852. Land conveyance, Newington Defense Fuel Supply Point, New Hampshire.

Subtitle E—Other Matters

Sec. 2861. Acquisition of State-held inholdings, East Range of Fort Huachuca, Arizona.
Sec. 2862. Development of Ford Island, Hawaii.
Sec. 2863. Enhancement of Pentagon renovation activities.
Sec. 2864. One-year delay in demolition of radio transmitting facility towers at Naval Station, Annapolis, Maryland, to facilitate transfer of towers.
Sec. 2865. Army Reserve relocation from Fort Douglas, Utah.

TITLE XXIX—RENEWAL OF MILITARY LAND WITHDRAWALS

Sec. 2901. Findings.
Sec. 2902. Sense of the Senate regarding proposal to renew public land withdrawals.
Sec. 2903. Sense of Senate regarding withdrawals of certain lands in Arizona.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

For purposes of this Act, the term ''congressional defense committees'' means—

(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alaska	Fort Richardson	$14,600,000
	Fort Wainwright	$34,800,000
Arkansas	Pine Bluff Arsenal	$18,000,000
California	Fort Irwin	$13,400,000
Colorado	Peterson Air Force Base	$25,000,000
District of Columbia	Fort McNair	$1,250,000
	Walter Reed Medical Center	$6,800,000
Georgia	Fort Benning	$48,400,000
	Fort Stewart	$19,000,000
	Fort Stewart/Hunter Army Air Field	$7,000,000
	Hunter Army Air Field	$7,200,000
Hawaii	Schofield Barracks	$95,000,000
Kansas	Fort Leavenworth	$34,100,000
	Fort Riley	$27,000,000
Kentucky	Blue Grass Army Depot	$17,000,000
	Fort Campbell	$56,900,000
Maryland	Fort Meade	$22,450,000
Massachusetts	Westover Air Force Reserve Base	$4,000,000
Missouri	Fort Leonard Wood	$10,600,000
Nevada	Hawthorne Army Depot	$1,700,000
New Jersey	Fort Monmouth	$11,800,000
North Carolina	Fort Bragg	$125,400,000
	Military Ocean Terminal Sunny Point	$3,800,000
Oklahoma	Fort Sill	$13,200,000
	McAlester Army Ammunition	$16,600,000
Pennsylvania	Carlisle Barracks	$5,000,000
	Letterkenny Army Depot	$3,650,000
South Carolina	Fort Jackson	$7,400,000
Texas	Fort Bliss	$50,400,000
	Fort Hood	$68,000,000

Army: Inside the United States—Continued

State	Installation or location	Amount
Virginia	Fort Belvoir	$3,850,000
	Fort Eustis	$39,000,000
	Fort Myer	$2,900,000
Washington	Fort Lewis	$6,200,000
	Yakima Training Center	$17,200,000
CONUS Various	CONUS Various	$36,400,000
	Total:	$875,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or location	Amount
Germany	Ansbach	$21,000,000
	Area Support Group Bamberg	$23,200,000
	Mannheim	$4,500,000
Korea	Camp Casey	$31,000,000
	Camp Howze	$3,050,000
	Camp Stanley	$3,650,000
	Total:	$86,400,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installation, for the purpose, and in the amount set forth in the following table:

Army: Family Housing

Country	Installation or location	Purpose	Amount
Korea	Camp Humphreys	60 Units	$24,000,000
		Total:	$24,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,300,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $32,600,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $2,194,333,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $736,708,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $86,400,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $9,500,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $83,414,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $61,531,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,098,080,000.

(6) For the construction of the United States Disciplinary Barracks, Phase III, Fort Leavenworth, Kansas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1966), $18,800,000.

(7) For the construction of the Whole Barracks Complex Renewal, Fort Campbell, Kentucky, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2182), $4,800,000.

(8) For the construction of the Multi-Purpose Digital Training Range, Fort Knox, Kentucky, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $2,400,000.

(9) For the construction of the Cadet Development Center, United States Military Academy, West Point, New York, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $28,500,000.

(10) For the construction of the Force XXI Soldier Development Center, Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999, $14,000,000.

(11) For the construction of the Railhead Facility, Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act of Fiscal Year 1999, $14,800,000.

(12) For the construction of the Power Plant, Roi Namur Island, Kwajalein Atoll, Kwajalein, authorized by section 2101(b) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2183), $35,400,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed—

(1) the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a);

(2) $80,800,000 (the balance of the amount authorized under section 2101(a) for the construction of the whole barracks complex renewal at Schofield Barracks, Hawaii); and

(3) $57,492,000 (the balance of the amount authorized under section 2101(a) for the construction of the whole barracks complex renewal at Fort Bragg, North Carolina).

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	$17,020,000
	Navy Detachment, Camp Navajo	$7,560,000
California	Marine Corps Air-Ground Combat Center, Twentynine Palms	$34,760,000
	Marine Corps Base, Camp Pendleton	$31,660,000
	Marine Corps Logistics Base, Barstow	$4,670,000
	Marine Corps Recruit Depot, San Diego	$3,200,000
	Naval Air Station, Lemoore	$24,020,000
	Naval Air Station, North Island	$54,420,000
	Naval Hospital, San Diego	$21,590,000
	Naval Hospital, Twentynine Palms	$7,640,000
Florida	Naval Air Station, Whiting Field, Milton	$4,750,000
Georgia	Marine Corps Logistics Base, Albany	$6,260,000
Hawaii	Camp H.M. Smith	$86,050,000
	Marine Corps Air Station, Kaneohe Bay	$5,790,000
	Naval Shipyard, Pearl Harbor	$10,610,000
	Naval Station, Pearl Harbor	$18,600,000
	Naval Submarine Base, Pearl Harbor	$29,460,000
Idaho	Naval Surface Warfare Center, Bayview	$10,040,000
Illinois	Naval Training Center, Great Lakes	$57,290,000
Maine	Naval Air Station, Brunswick	$16,890,000
Maryland	Naval Surface Warfare Center, Indian Head	$10,070,000
Mississippi	Naval Construction Battalion Center, Gulfport	$19,170,000
New Hampshire	NSY Portsmouth	$3,850,000
New Jersey	Naval Air Warfare Center Aircraft Division, Lakehurst	$15,710,000
North Carolina	Marine Corps Air Station, New River	$5,470,000
	Marine Corps Base, Camp LeJeune	$21,380,000
Pennsylvania	Navy Ships Parts Control Center, Mechanicsburg	$2,990,000
	Naval Shipyard, Philadelphia	$13,320,000
South Carolina	Naval Weapons Station, Charleston	$7,640,000
	Marine Corps Air Station, Beaufort	$10,490,000
Virginia	Marine Corps Combat Development Command, Quantico	$20,820,000
	Naval Air Station, Oceana	$11,490,000
	Naval Shipyard, Norfolk, Portsmouth	$17,630,000
	Naval Station, Norfolk	$69,550,000
	Naval Weapons Station, Yorktown	$25,040,000
	Tactical Training Group Atlantic, Dam Neck	$10,310,000
Washington	Naval Ordnance Center Pacific Division Detachment, Port Hadlock	$3,440,000
	Puget Sound Naval Shipyard, Bremerton	$15,610,000
	Strategic Weapons Facility Pacific, Bremerton	$6,300,000
	Total:	$742,560,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or location	Amount
Bahrain	Administrative Support Unit	$83,090,000
Diego Garcia	Naval Support Facility, Diego Garcia	$8,150,000
Greece	Naval Support Activity, Souda Bay	$6,380,000
Italy	Naval Support Activity, Naples	$26,750,000
	Total:	$124,370,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or location	Purpose	Amount
Arizona	Marine Corps Air Station, Yuma	100 Units	$17,000,000
Hawaii	Marine Corps Air Station, Kaneohe Bay	100 Units	$26,615,000
	Marine Corps Base, Kaneohe Bay	84 Units	$22,639,000
	Naval Base, Pearl Harbor	133 Units	$30,168,000
	Naval Base, Pearl Harbor	96 Units	$19,167,000
		Total:	$115,589,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $17,715,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $165,050,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,076,435,000 as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $672,380,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $124,370,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $7,342,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $66,581,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $298,354,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $895,070,000.

(6) For construction of the Berthing Wharf (Increment II), Naval Station Norfolk, Virginia, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2186), $12,690,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed—

(1) the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a); and

(2) $70,180,000 (the balance of the amount authorized under section 2201(a) for the construction of the Commander-in-Chief Headquarters, Pacific Command, Camp H. M. Smith, Hawaii).

SEC. 2205. TECHNICAL MODIFICATION OF AUTHORITY RELATING TO CERTAIN FISCAL YEAR 1997 PROJECT.

The table in section 2202(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2768) is amended in the item relating to Naval Air Station Brunswick, Maine, by striking ''92 Units'' in the purpose column and inserting ''72 Units''.

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	$10,600,000
Alaska	Eielson Air Force Base	$24,100,000
	Elmendorf Air Force Base	$42,300,000
Arizona	Davis-Monthan Air Force Base	$7,800,000
California	Beale Air Force Base	$8,900,000
	Travis Air Force Base	$7,500,000
Colorado	Peterson Air Force Base	$33,000,000
	Schriever Air Force Base	$9,400,000
	United States Air Force Academy	$17,500,000
Delaware	Dover Air Force Base	$12,000,000
Florida	Eglin Air Force Base	$13,600,000
	Eglin Auxiliary Field 9	$18,800,000
	MacDill Air Force Base	$5,500,000
	Patrick Air Force Base	$17,800,000
Georgia	Fort Benning	$3,900,000
	Moody Air Force Base	$3,200,000
	Robins Air Force Base	$3,350,000
Hawaii	Hickam Air Force Base	$3,300,000
Idaho	Mountain Home Air Force Base	$17,000,000
Kansas	McConnell Air Force Base	$10,963,000
Kentucky	Fort Campbell	$6,300,000
Maryland	Andrews Air Force Base	$9,900,000
Massachusetts	Hanscom Air Force Base	$16,000,000
Mississippi	Columbus Air Force Base	$2,600,000
	Keesler Air Force Base	$35,900,000
Missouri	Whiteman Air Force Base	$24,900,000
Montana	Malmstrom Air Force Base	$11,600,000
Nebraska	Offutt Air Force Base	$8,300,000
Nevada	Nellis Air Force Base	$18,600,000
	Nellis Air Force Base	$11,600,000
New Jersey	McGuire Air Force Base	$11,800,000
New Mexico	Cannon Air Force Base	$4,000,000
	Cannon Air Force Base	$8,100,000
New York	Rome Laboratory	$25,800,000
North Carolina	Fort Bragg	$4,600,000
	Pope Air Force Base	$7,700,000
North Dakota	Grand Forks Air Force Base	$9,500,000
Ohio	Wright-Patterson Air Force Base	$22,200,000
Oklahoma	Tinker Air Force Base	$47,400,000
South Carolina	Charleston Air Force Base	$18,200,000
South Dakota	Ellsworth Air Force Base	$10,200,000
Tennessee	Arnold Air Force Base	$7,800,000
Texas	Dyess Air Force Base	$5,400,000
	Lackland Air Force Base	$13,400,000
	Laughlin Air Force Base	$3,250,000
Utah	Hill Air Force Base	$4,600,000
Virginia	Langley Air Force Base	$6,300,000
Washington	Fairchild Air Force Base	$13,600,000
	McChord Air Force Base	$7,900,000
CONUS Classified	Classified Location	$16,870,000
	Total:	$664,833,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or location	Amount
Guam	Andersen Air Force Base	$8,900,000
Italy	Aviano Air Base	$3,700,000
Korea	Osan Air Base	$19,600,000
Portugal	Lajes Field, Azores	$1,800,000
United Kingdom	Ascension Island	$2,150,000
	Royal Air Force, Feltwell	$3,000,000
	Royal Air Force, Lakenheath	$18,200,000
	Royal Air Force, Mildenhall	$17,600,000
	Royal Air Force, Molesworth	$1,700,000
	Total:	$76,650,000

SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Air Force: Family Housing

State or Country	Installation or location	Purpose	Amount
Arizona	Davis-Monthan Air Force Base	64 Units	$10,000,000
California	Beale Air Force Base	60 Units	$8,500,000
	Edwards Air Force Base	188 Units	$32,790,000
	Vandenberg Air Force Base	91 Units	$16,800,000
District of Columbia	Bolling Air Force Base	72 Units	$9,375,000
Florida	Eglin Air Force Base	130 Units	$14,080,000
	MacDill Air Force Base	54 Units	$9,034,000
Mississippi	Columbus Air Force Base	100 Units	$12,290,000
Montana	Malmstrom Air Force Base	34 Units	$7,570,000
Nebraska	Offutt Air Force Base	72 Units	$12,352,000
North Carolina	Seymour Johnson Air Force Base	78 Units	$12,187,000
North Dakota	Grand Forks Air Force Base	42 Units	$10,050,000
	Minot Air Force Base	72 Units	$10,756,000
Texas	Lackland Air Force Base	48 Units	$7,500,000
Portugal	Lajes Field, Azores	75 Units	$12,964,000
		Total:	$186,248,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $17,471,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $129,952,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,931,051,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $651,833,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $76,650,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $8,741,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $38,264,000.

(5) For military housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $333,671,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $821,892,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed $651,833,000.

SEC. 2305. CONSOLIDATION OF AIR FORCE RESEARCH LABORATORY FACILITIES AT ROME RESEARCH SITE, ROME, NEW YORK.

The Secretary of the Air Force may accept contributions from the State of New York in addition to amounts authorized in section 2304(a)(1) for the project authorized by section 2301(a) for Rome Laboratory, New York, for purposes of carrying out military construction relating to the consolidation of Air Force Research Laboratory facilities at the Rome Research Site, Rome, New York.

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Demilitarization Program	Blue Grass Army Depot, Kentucky	$195,800,000
Defense Education Activity	Marine Corps Base, Camp LeJeune, North Carolina	$10,570,000
	Laurel Bay, South Carolina	$2,874,000
Defense Logistics Agency	Eielson Air Force Base, Alaska	$26,000,000
	Defense Fuel Supply Center, Elmendorf Air Force Base, Alaska	$23,500,000
	Defense Distribution Supply Point, New Cumberland, Pennsylvania	$5,000,000
	Fairchild Air Force Base, Washington	$12,400,000
	Various Locations	$8,900,000
Defense Manpower Data Center	Presidio, Monterey, California	$28,000,000
National Security Agency	Fort Meade, Maryland	$2,946,000
Special Operations Command	Naval Amphibious Base, Coronado, California	$6,000,000
	Fort Benning, Georgia	$10,200,000
	Mississippi Army Ammunition Plant, Mississippi	$12,900,000
	Fort Bragg, North Carolina	$20,100,000
	Fleet Combat Training Center, Dam Neck, Virginia	$4,700,000
Tri-Care Management Agency	Fort Wainwright, Alaska	$133,000,000
	Davis-Monthan Air Force Base, Arizona	$10,000,000
	Los Angeles Air Force Base, California	$13,600,000
	Travis Air Force Base, California	$7,500,000
	Patrick Air Force Base, Florida	$1,750,000
	Naval Air Station, Jacksonville, Florida	$3,780,000
	Naval Air Station, Pensacola, Florida	$4,300,000
	Moody Air Force Base, Georgia	$1,250,000
	Fort Riley, Kansas	$6,000,000
	Andrews Air Force Base, Maryland	$3,000,000
	Naval Air Station, Patuxent River, Maryland	$4,150,000
	Marine Corps Air Station, Cherry Point, North Carolina	$3,500,000
	Wright-Patterson Air Force Base, Ohio	$3,900,000
	Fort Sam Houston, Texas	$5,800,000
	Cheatham Annex, Virginia	$1,650,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
	Naval Air Station, Norfolk, Virginia	$4,050,000
	Fort Lewis, Washington	$5,500,000
	Naval Air Station, Whidbey Island, Washington	$4,700,000
	Total:	$587,320,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Education Activity	Andersen Air Force Base, Guam	$44,170,000
	Naval Station Rota, Spain	$17,020,000
	Royal Air Force, Feltwell, United Kingdom	$4,570,000
	Royal Air Force, Lakenheath, United Kingdom	$3,770,000
Defense Logistics Agency	Andersen Air Force Base, Guam	$24,300,000
	Moron Air Base, Spain	$15,200,000
National Security Agency	Royal Air Force, Menwith Hill Station, United Kingdom	$500,000
Tri-Care Management Agency	Naval Security Group Activity, Sabana Seca, Puerto Rico	$4,000,000
	Ramstein Air Force Base, Germany	$7,100,000
	Yongsan, Korea	$41,120,000
	Royal Air Force, Lakenheath, United Kingdom	$7,100,000
Defense-Wide	Counterdrug Forward Operating Location, Antilles	$4,880,000
	Counterdrug Forward Operating Location, Costa Rica	$6,726,000
	Counterdrug Forward Operating Location, Ecuador	$31,229,000
	Total:	$211,685,000

SEC. 2402. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(8)(A), the Secretary of Defense may improve existing military family housing units in an amount not to exceed $50,000.

SEC. 2403. MILITARY FAMILY HOUSING IMPROVEMENT PROGRAM.

Of the amount authorized to be appropriated pursuant to section 2405(a)(8)(C), $78,756,000 shall be available for credit to the Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code.

SEC. 2404. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(6), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $31,900,000.

SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of $1,842,582,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $288,320,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $211,685,000.

(3) For unspecified minor construction projects under section 2805 of title 10, United States Code, $18,618,000.

(4) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $938,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $33,664,000.

(6) For energy conservation projects authorized by section 2404, $31,900,000.

(7) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), $892,911,000.

(8) For military family housing functions:

(A) For improvement of military family housing and facilities, $50,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $41,440,000 of which not more than $35,639,000 may be obligated or expended for the leasing of military family housing units worldwide.

(C) For credit to the Department of Defense Family Housing Improvement Fund as authorized by section 2403, $78,756,000.

(9) For the construction of the Ammunition Demilitarization Facility, Anniston Army Depot, Alabama, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; Stat. 1758), $7,000,000.

(10) For the construction of the Ammunition Demilitarization Facility, Pine Bluff Arsenal, Arkansas, authorized by section 2401 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3040), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 539), section 2408 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1982), and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2197), $61,800,000.

(11) For the construction of the Ammunition Demilitarization Facility, Umatilla Army Depot, Oregon, authorized by section 2401 of the Military Construction Authorization Act for Fiscal Year 1995, as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996, section 2408 of the Military Construction Authorization Act for Fiscal Year 1998, and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999, $35,900,000.

(12) For the construction of the Ammunition Demilitarization Facility, Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of this Act, $11,800,000.

(13) For the construction of the Ammunition Demilitarization Facility, Newport Army Depot, Indiana, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2193), $61,200,000.

(14) For the construction of the Ammunition Demilitarization Facility, Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999, $66,600,000.

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variation authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed—

(1) the total amount authorized to be appropriated pursuant to paragraphs (1) and (2) of subsection (a);

(2) $115,000,000 (the balance of the amount authorized under section 2401(a) for the construction of the hospital replacement, Fort Wainwright, Alaska); and

(3) $184,000,000 (the balance of the amount authorized under section 2401(a) for the construction of the Ammunition Demilitarization Facility, Blue Grass Army Depot, Kentucky).

SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.

The table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), under the agency heading relating to Chemical Demilitarization Program, is amended in the item relating to Pueblo Chemical Activity, Colorado, by striking ''$179,000,000'' in the amount column and inserting ''$203,500,000''.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment program authorized by section 2501, in the amount of $166,340,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 1999, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $189,639,000; and

(B) for the Army Reserve, $104,817,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, $28,475,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $232,340,000; and

(B) for the Air Force Reserve, $34,864,000.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2002; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2003.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2002; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2003 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1997 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2782), authorizations for the projects set forth in the tables in subsection (b), as provided in sections 2101, 2202, and 2601 of that Act and amended by section 2406 of this Act, shall remain in effect until October 1, 2000, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2001, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Navy: Extension of 1997 Project Authorizations

State	Installation or location	Project	Amount
Florida	Naval Station Mayport	Family Housing Construction (100 units).	$10,000,000
Maine	Naval Station Brunswick	Family Housing Construction (72 units).	$10,925,000
North Carolina	Marine Corps Base Camp Lejuene	Family Housing Construction (94 units).	$10,110,000
South Carolina	Marine Corps Air Station Beaufort	Family Housing Construction (140 units).	$14,000,000
Texas	Naval Complex Corpus Christi	Family Housing Construction (104 units).	$11,675,000
	Naval Air Station Kingsville	Family Housing Construction (48 units).	$7,550,000
Virginia	Marine Corps Combat Development Command, Quantico	Sanitary Fill	$8,900,000
Washington	Naval Station Everett	Family Housing Construction (100 units).	$15,015,000

Army National Guard: Extension of 1997 Project Authorization

State	Installation or location	Project	Amount
Mississippi	Camp Shelby	Multipurpose Range	$5,000,000

Defense Agencies: Extension of 1997 Project Authorization

State	Installation or location	Project	Amount
Colorado	Pueblo Chemical Activity	Ammunition Demilitarization Facility.	$179,000,000

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1996 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 541), authorizations for the projects set forth in the tables in subsection (a), as provided in sections 2202 and 2601 of that Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2199), shall remain in effect until October 1, 2000, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2001, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Navy: Extension of 1996 Project Authorization

State	Installation or location	Project	Amount
California	Camp Pendleton	Family Housing Construction (138 units).	$20,000,000

Army National Guard: Extension of 1996 Project Authorization

State	Installation or location	Project	Amount
Missouri	National Guard Training Site, Jefferson City	Multipurpose Range	$2,236,000

SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—

(1) October 1, 1999; or

(2) the date of the enactment of this Act.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Program Changes

SEC. 2801. EXEMPTION FROM NOTICE AND WAIT REQUIREMENTS OF MILITARY CONSTRUCTION PROJECTS SUPPORTED BY BURDENSHARING FUNDS UNDERTAKEN FOR WAR OR NATIONAL EMERGENCY.

Section 2350j of title 10, United States Code, is amended—

(1) in subsection (e), by adding at the end the following new paragraph:

''(3)(A) A military construction project under subsection (d) may be carried out without regard to the requirement in paragraph (1) and the limitation in paragraph (2) if the project is necessary to support the armed forces in the country or region in which the project is carried out by reason of a declaration of war, or a declaration by the President of a national emergency pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.), that is in force at the time of the commencement of the project.

''(B) When a decision is made to carry out a military construction project under subparagraph (A), the Secretary of Defense shall submit to the congressional committees specified in subsection (g)—

''(i) a notice of the decision; and

''(ii) a statement of the current estimated cost of the project, including the cost of any real property transaction in connection with the project.''; and

(2) in subsection (g), by striking ''subsection (e)(1)'' and inserting ''subsection (e)''.

SEC. 2802. PROHIBITION ON CARRYING OUT MILITARY CONSTRUCTION PROJECTS FUNDED USING INCREMENTAL FUNDING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should request in the budget for each fiscal year submitted to Congress under section 1105 of title 31, United States Code, sufficient amounts to fund fully each military construction and family housing construction project proposed to be authorized in such fiscal year; and

(2) Congress should authorize and appropriate each fiscal year amounts sufficient to fund fully each military construction and family housing construction project authorized in such fiscal year.

(b) PROHIBITION ON INCREMENTAL FUNDING OF MILITARY CONSTRUCTION PROJECTS.—Section 2802 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) The Secretary of Defense and the Secretaries of the military departments may not obligate funds for a military construction project (including a military family housing project) otherwise authorized by law unless the total amount of appropriations allocated for obligation and expenditure for the project as of the initial obligation of funds for the project is sufficient, without additional funds, to provide for the construction of a usable facility meeting the purpose of the project.''.

SEC. 2803. DEFENSE CHEMICAL DEMILITARIZATION CONSTRUCTION ACCOUNT.

(a) ESTABLISHMENT.—Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following:

''§ 2814. Defense Chemical Demilitarization Construction Account

''(a) ESTABLISHMENT.—There is established on the books of the Treasury the Defense Chemical Demilitarization Construction Account (in this section referred to as the 'Account').

''(b) CREDITS TO ACCOUNT.—There shall be credited to the Account amounts authorized for and appropriated to the Account.

''(c) USE OF AMOUNTS IN ACCOUNT.—Amounts in the Account shall be available to the Secretary of Defense for carrying out military construction projects authorized by law in support of the chemical demilitarization activities of the Department of Defense under section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) and other provisions of law.

''(d) LIMITATION ON OBLIGATION AND EXPENDITURE.—(1) Subject to paragraph (2), amounts appropriated to the Account for a military construction project shall remain available for obligation and expenditure for the project in the fiscal year for which appropriated and the two succeeding fiscal years.

''(2) Amounts appropriated for a military construction project for a fiscal year shall remain available for the project until expended without regard to the limitation specified in paragraph (1) if—

''(A) any portion of such amounts are obligated for the project before the end of the fiscal years referred to in that paragraph; or

''(B) the availability of such amounts for the project are otherwise extended by law.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of that subchapter is amended by adding at the end the following new item:

''2814. Defense Chemical Demilitarization Construction Account.''.

SEC. 2804. LIMITATION ON AUTHORITY REGARDING ANCILLARY SUPPORTING FACILITIES UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND CONSTRUCTION OF MILITARY HOUSING.

Section 2881 of title 10, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Any project''; and

(2) by adding at the end the following new subsection:

''(b) LIMITATION.—A project referred to in subsection (a) may not include the acquisition or construction of an ancillary supporting facility if, as determined by the Secretary concerned, the facility is to be used for providing merchandise or services in direct competition with—

''(1) the Army and Air Force Exchange Service;

''(2) the Navy Exchange Service Command;

''(3) a Marine Corps exchange;

''(4) the Defense Commissary Agency; or

''(5) any nonappropriated fund activity of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.''.

SEC. 2805. AVAILABILITY OF FUNDS FOR PLANNING AND DESIGN IN CONNECTION WITH ACQUISITION OF RESERVE COMPONENT FACILITIES.

Section 18233(f)(1) of title 10, United States Code, is amended by inserting ''and design'' after ''planning''.

SEC. 2806. MODIFICATION OF LIMITATIONS ON RESERVE COMPONENT FACILITY PROJECTS FOR CERTAIN SAFETY PROJECTS.

(a) EXEMPTION FROM NOTICE AND WAIT REQUIREMENT.—Subsection (a)(2) of section 18233a of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(C) An unspecified minor military construction project (as defined in section 2805(a) of this title) that is intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening.''.

(b) AVAILABILITY OF OPERATION AND MAINTENANCE FUNDS.—Subsection (b) of that section is amended to read as follows:

''(b) Under such regulations as the Secretary of Defense may prescribe, the Secretary may spend from appropriations available for operation and maintenance amounts necessary to carry out any project authorized under section 18233(a) of this title costing not more than—

''(1) the amount specified in section 2805(c)(1) of this title, in the case of a project intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening; or

''(2) the amount specified in section 2805(c)(2) of this title, in the case of any other project.''.

SEC. 2807. EXPANSION OF ENTITIES ELIGIBLE TO PARTICIPATE IN ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

(a) DEFINITION OF ELIGIBLE ENTITY.—Section 2871 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8) respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

''(5) The term 'eligible entity' means any individual, corporation, firm, partnership, company, State or local government, or housing authority of a State or local government.''.

(b) GENERAL AUTHORITY.—Section 2872 of such title is amended by striking ''private persons'' and inserting ''eligible entities''.

(c) DIRECT LOANS AND LOAN GUARANTEES.—Section 2873 of such title is amended—

(1) in subsection (a)(1)—

(A) by striking ''persons in private sector'' and inserting ''an eligible entity''; and

(B) by striking ''such persons'' and inserting ''the eligible entity''; and

(2) in subsection (b)(1)—

(A) by striking ''any person in the private sector'' and inserting ''an eligible entity''; and

(B) by striking ''the person'' and inserting ''the eligible entity''.

(d) INVESTMENTS.—Section 2875 of such title is amended—

(1) in subsection (a), by striking ''nongovernmental entities'' and inserting ''an eligible entity'';

(2) in subsection (c)—

(A) by striking ''a nongovernmental entity'' both places it appears and inserting ''an eligible entity''; and

(B) by striking ''the entity'' each place it appears and inserting ''the eligible entity'';

(3) in subsection (d), by striking ''nongovernmental'' and inserting ''eligible''; and

(4) in subsection (e), by striking ''a nongovernmental entity'' and inserting ''an eligible entity''.

(e) RENTAL GUARANTEES.—Section 2876 of such title is amended by striking ''private persons'' and inserting ''eligible entities''.

(f) DIFFERENTIAL LEASE PAYMENTS.—Section 2877 of such title is amended by striking ''private''.

(g) CONVEYANCE OR LEASE OF EXISTING PROPERTY AND FACILITIES.—Section 2878(a) of such title is amended by striking ''private persons'' and inserting ''eligible entities''.

(h) CLERICAL AMENDMENTS.—(1) The heading of section 2875 of such title is amended to read as follows:

''§ 2875. Investments''.

(2) The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended by striking the item relating to section 2875 and inserting the following new item:

''2875. Investments.''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. EXTENSION OF AUTHORITY FOR LEASES OF PROPERTY FOR SPECIAL OPERATIONS ACTIVITIES.

Section 2680(d) of title 10, United States Code, is amended by striking ''September 30, 2000'' and inserting ''September 30, 2005''.

SEC. 2812. ENHANCEMENT OF AUTHORITY RELATING TO UTILITY PRIVATIZATION.

(a) EXTENDED CONTRACTS FOR UTILITY SERVICES.—Section 2688 of title 10, United States Code, is amended—

(1) by redesignating subsections (f), (g), and (h) as subsections (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) EXTENDED CONTRACTS FOR UTILITY SERVICES.—(1) The Secretary concerned may, in connection with a conveyance of a utility system under this section, enter into a contract for the provision of utility services.

''(2) Notwithstanding the proviso in section 201(a)(3) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(a)(3)), the term of a contract under this subsection may be up to 50 years.''.

(b) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYANCES.—That section is further amended by inserting after subsection (f), as added by subsection (a) of this section, the following new subsection (g):

''(g) AVAILABILITY OF MILITARY CONSTRUCTION FUNDS TO FACILITATE CONVEYANCES.—(1) Funds appropriated for a military construction project authorized by law for the construction, repair, or replacement of a utility system to be conveyed under this section may, instead of being used for the project, be used for a contribution by the Secretary concerned to the utility company or entity to which the utility system is being conveyed for the costs of the utility company or entity with respect to the construction, repair, or replacement of the utility system.

''(2) The Secretary concerned shall take into account any contribution under this subsection with respect to a utility system for purposes of the economic analysis required for the conveyance of the utility system under subsection (e)(1).''.

Subtitle C—Defense Base Closure and Realignment

SEC. 2821. CONVEYANCE OF PROPERTY AT INSTALLATIONS CLOSED OR REALIGNED UNDER THE BASE CLOSURE LAWS WITHOUT CONSIDERATION FOR ECONOMIC REDEVELOPMENT PURPOSES.

(a) 1990 LAW.—Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A)—

(A) by inserting ''or realigned'' after ''closed''; and

(B) by inserting ''for purposes of creating jobs at the installation'' before the period at the end; and

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

''(B)(i) Subject to clauses (ii) and (iii), the transfer of property under this paragraph shall be for consideration at the fair market value of the property.

''(ii) The transfer of property under this paragraph shall be without consideration in the case of an installation located in a rural area whose closure or realignment under this part will have a substantial adverse impact on the economy of the communities in the vicinity of the installation.

''(iii) The transfer of property of an installation under this paragraph shall also be without consideration if the redevelopment authority with respect to the installation—

''(I) provides in the agreement for the transfer of such property that the proceeds of any sale or lease of such property, or portion of such property, received by the redevelopment authority during the period after the date of the transfer of such property agreed upon by the redevelopment authority and the Secretary (but not less than 10 years after that date) shall be used for economic redevelopment of the installation or related to the installation; and

''(II) accepts control of such property under the agreement within a reasonable time (as determined by the Secretary) after the completion of the property disposal record of decision or the entry of a finding of no significant environmental impact with respect to the transfer under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(iv) For purposes of clause (iii), the following activities shall be treated as economic redevelopment of an installation or related to an installation:

''(I) Road construction or improvement.

''(II) Construction or improvement of transportation management facilities.

''(III) Construction or improvement of storm and sanitary sewers.

''(IV) Construction or improvement of facilities for police or fire protection services.

''(V) Construction or improvement of other public facilities.

''(VI) Construction or improvement of utilities.

''(VII) Rehabilitation or improvement of buildings, including preservation of historic property.

''(VIII) Construction, improvement, or acquisition of pollution prevention equipment or facilities.

''(IX) Demolition of facilities.

''(X) Property management activities, including removal of hazardous material, landscaping, grading, and other site or public improvements.

''(XI) Planning and marketing the development and reuse of the installation.

''(v) An agreement for the transfer of property of an installation under clause (iii)(I) shall permit the Secretary to recoup from the redevelopment authority concerned such portion as the Secretary determines appropriate of the amount of any proceeds of the sale or lease of the property that the redevelopment authority does not use to support economic redevelopment of the installation or related to the installation for the period specified in the agreement.''.

(b) 1988 LAW.—Section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A)—

(A) by inserting ''or realigned'' after ''closed''; and

(B) by inserting ''for purposes of creating jobs at the installation'' before the period at the end; and

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

''(B)(i) Subject to clauses (ii) and (iii), the transfer of property under this paragraph shall be for consideration at the fair market value of the property.

''(ii) The transfer of property under this paragraph shall be without consideration in the case of an installation located in a rural area whose closure or realignment under this title will have a substantial adverse impact on the economy of the communities in the vicinity of the installation.

''(iii) The transfer of property of an installation under this paragraph shall also be without consideration if the redevelopment authority with respect to the installation—

''(I) provides in the agreement for the transfer of such property that the proceeds of any sale or lease of such property, or portion of such property, received by the redevelopment authority during the period after the date of the transfer of such property agreed upon by the redevelopment authority and the Secretary (but not less than 10 years after such date) shall be used for economic redevelopment of the installation or related to the installation; and

''(II) accepts control of such property under the agreement within a reasonable time (as determined by the Secretary) after the completion of the property disposal record of decision or the entry of a finding of no significant environmental impact with respect to the transfer under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(iv) For purposes of clause (iii), the following activities shall be treated as economic redevelopment of an installation or related to an installation:

''(I) Road construction or improvement.

''(II) Construction or improvement of transportation management facilities.

''(III) Construction or improvement of storm and sanitary sewers.

''(IV) Construction or improvement of facilities for police or fire protection services.

''(V) Construction or improvement of other public facilities.

''(VI) Construction or improvement of utilities.

''(VII) Rehabilitation or improvement of buildings, including preservation of historic property.

''(VIII) Construction, improvement, or acquisition of pollution prevention equipment or facilities.

''(IX) Demolition of facilities.

''(X) Property management activities, including removal of hazardous material, landscaping, grading, and other site or public improvements.

''(XI) Planning and marketing the development and reuse of the installation.

''(v) An agreement for the transfer of property of an installation under clause (iii)(I) shall permit the Secretary to recoup from the redevelopment authority concerned such portion as the Secretary determines appropriate of the amount of any proceeds of the sale or lease of the property that the redevelopment authority does not use to support economic redevelopment of the installation or related to the installation for the period specified in the agreement.''.

(c) APPLICABILITY TO CERTAIN PRIOR AGREEMENTS.—(1)(A) Subject to subparagraph (B), the Secretary of Defense may modify an agreement for the transfer of property under section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990, or under section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act, that was entered into before April 21, 1999, for purposes of the compromise, waiver, adjustment, release, or reduction of any right, title, claim, lien, or demand of the United States under the agreement.

(B) The Secretary may modify an agreement under this paragraph only if—

(i) the Secretary determines that, as a result of changed economic circumstances, the modification is necessary to provide for economic redevelopment of the installation concerned or related to that installation;

(ii) the terms of the modification do not require the return of any payments made to the Secretary under the agreement before the date of the modification; and

(iii) the terms of the modification do not compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States under the agreement with respect to the receipt by the United States of in-kind consideration.

(C) In modifying an agreement under subparagraph (A), the Secretary may waive some or all future payments to the United States under the agreement to the extent that the Secretary determines such waiver is necessary.

(D) In modifying an agreement under subparagraph (A), the Secretary and the redevelopment authority concerned shall include in the agreement provisions consistent with clauses (iii)(I) and (v) of section 2905(b)(4)(B) of the Defense Base Closure and Realignment Act of 1990 (as amended by this section), or clauses (iii)(I) and (v) under section 204(b)(4)(B) of the Defense Authorization Amendments and Base Closure and Realignment Act (as so amended), as applicable.

(2)(A) The Secretary shall, upon the request of the redevelopment authority concerned, modify an agreement for the transfer of property under section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990, or under section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act, that was entered into between April 21, 1999, and the date of the enactment of this Act in order to conform the agreement to the provisions of subparagraph (B) of such section 2905(b)(4), as so amended, or subparagraph (B) of such section 204(b)(4), as so amended.

(B) A modification of an agreement under this paragraph may compromise, waive, adjust, release, or reduce any right, title, claim, lien, or demand of the United States under the agreement.

(d) REPEAL OF CERTAIN OBSOLETE AUTHORITY.—(1) Section 204(b)(4)(D) of the Defense Authorization Amendments and Base Closure and Realignment Act is amended—

(A) by striking ''(i)''; and

(B) by striking clause (ii).

(2) Section 2905(b)(4)(D) of the Defense Base Closure and Realignment Act of 1990 is amended—

(A) by striking ''(i)''; and

(B) by striking clause (ii).

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

SEC. 2831. LAND CONVEYANCE, ARMY RESERVE CENTER, BANGOR, MAINE.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Army may convey, without consideration, to the City of Bangor, Maine (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 5 acres and containing the Army Reserve Center in Bangor, Maine, known as the Harold S. Slager Army Reserve Center. The parcel has been determined to be excess to the needs of the Army.

(2) The purpose of the conveyance is to permit the City to use the property for educational purposes.

(b) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by subsection (a) the Secretary has transferred jurisdiction over any of the property to be conveyed to the Administrator of General Services, the Administrator shall make the conveyance of such property under this section.

(c) FEDERAL SCREENING.—(1) If any of the property authorized to be conveyed by subsection (a) of this section is under the jurisdiction of the Administrator as of the date of the enactment of this Act, the Administrator shall conduct with respect to such property the screening for further Federal use otherwise required by subsection (a) of section 2696 of title 10, United States Code.

(2) Subsections (b) through (d) of such section 2696 shall apply to the screening under paragraph (1) as if the screening were a screening conducted under subsection (a) of such section 2696. For purposes of such subsection (b), the date of the enactment of the provision of law authorizing the conveyance of the property authorized to be conveyed by this section shall be the date of the enactment of this Act.

(d) REVERSIONARY INTEREST.—If during the 5-year period beginning on the date the conveyance authorized by subsection (a) is made the Secretary determines that the property conveyed under that subsection is not being used for the purpose specified in paragraph (2) of that subsection, all right, title, and interest in and to the property shall revert to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the official having jurisdiction over the property at the time of the conveyance. The cost of the survey shall be borne by the City.

(f) ADDITIONAL TERMS AND CONDITIONS.—The official having jurisdiction over the property authorized to be conveyed by subsection (a) at the time of the conveyance may require such additional terms and conditions in connection with the conveyance as that official considers appropriate to protect the interest of the United States.

SEC. 2832. LAND CONVEYANCES, TWIN CITIES ARMY AMMUNITION PLANT, MINNESOTA.

(a) CONVEYANCE TO CITY AUTHORIZED.—The Secretary of the Army may convey to the City of Arden Hills, Minnesota (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4 acres at the Twin Cities Army Ammunition Plant, for the purpose of permitting the City to construct a city hall complex on the parcel.

(b) CONVEYANCE TO COUNTY AUTHORIZED.—The Secretary of the Army may convey to Ramsey County, Minnesota (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 35 acres at the Twin Cities Army Ammunition Plant, for the purpose of permitting the County to construct a maintenance facility on the parcel.

(c) CONSIDERATION.—As a consideration for the conveyances under this section, the City shall make the city hall complex available for use by the Minnesota National Guard for public meetings, and the County shall make the maintenance facility available for use by the Minnesota National Guard, as detailed in agreements entered into between the City, County, and the Commanding General of the Minnesota National Guard. Use of the city hall complex and maintenance facility by the Minnesota National Guard shall be without cost to the Minnesota National Guard.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under this section shall be determined by surveys satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the real property.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2833. REPAIR AND CONVEYANCE OF RED BUTTE DAM AND RESERVOIR, SALT LAKE CITY, UTAH.

(a) CONVEYANCE REQUIRED.—The Secretary of the Army may convey, without consideration, to the Central Utah Water Conservancy District, Utah (in this section referred to as the ''District''), all right, title, and interest of the United States in and to the real property, including the dam, spillway, and any other improvements thereon, comprising the Red Butte Dam and Reservoir, Salt Lake City, Utah. The Secretary shall make the conveyance without regard to the department or agency of the Federal Government having jurisdiction over Red Butte Dam and Reservoir.

(b) PROVISION OF FUNDS.—Not later than 60 days after the date of the enactment of this Act, the Secretary may make funds available to the District for purposes of the improvement of Red Butte Dam and Reservoir

to meet the standards applicable to the dam and reservoir under the laws of the State of Utah.

(c) USE OF FUNDS.—The District shall use funds made available to the District under subsection (b) solely for purposes of improving Red Butte Dam and Reservoir to meet the standards referred to in that subsection.

(d) RESPONSIBILITY FOR MAINTENANCE AND OPERATION.—Upon the conveyance of Red Butte Dam and Reservoir under subsection (a), the District shall assume all responsibility for the operation and maintenance of Red Butte Dam and Reservoir for fish, wildlife, and flood control purposes in accordance with the repayment contract or other applicable agreement between the District and the Bureau of Reclamation with respect to Red Butte Dam and Reservoir.

(e) DESCRIPTION OF PROPERTY.—The legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the District.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

PART II—NAVY CONVEYANCES

SEC. 2841. CLARIFICATION OF LAND EXCHANGE, NAVAL RESERVE READINESS CENTER, PORTLAND, MAINE.

(a) CLARIFICATION ON CONVEYEE.—Subsection (a)(1) of section 2852 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2220) is amended by striking ''Gulf of Maine Aquarium Development Corporation, Portland, Maine (in this section referred to as the 'Corporation')'' and inserting ''Gulf of Maine Aquarium Development Corporation, Portland, Maine, a non-profit education and research institute (in this section referred to as the 'Aquarium')''.

(b) CONFORMING AMENDMENTS.—That section is further amended by striking ''the Corporation'' each place it appears and inserting ''the Aquarium''.

SEC. 2842. LAND CONVEYANCE, NEWPORT, RHODE ISLAND.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the City of Newport, Rhode Island (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property (together with any improvements thereon) consisting of approximately 15 acres and known familiarly as the Ranger Road site. The real property is bounded by Naval Station Newport, Rhode Island, to the north and west, by the Town of Middletown, Rhode Island, to the north and east, and by Admiral Kalbfus Road, the Jai Alai fronton, the Newport City Yard, and the ramp to Newport Bridge to the south.

(b) CONDITION.—The conveyance authorized by subsection (a) shall be subject to the condition that the City use the conveyed property for one or more of the following purposes:

(1) A satellite campus of the Community College of Rhode Island.

(2) A center for child day care and early childhood education.

(3) A center for offices of the Government of the State of Rhode Island.

(c) REVERSIONARY INTEREST.—If during the 5-year period beginning on the date the Secretary makes the conveyance authorized by subsection (a) the Secretary determines that the conveyed property is not being used for any of the purposes specified in subsection (b), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(d) LEGAL DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey acceptable to the Secretary. The cost of the survey shall be borne by the City.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2843. LAND CONVEYANCE, NAVAL WEAPONS INDUSTRIAL RESERVE PLANT NO. 387, DALLAS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Navy may convey to the City of Dallas, Texas (in this section referred to as the ''City''), all right, title, and interest of the United States in and to parcels of real property consisting of approximately 314 acres and comprising the Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas.

(2)(A) As part of the conveyance authorized by paragraph (1), the Secretary may convey to the City such improvements, equipment, fixtures, and other personal property located on the parcels referred to in that paragraph as the Secretary determines to be not required by the Navy for other purposes.

(B) The Secretary may permit the City to review and inspect the improvements, equipment, fixtures, and other personal property located on the parcels referred to in paragraph (1) for purposes of the conveyance authorized by this paragraph.

(b) AUTHORITY TO CONVEY WITHOUT CONSIDERATION.—The conveyance authorized by subsection (a) may be made without consideration if the Secretary determines that the conveyance on that basis would be in the best interests of the United States.

(c) CONDITION OF CONVEYANCE.—The conveyance authorized by subsection (a) shall be subject to the condition that the City—

(1) use the parcels, directly or through an agreement with a public or private entity, for economic purposes or such other public purposes as the City determines appropriate; or

(2) convey the parcels to an appropriate public entity for use for such purposes.

(d) REVERSION.—If, during the 5-year period beginning on the date the Secretary makes the conveyance authorized by subsection (a), the Secretary determines that the conveyed real property is not being used for a purpose specified in subsection (c), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry onto the property.

(e) LIMITATION ON CERTAIN SUBSEQUENT CONVEYANCES.—(1) Subject to paragraph (2), if at any time after the Secretary makes the conveyance authorized by subsection (a) the City conveys any portion of the parcels conveyed under that subsection to a private entity, the City shall pay to the United States an amount equal to the fair market value (as determined by the Secretary) of the portion conveyed at the time of its conveyance under this subsection.

(2) Paragraph (1) applies to a conveyance described in that paragraph only if the Secretary makes the conveyance authorized by subsection (a) without consideration.

(3) The Secretary shall deposit in the General Fund of the Treasury as miscellaneous receipts any amounts paid the Secretary under this subsection.

(f) INTERIM LEASE.—(1) Until such time as the real property described in subsection (a) is conveyed by deed under this section, the Secretary may continue to lease the property, together with improvements thereon, to the current tenant under the existing terms and conditions of the lease for the property.

(2) If good faith negotiations for the conveyance of the property continue under this section beyond the end of the third year of the term of the existing lease for the property, the Secretary shall continue to lease the property to the current tenant of the property under the terms and conditions applicable to the first three years of the lease of the property pursuant to the existing lease for the property.

(g) MAINTENANCE OF PROPERTY.—(1) Subject to paragraph (2), the Secretary shall be responsible for maintaining the real property to be conveyed under this section in its condition as of the date of the enactment of this Act until such time as the property is conveyed by deed under this section.

(2) The current tenant of the property shall be responsible for any maintenance required under paragraph (1) to the extent of the activities of that tenant at the property during the period covered by that paragraph.

(h) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(i) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2844. LAND CONVEYANCE, NAVAL TRAINING CENTER, ORLANDO, FLORIDA.

The Secretary of the Navy shall convey all right, title, and interest of the United States in and to the land comprising the main base portion of the Naval Training Center and the McCoy Annex Areas, Orlando, Florida, to the City of Orlando, Florida, in accordance with the terms and conditions set forth in the Memorandum of Agreement by and between the United States of America and the City of Orlando for the Economic Development Conveyance of Property on the Main Base and McCoy Annex Areas of the Naval Training Center, Orlando, executed by the Parties on December 9, 1997, as amended.

PART III—AIR FORCE CONVEYANCES

SEC. 2851. LAND CONVEYANCE, MC CLELLAN NUCLEAR RADIATION CENTER, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law, the Secretary of the Air Force may convey, without consideration, to the Regents of the University of California, acting on behalf of the University of California, Davis (in this section referred to as the ''Regents''), all right, title, and interest of the United States in and to the parcel of real property, including improvements thereon, consisting of the McClellan Nuclear Radiation Center, California.

(b) INSPECTION OF PROPERTY.—The Secretary shall, at an appropriate time before

the conveyance authorized by subsection (a), permit the Regents access to the property to be conveyed for purposes of such investigation of the McClellan Nuclear Radiation Center and the atomic reactor located at the Center as the Regents consider appropriate.

(c) HOLD HARMLESS.—(1)(A) The Secretary may not make the conveyance authorized by subsection (a) unless the Regents agree to indemnify and hold harmless the United States for and against the following:

(i) Any and all costs associated with the decontamination and decommissioning of the atomic reactor at the McClellan Nuclear Radiation Center under requirements that are imposed by the Nuclear Regulatory Commission or any other appropriate Federal or State regulatory agency.

(ii) Any and all injury, damage, or other liability arising from the operation of the atomic reactor after its conveyance under this section.

(B) As consideration for the agreement under subparagraph (A), the Secretary may pay the Regents an amount determined appropriate by the Secretary. The amount may not exceed $17,593,000.

(2) Notwithstanding the agreement under paragraph (1), the Secretary may, as part of the conveyance authorized by subsection (a), enter into an agreement with the Regents under which agreement the United States shall indemnify and hold harmless the University of California for and against any injury, damage, or other liability in connection with the operation of the atomic reactor at the McClellan Nuclear Radiation Center after its conveyance under this section that arises from a defect in the atomic reactor that could not have been discovered in the course of the inspection carried out under subsection (b).

(d) CONTINUING OPERATION OF REACTOR.—Until such time as the property authorized to be conveyed by subsection (a) is conveyed by deed, the Secretary shall take appropriate actions, including the allocation of personnel, funds, and other resources, to ensure the continuing operation of the atomic reactor located at the McClellan Nuclear Radiation Center in accordance with applicable requirements of the Nuclear Regulatory Commission and otherwise in accordance with law.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2852. LAND CONVEYANCE, NEWINGTON DEFENSE FUEL SUPPLY POINT, NEW HAMPSHIRE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Pease Development Authority, New Hampshire (in this section referred to as the ''Authority''), all right, title, and interest of the United States in and to parcels of real property, together with any improvements thereon, consisting of approximately 10.26 acres and located in Newington, New Hampshire, the site of the Newington Defense Fuel Supply Point. The parcels have been determined to be excess to the needs of the Air Force.

(b) RELATED PIPELINE AND EASEMENT.—As part of the conveyance authorized by subsection (a), the Secretary may convey to the Authority without consideration all right, title, and interest of the United States in and to the following:

(1) The pipeline approximately 1.25 miles in length that runs between the property authorized to be conveyed under subsection (a) and former Pease Air Force Base, New Hampshire, and any facilities and equipment related thereto.

(2) An easement consisting of approximately 4.612 acres for purposes of activities relating to the pipeline.

(c) ALTERNATIVE CONVEYANCE AUTHORITY.—If at the time of the conveyance authorized by this section the Secretary has transferred jurisdiction over any of the property to be conveyed to the Administrator of General Services, the Administrator shall make the conveyance of such property under this section.

(d) FEDERAL SCREENING.—(1) If any of the property authorized to be conveyed by this section is under the jurisdiction of the Administrator as of the date of the enactment of this Act, the Administrator shall conduct with respect to such property the screening for further Federal use otherwise required by subsection (a) of section 2696 of title 10, United States Code.

(2) Subsections (b) through (d) of such section 2696 shall apply to the screening under paragraph (1) as if the screening were a screening conducted under subsection (a) of such section 2696. For purposes of such subsection (b), the date of the enactment of the provision of law authorizing the conveyance of the property authorized to be conveyed by this section shall be the date of the enactment of this Act.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a), the easement to be conveyed under subsection (b)(2), and the pipeline to be conveyed under subsection (b)(1) shall be determined by surveys and other means satisfactory to the official having jurisdiction over the property or pipeline, as the case may be, at the time of the conveyance. The cost of any survey or other services performed at the direction of that official under the preceding sentence shall be borne by the Authority.

(f) ADDITIONAL TERMS AND CONDITIONS.—The official having jurisdiction over the property to be conveyed under subsection (a), or the pipeline and easement to be conveyed under subsection (b), at the time of the conveyance may require such additional terms and conditions in connection with the conveyance as that official considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2861. ACQUISITION OF STATE-HELD INHOLDINGS, EAST RANGE OF FORT HUACHUCA, ARIZONA.

(a) ACQUISITION AUTHORIZED.—(1) The Secretary of the Interior may acquire by eminent domain, but with the consent of the State of Arizona, all right, title, and interest (including any mineral rights) of the State of Arizona in and to unimproved Arizona State Trust lands consisting of approximately 1,536.47 acres in the Fort Huachuca East Range, Cochise County, Arizona.

(2) The Secretary may also acquire by eminent domain, but with the consent of the State of Arizona, any trust mineral estate of the State of Arizona located beneath the surface estates of the United States in one or more parcels of land consisting of approximately 12,943 acres in the Fort Huachuca East Range, Cochise County, Arizona.

(b) CONSIDERATION.—(1) Subject to subsection (c), as consideration for the acquisition by the United States of Arizona State trust lands and mineral interests under subsection (a), the Secretary, acting through the Bureau of Land Management, may convey to the State of Arizona all right, title, and interest of the United States, or some lesser interest, in one or more parcels of Federal land under the jurisdiction of the Bureau of Land Management in the State of Arizona.

(2) The lands or interests in land to be conveyed under this subsection shall be mutually agreed upon by the Secretary and the State of Arizona, as provided in subsection (c)(1).

(3) The value of the lands conveyed out of Federal ownership under this subsection either shall be equal to the value of the lands and mineral interests received by the United States under subsection (a) or, if not, shall be equalized by a payment made by the Secretary or the State of Arizona, as necessary.

(c) CONDITIONS ON CONVEYANCE TO STATE.—The Secretary may make the conveyance described in subsection (b) only if—

(1) the transfer of the Federal lands to the State of Arizona is acceptable to the State Land Commissioner; and

(2) the conveyance of lands and interests in lands under subsection (b) is accepted by the State of Arizona as full consideration for the land and mineral rights acquired by the United States under subsection (a) and terminates all right, title, and interest of all parties (other than the United States) in and to the acquired lands and mineral rights.

(d) USE OF EMINENT DOMAIN.—The Secretary may acquire the State lands and mineral rights under subsection (a) pursuant to the laws and regulations governing eminent domain.

(e) DETERMINATION OF FAIR MARKET VALUE.—Notwithstanding any other provision of law, the value of lands and interests in lands acquired or conveyed by the United States under this section shall be determined in accordance with the Uniform Appraisal Standards for Federal Land Acquisition, as published by the Department of Justice in 1992. The appraisal shall be subject to the review and acceptance by the Land Department of the State of Arizona and the Bureau of Land Management.

(f) DESCRIPTIONS OF LAND.—The exact acreage and legal descriptions of the lands and interests in lands acquired or conveyed by the United States under this section shall be determined by surveys that are satisfactory to the Secretary of the Interior and the State of Arizona.

(g) WITHDRAWAL OF ACQUIRED LANDS FOR MILITARY PURPOSES.—After acquisition, the lands acquired by the United States under subsection (a) may be withdrawn and reserved, in accordance with all applicable environmental laws, for use by the Secretary of the Army for military training and testing in the same manner as other Federal lands located in the Fort Huachuca East Range that were withdrawn and reserved for Army use through Public Land Order 1471 of 1957.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Interior may require such additional terms and conditions in connection with the conveyance and acquisition of lands and interests in land under this section as the Secretary considers to be appropriate to protect the interests of the United States and any valid existing rights.

(i) COST REIMBURSEMENT.—All costs associated with the processing of the acquisition of State trust lands and mineral interests

under subsection (a) and the conveyance of public lands under subsection (b) shall be borne by the Secretary of the Army.

SEC. 2862. DEVELOPMENT OF FORD ISLAND, HAWAII.

(a) IN GENERAL.—(1) Subject to paragraph (2), the Secretary of the Navy may exercise any authority or combination of authorities in this section for the purpose of developing or facilitating the development of Ford Island, Hawaii, to the extent that the Secretary determines the development is compatible with the mission of the Navy.

(2) The Secretary may not exercise any authority under this section until—

(A) the Secretary submits to the appropriate committees of Congress a master plan for the development of Ford Island; and

(B) a period of 30 calendar days has elapsed following the date on which the notification is received by those committees.

(b) CONVEYANCE AUTHORITY.—(1) The Secretary of the Navy may convey to any public or private person or entity all right, title, and interest of the United States in and to any real property (including any improvements thereon) or personal property under the jurisdiction of the Secretary in the State of Hawaii that the Secretary determines—

(A) is excess to the needs of the Navy and all of the other Armed Forces; and

(B) will promote the purpose of this section.

(2) A conveyance under this subsection may include such terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(c) LEASE AUTHORITY.—(1) The Secretary of the Navy may lease to any public or private person or entity any real property or personal property under the jurisdiction of the Secretary in the State of Hawaii that the Secretary determines—

(A) is not needed for current operations of the Navy and all of the other Armed Forces; and

(B) will promote the purpose of this section.

(2) A lease under this subsection shall be subject to section 2667(b)(1) of title 10, United States Code, and may include such others terms as the Secretary considers appropriate to protect the interests of the United States.

(3) A lease of real property under this subsection may provide that, upon termination of the lease term, the lessee shall have the right of first refusal to acquire the real property covered by the lease if the property is then conveyed under subsection (b).

(4)(A) The Secretary may provide property support services to or for real property leased under this subsection.

(B) To the extent provided in appropriations Acts, any payment made to the Secretary for services provided under this paragraph shall be credited to the appropriation, account, or fund from which the cost of providing the services was paid.

(d) ACQUISITION OF LEASEHOLD INTEREST BY SECRETARY.—(1) The Secretary of the Navy may acquire a leasehold interest in any facility constructed under subsection (f) as consideration for a transaction authorized by this section upon such terms as the Secretary considers appropriate to promote the purpose of this section.

(2) The term of a lease under paragraph (1) may not exceed 10 years, unless the Secretary of Defense approves a term in excess of 10 years for the purpose of this section.

(3) A lease under this subsection may provide that, upon termination of the lease term, the United States shall have the right of first refusal to acquire the facility covered by the lease.

(e) REQUIREMENT FOR COMPETITION.—The Secretary of the Navy shall use competitive procedures for purposes of selecting the recipient of real or personal property under subsection (b) and the lessee of real or personal property under subsection (c).

(f) CONSIDERATION.—(1) As consideration for the conveyance of real or personal property under subsection (b), or for the lease of real or personal property under subsection (c), the Secretary of the Navy shall accept cash, real property, personal property, or services, or any combination thereof, in an aggregate amount equal to not less than the fair market value of the real or personal property conveyed or leased.

(2) Subject to subsection (i), the services accepted by the Secretary under paragraph (1) may include the following:

(A) The construction or improvement of facilities at Ford Island.

(B) The restoration or rehabilitation of real property at Ford Island.

(C) The provision of property support services for property or facilities at Ford Island.

(g) NOTICE AND WAIT REQUIREMENTS.—The Secretary of the Navy may not carry out a transaction authorized by this section until—

(1) the Secretary submits to the appropriate committees of Congress a notification of the transaction, including—

(A) a detailed description of the transaction; and

(B) a justification for the transaction specifying the manner in which the transaction will meet the purpose of this section; and

(2) a period of 30 calendar days has elapsed following the date on which the notification is received by those committees.

(h) FORD ISLAND IMPROVEMENT ACCOUNT.—(1) There is established on the books of the Treasury an account to be known as the ''Ford Island Improvement Account''.

(2) There shall be deposited into the account the following amounts:

(A) Amounts authorized and appropriated to the account.

(B) Except as provided in subsection (c)(4)(B), the amount of any cash payment received by the Secretary for a transaction under this section.

(i) USE OF ACCOUNT.—(1) Subject to paragraph (2), to the extent provided in advance in appropriation Acts, funds in the Ford Island Improvement Account may be used as follows:

(A) To carry out or facilitate the carrying out of a transaction authorized by this section.

(B) To carry out improvements of property or facilities at Ford Island.

(C) To obtain property support services for property or facilities at Ford Island.

(2) To extent that the authorities provided under subchapter IV of chapter 169 of title 10, United States Code, are available to the Secretary of the Navy, the Secretary may not use the authorities in this section to acquire, construct, or improve family housing units, military unaccompanied housing units, or ancillary supporting facilities related to military housing at Ford Island.

(3)(A) The Secretary may transfer funds from the Ford Island Improvement Account to the following funds:

(i) The Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code.

(ii) The Department of Defense Military Unaccompanied Housing Improvement Fund established by section 2883(a)(2) of that title.

(B) Amounts transferred under subparagraph (A) to a fund referred to in that subparagraph shall be available in accordance with the provisions of section 2883 of title 10, United States Code, for activities authorized under subchapter IV of chapter 169 of that title at Ford Island.

(j) INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.—Except as otherwise provided in this section, transactions under this section shall not be subject to the following:

(1) Sections 2667 and 2696 of title 10, United States Code.

(2) Section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411).

(3) Sections 202 and 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483, 484).

(k) SCORING.—Nothing in this section shall be construed to waive the applicability to any lease entered into under this section of the budget scorekeeping guidelines used to measure compliance with the Balanced Budget Emergency Deficit Control Act of 1985.

(l) CONFORMING AMENDMENTS.—Section 2883(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by adding at the end the following new subparagraph:

''(E) Any amounts that the Secretary of the Navy transfers to that Fund pursuant to section 2862(i)(3)(A)(i) of the Military Construction Authorization Act for Fiscal Year 2000, subject to the restrictions on the use of the transferred amounts specified in that section.''; and

(2) in paragraph (2), by adding at the end the following new subparagraph:

''(E) Any amounts that the Secretary of the Navy transfers to that Fund pursuant to section 2862(i)(3)(A)(ii) of the Military Construction Authorization Act for Fiscal Year 2000, subject to the restrictions on the use of the transferred amounts specified in that section.''.

(m) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' has the meaning given that term in section 2801(4) of title 10, United States Code.

(2) The term ''property support service'' means the following:

(A) Any utility service or other service listed in section 2686(a) of title 10, United States Code.

(B) Any other service determined by the Secretary to be a service that supports the operation and maintenance of real property, personal property, or facilities.

SEC. 2863. ENHANCEMENT OF PENTAGON RENOVATION ACTIVITIES.

The Secretary of Defense in conjunction with the Pentagon Renovation Program is authorized to design and construct secure secretarial office and support facilities and security-related changes to the METRO entrance at the Pentagon Reservation. The Secretary shall, not later than January 15, 2000, submit to the congressional defense committees the estimated cost for the planning, design, construction, and installation of equipment for these enhancements, together with the revised estimate for the total cost of the renovation of the Pentagon.

SEC. 2864. ONE-YEAR DELAY IN DEMOLITION OF RADIO TRANSMITTING FACILITY TOWERS AT NAVAL STATION, ANNAPOLIS, MARYLAND, TO FACILITATE TRANSFER OF TOWERS.

(a) ONE-YEAR DELAY.—The Secretary of the Navy may not obligate or expend any funds for the demolition of the naval radio transmitting towers described in subsection (b)

during the one-year period beginning on the date of the enactment of this Act.

(b) COVERED TOWERS.—The naval radio transmitting towers described in this subsection are the three southeastern most naval radio transmitting towers located at Naval Station, Annapolis, Maryland that are scheduled for demolition as of the date of enactment of this Act.

(c) TRANSFER OF TOWERS.—The Secretary may transfer to the State of Maryland, or the County of Anne Arundel, Maryland, all right, title, and interest (including maintenance responsibility) of the United States in and to the towers described in subsection (b) if the State of Maryland or the County of Anne Arundel, Maryland, as the case may be, agrees to accept such right, title, and interest (including accrued maintenance responsibility) during the one-year period referred to in subsection (a).

SEC. 2865. ARMY RESERVE RELOCATION FROM FORT DOUGLAS, UTAH.

Section 2603 of the National Defense Authorization Act for fiscal year 1998 (P.L. 105–85) is amended as follows:

''With regard to the conveyance of a portion of Fort Douglas, Utah to the University of Utah and the resulting relocation of Army Reserve activities to temporary and permanent relocation facilities, the Secretary of the Army may accept the funds paid by the University of Utah or State of Utah to pay costs associated with the conveyance and relocation. Funds received under this section shall be credited to the appropriation, fund or account from which the expenses are ordinarily paid. Amounts so credited shall be available until expended.''.

TITLE XXIX—RENEWAL OF MILITARY LAND WITHDRAWALS

SEC. 2901. FINDINGS.

The Congress finds that—

(1) Public Law 99–606 authorized public land withdrawals for several military installations, including the Barry M. Goldwater Air Force Range in Arizona, the McGregor Range in New Mexico, and Fort Wainwright and Fort Greely in Alaska, collectively comprising over 4 million acres of public land;

(2) these military ranges provide important military training opportunities and serve a critical role in the national security of the United States and their use for these purposes should be continued;

(3) in addition to their use for military purposes, these ranges contain significant natural and cultural resources, and provide important wildlife habitat;

(4) the future use of these ranges is important not only for the affected military branches, but also for local residents and other public land users;

(5) the public land withdrawals authorized in 1986 under Public Law 99–606 were for a period of 15 years, and expire in November 2001; and

(6) it is important that the renewal of these public land withdrawals be completed in a timely manner, consistent with the process established in Public Law 99–606 and other applicable laws, including the completion of appropriate environmental impact studies and opportunities for public comment and review.

SEC. 2902. SENSE OF THE SENATE REGARDING PROPOSAL TO RENEW PUBLIC LAND WITHDRAWALS.

It is the sense of the Senate that the Secretary of Defense and the Secretary of the Interior, consistent with their responsibilities and requirements under applicable laws, should jointly prepare a comprehensive legislative proposal to renew the public land withdrawals for the four ranges referenced in section 2901 and transmit such proposal to the Congress no later than July 1, 1999.

SEC. 2903. SENSE OF SENATE REGARDING WITHDRAWALS OF CERTAIN LANDS IN ARIZONA.

It is the sense of the Senate that—

(1) it is vital to the national interest that the withdrawal of the lands withdrawn by section 1(c) of the Military Lands Withdrawal Act of 1986 (Public Law 99–606), relating to Barry M. Goldwater Air Force Range and the Cabeza Prieta National Wildlife Refuge, which would otherwise expire in 2001, be renewed in 1999;

(2) the renewed withdrawal of such lands is critical to meet the military training requirements of the Armed Forces and to provide the Armed Forces with experience necessary to defend the national interests;

(3) the Armed Forces currently carry out environmental stewardship of such lands in a comprehensive and focused manner; and

(4) a continuation in high-quality management of United States natural and cultural resources is required if the United States is to preserve its national heritage.

DEPARTMENT OF ENERGY NATIONAL SECURITY ACT FOR FISCAL YEAR 2000

On May 27, 1999, the bill, S. 1062, was passed by the Senate. The text of the bill is as follows:

S. 1062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Department of Energy National Security Act for Fiscal Year 2000''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Congressional defense committees defined.

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. Weapons activities.
Sec. 3102. Defense environmental restoration and waste management.
Sec. 3103. Other defense activities.
Sec. 3104. Defense nuclear waste disposal.
Sec. 3105. Defense environmental management privatization.

Subtitle B—Recurring General Provisions

Sec. 3121. Reprogramming.
Sec. 3122. Limits on general plant projects.
Sec. 3123. Limits on construction projects.
Sec. 3124. Fund transfer authority.
Sec. 3125. Authority for conceptual and construction design.
Sec. 3126. Authority for emergency planning, design, and construction activities.
Sec. 3127. Funds available for all national security programs of the Department of Energy.
Sec. 3128. Availability of funds.
Sec. 3129. Transfers of defense environmental management funds.

Subtitle C—Program Authorizations, Restrictions, and Limitations

Sec. 3131. Prohibition on use of funds for certain activities under Formerly Utilized Site Remedial Action Program.
Sec. 3132. Continuation of processing, treatment, and disposition of legacy nuclear materials.
Sec. 3133. Nuclear weapons stockpile life extension program.
Sec. 3134. Tritium production.
Sec. 3135. Independent cost estimate of Accelerator Production of Tritium.
Sec. 3136. Nonproliferation initiatives and activities.

Subtitle D—Safeguards, Security, and Counterintelligence at Department of Energy Facilities

Sec. 3151. Short title.
Sec. 3152. Commission on Safeguards, Security, and Counterintelligence at Department of Energy Facilities.
Sec. 3153. Background investigations of certain personnel at Department of Energy facilities.
Sec. 3154. Plan for polygraph examinations of certain personnel at Department of Energy facilities.
Sec. 3155. Civil monetary penalties for violations of Department of Energy regulations relating to the safeguarding and security of Restricted Data.
Sec. 3156. Moratorium on laboratory-to-laboratory and foreign visitors and assignments programs.
Sec. 3157. Increased penalties for misuse of Restricted Data.
Sec. 3158. Organization of Department of Energy counterintelligence and intelligence programs and activities.
Sec. 3159. Counterintelligence activities at certain Department of Energy facilities.
Sec. 3160. Whistleblower protection.
Sec. 3161. Investigation and remediation of alleged reprisals for disclosure of certain information to Congress.
Sec. 3162. Notification to Congress of certain security and counterintelligence failures at Department of Energy facilities.
Sec. 3163. Conduct of security clearances.
Sec. 3164. Protection of classified information during laboratory-to-laboratory exchanges.
Sec. 3165. Definition.

Subtitle E—Other Matters

Sec. 3171. Maintenance of nuclear weapons expertise in the Department of Defense and Department of Energy.
Sec. 3172. Modification of budget and planning requirements for Department of Energy national security activities.
Sec. 3173. Extension of authority of Department of Energy to pay voluntary separation incentive payments.
Sec. 3174. Integrated fissile materials management plan.
Sec. 3175. Use of amounts for award fees for Department of Energy closure projects for additional cleanup projects at closure project sites.
Sec. 3176. Pilot program for project management oversight regarding Department of Energy construction projects.
Sec. 3177. Extension of review of Waste Isolation Pilot Plant, New Mexico.

Sec. 3178. Proposed schedule for shipments of waste from the Rocky Flats Plant, Colorado, to the Waste Isolation Pilot Plant, New Mexico.
Sec. 3179. Comptroller General report on closure of Rocky Flats Environmental Technology Site, Colorado.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Defense Nuclear Facilities Safety Board.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

Sec. 3301. Authorized uses of stockpile funds.
Sec. 3302. Limitations on previous authority for disposal of stockpile materials.

TITLE XXXIV—PANAMA CANAL COMMISSION

Sec. 3401. Short title.
Sec. 3402. Authorization of expenditures.
Sec. 3403. Purchase of vehicles.
Sec. 3404. Expenditures only in accordance with treaties.
Sec. 3405. Office of Transition Administration.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

For purposes of this Act, the term ''congressional defense committees'' means—

(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. WEAPONS ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for weapons activities in carrying out programs necessary for national security in the amount of $4,530,000,000, to be allocated as follows:

(1) STOCKPILE STEWARDSHIP.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for stockpile stewardship in carrying out weapons activities necessary for national security programs in the amount of $2,248,700,000, to be allocated as follows:

(A) For core stockpile stewardship, $1,748,500,000, to be allocated as follows:

(i) For operation and maintenance, $1,615,355,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $133,145,000, to be allocated as follows:

Project 00–D–103, terascale simulation facility, Lawrence Livermore National Laboratory, Livermore, California, $8,000,000.

Project 00–D–105, strategic computing complex, Los Alamos National Laboratory, Los Alamos, New Mexico, $26,000,000.

Project 00–D–107, joint computational engineering laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $1,800,000.

Project 99–D–102, rehabilitation of maintenance facility, Lawrence Livermore National Laboratory, Livermore, California, $3,900,000.

Project 99–D–103, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.

Project 99–D–104, protection of real property (roof reconstruction, Phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,400,000.

Project 99–D–105, central health physics calibration facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $1,000,000.

Project 99–D–106, model validation and system certification test center, Sandia National Laboratories, Albuquerque, New Mexico, $6,500,000.

Project 99–D–108, renovate existing roadways, Nevada Test Site, Nevada, $7,005,000.

Project 97–D–102, dual-axis radiographic hydrotest facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $61,000,000.

Project 96–D–102, stockpile stewardship facilities revitalization, Phase VI, various locations, $2,640,000.

Project 96–D–104, processing and environmental technology laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $10,900,000.

(B) For inertial fusion, $465,700,000, to be allocated as follows:

(i) For operation and maintenance, $217,600,000.

(ii) For the following plant project (including maintenance, restoration, planning, construction, acquisition, and modification of facilities, and land acquisition related thereto), $248,100,000, to be allocated as follows:

Project 96–D–111, national ignition facility, Lawrence Livermore National Laboratory, Livermore, California, $248,100,000.

(C) For technology partnership and education, $34,500,000, to be allocated as follows:

(i) For technology partnership, $15,200,000.

(ii) For education, $19,300,000.

(2) STOCKPILE MANAGEMENT.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for stockpile management in carrying out weapons activities necessary for national security programs in the amount of $2,039,300,000, to be allocated as follows:

(A) For operation and maintenance, $1,880,621,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $158,679,000, to be allocated as follows:

Project 99–D–122, rapid reactivation, various locations, $11,700,000.

Project 99–D–127, stockpile management restructuring initiative, Kansas City Plant, Kansas City, Missouri, $17,000,000.

Project 99–D–128, stockpile management restructuring initiative, Pantex Plant consolidation, Amarillo, Texas, $3,429,000.

Project 99–D–132, stockpile management restructuring initiative, nuclear material safeguards and security upgrades project, Los Alamos National Laboratory, Los Alamos, New Mexico, $11,300,000.

Project 98–D–123, stockpile management restructuring initiative, tritium facility modernization and consolidation, Savannah River Site, Aiken, South Carolina, $21,800,000.

Project 98–D–124, stockpile management restructuring initiative, Y–12 Plant consolidation, Oak Ridge, Tennessee, $3,150,000.

Project 98–D–125, tritium extraction facility, Savannah River Site, Aiken, South Carolina, $33,000,000.

Project 98–D–126, accelerator production of tritium, various locations, $31,000,000.

Project 97–D–123, structural upgrades, Kansas City Plant, Kansas City, Missouri, $4,800,000.

Project 95–D–102, chemistry and metallurgy research building upgrades, Los Alamos National Laboratory, Los Alamos, New Mexico, $18,000,000.

Project 88–D–123, security enhancements, Pantex Plant, Amarillo, Texas, $3,500,000.

(3) PROGRAM DIRECTION.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for program direction in carrying out weapons activities necessary for national security programs in the amount of $242,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for environmental restoration and waste management in carrying out programs necessary for national security in the amount of $5,532,868,000, to be allocated as follows:

(1) CLOSURE PROJECTS.—For closure projects carried out in accordance with section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2836; 42 U.S.C. 7274n) in the amount of $1,069,492,000.

(2) SITE PROJECT AND COMPLETION.—For site project and completion in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $980,919,000, to be allocated as follows:

(A) For operation and maintenance, $880,629,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $100,290,000, to be allocated as follows:

Project 00–D–____, Transuranic waste treatment, Oak Ridge, Tennessee, $12,000,000.

Project 00–D–400, Site Operations Center, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $1,306,000.

Project 99–D–402, tank farm support services, F&H areas, Savannah River Site, Aiken, South Carolina, $3,100,000.

Project 99–D–404, health physics instrumentation laboratory, Idaho National Engineering and Environmental Laboratory, Idaho, $7,200,000.

Project 98–D–401, H-tank farm storm water systems upgrade, Savannah River Site, Aiken, South Carolina, $2,977,000.

Project 98–D–453, plutonium stabilization and handling system for plutonium finishing plant, Richland, Washington, $16,860,000.

Project 98–D–700, road rehabilitation, Idaho National Engineering and Environmental Laboratory, Idaho, $2,590,000.

Project 97–D–450, Actinide packaging and storage facility, Savannah River Site, Aiken, South Carolina, $4,000,000.

Project 97–D–470, regulatory monitoring and bioassay laboratory, Savannah River Site, Aiken, South Carolina, $12,220,000.

Project 96–D–406, spent nuclear fuels canister storage and stabilization facility, Richland, Washington, $24,441,000.

Project 96–D–464, electrical and utility systems upgrade, Idaho National Engineering and Environmental Laboratory, Idaho, $11,971,000.

Project 96–D–471, chlorofluorocarbon heating, ventilation, and air conditioning and chiller retrofit, Savannah River Site, Aiken, South Carolina, $931,000.

Project 86–D–103, decontamination and waste treatment facility, Lawrence Livermore National Laboratory, Livermore, California, $2,000,0000.

(3) POST-2006 COMPLETION.—For post-2006 project completion in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $2,902,548,000, to be allocated as follows:

(A) For operation and maintenance, $2,847,997,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $54,551,000, to be allocated as follows:

Project 00–D–401, spent nuclear fuel treatment and storage facility, title I and II, Savannah River Site, Aiken, South Carolina, $7,000,000.

Project 99–D–403, privatization phase I infrastructure support, Richland, Washington, $13,988,000.

Project 97–D–402, tank farm restoration and safe operations, Richland, Washington, $20,516,000.

Project 94–D–407, initial tank retrieval systems, Richland, Washington, $4,060,000.

Project 93–D–187, high-level waste removal from filled waste tanks, Savannah River Site, Aiken, South Carolina, $8,987,000.

(4) SCIENCE AND TECHNOLOGY.—For science and technology in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $235,500,000.

(5) PROGRAM DIRECTION.—For program direction in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $344,409,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for other defense activities in carrying out programs necessary for national security in the amount of $1,821,000,000, to be allocated as follows:

(1) NONPROLIFERATION AND NATIONAL SECURITY.—For nonproliferation and national security, $744,300,000, to be allocated as follows:

(A) For verification and control technology, $497,000,000, to be allocated as follows:

(i) For nonproliferation and verification research and development, $215,000,000.

(ii) For arms control, $276,000,000.

(iii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $6,000,000, to be allocated as follows:

Project 00–D–192, Nonproliferation and International Security Centers (NISC), Los Alamos National Laboratory, New Mexico, $6,000,000.

(B) For nuclear safeguards and security, $59,100,000.

(C) For security investigations, $47,000,000.

(D) For emergency management, $21,000,000.

(E) For program direction, $90,450,000.

(F) For HEV Transparency implementation, $15,750,000.

(G) For international nuclear safety, $34,000,000.

(2) INTELLIGENCE.—For intelligence, $36,059,000.

(3) COUNTERINTELLIGENCE.—For counterintelligence, $66,200,000.

(4) WORKER AND COMMUNITY TRANSITION ASSISTANCE.—For worker and community transition assistance, $30,000,000, to be allocated as follows:

(A) For worker and community transition, $26,500,000.

(B) For program direction, $3,500,000.

(5) FISSILE MATERIALS CONTROL AND DISPOSITION.—For fissile materials control and disposition, $200,000,000, to be allocated as follows:

(A) For operation and maintenance, $129,766,000.

(B) For program direction, $7,343,000.

(C) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $62,891,000, to be allocated as follows:

Project 00–D–142, Immobilization and associated processing facility, various locations, $21,765,000.

Project 99–D–141, pit disassembly and conversion facility, various locations, $28,751,000.

Project 99–D–143, mixed oxide fuel fabrication facility, various locations, $12,375,000.

(6) ENVIRONMENT, SAFETY, AND HEALTH.—For environment, safety, and health, defense, $79,000,000, to be allocated as follows:

(A) For the Office of Environment, Safety, and Health (Defense), $54,231,000.

(B) For program direction, $24,769,000.

(7) OFFICE OF HEARINGS AND APPEALS.—For the Office of Hearings and Appeals, $3,000,000.

(8) NAVAL REACTORS.—For naval reactors, $675,000,000, to be allocated as follows:

(A) For naval reactors development, $654,400,000, to be allocated as follows:

(i) For operation and maintenance, $630,400,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $24,000,000, to be allocated as follows:

GPN–101, general plant projects, various locations, $9,000,000.

Project 98–D–200, site laboratory/facility upgrade, various locations, $3,000,000.

Project 90–N–102, expended core facility dry cell project, Naval Reactors Facility, Idaho, $12,000,000.

(B) For program direction, $20,600,000.

(b) ADJUSTMENT.—(1) The total amount authorized to be appropriated pursuant to this section is the sum of the amounts authorized to be appropriated in paragraphs (1) through (7) of subsection (a) reduced by $12,559,000.

(2) The amount authorized to be appropriated pursuant to subsection (a)(1)(C) is reduced by $20,000,000 to reflect an offset provided by user organizations for security investigations.

SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.

(a) DEFENSE NUCLEAR WASTE DISPOSAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of $112,000,000.

(b) ADJUSTMENT.—The amount authorized to be appropriated pursuant to subsection (a) is reduced by $39,000,000.

SEC. 3105. DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2000 for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $241,000,000, to be allocated as follows:

Project 98–PVT–2, spent nuclear fuel dry storage, Idaho Falls, Idaho, $5,000,000.

Project 98–PVT–5, waste disposal, Oak Ridge, Tennessee, $20,000,000.

Project 97–PVT–1, tank waste remediation system phase I, Hanford, Washington, $106,000,000.

Project 97–PVT–2, advanced mixed waste treatment facility, Idaho Falls, Idaho, $110,000,000.

(b) ADJUSTMENT.—The amount authorized to be appropriated in subsection (a) is the sum of the amounts authorized to be appropriated for the projects set forth in that subsection, reduced by $25,000,000 for use of prior year balances of funds for defense environmental management privatization.

Subtitle B—Recurring General Provisions

SEC. 3121. REPROGRAMMING.

(a) IN GENERAL.—Until the Secretary of Energy submits to the congressional defense committees the report referred to in subsection (b) and a period of 30 days has elapsed after the date on which such committees receive the report, the Secretary may not use amounts appropriated pursuant to this title for any program—

(1) in amounts that exceed, in a fiscal year—

(A) 110 percent of the amount authorized for that program by this title; or

(B) $1,000,000 more than the amount authorized for that program by this title; or

(2) which has not been presented to, or requested of, Congress.

(b) REPORT.—(1) The report referred to in subsection (a) is a report containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

(2) In the computation of the 30-day period under subsection (a), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(c) LIMITATIONS.—(1) In no event may the total amount of funds obligated pursuant to this title exceed the total amount authorized to be appropriated by this title.

(2) Funds appropriated pursuant to this title may not be used for an item for which Congress has specifically denied funds.

SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.

(a) IN GENERAL.—The Secretary of Energy may carry out any construction project under the general plant projects authorized by this title if the total estimated cost of the construction project does not exceed $5,000,000.

(b) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the project is revised because of unforeseen cost variations and the revised cost of the project exceeds $5,000,000, the Secretary shall immediately furnish a complete report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.

(a) IN GENERAL.—(1) Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred in connection with the project above the total estimated cost, whenever the current estimated cost of the construction project, which is authorized by section 3101, 3102, or 3103, or which is in support of national security programs of the Department of Energy and was authorized by any previous Act, exceeds by more than 25 percent the higher of—

(A) the amount authorized for the project; or

(B) the amount of the total estimated cost for the project as shown in the most recent budget justification data submitted to Congress.

(2) An action described in paragraph (1) may be taken if—

(A) the Secretary of Energy has submitted to the congressional defense committees a report on the actions and the circumstances making such action necessary; and

(B) a period of 30 days has elapsed after the date on which the report is received by the committees.

(3) In the computation of the 30-day period under paragraph (2), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(b) EXCEPTION.—Subsection (a) shall not apply to any construction project which has a current estimated cost of less than $5,000,000.

SEC. 3124. FUND TRANSFER AUTHORITY.

(a) TRANSFER TO OTHER FEDERAL AGENCIES.—The Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title to other Federal agencies for the performance of work for which the funds were authorized. Funds so transferred may be merged with and be available for the same purposes and for the same period as the authorizations of the Federal agency to which the amounts are transferred.

(b) TRANSFER WITHIN DEPARTMENT OF ENERGY.—(1) Subject to paragraph (2), the Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title between any such authorizations. Amounts of authorizations so transferred may be merged with and be available for the same purposes and for the same period as the authorization to which the amounts are transferred.

(2) Not more than 5 percent of any such authorization may be transferred between authorizations under paragraph (1). No such authorization may be increased or decreased by more than five percent by a transfer under such paragraph.

(c) LIMITATION.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide funds for items relating to activities necessary for national security programs that have a higher priority than the items from which the funds are transferred; and

(2) may not be used to provide funds for an item for which Congress has specifically denied funds.

(d) NOTICE TO CONGRESS.—The Secretary of Energy shall promptly notify the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of any transfer of funds to or from authorizations under this title.

SEC. 3125. AUTHORITY FOR CONCEPTUAL AND CONSTRUCTION DESIGN.

(a) REQUIREMENT FOR CONCEPTUAL DESIGN.—(1) Subject to paragraph (2) and except as provided in paragraph (3), before submitting to Congress a request for funds for a construction project that is in support of a national security program of the Department of Energy, the Secretary of Energy shall complete a conceptual design for that project.

(2) If the estimated cost of completing a conceptual design for a construction project exceeds $3,000,000, the Secretary shall submit to Congress a request for funds for the conceptual design before submitting a request for funds for the construction project.

(3) The requirement in paragraph (1) does not apply to a request for funds—

(A) for a construction project the total estimated cost of which is less than $5,000,000; or

(B) for emergency planning, design, and construction activities under section 3126.

(b) AUTHORITY FOR CONSTRUCTION DESIGN.—(1) Within the amounts authorized by this title, the Secretary of Energy may carry out construction design (including architectural and engineering services) in connection with any proposed construction project if the total estimated cost for such design does not exceed $600,000.

(2) If the total estimated cost for construction design in connection with any construction project exceeds $600,000, funds for such design must be specifically authorized by law.

SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DESIGN, AND CONSTRUCTION ACTIVITIES.

(a) AUTHORITY.—The Secretary of Energy may use any funds available to the Department of Energy pursuant to an authorization in this title, including those funds authorized to be appropriated for advance planning and construction design under sections 3101, 3102, and 3103, to perform planning, design, and construction activities for any Department of Energy national security program construction project that, as determined by the Secretary, must proceed expeditiously in order to protect public health and safety, to meet the needs of national defense, or to protect property.

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) in the case of any construction project until the Secretary has submitted to the congressional defense committees a report on the activities that the Secretary intends to carry out under this section and the circumstances making such activities necessary.

(c) SPECIFIC AUTHORITY.—The requirement of section 3125(b)(2) does not apply to emergency planning, design, and construction activities conducted under this section.

SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

Subject to the provisions of appropriations Acts and section 3121, amounts appropriated pursuant to this title for management and support activities and for general plant projects are available for use, when necessary, in connection with all national security programs of the Department of Energy.

SEC. 3128. AVAILABILITY OF FUNDS.

(a) IN GENERAL.—Except as provided in subsection (b), when so specified in an appropriations Act, amounts appropriated for operation and maintenance or for plant projects may remain available until expended.

(b) EXCEPTION FOR PROGRAM DIRECTION FUNDS.—Amounts appropriated for program direction pursuant to an authorization of appropriations in subtitle A shall remain available to be expended only until the end of fiscal year 2002.

SEC. 3129. TRANSFERS OF DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.

(a) TRANSFER AUTHORITY FOR DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.—The Secretary of Energy shall provide the manager of each field office of the Department of Energy with the authority to transfer defense environmental management funds from a program or project under the jurisdiction of the office to another such program or project.

(b) LIMITATIONS.—(1) Only one transfer may be made to or from any program or project under subsection (a) in a fiscal year.

(2) The amount transferred to or from a program or project under subsection (a) may not exceed $5,000,000 in a fiscal year.

(3) A transfer may not be carried out by a manager of a field office under subsection (a) unless the manager determines that the transfer is necessary to address a risk to health, safety, or the environment or to assure the most efficient use of defense environmental management funds at the field office.

(4) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

(c) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—The requirements of section 3121 shall not apply to transfers of funds pursuant to subsection (a).

(d) NOTIFICATION.—The Secretary, acting through the Assistant Secretary of Energy for Environmental Management, shall notify Congress of any transfer of funds pursuant to subsection (a) not later than 30 days after such transfer occurs.

(e) DEFINITIONS.—In this section:

(1) The term ''program or project'' means, with respect to a field office of the Department of Energy, any of the following:

(A) A program referred to or a project listed in paragraph (2) or (3) of section 3102.

(B) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department, that is being carried out by the office, and for which defense environmental management funds have been authorized and appropriated before the date of the enactment of this Act.

(2) The term ''defense environmental management funds'' means funds appropriated to the Department of Energy pursuant to an authorization for carrying out environmental restoration and waste management activities necessary for national security programs.

(f) DURATION OF AUTHORITY.—The managers of the field offices of the Department may exercise the authority provided under subsection (a) during the period beginning on October 1, 1999, and ending on September 30, 2000.

Subtitle C—Program Authorizations, Restrictions, and Limitations

SEC. 3131. PROHIBITION ON USE OF FUNDS FOR CERTAIN ACTIVITIES UNDER FORMERLY UTILIZED SITE REMEDIAL ACTION PROGRAM.

Notwithstanding any other provision of law, no funds authorized to be appropriated or otherwise made available by this Act, or by any Act authorizing appropriations for the military activities of the Department of Defense or the defense activities of the Department of Energy for a fiscal year after fiscal year 2000, may be obligated or expended to conduct treatment, storage, or disposal activities at any site designated as a site under the Formerly Utilized Site Remedial Action Program as of the date of the enactment of this Act.

SEC. 3132. CONTINUATION OF PROCESSING, TREATMENT, AND DISPOSITION OF LEGACY NUCLEAR MATERIALS.

The Secretary of Energy shall continue operations and maintain a high state of readiness at the F-canyon and H-canyon facilities at the Savannah River Site, Aiken, South Carolina, and shall provide the technical

staff necessary to operate and so maintain such facilities.

SEC. 3133. NUCLEAR WEAPONS STOCKPILE LIFE EXTENSION PROGRAM.

(a) PROGRAM REQUIRED.—The Secretary of Energy shall, in consultation with the Secretary of Defense, carry out a program to provide for the extension of the effective life of the weapons in the nuclear weapons stockpile.

(b) ADMINISTRATIVE RESPONSIBILITY FOR PROGRAM.—The program under subsection (a) shall be a program within the Office of Defense Programs of the Department of Energy.

(c) PROGRAM PLAN.—As part of the program under subsection (a), the Secretary shall develop a long-term plan for the extension of the life of the weapons in the nuclear weapons stockpile. The plan shall provide the following:

(1) Mechanisms to provide for the remanufacture of each weapon design designated by the Secretary for inclusion in the enduring nuclear weapons stockpile as of the date of the enactment of this Act.

(2) Mechanisms to expedite the collection of data necessary for carrying out the program, including data relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials.

(3) Mechanisms to ensure the appropriate assignment of roles and missions for each Department nuclear weapons laboratory and production plant, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel.

(4) Mechanisms for allocating funds for activities under the program, including allocations of funds by weapon type and facility.

(d) ANNUAL SUBMITTAL OF PLAN.—(1) The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives the plan developed under subsection (c) not later than January 1, 2000. The plan shall contain the maximum level of detail practicable.

(2) The Secretary shall submit to the committees referred to in paragraph (1) each year after 2000, at the same time as the submission of the budget for the fiscal year beginning in such year under section 1105 of title 31, United States Code, an update of the plan submitted under paragraph (1). Each update shall contain the same level of detail as the plan submitted under paragraph (1).

(e) SENSE OF CONGRESS REGARDING FUNDING OF PROGRAM.—It is the sense of Congress that the President should include in each budget for a fiscal year submitted to Congress under section 1105 of title 31, United States Code, sufficient funds to carry out in the fiscal year covered by such budget the activities under the program under subsection (a) that are specified in the most current version of the plan for the program under this section.

SEC. 3134. TRITIUM PRODUCTION.

(a) PRODUCTION OF NEW TRITIUM.—The Secretary of Energy shall produce new tritium to meet the requirements of the Nuclear Weapons Stockpile Memorandum at the Tennessee Valley Authority Watts Bar or Sequoyah nuclear power plants consistent with the Secretary's December 22, 1998, decision document designating the Secretary's preferred tritium production technology.

(b) SUPPORT.—To support the method of tritium production set forth in subsection (a), the Secretary shall design and construct a new tritium extraction facility in the H–Area of the Savannah River Site, Aiken, South Carolina.

(c) DESIGN AND ENGINEERING DEVELOPMENT.—The Secretary shall—

(1) complete preliminary design and engineering development of the Accelerator Production of Tritium technology design as a backup source of tritium to the source set forth in subsection (a) and consistent with the Secretary's December 22, 1998, decision document; and

(2) make available those funds necessary to complete engineering development and demonstration, preliminary design, and detailed design of key elements of the system consistent with the Secretary's decision document of December 22, 1998.

SEC. 3135. INDEPENDENT COST ESTIMATE OF ACCELERATOR PRODUCTION OF TRITIUM.

(a) INDEPENDENT COST ESTIMATE.—(1) The Secretary of Energy shall secure an independent cost estimate of the Accelerator Production of Tritium.

(2) The estimate shall be conducted at the highest possible level, but in no event at a level below that currently defined by the Secretary as Type III, ''Sampling Technique''.

(b) REPORT.—Not later than April 1, 2000, the Secretary shall submit to the congressional defense committees a report on the independent cost estimate conducted under subsection (a).

SEC. 3136. NONPROLIFERATION INITIATIVES AND ACTIVITIES.

(a) INITIATIVE FOR PROLIFERATION PREVENTION PROGRAM.—(1) Not more than 40 percent of the funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program (IPP) may be obligated or expended by the Department of Energy national laboratories to carry out or provide oversight of any activities under that program.

(2)(A) None of the funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program may be used to increase or otherwise supplement the pay or benefits of a scientist or engineer if the scientist or engineer—

(i) is currently engaged in activities directly related to the design, development, production, or testing of chemical or biological weapons or a missile system to deliver such weapons; or

(ii) was not formerly engaged in activities directly related to the design, development, production, or testing of weapons of mass destruction or a missile system to deliver such weapons.

(B) None of the funds available in any fiscal year after fiscal year 1999 for the Initiative for Proliferation Prevention program may be made available to an institute if the institute—

(i) is currently involved in activities described in subparagraph (A)(i); or

(ii) was not formerly involved in activities described in subparagraph (A)(ii).

(3)(A) No funds available for the Initiative for Proliferation Prevention program may be provided to an institute or scientist under the program if the Secretary of Energy determines that the institute or scientist has made a scientific or business contact in any way associated with or related to weapons of mass destruction with a representative of a country of proliferation concern.

(B) For purposes of this paragraph, the term ''country of proliferation concern'' means any country so designated by the Director of Central Intelligence for purposes of the Initiative for Proliferation Prevention program.

(4)(A) The Secretary of Energy shall prescribe procedures for the review of projects under the Initiative for Proliferation Prevention program. The purpose of the review shall be to ensure the following:

(i) That the military applications of such projects, and any information relating to such applications, is not inadvertently transferred or utilized for military purposes.

(ii) That activities under the projects are not redirected toward work relating to weapons of mass destruction.

(iii) That the national security interests of the United States are otherwise fully considered before the commencement of the projects.

(B) Not later than 30 days after the date on which the Secretary prescribes the procedures required by subparagraph (A), the Secretary shall submit to Congress a report on the procedures. The report shall set forth a schedule for the implementation of the procedures.

(5)(A) The Secretary shall evaluate the projects carried out under the Initiative for Proliferation Prevention program for commercial purposes to determine whether or not such projects are likely to achieve their intended commercial objectives.

(B) If the Secretary determines as a result of the evaluation that a project is not likely to achieve its intended commercial objective, the Secretary shall terminate the project.

(6) It is the sense of Congress that the President should enter into negotiations with the Russian Government for purposes of concluding an agreement between the United States Government and the Russian Government to provide for the permanent exemption from taxation by the Russian Government of the nonproliferation activities of the Department of Energy under the Initiative for Proliferation Prevention program.

(b) NUCLEAR CITIES INITIATIVE.—(1) No amounts authorized to be appropriated by this title for the Nuclear Cities Initiative may be obligated or expended for purposes of the initiative until the Secretary of Energy certifies to Congress that Russia has agreed to close some of its facilities engaged in work on weapons of mass destruction.

(2) Notwithstanding a certification under paragraph (1), amounts authorized to be appropriated by this title for the Nuclear Cities Initiative may not be obligated or expended for purposes of providing assistance under the initiative to more than three nuclear cities, and more than two serial production facilities, in Russia in fiscal year 2000.

(3)(A) The Secretary shall conduct a study of the potential economic effects of each commercial program proposed under the Nuclear Cities Initiative before providing assistance for the conduct of the program. The study shall include an assessment regarding whether or not the mechanisms for job creation under the program are likely to lead to the creation of the jobs intended to be created by the program.

(B) If the Secretary determines as a result of the study that the intended commercial benefits of a program are not likely to be achieved, the Secretary may not provide assistance for the conduct of the program.

(4) Not later than January 1, 2000, the Secretary shall submit to Congress a report describing the participation in or contribution to the Nuclear Cities Initiative of each department and agency of the United States Government that participates in or contributes to the initiative. The report shall describe separately any interagency participation in or contribution to the initiative.

(c) REPORT.—(1) Not later than January 1, 2000, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the Initiative for Proliferation Prevention program (IPP) and the Nuclear Cities Initiative.

(2) The report shall include the following:

(A) A strategic plan for the Initiative for Proliferation Prevention program and for the Nuclear Cities Initiative, which shall establish objectives for the program or initiative, as the case may be, and means for measuring the achievement of such objectives.

(B) A list of the most successful projects under the Initiative for Proliferation Prevention program, including for each such project the name of the institute and scientists who are participating or have participated in the project, the number of jobs created through the project, and the manner in which the project has met the nonproliferation objectives of the United States.

(C) A list of the institutes and scientists associated with weapons of mass destruction programs or other defense-related programs in the states of the former Soviet Union that the Department seeks to engage in commercial work under the Initiative for Proliferation Prevention program or the Nuclear Cities Initiative, including—

(i) a description of the work performed by such institutes and scientists under such weapons of mass destruction programs or other defense-related programs; and

(ii) a description of any work proposed to be performed by such institutes and scientists under the Initiative for Proliferation Prevention program or the Nuclear Cities Initiative.

(d) NUCLEAR CITIES INITIATIVE DEFINED.—For purposes of this section, the term ''Nuclear Cities Initiative'' means the initiative arising pursuant to the March 1998 discussions between the Vice President of the United States and the Prime Minister of the Russian Federation and between the Secretary of Energy of the United States and the Minister of Atomic Energy of the Russian Federation.

Subtitle D—Safeguards, Security, and Counterintelligence at Department of Energy Facilities

SEC. 3151. SHORT TITLE.

This subtitle may be cited as the ''Department of Energy Facilities Safeguards, Security, and Counterintelligence Enhancement Act of 1999''.

SEC. 3152. COMMISSION ON SAFEGUARDS, SECURITY, AND COUNTERINTELLIGENCE AT DEPARTMENT OF ENERGY FACILITIES.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''Commission on Safeguards, Security, and Counterintelligence at Department of Energy Facilities'' (in this section referred to as the ''Commission'').

(b) ORGANIZATIONAL MATTERS.—(1) The Commission shall be composed of nine members appointed from among individuals in the public and private sectors who have significant experience in matters related to the security of nuclear weapons and materials, the classification of information, or counterintelligence matters, as follows:

(A) Two shall be appointed by the Chairman of the Committee on Armed Services of the Senate, in consultation with the ranking member of that Committee.

(B) One shall be appointed by the ranking member of the Committee on Armed Services of the Senate, in consultation with the Chairman of that Committee.

(C) Two shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives, in consultation with the ranking member of that Committee.

(D) One shall be appointed by the ranking member of the Committee on Armed Services of the House of Representatives, in consultation with the Chairman of that Committee.

(E) One shall be appointed by the Secretary of Defense.

(F) One shall be appointed by the Director of the Federal Bureau of Investigation.

(G) One shall be appointed by the Director of Central Intelligence.

(2) Members of the Commission shall be appointed for four year terms, except as follows:

(A) One member initially appointed under paragraph (1)(A) shall serve a term of two years.

(B) One member initially appointed under paragraph (1)(C) shall serve a term of two years.

(C) The member initially appointed under paragraph (1)(E) shall serve a term of two years.

(3) Any vacancy in the Commission shall be filled in the same manner as the original appointment and shall not affect the powers of the Commission.

(4)(A) After five members of the Commission have been appointed under paragraph (1), the Chairman of the Committee on Armed Services of the Senate, in consultation with the Chairman of the Committee on Armed Services of the House of Representatives, shall designate the chairman of the Commission from among the members appointed under paragraph (1)(A).

(B) The chairman of the Commission may be designated once five members of the Commission have been appointed under paragraph (1).

(5) The members of the Commission shall be appointed not later than 60 days after the date of the enactment of this Act.

(6) The members of the Commission shall establish procedures for the activities of the Commission, including procedures for calling meetings, requirements for quorums, and the manner of taking votes.

(7) The Commission shall meet not less often than once every three months.

(8) The Commission may commence its activities under this section upon the designation of the chairman of the Commission under paragraph (4).

(c) DUTIES.—(1) The Commission shall, in accordance with this section, review the safeguards, security, and counterintelligence activities (including activities relating to information management, computer security, and personnel security) at Department of Energy facilities to—

(A) determine the adequacy of those activities to ensure the security of sensitive information, processes, and activities under the jurisdiction of the Department against threats to the disclosure of such information, processes, and activities; and

(B) make recommendations for actions the Commission determines as being necessary to ensure that such security is achieved and maintained.

(2) The activities of the Commission under paragraph (1) shall include the following:

(A) An analysis of the sufficiency of the Design Threat Basis documents as a basis for the allocation of resources for safeguards, security, and counterintelligence activities at the Department facilities in light of applicable guidance with respect to such activities, including applicable laws, Department of Energy orders, Presidential Decision Directives, and Executive Orders.

(B) Visits to Department facilities to assess the adequacy of the safeguards, security, and counterintelligence activities at such facilities.

(C) Evaluations of specific concerns set forth in Department reports regarding the status of safeguards, security, or counterintelligence activities at particular Department facilities or at facilities throughout the Department.

(D) Reviews of relevant laws, Department orders, and other requirements relating to safeguards, security, and counterintelligence activities at Department facilities.

(E) Any other activities relating to safeguards, security, and counterintelligence activities at Department facilities that the Secretary of Energy considers appropriate.

(d) REPORT.—(1) Not later than February 15 each year, the Commission shall submit to the Secretary of Energy and to the congressional defense committees a report on the activities of the Commission during the preceding year. The report shall be submitted in unclassified form, but may include a classified annex.

(2) Each report—

(A) shall describe the activities of the Commission during the year covered by the report;

(B) shall set forth proposals for any changes in safeguards, security, or counterintelligence activities at Department of Energy facilities that the Commission considers appropriate in light of such activities; and

(C) may include any other recommendations for legislation or administrative action that the Commission considers appropriate.

(e) PERSONNEL MATTERS.—(1)(A) Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission.

(B) All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) The 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.

(3)(A) The Commission may, without regard to the civil service laws and regulations, appoint and terminate such personnel as may be necessary to enable the Commission to perform its duties.

(B) The Commission may fix the compensation of the personnel of the Commission without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(4) Any officer or employee of the United States may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) The members and employees of the Commission shall hold security clearances

appropriate for the matters considered by the Commission in the discharge of its duties under this section.

(f) APPLICABILITY OF FACA.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of the Commission.

(g) FUNDING.—(1) From amounts authorized to be appropriated by sections 3101 and 3103, the Secretary of Energy shall make available to the Commission not more than $1,000,000 for the activities of the Commission under this section.

(2) Amounts made available to the Commission under this subsection shall remain available until expended.

(h) TERMINATION OF DEPARTMENT OF ENERGY SECURITY MANAGEMENT BOARD.—(1) Section 3161 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2048; 42 U.S.C. 7251 note) is repealed.

(2) Section 3162 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2049; 42 U.S.C. 7274 note) is amended—

(A) by striking ''(a) IN GENERAL.—''; and

(B) by striking subsection (b).

SEC. 3153. BACKGROUND INVESTIGATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) IN GENERAL.—The Secretary of Energy shall ensure that an investigation meeting the requirements of section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165) is made for each Department of Energy employee, or contractor employee, at a Department of Energy facility who—

(1) carries out duties or responsibilities in or around a location where Restricted Data is or may be present; or

(2) has or may have regular access to a location where Restricted Data is present.

(b) COMPLIANCE.—The Secretary shall have one year from the date of the enactment of this Act to meet the requirement in subsection (a).

SEC. 3154. PLAN FOR POLYGRAPH EXAMINATIONS OF CERTAIN PERSONNEL AT DEPARTMENT OF ENERGY FACILITIES.

(a) PLAN.—(1) Not later than 120 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the congressional defense committees a plan for conducting, as part of the Department of Energy personnel assurance programs, periodic polygraph examinations of each Department of Energy employee, or contractor employee, at a Department of Energy facility who has or may have access to Restricted Data or Sensitive Compartmented Information. The purpose of the examinations is to minimize the potential for release or disclosure of such data or information by such employees.

(2) The plan shall include recommendations for any legislative action necessary to implement the plan.

(b) LIMITATION ON USE OF FUNDS PENDING SUBMITTAL OF PLAN.—Not more than 50 percent of the amounts authorized to be appropriated or otherwise made available for the Department of Energy for fiscal year 2000 for travel expenses may be obligated or expended until the date of the submittal of the plan required by subsection (a).

SEC. 3155. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS RELATING TO THE SAFEGUARDING AND SECURITY OF RESTRICTED DATA.

(a) IN GENERAL.—Chapter 18 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.) is amended by inserting after section 234A the following new section:

''SEC. 234B. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS REGARDING SECURITY OF CLASSIFIED OR SENSITIVE INFORMATION OR DATA.—

''a. Any person who has entered into a contract or agreement with the Department of Energy, or a subcontract or subagreement thereto, and who violates (or whose employee violates) any applicable rule, regulation, or order prescribed or otherwise issued by the Secretary pursuant to this Act relating to the safeguarding or security of Restricted Data or other classified or sensitive information shall be subject to a civil penalty of not to exceed $100,000 for each such violation.

''b. The Secretary shall include in each contract with a contractor of the Department provisions which provide an appropriate reduction in the fees or amounts paid to the contractor under the contract in the event of a violation by the contractor or contractor employee of any rule, regulation, or order relating to the safeguarding or security of Restricted Data or other classified or sensitive information. The provisions shall specify various degrees of violations and the amount of the reduction attributable to each degree of violation.

''c. The powers and limitations applicable to the assessment of civil penalties under section 234A shall apply to the assessment of civil penalties under this section.''.

(b) CLARIFYING AMENDMENT.—The section heading of section 234A of that Act (42 U.S.C. 2282a) is amended by inserting ''SAFETY'' before ''REGULATIONS''.

(c) CLERICAL AMENDMENT.—The table of sections for that Act is amended by inserting after the item relating to section 234 the following new items:

''234A. Civil Monetary Penalties for Violations of Department of Energy Safety Regulations.

''234B. Civil Monetary Penalties for Violations of Department of Energy Regulations Regarding Security of Classified or Sensitive Information or Data.''.

SEC. 3156. MORATORIUM ON LABORATORY-TO-LABORATORY AND FOREIGN VISITORS AND ASSIGNMENTS PROGRAMS.

(a) CERTIFICATION.—(1) The Secretary of Energy, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation shall jointly submit to the committees referred to in paragraph (3) a certification that each program referred to in paragraph (2) meets the following conditions:

(A) That the program complies with applicable orders, regulations, and policies of the Department of Energy relating to the safeguarding and security of sensitive information and fulfills any counterintelligence requirements arising under such orders, regulations, and policies.

(B) That the program complies with Presidential Decision Directives and similar requirements relating to the safeguarding and security of sensitive information and fulfills any counterintelligence requirements arising under such Directives or requirements.

(C) That the program includes adequate protections against the inadvertent release of Restricted Data, information important to the national security of the United States, and any other sensitive information the disclosure of which might harm the interests of the United States.

(D) That the program does not pose an undue risk to the national security interests of the United States.

(2) A program referred to in this paragraph is any program as follows:

(A) A cooperative program carried out between the Department of Energy and the People's Republic of China.

(B) A cooperative program carried out between the Department of Energy and an independent state of the former Soviet Union.

(C) A cooperative program carried out between the Department of Energy and any nation designated as sensitive by the Secretary of State.

(3) The committees referred to in this paragraph are the following:

(A) The Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate.

(B) The Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) LIMITATION ON USE OF FUNDS PENDING CERTIFICATION.—(1) Except as provided in paragraph (2), no amounts authorized to be appropriated by section 3101 or 3103 or otherwise made available to the Department of Energy for fiscal year 2000 may be obligated or expended to conduct a program referred to in subsection (a)(2), or any studies or planning in anticipation of such program, beginning on the date that is 45 days after the date of the enactment of this Act and continuing until 30 days after the date on which the Director of Central Intelligence submits to the committees referred to in subsection (a)(3) the certification referred to in subsection (a)(1). The certification shall be submitted in unclassified form, but may include a classified annex.

(2)(A) The 30-day wait period specified in paragraph (1) for the obligation and expenditure of funds for a program referred to in subsection (a)(2) shall not apply if the certification with respect to the program under subsection (a)(1) is submitted during the 45-day period beginning on the date of the enactment of this Act.

(B) The limitation in paragraph (1) shall not apply—

(i) to the obligation or expenditure of funds authorized to be appropriated by title III for activities relating to cooperative threat reduction with states of the former Soviet Union; or

(ii) to the obligation or expenditure of funds authorized to be appropriated by section 3103(a)(1)(A)(ii) for the materials protection control and accounting program of the Department.

SEC. 3157. INCREASED PENALTIES FOR MISUSE OF RESTRICTED DATA.

(a) COMMUNICATION OF RESTRICTED DATA.—Section 224 of the Atomic Energy Act of 1954 (42 U.S.C. 2274) is amended—

(1) in clause a., by striking ''$20,000'' and inserting ''$40,000''; and

(2) in clause b., by striking ''$10,000'' and inserting ''$20,000''.

(b) RECEIPT OF RESTRICTED DATA.—Section 225 of the Atomic Energy Act of 1954 (42 U.S.C. 2275) is amended by striking ''$20,000'' and inserting ''$40,000''.

(c) DISCLOSURE OF RESTRICTED DATA.—Section 227 of the Atomic Energy Act of 1954 (42 U.S.C. 2277) is amended by striking ''$2,500'' and inserting ''$5,000''.

SEC. 3158. ORGANIZATION OF DEPARTMENT OF ENERGY COUNTERINTELLIGENCE AND INTELLIGENCE PROGRAMS AND ACTIVITIES.

(a) OFFICE OF COUNTERINTELLIGENCE.—Title II of the Department of Energy Organization Act (42 U.S.C. 7131 et seq.) is amended by adding at the end the following:

''OFFICE OF COUNTERINTELLIGENCE

''SEC. 213. (a) There is within the Department an Office of Counterintelligence.

''(b)(1) The head of the Office shall be the Director of the Office of Counterintelligence.

''(2) The Secretary shall, with the concurrence of the Director of the Federal Bureau of Investigation, designate the head of the office from among senior executive service employees of the Federal Bureau of Investigation who have expertise in matters relating to counterintelligence.

''(3) The Director of the Federal Bureau of Investigation may detail, on a reimbursable basis, any employee of the Bureau to the Department for service as Director of the Office. The service of an employee of the Bureau as Director of the Office shall not result in any loss of status, right, or privilege by the employee within the Bureau.

''(4) The Director of the Office shall report directly to the Secretary.

''(c)(1) The Director of the Office shall develop and ensure the implementation of security and counterintelligence programs and activities at Department facilities in order to reduce the threat of disclosure or loss of classified and other sensitive information at such facilities.

''(2) The Director of the Office shall be responsible for the administration of the personnel assurance programs of the Department.

''(3) The Director shall inform the Secretary, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation on a regular basis, and upon specific request by any such official, regarding the status and effectiveness of the security and counterintelligence programs and activities at Department facilities.

''(d)(1) Not later than March 1 each year, the Director of the Office shall submit to the Secretary, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation and to the Committees on Armed Services of the Senate and House of Representatives a report on the status and effectiveness of the security and counterintelligence programs and activities at Department facilities during the preceding year.

''(2) Each report shall include for the year covered by the report the following:

''(A) A description of the status and effectiveness of the security and counterintelligence programs and activities at Department facilities.

''(B) A description of any violation of law or other requirement relating to intelligence, counterintelligence, or security at such facilities, including—

''(i) the number of violations that were investigated; and

''(ii) the number of violations that remain unresolved.

''(C) A description of the number of foreign visitors to Department facilities, including the locations of the visits of such visitors.

''(3) Each report submitted under this subsection to the committees referred to in paragraph (1) shall be submitted in unclassified form, but may include a classified annex.''.

(b) OFFICE OF INTELLIGENCE.—That title is further amended by adding at the end the following:

''OFFICE OF INTELLIGENCE

''SEC. 214. (a) There is within the Department an Office of Intelligence.

''(b)(1) The head of the Office shall be the Director of the Office of Intelligence.

''(2) The Director of the Office shall be a senior executive service employee of the Department.

''(3) The Director of the Office shall report directly to the Secretary.

''(c) The Director of the Office shall be responsible for the programs and activities of the Department relating to the analysis of intelligence with respect to nuclear weapons and materials, other nuclear matters, and energy security.''.

(c) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 212 the following items:

''213. Office of Counterintelligence.
''214. Office of Intelligence.''.

SEC. 3159. COUNTERINTELLIGENCE ACTIVITIES AT CERTAIN DEPARTMENT OF ENERGY FACILITIES.

(a) ASSIGNMENT OF COUNTERINTELLIGENCE PERSONNEL.—(1) The Secretary of Energy shall assign to each Department of Energy facility at which Restricted Data is located an individual who shall assess security and counterintelligence matters at that facility.

(2) An individual assigned to a facility under this subsection shall be stationed at the facility.

(b) SUPERVISION.—Each individual assigned under subsection (a) shall report directly to the Director of the Office of Counterintelligence of the Department of Energy.

SEC. 3160. WHISTLEBLOWER PROTECTION.

(a) PROGRAM.—The Secretary of Energy shall establish a program to ensure that an employee of the Department of Energy, or a contractor employee, may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or entity referred to in subsection (b) information relating to the protection of classified information which the employee or contractor employee reasonably believes to provide direct and specific evidence of a violation described in subsection (c).

(b) COVERED PERSONS AND ENTITIES.—A person or entity referred to in this subsection is the following:

(1) A Member of a committee of Congress having primary responsibility for oversight of the department, agency, or element of the Federal Government to which the disclosed information relates.

(2) An employee of Congress who—

(A) is a staff member of a committee of Congress having primary responsibility for oversight of the department, agency, or element of the Federal Government to which the disclosed information relates; and

(B) has an appropriate security clearance for access to the information.

(3) The Inspector General of the Department of Energy.

(4) The Federal Bureau of Investigation.

(5) Any other element of the Federal Government designated by the Secretary as authorized to receive information of the type disclosed.

(c) COVERED VIOLATIONS.—A violation referred to in subsection (a) is—

(1) a violation of law or Federal regulation;

(2) gross mismanagement, a gross waste of funds, or abuse of authority; or

(3) a false statement to Congress on an issue of material fact.

SEC. 3161. INVESTIGATION AND REMEDIATION OF ALLEGED REPRISALS FOR DISCLOSURE OF CERTAIN INFORMATION TO CONGRESS.

(a) SUBMITTAL OF ALLEGATIONS TO INSPECTOR GENERAL.—A Department of Energy employee or contractor employee who believes that the employee has been discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information referred to in subsection (a) of section 3160 in accordance with the provisions of that section may submit a complaint relating to such action to the Inspector General of the Department of Energy.

(b) INVESTIGATION.—(1) For each complaint submitted under subsection (a), the Inspector General shall—

(A) determine whether or not the complaint is frivolous; and

(B) if the Inspector General determines the complaint is not frivolous, conduct an investigation of the complaint.

(2) The Inspector General shall submit a report on each investigation undertaken under paragraph (1)(B) to—

(A) the employee who submitted the complaint on which the investigation is based;

(B) the contractor concerned, if any; and

(C) the Secretary of Energy.

(c) REMEDIAL ACTIONS.—(1) If the Secretary determines that an employee has been subjected to an adverse personnel action referred to in subsection (a) in contravention of the provisions of section 3160(a), the Secretary shall—

(A) in the case of a Department employee, take appropriate actions to abate the action; or

(B) in the case of a contractor employee, order the contractor concerned to take appropriate actions to abate the action.

(2)(A) If a contractor fails to comply with an order issued under paragraph (1)(B), the Secretary may file an action for enforcement of the order in the appropriate United States district court.

(B) In any action brought under subparagraph (A), the court may grant appropriate relief, including injunctive relief and compensatory and exemplary damages.

(d) QUARTERLY REPORT.—(1) Not later than 30 days after the commencement of each fiscal quarter, the Inspector General shall submit to the congressional defense committees a report on the investigations undertaken under subsection (b)(1)(B) during the preceding fiscal quarter, including a summary of the results of such investigations.

(2) A report under paragraph (1) shall not identify or otherwise provide any information on a person submitting a complaint under this section without the consent of the person.

SEC. 3162. NOTIFICATION TO CONGRESS OF CERTAIN SECURITY AND COUNTERINTELLIGENCE FAILURES AT DEPARTMENT OF ENERGY FACILITIES.

(a) REQUIREMENT.—The Secretary of Energy, after consultation with the Director of Central Intelligence and the Director of the Federal Bureau of Investigation, as appropriate, shall submit to the congressional defense committees a notification of each serious security or counterintelligence failure at a Department of Energy facility that the Secretary considers likely to cause significant harm or damage to the national security interests of the United States.

(b) DEADLINE.—The Secretary shall submit a notice under subsection (a) for a failure covered by that subsection not later than 30 days after learning of the failure.

(c) PROCEDURES.—The Secretary and the congressional defense committees shall each establish such procedures as may be necessary to carry out the provisions of this title.

(d) PROTECTION OF CLASSIFIED AND OTHER SENSITIVE INFORMATION.—(1) The House of Representatives and the Senate shall each establish, by rule or resolution of such House, procedures to protect from unauthorized disclosure classified information, all information relating to intelligence sources and methods, and sensitive law enforcement information that is furnished to the congressional defense committees pursuant to this section.

(2) Such procedures shall be established in consultation with the Secretary of Energy,

the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation.

(e) SAVINGS PROVISIONS.—(1) Nothing in this section shall be construed as authority to withhold information from the congressional defense committees on the grounds that providing the information to such committees would constitute the unauthorized disclosure of classified information, information relating to intelligence sources or methods, or sensitive law enforcement information.

(2) Nothing in this section shall be construed to modify or supersede any other requirement to report information on intelligence activities to Congress, including the requirement under section 501 of the National Security Act of 1947 (50 U.S.C. 413) for the President to ensure that the intelligence committees are kept fully and currently informed of the intelligence activities of the United States and for the intelligence committees to notify promptly other congressional committees of any matter relating to intelligence activities requiring the attention of such committees.

SEC. 3163. CONDUCT OF SECURITY CLEARANCES.

(a) RESPONSIBILITY OF FEDERAL BUREAU OF INVESTIGATION.—Section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165) is amended by striking ''the Civil Service Commission'' each place it appears in subsections a., b., and c. and inserting ''the Federal Bureau of Investigation''.

(b) CONFORMING AMENDMENTS.—That section is further amended—

(1) by striking subsections d. and f.; and

(2) by redesignating subsections e., g., and h. as subsections d., e., and f., respectively; and

(3) in subsection d., as so redesignated, by striking ''determine that investigations'' and all that follows and inserting ''require that investigations be conducted by the Federal Bureau of Investigation of any group or class covered by subsections a., b., and c. of this section.''.

(c) COMPLIANCE.—The Director of the Federal Bureau of Investigation shall have one year from the date of the enactment of this Act to meet the responsibilities of the Bureau under section 145 of the Atomic Energy Act of 1954, as amended by this section.

(d) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report on the implementation of the responsibilities of the Bureau under section 145 of the Atomic Energy Act of 1954, as so amended.

(e) TECHNICAL AMENDMENT.—Subsection f. of that section, as so redesignated, is amended by striking ''section 145 b.'' and inserting ''subsection b. of this section''.

SEC. 3164. PROTECTION OF CLASSIFIED INFORMATION DURING LABORATORY-TO-LABORATORY EXCHANGES.

(a) PROVISION OF TRAINING.—The Secretary of Energy shall ensure that all Department of Energy employees and Department of Energy contractor employees participating in laboratory-to-laboratory cooperative exchange activities are fully trained in matters relating to the protection of classified information and to potential espionage and counterintelligence threats.

(b) COUNTERING OF ESPIONAGE AND INTELLIGENCE-GATHERING ABROAD.—(1) The Secretary shall establish a pool of Department employees and Department contractor employees who are specially trained to counter threats of espionage and intelligence-gathering by foreign nationals against Department employees and Department contractor employees who travel abroad for laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

(2) The Director of Counterintelligence of the Department of Energy may assign at least one employee from the pool established under paragraph (1) to accompany a group of Department employees or Department contractor employees who travel to any nation designated to be a sensitive country for laboratory-to-laboratory exchange activities or other cooperative exchange activities on behalf of the Department.

SEC. 3165. DEFINITION.

In this subtitle, the term ''Restricted Data'' has the meaning given that term in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

Subtitle E—Other Matters

SEC. 3171. MAINTENANCE OF NUCLEAR WEAPONS EXPERTISE IN THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF ENERGY.

(a) ADMINISTRATION OF JOINT NUCLEAR WEAPONS COUNCIL.—(1) Subsection (b) of section 179 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) The Council shall meet not less often than once every three months.''.

(2) Subsection (c) of that section is amended by adding at the end the following new paragraph:

''(3) If the position of Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs remains vacant for a period of more than 9 months, the Secretary of Energy shall appoint a qualified individual to serve as acting staff director of the Council until the position of Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs is filled.''.

(b) REVITALIZATION OF JOINT NUCLEAR WEAPONS COUNCIL.—(1) The Secretary of Defense and the Secretary of Energy shall jointly prepare and submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to revitalize the Joint Nuclear Weapons Council established by section 179 of title 10, United States Code.

(2) The plan shall include any proposed modification to the membership or responsibilities of the Council that the Secretaries jointly determine advisable to enhance the capability of the Council to ensure the integration of Department of Defense requirements for nuclear weapons into the programs and budget processes of the Department of Energy.

(c) ANNUAL REPORT ON COUNCIL ACTIVITIES.—The Secretary of Defense, shall, after consultation with the Secretary of Energy, submit to the Committees on Armed Services of the Senate and the House of Representatives on an annual basis a report on the activities of the Joint Nuclear Weapons Council. Each report shall include the following:

(1) A description of the activities of the Council during the 12-month period ending on the date of the report together with any assessments or studies conducted by the Council during that period.

(2) A description of the highest priority requirements of the Department of Defense with respect to the Department of Energy stockpile stewardship and management program as of that date.

(3) An assessment of the extent to which the requirements referred to in paragraph (2) are being addressed by the Department of Energy as of that date.

(d) NUCLEAR MISSION MANAGEMENT PLAN.—The Secretary of Defense shall develop and implement a plan to ensure the continued reliability of the capability of the Department of Defense to carry out its nuclear deterrent mission. The plan shall—

(1) articulate the current policy of the United States on the role of nuclear weapons and nuclear deterrence in the conduct of defense and foreign relations matters;

(2) establish stockpile viability and capability requirements with respect to that mission, including the number and variety of warheads required;

(3) establish requirements relating to the contractor industrial base, support infrastructure, and surveillance, testing, assessment, and certification of nuclear weapons necessary to support that mission;

(4) take into account requirements for the critical skills, readiness, training, exercise, and testing of personnel necessary to meet that mission; and

(5) take into account the relevant programs and plans of the military departments and the defense agencies with respect to readiness, sustainment (including research and development), and modernization of the strategic deterrent forces.

(e) NUCLEAR EXPERTISE RETENTION MEASURES.—(1) The Secretary of Energy and Secretary of Defense shall jointly submit to the committees referred to in subsection (c) a plan setting forth the actions that the Secretaries consider necessary to retain core scientific, engineering, and technical skills and capabilities within the Department of Energy, the Department of Defense, and their contractors in order to maintain the United States nuclear deterrent force indefinitely.

(2) The plan shall include the following elements:

(A) A baseline of current skills and capabilities by location.

(B) A statement of the skills or capabilities that are at risk of being lost within the next ten years.

(C) A proposal for recruitment and retention measures to address the loss of such skills or capabilities.

(D) A proposal for the training and evaluation of personnel with core scientific, engineering, and technical skills and capabilities.

(E) A statement of the additional advanced manufacturing programs and process engineering programs that are required to maintain the nuclear deterrent force indefinitely.

(F) An assessment of the desirability of establishing a nuclear weapons workforce reserve to ensure the availability of the skills and capabilities of present and former employees of the Department in the event of an urgent future need for such skills and capabilities.

(f) REPORTS ON CRITICAL DIFFICULTIES AT NUCLEAR WEAPONS LABORATORIES.—Section 3159 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2842; 42 U.S.C. 7274o) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) INCLUSION OF REPORTS IN ANNUAL STOCKPILE CERTIFICATION.—Any report submitted pursuant to subsection (a) shall also be included with the decision documents

that accompany the annual certification of the safety and reliability of the United States nuclear weapons stockpile which is provided to the President for the year in which such report is submitted.''.

(g) TECHNICAL AMENDMENT.—Section 179(f) of title 10, United States Code, is amended by striking ''the Committee on Armed Services'' and all that follows through ''House of Representatives'' and inserting ''the Committees on Armed Services and Appropriations of the Senate and the Committees on Armed Services and Appropriations of the House of Representatives''.

SEC. 3172. MODIFICATION OF BUDGET AND PLANNING REQUIREMENTS FOR DEPARTMENT OF ENERGY NATIONAL SECURITY ACTIVITIES.

(a) ENHANCEMENT OF ANNUAL FIVE-YEAR BUDGET.—(1) Section 3155 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2841; 42 U.S.C. 7271b) is amended—

(A) by redesignating subsection (b) as subsection (c);

(B) by striking subsection (a) and inserting the following new subsections:

''(a) REQUIREMENT.—The Secretary of Energy shall prepare for each fiscal year after fiscal year 2000 a program and budget plan for the national security programs of the Department of Energy for the five-fiscal year period beginning in the year the program and budget plan is prepared.

''(b) ELEMENTS.—Each program and budget plan shall contain the following:

''(1) The estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the national security programs of the Department during the five-fiscal year period covered by the program and budget plan, expressed in a level of detail comparable to that contained in the budget submitted by the President to Congress under section 1105 of title 31, United States Code.

''(2) A description of the anticipated workload requirements for each Department site during that five-fiscal year period.''; and

(C) in subsection (c), as so redesignated, by striking ''the budget required'' and inserting ''the program and budget plan required''.

(2) The section heading of such section is amended by striking ''FIVE-YEAR BUDGET'' and inserting ''FIVE-FISCAL YEAR PROGRAM AND BUDGET PLAN''.

(b) ADDITIONAL REQUIREMENTS FOR WEAPONS ACTIVITIES BUDGETS.—Section 3156 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2841; 42 U.S.C. 7271c) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) IMPACT OF BUDGET ON STOCKPILE.—The Secretary shall include in the materials the Secretary submits to Congress in support of the budget for any fiscal year after fiscal year 2000 that is submitted by the President pursuant to section 1105 of title 31, United States Code, a description of how the funds identified for each program element in the weapons activities budget of the Department for such fiscal year will help ensure that the nuclear weapons stockpile is safe and reliable as determined in accordance with the criteria established under 3158 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2257; 42 U.S.C. 2121 note).''.

SEC. 3173. EXTENSION OF AUTHORITY OF DEPARTMENT OF ENERGY TO PAY VOLUNTARY SEPARATION INCENTIVE PAYMENTS.

(a) EXTENSION.—Notwithstanding subsection (c)(2)(D) of section 663 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (Public Law 104–208; 110 Stat. 3009–383; 5 U.S.C. 5597 note), the Department of Energy may pay voluntary separation incentive payments to qualifying employees who voluntarily separate (whether by retirement or resignation) before January 1, 2003.

(b) EXERCISE OF AUTHORITY.—The Department shall pay voluntary separation incentive payments under subsection (a) in accordance with the provisions of such section 663.

SEC. 3174. INTEGRATED FISSILE MATERIALS MANAGEMENT PLAN.

(a) PLAN.—The Secretary of Energy shall develop a long-term plan for the integrated management of fissile materials by the Department of Energy. The plan shall—

(1) identify means of consolidating or integrating the responsibilities of the Office of Environmental Management, the Office of Fissile Materials Disposition, the Office of Nuclear Energy, and the Office of Defense Programs for the treatment, storage and disposition of fissile materials, and for the waste streams containing fissile materials, in order to achieve budgetary and other efficiencies in the discharge of those responsibilities; and

(2) identify any expenditures necessary at the sites that are anticipated to have an enduring mission for plutonium management in order to achieve the integrated management of fissile materials by the Department.

(b) SUBMITTAL TO CONGRESS.—The Secretary shall submit the plan required by subsection (a) to the congressional defense committees not later than February 1, 2000.

SEC. 3175. USE OF AMOUNTS FOR AWARD FEES FOR DEPARTMENT OF ENERGY CLOSURE PROJECTS FOR ADDITIONAL CLEANUP PROJECTS AT CLOSURE PROJECT SITES.

(a) AUTHORITY TO USE AMOUNTS.—The Secretary of Energy may use an amount authorized to be appropriated for the payment of award fees for a Department of Energy closure project for purposes of conducting additional cleanup activities at the closure project site if the Secretary—

(1) anticipates that such amount will not be obligated for payment of award fees in the fiscal year in which such amount is authorized to be appropriated; and

(2) determines the use will not result in a deferral of the payment of the award fees for more than 12 months.

(b) REPORT ON USE OF AUTHORITY.—Not later than 30 days after each exercise of the authority in subsection (a), the Secretary shall submit to the congressional defense committees a report the exercise of the authority.

SEC. 3176. PILOT PROGRAM FOR PROJECT MANAGEMENT OVERSIGHT REGARDING DEPARTMENT OF ENERGY CONSTRUCTION PROJECTS.

(a) REQUIREMENT.—(1) The Secretary of Energy shall carry out a pilot program on use of project management oversight (PMO) services for Department of Energy construction projects.

(2) The purpose of the pilot program is to provide a basis for determining whether or not the use of competitively procured, external project management oversight services on construction projects would permit the Department to control excessive costs and schedule delays associated with Department construction projects having large capital costs.

(b) PROJECTS COVERED BY PROGRAM.—(1) Subject to paragraph (2), the Secretary shall carry out the pilot program at construction projects selected by the Secretary. The projects shall include one or more construction projects authorized pursuant to section 3101 and one construction project authorized pursuant to section 3102.

(2) The Secretary shall select projects that have capital construction costs anticipated to be not less than $25,000,000.

(c) SERVICES UNDER PROGRAM.—The project management oversight services utilized under the pilot program shall include the following services:

(1) Monitoring the overall progress of a project.

(2) Determining whether or not a project is on schedule.

(3) Determining whether or not a project is within budget.

(4) Determining whether or not a project conforms with plans and specifications approved by the Department.

(5) Determining whether or not a project is being carried out efficiently and effectively.

(6) Any other management oversight services that the Secretary considers appropriate for purposes of the pilot program.

(d) PROCUREMENT OF SERVICES UNDER PROGRAM.—Any services procured under the pilot program shall be acquired—

(1) on a competitive basis; and

(2) from among commercial entities that—

(A) do not currently manage or operate facilities at a location where the pilot program is being conducted; and

(B) have an expertise in the management of large construction projects.

(e) REPORT.—Not later than February 1, 2000, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on pilot program. The report shall include the Secretary's assessment of the feasibility and desirability of utilizing project management oversight services for Department of Energy construction projects.

SEC. 3177. EXTENSION OF REVIEW OF WASTE ISOLATION PILOT PLANT, NEW MEXICO.

Section 1433(a) of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 2073) is amended in the second sentence by striking ''nine additional one-year periods'' and inserting ''fourteen additional one-year periods''.

SEC. 3178. PROPOSED SCHEDULE FOR SHIPMENTS OF WASTE FROM THE ROCKY FLATS PLANT, COLORADO, TO THE WASTE ISOLATION PILOT PLANT, NEW MEXICO.

(a) SUBMITTAL OF PROPOSED SCHEDULE.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives a proposed schedule for the commencement of shipments of waste from the Rocky Flats Plant, Colorado, to the Waste Isolation Pilot Plant, New Mexico.

(b) ELEMENTS.—The schedule under subsection (a) shall set forth—

(1) the proposed commencement date of shipments of mixed transuranic waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant; and

(2) the proposed commencement date of shipments of unmixed transuranic waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant.

(c) REQUIREMENTS REGARDING SCHEDULE.—In preparing the schedule, the Secretary shall assume the following:

(1) A closure date for the Rocky Flats Plant in 2006.

(2) That all waste that is transferable from the Rocky Flats Plant to the Waste Isolation Pilot Plant will be removed from the Rocky Flats Plant by that closure date as specified in the current 2006 Rocky Flats Plant Closure Plan.

(3) That, to the maximum extent practicable, shipments of waste from the Rocky Flats Plant to the Waste Isolation Pilot Plant will be carried out on an expedited schedule, but not interfere with other shipments of waste to the Waste Isolation Pilot Plant that are planned as of the date of the enactment of this Act.

SEC. 3179. COMPTROLLER GENERAL REPORT ON CLOSURE OF ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, COLORADO.

(a) REPORT.—Not later than December 31, 2000, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report assessing the progress in the closure of the Rocky Flats Environmental Technology Site, Colorado.

(b) REPORT ELEMENTS.—The report shall address the following:

(1) How decisions with respect to the future use of the Rocky Flats Environmental Technology Site effect ongoing cleanup at the site.

(2) Whether the Secretary of Energy could provide flexibility to the contractor at the site in order to quicken the cleanup of the site.

(3) Whether the Secretary could take additional actions throughout the nuclear weapons complex of the Department of Energy in order to quicken the closure of the site.

(4) The developments, if any, since the April 1999 report of the Comptroller General that could alter the pace of the closure of the site.

(5) The possibility of closure of the site by 2006.

(6) The actions that could be taken by the Secretary or Congress to ensure that the site would be closed by 2006.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

There are authorized to be appropriated for fiscal year 2000, $17,500,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

SEC. 3301. AUTHORIZED USES OF STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2000, the National Defense Stockpile Manager may obligate up to $78,700,000 of the funds in the National Defense Stockpile Transaction Fund for the authorized uses of such funds under section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(b)(2)), including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3302. LIMITATIONS ON PREVIOUS AUTHORITY FOR DISPOSAL OF STOCKPILE MATERIALS.

(a) PUBLIC LAW 105–261 AUTHORITY.—Section 3303(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2263; 50 U.S.C. 98d note) is amended—

(1) by striking ''(b) LIMITATION ON DISPOSAL QUANTITY.—'' and inserting ''(b) LIMITATIONS ON DISPOSAL AUTHORITY.—(1)''; and

(2) by adding at the end the following:

''(2) The President may not dispose of materials under this section in excess of the disposals necessary to result in receipts in the amounts specified in subsection (a).''.

(b) PUBLIC LAW 105–85 AUTHORITY.—Section 3305(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2058; 50 U.S.C. 98d note) is amended—

(1) by striking ''(b) LIMITATION ON DISPOSAL QUANTITY.—'' and inserting ''(b) LIMITATIONS ON DISPOSAL AUTHORITY.—(1)''; and

(2) by adding at the end the following:

''(2) The President may not dispose of cobalt under this section in excess of the disposals necessary to result in receipts in the amounts specified in subsection (a).''.

(c) PUBLIC LAW 104–201 AUTHORITY.—Section 3305(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2855; 50 U.S.C. 98d note) is amended—

(1) by striking ''(b) LIMITATION ON DISPOSAL QUANTITY.—'' and inserting ''(b) LIMITATIONS ON DISPOSAL AUTHORITY.—(1)''; and

(2) by adding at the end the following:

''(2) The President may not dispose of materials under this section in excess of the disposals necessary to result in receipts in the amounts specified in subsection (a).''.

TITLE XXXIV—PANAMA CANAL COMMISSION

SEC. 3401. SHORT TITLE.

This title may be cited as the ''Panama Canal Commission Authorization Act for Fiscal Year 2000''.

SEC. 3402. AUTHORIZATION OF EXPENDITURES.

(a) IN GENERAL.—Subject to subsection (b), the Panama Canal Commission is authorized to use amounts in the Panama Canal Revolving Fund to make such expenditures within the limits of funds and borrowing authority available to it in accordance with law, and to make such contracts and commitments, as may be necessary under the Panama Canal Act of 1979 (22 U.S.C. 3601 et seq.) for the operation, maintenance, improvement, and administration of the Panama Canal for the period October 1, 1999, through noon on December 31, 1999.

(b) LIMITATIONS.—For the period described in subsection (a), the Panama Canal Commission may expend from funds in the Panama Canal Revolving Fund not more than $25,000 for official reception and representation expenses, of which—

(1) not more than $7,000 may be used for official reception and representation expenses of the Supervisory Board of the Commission;

(2) not more than $3,500 may be used for official reception and representation expenses of the Secretary of the Commission; and

(3) not more than $14,500 may be used for official reception and representation expenses of the Administrator of the Commission.

SEC. 3403. PURCHASE OF VEHICLES.

Notwithstanding any other provision of law, the funds available to the Commission shall be available for the purchase and transportation to the Republic of Panama of replacement passenger motor vehicles, the purchase price of which shall not exceed $26,000 per vehicle.

SEC. 3404. EXPENDITURES ONLY IN ACCORDANCE WITH TREATIES.

Expenditures authorized under this title may be made only in accordance with the Panama Canal Treaties of 1977 and any law of the United States implementing those treaties.

SEC. 3405. OFFICE OF TRANSITION ADMINISTRATION.

(a) EXPENDITURES FROM PANAMA CANAL COMMISSION DISSOLUTION FUND.—The Office of Transition Administration established under subsection (b) of section 1305 of the Panama Canal Act of 1979 (22 U.S.C. 3714a) is authorized to obligate and expend funds from the Panama Canal Commission Dissolution Fund established under subsection (c) of such section for the purposes enumerated in such subsection until the fund terminates.

(b) ADMINISTRATIVE OFFICES.—The Office of Transition Administration shall have offices in the Republic of Panama and in Washington, District of Columbia. The office in Panama shall be subject to the authority of the United States chief of mission in the Republic of Panama.

(c) OVERSIGHT OF CLOSE-OUT ACTIVITIES.—The Panama Canal Commission shall enter into an agreement with the head of a department or agency of the Federal Government to supervise the close out of the affairs of the Commission under section 1305 of the Panama Canal Act of 1979 and to certify the completion of that function.

(Pursuant to the order of May 27, 1999, the text of S. 1060, as amended, is Division A of S. 1059; the text of S. 1061, as amended, is Division B of S. 1059; and the text of S. 1062, as amended, is Division C of S. 1059.)

ORDERS FOR TUESDAY, JUNE 8, 1999

Mr. COCHRAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:30 a.m. on Tuesday, June 8. I further ask consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume debate on S. 1122, the defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I further ask consent that the Senate stand in recess from the hours of 12:30 p.m. to 2:15 p.m. for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. COCHRAN. For the information of all Senators, the Senate will resume consideration of the defense appropriations bill at 9:30 a.m. on Tuesday. By previous consent, a vote on the pending

Grassley amendment will occur at 9:45 a.m. Also by previous consent, first-degree amendments to the bill must be offered by 2:30 p.m. tomorrow. Therefore, further amendments and votes are expected throughout tomorrow's session of the Senate.

As a reminder, cloture on the motion to proceed to the Y2K legislation was filed today. That cloture vote will occur on Wednesday at a time to be determined.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. COCHRAN. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 4:52 p.m., recessed until Tuesday, June 8, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 7, 1999:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ARMANDO FALCON, JR., OF TEXAS, TO BE DIRECTOR OF THE OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FOR A TERM OF FIVE YEARS, VICE AIDA ALVAREZ.

EXECUTIVE OFFICE OF THE PRESIDENT

ROBERT Z. LAWRENCE, OF MASSACHUSETTS, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE JEFFREY A. FRANKEL, RESIGNED.

DEPARTMENT OF THE TREASURY

LAWRENCE H. SUMMERS, OF MARYLAND, TO BE SECRETARY OF THE TREASURY, VICE ROBERT E. RUBIN.

DEPARTMENT OF STATE

DAVID H. KAEUPER, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CONGO.

MICHAEL D. METELITS, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAPE VERDE.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

CHRISTOPHER C. GALLAGHER, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2003. (REAPPOINTMENT)

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS A PERMANENT PROFESSOR OF THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 4333(B):

To be lieutenant colonel

MICHAEL L. MC GINNIS, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LOSTON E. CARTER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JACK A. MABERRY, 0000

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JAMES N. FRAME, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C.,SECTION 531:

To be captain

NILS S. ERIKSON, 0000
ROBERT E. HOYT, 0000
PHILLIP D. HUNT, 0000
MICHAEL J. KRENTZ, 0000
WILLIAM A. MC DONALD, 0000
ALAN I. SHAPIRO, 0000
LAURA WILLIAMS, 0000
JEFFERY M. YOUNG, 0000

To be commander

CHRISTOPHER L. AMLING, 0000
BRADLEY R. AUFFARTH, 0000
ALLEN W. AYRES, 0000
DONALD R. BENNETT, 0000
JIMMY D. BOWEN, 0000
ROBERT W. BRINSKO, 0000
DWANE T. BRITTAIN, JR., 0000
FORREST M. BROWN, JR., 0000
ROBERT BUCKLEY, 0000
JOE P. CALDWELL, 0000
DAVID N. CALKINS, 0000
DELORIS J. CARNAHAN, 0000
STEVEN L. CASE, 0000
DAVID W. CHAMBERS, 0000
MARK E. CHARIKER, 0000
BARTLEY G. CILENTO, JR., 0000
ROBERT J. CLARK, 0000
WILLIAM B. COGAR, 0000
REY D. CONARD, 0000
MARK S. COTTERELL, 0000
JOHN D. COWAN, 0000
WILLIAM F. CUDDY, JR., 0000
ROBERT D. CULLOM, 0000
ROBERT A. DATTOLO, 0000
RICHARD J. DOWLING, 0000
JOHN E. DRAKE, 0000
TIMOTHY M. DUNLEVY, 0000
CHARLES W. FLEISHER, 0000
PETER FONSECA, 0000
DANIEL E. FREDERICK, 0000
ROBERT A. FRICK, 0000
PAUL J. GAGNE, 0000
JAMES F. GALLAGHER, 0000
LOUIS G. GILLERAN, 0000
JEANETTE M. GORTHY, 0000
JEFFERY R. GRAVES, 0000
KEVIN L. GREASON, 0000
GORDON F. GREEN, 0000
GUERARD P. GRICE, 0000
JOHN P. GROSSMITH, 0000
GREGORY GULLAHORN, 0000
CHARLES M. HAMES, 0000
DONGYEON P. HAN, 0000
TIMOTHY J. HANNON, 0000
KIRK E. HARUM, 0000
AMY P. HAUCK, 0000
SHERMAN M. HAWKINS, 0000
JEFF D. HEADRICK, 0000
ROBERT C. HEIM, JR., 0000
ANITA H. HICKEY, 0000
WILLIAM C. HOLLAND II, 0000
JOHN R. HOLMAN, 0000
KERRY E. HUNT, 0000
WAYNE S. INMAN, 0000
MARIE E. JOHN, 0000
NAIDA B. KALLOO, 0000
PAUL C. KELLEHER, 0000
ANTHONY S. LAPINSKY, 0000
LARRY R. LAUFER, 0000
DAVID R. LEMME, 0000
WING LEONG, 0000
MARK E. LINSKEY, 0000
PETER D. MAHER IV, 0000
TRACY A. MALONE, 0000
DOUGLAS D. MARTIN, 0000
RICHARD J. MASON, 0000
MICHAEL F. MC NAMARA, JR., 0000
JAMES R. MILLER, 0000
TIMOTHY S. MOLOGNE, 0000
VERNON D. MORGAN, 0000
LINDA A. MURAKATA, 0000
JAMES W. A. NEWTON, 0000
CHARLES R. NIXON II, 0000
DAVID NORMAN, 0000
ROGER A. PIEPENBRINK, 0000
WILLIAM B. POSS, 0000
KYLE B. POTTS, 0000
DANIEL P. REESE, 0000
ROBERT H. RICE, 0000
JAMES A. RIEGER, 0000
MICHAEL RIESBERG, 0000
WILLIAM O. ROGERS, 0000
DAVID C. ROHDE, 0000
RICHARD ROWE, 0000
MICHAEL T. RYAN, 0000
PAUL J. SAVAGE, 0000
JOHN R. SCHWARZENBACH, 0000
JOHN D. SCOTT, 0000
KEVIN T. SEUFERT, 0000
PETER D. SHERROD, 0000
HARLEY W. SMOOT, 0000
FREDERICK N. SOUTHERN, 0000
JOHN STEELE, 0000
SCOTT P. STEINMANN, 0000
FRANCES I. STEWART, 0000
DENNIS E. SUMMERS, 0000
HARRY A. TAYLOR III, 0000
JON K. THIRINGER, 0000
DAVID E. THOMAS, 0000
ELIZABETH A. TONON, 0000
KARL R. TREFFINGER, 0000
DAVID R. TRIBBLE, 0000
RAYMOND J. TURK, 0000
GREGORY UTZ, 0000
ERIC WEISS, 0000
WAYNE M. WEISS, 0000
JOHN T. WIDERGREN, 0000
ROBERT A. WITHERSPOON, 0000
WILLIAM A. F. WOODS, 0000
PETER L. ZAMFIRESCU, 0000
DANIEL J. ZINDER, 0000

To be lieutenant commander

SALVADOR AGUILERA, 0000
JENNIFER M. ALLEN, 0000
MARK S. ANDERSON, 0000
THERESA M. ANTOLDI, 0000
ELLEN A. ARGO, 0000
CHARLES E. BARNES, 0000
KEVIN J. BEDFORD, 0000
BRYAN L. BELL, 0000
MANUEL A. BIADOG, 0000
SEAN BIGGERSTAFF, 0000
JAMES S. BIGGS, 0000
BRENDA F. BRADLEY, 0000
BENEDICT J. BROWN, 0000
TIMOTHY G. BRUCE, 0000
DORRIE E. BRYSON, 0000
DELL D. BULL, 0000
SUE A. BURNETT, 0000
DAVID J. CARRILLO, 0000
HAROLD H. CASERTA, 0000
JOHN M. CHANDLER, 0000
LINDA J. COLEMAN, 0000
SHERI R. COLEMAN, 0000
RANDAL B. CRAFT, 0000
JUAN D. CUESTA, 0000
DAVID A. CULLER, JR., 0000
ERIC E. CUNHA, 0000
ANDREW M. DAVIDSON, 0000
ROBERT N. DOBBINS, 0000
WALTER E. EAST, 0000
DEMETRI ECONOMOS, 0000
VICKI L. EDGAR, 0000
ELLEN ERICKSON, 0000
RONALD D. EVERS, 0000
TED M. FANNING, 0000
JOSE J. FERNANDEZ, JR., 0000
TERENCE FINNERTY, 0000
KEVIN D. FOSTER, 0000
MERL W. FUCHS, 0000
CHERYL A. GIBSON, 0000
MARK T. GILLAND, 0000
ANNE M. GODFREY, 0000
CHARLES F. GOVIER, 0000
KARIS K. GRAHAM, 0000
LINDA J. GRANT, 0000
DAVID R. GREER, 0000
DENISE Y HARRINGTON, 0000
BERNARD C. HARRISON III, 0000
PENNY M. HEISLER, 0000
JOHN M. HERNANDEZ, 0000
JOHN M. HOOPES, 0000
THOMAS W. JOHNSON, 0000
TAMMY C. JONES, 0000
KIMBERLY M. KAUFFMAN, 0000
THOMAS J. KEANE, 0000
FRANCES G. KELLER, 0000
FREDERIC J. KELLY III, 0000
ROBERT L. KENDALL, 0000
TADEUSZ J. KOCHEL, 0000
KEVIN E. KRAUS, 0000
WILLIAM K. KREBS, 0000
PAMELA S. KUNZE, 0000
KOROTHA C. LAMBRIGHT, 0000
TY E. LOUTZENHEISER, 0000
JOHN W. MAURICE, JR., 0000
BRUCE C. MAXWELL, 0000
DAVID M. MC ELWAIN, 0000
JONI M. MC MASTER, 0000
GEORGE R. MOON, 0000
HELEN A. NAPIER, 0000
JOEL D. NEWMAN, 0000
SAMUEL W. NEWMAN, 0000
KELLY S. PAUL, 0000
DARRYL N. PERSON, 0000
STEPHEN P. PIKE, 0000
HERBERT L. PRINGLE, 0000
MICHAEL R. REIDER, 0000
LAUREN P. RODIER, 0000
BARBARA C. ROSENTHAL, 0000
KENT E. RUSHING, 0000
ROBERT W. SANDERS, 0000
RICHARD B. SAUL, 0000
DELENE SCRAFFORD, 0000
DAVID J. SILKEY, 0000
MARK W. SMITH, 0000
MARK E. SNIDER, 0000
DAVID A. STAHL, 0000
DIANNE STANTON SANCHEZ, 0000
IRMA L. SUNER, 0000
PAULINE M. TAYLOR, 0000
BRADLEY E. TELLEEN, 0000
GREGORY N. TODD, 0000
JENNIFER E. TONGEMARTIN, 0000
DONALD P. TROAST, 0000
ANDREW J. WILLIAMS, 0000
RICHARD T. WOIENSKI, 0000
EDWARD C. ZEIGLER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

THOR D. AAKRE, 0000
CHRISTOPHER E. ABBOTT, 0000
RICHARD J. ABRESCH, 0000
DAVID W. ACTON, 0000
STEVEN E. ADAMS, 0000
WILLIAM T. AINSWORTH, 0000
DONALD P. ALBERTO, 0000
WILLIAM J. ALDERSON, 0000
ANDREW ALFORD, 0000
KENNETH R. ALLEN, 0000
HENRY D. ANGELINO, JR., 0000
ROLANDO A. APOLLO, 0000
RICHARD L. ARCHEY, 0000
ROBERT R. ARMBRUSTER, 0000
MARK A. ARMSTRONG, 0000
DOUGLAS E. ARNOLD, 0000
DAVID C. ASJES, 0000
TERRY W. AUBERRY, 0000
ANDREW S. BAITINGER, 0000
GAVIN W. BALAN, 0000
MICHAEL G. BARRETT, 0000
WILLIAM P. M. BARRETT, 0000
BRET C. BATCHELDER, 0000
JOSEPH A. BAUKNECHT, 0000
JEFFREY L. BAY, 0000
WILLIAM F. BEACHAM, 0000
MATTHEW S. BEAVER, 0000
KEVIN F. BEDELL, 0000
JOSEPH J. BEEL, 0000
ROBERT G. BERGMAN, 0000
JEFFREY T. BERNARDI, 0000
TIMOTHY B. BITZER, 0000
ALAN W. BLACKKETTER, 0000
STEVEN H. BLAISDELL, 0000
ANTHONY R. BOEX, 0000
RICHARD D. BOTHAM, 0000
THOMAS F. BOURBEAU, 0000
VINCENT C. BOWHERS, JR., 0000
AARON L. BOWMAN, 0000
RONALD A. BOXALL, 0000
PATRICK J. BRAKER, 0000
WILLIAM A. BRANSOM, 0000
SEAN P. BRENNAN, 0000
REBECCA E. BRENTON, 0000
JEFFREY J. BRIGHTWELL, 0000
DENNIS M. BROOKS, 0000
THOMAS J. BROVARONE, 0000
ANDREW BROWN III, 0000
MARK J. BROWNELL, 0000
YVETTE C. BROWNWAHLER, 0000
ANTHONY BRUNO III, 0000
NICHOLAS V. BUCK, 0000
ANDREW BUDUO III, 0000
ROBERT P. BURKE, 0000
RONALD K. BURROUGHS, 0000
JEFFREY J. BURTCH, 0000
DOUGLAS R. BURTON, 0000
BRADLEY I. BUSWELL, 0000
CHRISTOPHER L. BUTLER, 0000
PATRICK W. BUTLER, 0000
DAVID L. BUTTRAM, 0000
WHITMORE S. BUTTS III, 0000
JAMES S. BYNUM, 0000
DAN G. CALDERALA, 0000
EDWARD J. CAMPBELL, 0000
ERIC M. CAMPBELL, 0000
STEVEN O. CARDER, 0000
JOSEPH T. CARLSON, 0000
BRADLEY A. CARPENTER, 0000
DENNIS E. CARPENTER, 0000
JOHN B. CARROLL, 0000
THOMAS CARROLL, 0000
KEFF M. CARTER, 0000
CARL R. CHAFFIN, 0000
DAVID C. CHANG, 0000
DEAN M. CHASE, 0000
DAVID P. CHENEY, 0000
JAMES E. CHISUM, JR., 0000
CRAIG P. CHRISTOFFERSEN, 0000
WILLIAM M. CHUBB, 0000
MICHAEL J. CIARDELLO, 0000
GARD J. CLARK, 0000
KATHRYN M. CLARKE, 0000
MICHAEL J. CLARKE, 0000
PETER J. CLARKE, 0000
DAVID A. CLAWSON II, 0000
PATRICK R. CLEARY III, 0000
MICHAEL S. CLEVELAND, 0000
DONALD L. CLINE II, 0000
MARK D. COLBY, 0000
SOPHIA G. CONERLY, 0000
DON T. CONLEE, 0000
GEORGE CONNORS, 0000
KEVIN D. CONOWITCH, 0000
ELIZABETH L. COOK, 0000
MICHAEL J. CORRIGAN, 0000
MARK A. COUCH, 0000
MICHAEL J. COURY, 0000
JOHN D. COUSINS, 0000
BRUCE V. COX, 0000
JAMES T. COX, 0000
FRANCIS G. COYLE, 0000
KYLE J. COZAD, 0000
GREGORY W. CRABTREE, 0000
LAWRENCE E. CREEVY, 0000
RANDY B. CRITES, 0000
AARON L. CUDNOHUFSKY, 0000
WILLIAM J. CUNNINGHAM, 0000
DOUGLAS L. CUTHBERT, 0000
MICHAEL W. DAHLIN, 0000
LAURENCE C. DATKO, 0000
EDWIN J. DAUM, JR., 0000
MICHAEL C. DAVIDSON, 0000
JEFFREY A. DAVIS, 0000
KRIS O. DAVIS, 0000
MARCIA A. DECARIA, 0000
TODD H. DEGHETTO, 0000
SALLY DEGOZZALDI, 0000
DARREL S. DEHAVEN, 0000
DANIEL E. DENISON, 0000
AUBREY D. DENNIS, JR, 0000
MARK V. DENNIS, 0000
MARC W. DENNO, 0000
HENRY D. DERBES, II, 0000
CHRISTOPHER L. DERYCK, 0000
ROBERT B. DISHMAN, 0000
JEFFREY A. DODSON, 0000
WILLIAM J. DOORIS, 0000
JAMES E. DOVE, 0000
THOMAS M. DOWNING, 0000
GLENN C. DOYLE, 0000
SCOTT D. DUEKER, 0000
DANIEL E. DUGAN, 0000
ROBERT C. EARL, 0000
DAVID F. EASTWOOD, 0000
WILLIAM A. EBBS, 0000
BRUCE W. EICHMAN, 0000
ROBERT D. EIDSMOE, 0000
JOHN K. EINHORN, 0000
BRUCE D. EMERO, 0000
CHARLES G. EMMERT, 0000
JOHN A. EVANS, 0000
RICHARD W. EVERT, II, 0000
GEORGE T. FADOK, JR., 0000
THOMAS J. FASANELLO, JR., 0000

JOHN P. FATIGATE, 0000
KAREN W. FAUL, 0000
BRIAN A. FAZZONE, 0000
CHRISTOPHER J. FERGUSON, 0000
LESLIE C. FERGUSON, 0000
NAPOLEON S. FERRARIS, 0000
DAVID J. FETEN, 0000
ANTHONY M. FIDRYCH, 0000
DAVID T. FISHER, 0000
MICHAEL R. FISHER, 0000
DAVID S. FITZGERALD, 0000
WILLIAM A. FITZGERALD, 0000
MICHAEL J. FITZPATRICK, 0000
CHRISTOPHER H. FLOOD, 0000
THOMAS F. FLYNN, 0000
STEPHEN R. FOLEY, 0000
KEVIN A. FONTES, 0000
RICHARD J. FRAENKEL, 0000
JEFFREY D. FREDERICK, 0000
KENT A. FREDRICKSON, 0000
NICHOLAS E. FREEMAN, 0000
DAVID J. FRIE, JR, 0000
JOHN C. P. FRISTACHI, 0000
DONALD C. FRITTS, JR., 0000
STEVEN J. FUQUA, 0000
MITCHELL L. FURR, 0000
LARRY S. GAGE, 0000
ALFRED O. GAISER, 0000
ANTHONY M. GALLETTA, 0000
ALLAN G. GALSGAARD, 0000
VINTON G. GARBESI, 0000
ERIC W. GARDNER, 0000
PATRICK D. GARDNER, 0000
EDWARD W. GASSIE, JR, 0000
STEPHEN E. GEBERT, 0000
DAVID P. GEERDES, 0000
JOHN P. GEISEN, 0000
BRETT J. GENOBLE, 0000
JEFFREY L. GILBERT, 0000
MICHAEL J. GINTER, 0000
KARL E. GLAESER, 0000
CHARLES P. GOMPF, 0000
MICHAEL R. GOOD, 0000
RUSSELL GOTTFRIED, 0000
HOLLY A. GRAF, 0000
CARL R. GRAHAM, 0000
JAMES W. GRAYBEAL, 0000
THOMAS A. GRAZIANO, 0000
JEFFREY W. GREGOIRE, 0000
PAUL C. GRGAS, 0000
EDWARD G. GUNNING, JR., 0000
MARK B. GUTTENDORF, 0000
PAUL A. HAAS, 0000
RUSSELL E. HAAS, 0000
ROBERT J. HAEFNER, 0000
TODD T. HAEG, 0000
DAVID J. HAHN, 0000
ROBERT F. HAIDVOGEL, JR., 0000
MICHAEL F. HAJOSY, 0000
RICHARD J. HALE, 0000
GREGORY A. HAMMOND, 0000
DARREN W. HAMRE, 0000
LINDSAY R. HANKINS, 0000
PETER H. HANLON, 0000
MARKUS K. HANNAN, 0000
DAVID B. HANSON, 0000
HAROLD L. HARBESON, 0000
CHRISTOPHER P. HARPER, 0000
GENE F. HARR, 0000
ARTHUR C. HARRIS, 0000
WILLIAM C. HARRIS, 0000
TROY L. HART, 0000
EDWARD L. HASELL, 0000
MIKE A. HAUMER, 0000
TODD D. HAWKINSON, 0000
ROBERT H. HEADRICK, JR., 0000
JEFFREY D. HEIDA, 0000
PAUL K. HEIM II, 0000
DWIGHT O. HEINZELMAN, 0000
MARK D. HENDERSON, 0000
ROBERT L. HENDERSON, JR., 0000
ROGER H. HENZE, 0000
STEPHEN J. HEUSER, 0000
DIXON K. HICKS, 0000
MICHAEL S. HILL, 0000
RODNEY A. HILL, 0000
DANIEL K. HINSON, 0000
MARCUS A. HITCHCOCK, 0000
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HANS P. LISKE, 0000
JANE T. LOCHNER, 0000
JAMES T. LOEBLEIN, 0000
CHARLES J. LOGAN, 0000
MARY J. LOGSDON, 0000
ALLAN R. LOHR, 0000
WILLIAM J. LOHR, 0000
DARRYL J. LONG, 0000
FREDRIC W. LONGENECKER, 0000
MATTHEW E. LOUGHLIN, 0000
THEODORE J. LUCAS, 0000
THOMAS M. LUCAS, 0000
ARNIE M. LUSIS, 0000
JOHN P. LUSSIER, 0000
MARIA LYLES, 0000
KAREN M. MACDOUGALL, 0000
JOHN M. MACKIN, 0000
PAUL D. MACRI, 0000
FORBES O. MACVANE, 0000
FRANK O. MADIA, 0000
CHRISTOPHER MAGRINO, 0000
BRADLEY C. MAI, 0000
STEVEN M. MAIN, 0000
LESTER B. MAKEPEACE III, 0000
MICHAEL G. MANSFIELD, 0000
ANDRE MARAOUI, 0000
STEPHEN P. MARKLE, 0000
LARRY A. MARTIN, 0000
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MARK F. MEYER, 0000
VICTOR A. MEYER, JR., 0000
BRIAN J. MEYERS, 0000
DENNIS C. MIKESKA, 0000
ANNEMARIE D. MILEY, 0000
JOHN MILEY, 0000
JOSEPH P. MILLER III, 0000
GENE V. MILOWICKI, 0000
STEPHEN W. MITCHELL, 0000
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MARJORIE Z. NORDMAN, 0000
BRUCE L. NORTHRUP, 0000
THOMAS E. NOSENZO, 0000
GREGORY A. NOTTINGHAM, 0000
ROBERT P. NUGENT, 0000
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DEAN O. OYLER, 0000
TIM P. PANGONAS, 0000
JOHN T. PARKER III, 0000
JASON L. PATTERSON, 0000
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TIMOTHY B. PENCE, 0000
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BRETT A. REISSENER, 0000
JAY A. RENKEN, 0000
WILLIAM H. REUTER IV, 0000
GUY B. REYNOLDS, 0000
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ARTHUR R. SALINDONG, 0000
RAYMOND M. SAMPSON, 0000
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CHARLES E. SOMERS III, 0000
YAREMA I. SOS, 0000
JACK L. SOTHERLAND III, 0000
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JAMES R. SPOHNHOLTZ, JR., 0000
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CYNTHIA J. TALBERT, 0000
ROBERT J. TAMAS, JR., 0000
CLEMENT TANAKA, 0000
WILLIAM J. TATOMER, JR., 0000
DONALD W. TAUBE, 0000
BARRY R. TAYLOR, 0000
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CYNTHIA M. THEBAUD, 0000
GREG A. THOMAS, 0000
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JEFFREY P. TILBURY, 0000
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RALPH L. TINDAL, III, 0000
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ALPHONSO L. WOODS, 0000
DOUGLAS E. WRIGHT, 0000
ROSEMARY A. WYNNE, 0000
CHONG M. YI, 0000
MARK S. YOUNG, 0000
VERNON E. YOUNG, 0000
JAIME YSLAS, 0000
GLENN W. ZEIDERS, III, 0000
MARY M. ZUROWSKI, 0000

EXTENSIONS OF REMARKS

THE TENTH ANNIVERSARY OF THE TIANANMEN SQUARE MASSACRE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. HOYER. Mr. Speaker, on June 4th we commemorated the tenth anniversary of the massacre of thousands of students and workers at Tiananmen Square. We also remember the thousands injured, as well as the tens of thousands arrested and sentenced to prison or labor camps on that fateful day. We honor their bravery and courage, and the ultimate sacrifice which they made in the name of democracy and human rights.

Ten years ago today, the forward march of reform in China came to a halt; crushed by the steel tread of tanks, trampled by the boots of soldiers. The human rights situation in China has continued to deteriorate during the past decade. As recently as last week, the Washington Post reported the arrest of Yang Tao, one of the student leaders of the 1989 demonstration. This was clearly an effort by the Chinese leadership to discourage further protest on the anniversary of the Tiananmen massacre. Beijing has also attempted to silence the internet, another medium through which the memory of that tragic day will certainly be refreshed.

These efforts to erase the events of 1989 from popular conscience, Mr. Speaker, also include a strategy of redirecting the rage of the Chinese people by distorting the truth about the accidental bombing of the Chinese embassy in Belgrade.

Today we send a clear message, not only to Beijing, but to the people of China. The United States has not forgotten, and will never forget, the events that transpired ten years ago in Tiananmen Square. We support those who continue their valiant struggle for democracy.

H.R. 1882, THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. EWING. Mr. Speaker, as one of the original champions of the Small Business Regulatory Flexibility Act, otherwise known as SBREFA, I wish to express my strong support for H.R. 1882, the Small Business Review Panel Technical Amendments Act, of which I am an original co-sponsor. As the bill's name would suggest, it will make several needed technical changes to the original landmark law. But more significantly, H.R. 1882 will hold the Internal Revenue Service more accountable to small businesses. This important piece of legislation will require the IRS to convene Small Business Advocacy Review Panels when proposing new regulations that will have a significant impact on small businesses. These review panels will involve actual small business owners and their comments will be used to help improve regulations prior to release. Since 1996, the panel process has been applied to the Environmental Protection Agency and the Occupational Safety and Health Administration and the results thus far have been extremely positive leading to much improved rulemaking.

I am extremely pleased the House is considering amending SBREFA to include the IRS. However, I am concerned the benefits of this legislation may go partially unrealized. A primary reason for the success of SBREFA has been the role the SBA Office of Advocacy plays in the review panel process. Economic research conducted by the Office of Advocacy has been instrumental in demonstrating errors in assumptions made by the EPA and OSHA. But the Office of Advocacy's economic research budget has been stretched to the limits, forcing the chief Counsel for Advocacy to limit the office's research activities. If we are to expand the Office of Advocacy's responsibilities under SBREFA, as this bill does, then I feel it is absolutely necessary to make sure that Advocacy's economic research budget equals these new responsibilities.

I urge my colleagues to support the passage of H.R. 1882 and applaud the efforts of Chairman JIM TALENT to bring this bill to the floor and his consistent work on behalf of small businesses throughout the country.

SOCIAL SECURITY AND MEDICARE SAFE DEPOSIT BOX ACT OF 1999

SPEECH OF

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 26, 1999

Mr. PHELPS. Mr. Speaker, I rise today to reluctantly support H.R. 1259, the Social Security and Medicare Lock Box Act of 1999. Although this legislation does not improve Social Security or Medicare solvency, it serves as a sign of commitment to preserving Social Security and Medicare by taking them off budget.

H.R. 1259 offers largely symbolic protection of our Social Security surpluses by blocking the consideration of any Budget Resolution or legislation that dips into these funds. This legislation includes a loophole which would exempt from these points of order any legislation that contains a sentence designating the legislation as ''Social Security reform'' or ''Medicare reform.'' Unfortunately, the bill provides no standards or definition of the word ''reform.''

Insuring the stability of the Social Security system for today's seniors and future generations of retirees is one of my top priorities. I do not believe that this measure will negatively impact that goal, and thus I will support it. However, to truly demonstrate our commitment to protecting the Social Security Trust Fund, we must require all surpluses—the Social Security surplus and the Medicare surplus—to be reserved until solvency has been extended by 75 years for Social Security and by 30 years for Medicare. The legislation that would accomplish this is the Democratic alternative, which would close the current loopholes in H.R. 1259, and provide true meaningful protection for the Trust Fund.

In an era of unprecedented growth and prosperity, we have a responsibility to implement policy that ensures economic growth for all sectors of our society. This requires investing in the future—creating a better America for our children, a future in which working families can afford to send their children to college, and in which all Americans can count on the continued integrity of Social Security. While I support this bill as a first step towards protecting Social Security and Medicare, I truly hope that our actions today do not become an excuse for complacency in the future, but rather a catalyst for continued progress on the critical issues of Social Security and Medicare.

THE STUDENT WINNERS OF THE 1999 EXPLORAVISION AWARDS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. BROWN of California. Mr. Speaker, for the recognition of their achievement, my colleague, Mrs. MORELLA, and I are inserting into the RECORD the names of the student winners of the 1999 ExploraVision Awards.

Irving B. Weber Elementary School, Iowa City, IA; Grades K–3; Project: Strep Throat Home Tester; Students: Derek Ibarra, Bentley Wingert, Spencer Nash, Nathan Davidson; Teacher Advisor: Tracy Elmer; Community Advisor: Hector Ibarra.

Leeds Elementary School, Arlington, WI; Grades 4–6; Project: AllerScan; Students: Kallie Harrier, Teague Harvey, Anna Hagen, Amanda Treinen; Teacher Advisor: Jennifer McGinley; Community Advisor: Roger Clausen.

Point Grey Mini School, Vancouver, BC; Grades 7–9; Project: Woven Engineered Bone System; Students: Patricia Lau, Olivia Maginley, Robyn Massel, Katie Mogan; Teacher Advisor: John O'Connor; Community Advisor: Lynne Massel.

South Salem High School, Salem OR; Grades 10–12; Defeating A.D.D. through Biosensing Technology; Students: Jonina Allan,

Rebecca Kozitza, Chrystal Hohnstein, Sam Sparks; Teacher Advisor: Michael Lampert; Community Advisor: Teresa Campbell.

IN RECOGNITION OF MICHIO KUSHI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to recognize Michio Kushi, the 20th century developer of macrobiotics. This diet is the catalyst for many of the mainstream dietary and lifestyle changes currently taking place.

The Standard Macrobiotic diet has been practiced widely throughout history by all major civilizations and cultures. The Diet centers on whole cereal grains and their products and other plant quality. Twenty-five to thirty percent of daily food consists of vegetables and the remaining intake is comprised of soups, beans and sea vegetables. Consumption of products such as meat and dairy products are typically avoided. Michio Kushi, the founder of macrobiotics, was born in Japan and graduated from Tokyo University, the Faculty of Law, Department of Political Science. Influenced by the devastation of World War II, he decided to dedicate his life to the achievement of world peace and the development of humanity.

Kushi and his wife Aveline introduced macrobiotics to North America in the 1950s by establishing the first macrobiotic restaurant in New York. In the 1960s, the Kushis moved to Boston and founded Erewhon, the nation's pioneer natural foods distributor and manufacturer. Over the last thirty years Michio Kushi has taught throughout the United States and abroad, giving lectures and seminars on diet, health, consciousness and the peaceful meeting of East and West. In 1978, the Kushis founded the Kushi Institute, an educational organization for the training of future leaders of society, including macrobiotic teachers, counselors, cooks and lifestyle advisers. In 1986, Michio Kushi founded One Peaceful World, an international information network and friendship society of macrobiotic friends, families, business, educational center, and other associations to help guide society and contribute to world health and world peace. In the 1980s, Kushi began meeting with government and social leaders at the United Nations, the World Health Organization, and the White House. The health benefits of a macrobiotic diet have attracted the attention of leading medical professionals. The American Cancer Society reports that a macrobiotic diet may lower the risk of cancer.

The Smithsonian Institution will announce the acquisition of the Michio Kushi Family Collection on Macrobiotics and Alternative and Complementary Health Care during a special day-long event at the National Museum of American History in Washington, D.C. on Wednesday, June 9. The events include a symposium featuring Michio Kushi and his wife Aveline Kushi, an exhibit of macrobiotic food and books, and an awards presentation to Mr. and Mrs. Kushi for their significant role in the development of alternative and complementary health care and to the formation of the natural and whole foods movement.

I ask my fellow colleagues to join me in applauding the dedication and hard work of the Kushis in helping to educate the world's population on the benefits of the macrobiotic diet.

PROMOTING INTERNATIONAL AVIATION SAFETY

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. OBERSTAR. Mr. Speaker, safety is our highest responsibility in aviation. The American travelling public has the right to expect the highest standards of safety when flying on a U.S. carrier or on a U.S. carrier's code share partner.

Last September, the aviation community received a wake up call when SwissAir flight 111 crashed off the shores of Nova Scotia. On board this fatal flight were 53 U.S. passengers who had purchased tickets from Delta Airlines for Delta flight 1111, but who flew on SwissAir, through an arrangement called code-sharing. This accident brought home the realization that, in a world of close alliances between domestic and foreign airlines, the lines separating domestic safety regulation and international safety regulation have been blurred. It is clearly time to reassess our safety activities to make certain the American travelling public flies safely, whether on a U.S. or a foreign carrier.

As relationships between domestic and foreign carriers continue to grow through code sharing, we need to take a hard look at whether safety has kept pace. Since 1994, the number of code-sharing alliances has more than doubled—from 61 to 163. A passenger who buys a ticket from a U.S. airline for a code-sharing flight (ticketed as a flight by a U.S. airline) has a right to expect that the entire flight will be operated under similar safety standards. Yet, put simply, there is not a process within the Department of Transportation (DOT) for assuring that a foreign code-share partner operates under safety standards similar to those governing U.S. airlines.

A look at the world's aviation safety record establishes the need for prompt action. There is a wide disparity in the accident rates for different regions, with Africa and South and Central America, for example, having an overall accident rate considerably higher than the world average. This suggests strongly that some carriers are not offering a similar level of safety as U.S. carriers. Unfortunately, DOT does not have a comprehensive mechanism in place to determine whether particular foreign carriers have safety deficiencies before code-sharing arrangements are approved.

Accordingly, I am introducing legislation today with my colleagues, ranking Aviation Subcommittee member Mr. LIPINSKI and Ms. JOHNSON of Texas, that will dramatically improve DOT's organizational capability to assess whether a proposed foreign code share meets safety standards similar to those required of our U.S. carries.

The legislation would require a U.S. carrier seeking to code share with a foreign air carrier to conduct a comprehensive safety audit, including on-site inspections, of the foreign carrier's operations. Prior to receiving DOT approval of a foreign code share, the U.S. air carrier must certify to the Federal Aviation Administration (FAA) that the foreign air carrier meets the standards set forth in its FAA-approved safety audit program. In turn, the FAA would be required to conduct a comprehensive annual review of each domestic carrier's approved audit program, thus assuring that the FAA remains vigilant in its oversight of the carrier's implementation of that program. The domestic carrier would also conduct a periodic review of the foreign carrier's operations to ensure continued compliance with the safety standards. In addition, the FAA would be directed to work with the International Civil Aviation Organization to ensure that code-sharing oversight becomes a part of any foreign authority's air safety regulatory framework.

The importance of this requirement cannot be overstated. Currently, the FAA, which is responsible for safety oversight of our domestic carriers, conducts only limited review of foreign airlines participating in code-share agreements with our airlines. For foreign airlines, the FAA looks only at whether the flag country has a good institutional structure for regulating aviation safety. The FAA does not evaluate the safety of the foreign airline itself.

Delta's recent suspension of its code-share with Korean Air underscores this point. The FAA had no safety concerns with the arrangement because South Korea has a system for regulating safety that, on paper, appeared adequate. However, in this case—and possibly in far too many other cases—there appears to be little correlation between FAA's assessment of the foreign regulatory system and the actual safety performance of a carrier.

That observation is not meant to fault FAA for its efforts to assess the aviation regulatory systems of foreign governments. The FAA's assessment does provide valuable information about the structure and capabilities of a particular country's civil aviation authority; it does not provide specifics about a particular foreign code-share partner, when the changing nature of international aviation demands such an assessment.

This legislation will respond to the challenge of increasing the safety margin for the American traveling public by establishing a process for making meaningful safety judgments about foreign airlines.

I urge my colleagues to join me in co-sponsoring this legislation.

TRIBUTE TO THE MENNONITE COLLEGE OF NURSING

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. EWING. Mr. Speaker, I rise today to honor the Mennonite College of Nursing in Bloomington, Illinois on the occasion of their 80th year. Not only is this an historic marker on the College's time line, but on July 1, 1999, this fine institution will combine with Illinois State University, ensuring that its fine traditions and quality educational programs continue far into the next century.

The Mennonite College of Nursing was founded in 1919, as the Mennonite Sanitarium Training School, with the purpose of providing a Christian ministry though the operation of a hospital and a diploma school of nursing. Since its founding, the school has provided cutting edge training for its students. In the early 1980's and to meet the changes nursing education needed by changing health care delivery systems, the Board of Directors decided to transition Mennonite Hospital School of Nursing into Mennonite College of Nursing, awarding a four-year baccalaureate degree, the Bachelor of Science in Nursing degree.

The North Central Association awarded Mennonite College of Nursing institutional accreditation in 1986. Mennonite College of Nursing made nursing history as the first independent upper-division single purpose institution of nursing education in the U.S. to receive accreditation from the National League for Nursing.

In 1995, Mennonite implemented the Graduate program, with its first educational track for Family Nurse Practitioner. And in 1998, the Master of Science in Nursing degree program was awarded initial accreditation by the National League of Nursing.

The mission of the Mennonite College of Nursing is to educate beginning and advanced practitioners of nursing to go beyond academia and serve the citizens of central Illinois and the world. In keeping with the traditions of its roots, this fine institution has placed a particular focus on addressing the health care needs of both urban and rural populations, including those who are most vulnerable and under served.

In reviewing the work of the College's many graduates, it is clear they have been successful in not only teaching the technical skills of the nursing profession, but in instilling a whole philosophy of ministering to the sick. Unlike other schools, at the core of its curriculum, the Mennonite College of Nursing promotes four key values. They are: the affirmation of the dignity and worth of all persons; the recognition of the wholeness of life; the responsible use of nature; and the promotion of a life of peace.

Mr. Speaker, I am greatly honored to have this fine professional school in my district. With 83% of its graduates remaining in Central Illinois, I can affirm the fact that the quality of life in our communities has benefited greatly the Mennonite College of Nursing.

Mr. Speaker, the important work of the Mennonite College of Nursing needs to be recognized by this Congress, so that the school is forever acknowledged before the American people as it becomes the sixth academic college of Illinois State University. I am very proud to have the Mennonite College of Nursing in the 15th district of Illinois, and I ask all of my colleagues to join me in extending our heartfelt congratulations to this outstanding institution.

TRIBUTE TO RICHARD D. REYNOLDS

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. PHELPS. Mr. Speaker, I rise today to pay tribute to Richard D. Reynolds, a life long resident of Southern Illinois, who was born on April 13, 1938. I want to take this opportunity to recognize a true gentleman who stands firmly on his commitments. Richard has had a long history working for labor in southern Illinois and is retiring as business manager/secretary treasurer of Southern and Central Illinois Laborer's District Council at the end of this month. Richard joined the union movement in 1975, when he joined Southern Illinois Laborers' Local Union 1330. Richard has dedicated many years of his life to protecting the rights of workers and laborers in Illinois. His tireless efforts have led to many improvements for a great number of Southern Illinoisans. He represents a group of people who do honest work and expect, and have received from Richard, strong and dedicated union leadership. He has contributed to nearly double the counties his union covers. The union staff has grown from 1 to 20, and he has helped the union raise thousands of dollars for charitable causes. Richard's service with the union is truly outstanding and has helped push the labor movement forward to a stronger level.

Richard's accomplishments will not soon be forgotten and I know that he will be greatly missed by many. When a man retires who has dedicated so much of his life to improving the lives of others, we all must strive to keep up the good work of that man and not forget the ideals and values which guided him. Mr. Speaker, I invite all of my colleagues to honor Richard Reynolds and to not only wish him the best in his retirement but also God's speed.

TRIBUTE TO THE EXPLORAVISION AWARDS PROGRAM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. BROWN of California. Mr. Speaker, my colleague, Mrs. MORELLA, and I are proud to announce the introduction of the ExploraVision Resolution, a concurrent resolution to honor the ExploraVision Awards Program and to encourage more students to participate in this innovative national student science competition.

This program, sponsored by Toshiba and administered by the National Science Teachers Association (NSTA), is the largest K–12 student science competition in the world. Working in teams of 3 or 4 with a teacher-advisor, students use their imaginations to envision a form of technology 20 years from now, and compete by sharing their vision through written descriptions and story boards.

ExploraVision is truly an innovative program that energizes students with a desire to learn and increases their interest in the world of science. We are pleased to see the role this competition takes in developing students' science skills to meet the challenges of the future. We commend the efforts NSTA and Toshiba put into making the competition meaningful and beneficial to the students.

On June 4, more than 40 students came to our Nation's capital to receive top honors in the 1999 ExploraVision Awards. We applaud the student winners for their hard work, creativity, and ability to function together as a team to explore innovative scientific work for the future. With their enthusiasm for learning and their commitment to scientific excellence, the future of our Nation is in good hands.

Mr. Speaker, we ask our colleagues to join us in cosponsoring this resolution to support the goals of the ExploraVision Awards Program, and to commend the student winners for their outstanding accomplishment.

MASAKOWSKI ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to my long time friend, Monsignor John C. Masakowski, who celebrated the 50th anniversary of his Ordination on June 4, 1999. It is my pleasure to have been invited to participate in this milestone celebration.

Monsignor Masakowski, or Father John as he is affectionately known to his parishioners, is the son of the late John and Stasia Gorney Masakowski. He was born in my hometown of Nanticoke in 1924 and educated in our local schools. Father John left the area to receive his degree in philosophy at St. Mary's College in Orchard Lake, Michigan and his degree in theology from SS. Cyril and Methodius Seminary, also in Orchard Lake. He was ordained at St. Peter's Cathedral of Scranton by the late Bishop William Hafey.

Father's first assignment was at St. Mary's parish in Swoyersville, where he served for ten years. Father John, along with the help of Judge Bernard Brominski, established the Assumpta Council of the Knights of Columbus and served as the Council's chaplain.

Father John served as secretary to Bishop Henry Klonowski at Scranton's Sacred Hearts of Jesus and Mary parish for the next several years before serving at St. Mary's Church in Wilkes-Barre. He was assigned as the administrator of St. Mary's Church in Wanamie and later as administrator of St. Joseph's Church in Hanover, where he oversaw the extensive remodeling and repairs of the church building.

In 1971, Father John became the twelfth pastor of his present church, Larksville's St. John the Baptist Church. Father John has had the church remodeled and refurbished during his tenure at St. John's and built a chapel in the parish cemetery in 1985. He reorganized the parish societies and reinstated the locally-famous parish picnic. Not long after he came to St. John's, he organized the construction of a grotto to Our Lady of the Pines. In 1983, he organized the Fourth Degree Assembly in honor of Our Lady of Czestochowa.

Mr. Speaker, the beautiful St. John's Church is a landmark in Larksville due to the labors of the church's dedicated parish leader. His church and parish have always remained his top priority. On July 10, 1990, Father John was rewarded for his dedication with his designation as Monsignor Masakowski.

I have always considered Monsignor Masakowski to be a close family friend and have appreciated the warm welcome I always receive when visiting. Father John's extraordinary sensitivity was demonstrated to me when he offered me great comfort by participating in my mother's funeral mass. I will always be grateful for the warmth and kindness of that gesture.

As St. John the Baptist Church celebrates its Centennial Celebration his year, I am pleased and proud to join with all of my friends at the parish in congratulating Monsignor Masakowski on his milestone anniversary. I send my very best wishes to this beloved and respected man.

IN RECOGNITION OF C. WILLIAM HOWLAND

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. McGOVERN. Mr. Speaker, I rise today in recognition of C. William Howland, Principal of Rice Elementary & Chaffins Elementary Schools in Holden, Massachusetts.

Mr. Howland has served the parents and children of Holden from 1961 until today. He will be enjoying a well-deserved retirement upon the completion of this school year. The career of this talented and respected teacher and administrator began with graduation from North Brookfield High School in 1957. He earned a Bachelor of Science in Education from Worcester State College in June 1961. And in the Fall of 1961 until 1966 he taught Grade 5 at the Rice Elementary School. During this period he received a Master of Education Degree from Worcester State College in August 1964.

In 1966, Mr. Howland was appointed Assistant Principal of the Dawson Elementary School where he served until 1969. He returned to Rice Elementary as Principal in 1969 where he remained until 1997. In 1997, he was appointed Principal of the Rice Elementary and Chaffins Elementary Schools.

It will be my privilege to visit the Rice Elementary School on June 1, 1999, to highlight the importance of summer reading. And with great pleasure I will honor Mr. Howland for his dedication to the children past and present who have profited from his commitment to education. I wish him all the very best in his future endeavors.

CENTRAL NEW JERSEY RECOGNIZES RICKY FLETCHER

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. HOLT. Mr. Speaker, I rise today in recognition of the accomplishments of Richard Fletcher and his contributions to his community. Ricky has been awarded the Boy Scouts of America's Eagle Scout Award—the highest award in Scouting.

Ricky is assistant senior patrol leader with Troop 1776 from Titusville. He has been a Boy Scout since 1997 and had his Eagle Scout Board of Review in February of this year.

Ricky, who is 12 years old, is one of the youngest Eagle Scouts in the United States. Fewer than 2 percent of all Boy Scouts receive the Eagle Scout Award, making Ricky's age in relation to his achievement all the more impressive.

Ricky's accomplishments and contributions to his community are many. In addition to his Eagle Scout Project, which consisted of building benches, boardwalks, and a handicapped picnic table for a local park, Ricky has earned 41 merit badges. Only 21 are required to attain the Eagle Scout award.

Ricky is an honor roll student who is involved in several clubs at school. He has received awards and honors from numerous organizations. Ricky also participates in his church youth group, volunteers his time for litter pick up, and plays ice hockey.

Ricky Fletcher has demonstrated dedication to his goals and to his community. He has worked to improve himself and his environment. I urge all of my colleagues to join me in recognizing Ricky's accomplishments.

HONORING ELAINE AND DAVID GILL

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to my friends, Elaine and David Gill, who are being honored this year by The Brandeis-Bardin Institute. The Brandeis-Bardin Institute opened in 1947; Elaine and David began their involvement in the mid-1950s, when they were students at UCLA. More than 40 years later, the Gills remain devoted to Brandeis-Bardin. They have done much during that time to help Brandeis-Bardin in its quest to build a strong Jewish community for the present and the future.

The Gills' ties to Brandeis-Bardin are social, professional, and familial. In 1959, the year before they were married, Elaine and David worked at the Institute as head counselors. Elaine has subsequently served as a member of the Board, chair of the Women of Brandeis-Bardin, and co-chair of the Brandeis-Bardin Associates. David is currently a member of the Board and the Executive Committee.

The Gill children have in this case emulated their parents. Elaine and David have four sons; two of them, Michael and Larry, married women they met at Brandeis-Bardin's Camp Alonim. During a 23-year span, at least one and sometimes all four of Elaine and David's sons (the others are Daniel and Lawrence) were involved as campers or camp directors at Alonim. In addition, Larry currently serves on the Board of Directors.

I don't know of any husband/wife team more active in promoting Jewish causes and Judaism than the Gills. David has for many years served on the Board and Executive Committee of the Jewish Federation and is active in United Jewish Fund. He also served as Los Angeles Chair of the United Jewish Appeal's Young Leadership Cabinet.

Elaine was chair of the Young Women's Division of the Federation, a member of the Board of Jewish Family Services, and is now a museum docent at Skirball Cultural Center. Elaine and David have together led many missions to Israel.

Both of them are active at Valley Beth Shalom, where they served as pararabbinic counselors and assisted in creating its *Havurah* program. Elaine is currently Vice President of Religion at Valley Beth Shalom.

This extraordinary partnership also includes a passion for music. Elaine and David have each been vocal accompanists for musical performances at Brandeis-Bardin.

I ask my colleagues to join me in saluting Elaine and David Gill, whose selflessness and devotion to our community is inspiring. I am proud to be their friend.

CRISIS IN KOSOVO (ITEM NO. 7): REMARKS BY LANDRUM BOLLING, HARVARD UNIVERSITY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, on May 6, 1999, I joined with Rep. JOHN CONYERS, Rep. PETE STARK, and Rep. CYNTHIA MCKINNEY to host the third in a series of Congressional Teach-In sessions on the Crisis in Kosovo. If a peaceful resolution to this conflict is to be found in the coming weeks, it is essential that we cultivate a consciousness of peace and actively search for creative solutions. We must construct a foundation for peace through negotiation, mediation, and diplomacy.

Part of the dynamic of peace is a willingness to engage in meaningful dialogue, to listen to one another openly and to share our views in a constructive manner. I hope that these Teach-In sessions will contribute to this process by providing a forum for Members of Congress and the public to explore alternatives to the bombing and options for a peaceful resolution. We will hear from a variety of speakers on different sides of the Kosovo situation. I will be introducing into the CONGRESSIONAL RECORD transcripts of their remarks and essays that shed light on the many dimensions of the crisis.

This presentation is by Landrum Bolling, a member of Harvard University's Conflict Management Group and a visiting Senior Fellow at the Center for International Policy. He was

part of Rev. Jesse Jackson's delegation that freed the three American soldiers who were captured and imprisoned by the Serbs. Mr. Bolling addresses an important question: "Where do we go from here?" Based upon discussions that he and other members of the Jackson delegation had in Belgrade, Mr. Bolling predicts that Slobodan Milosevic will be prepared to accept a peace settlement that is quite close to NATO's central demands. He also emphasizes the critical importance of the refugees being able to return to their homes.

PRESENTATION BY LANDRUM BOLLING OF HARVARD UNIVERSITY'S CONFLICT MANAGEMENT GROUP

Thank you, Mr. Chairman. Friends, I'm very pleased to be invited to be here with you and to share some thoughts about our present situation in Kosovo and the outcomes of it. Most of the provocative comments that have just been made by Ambassador Swartz are things that I very much agree with. We'd quarrel a bit about whether a Bosnian nation does, can or could ever exist. But I think that he is absolutely right. We've got to make up our minds whether we're going to win this war. If so, it has to be done quickly, or it will be an absolute disaster, not only for the Serb people and for the state of Yugoslavia, which will be destroyed, but we've also had a great many losses ourselves, and we will be made a kind of moral pariah country in the world. We cannot sustain this level of violence against people, many of whom are totally opposed to Milosevic, many of whom have no support whatsoever for the things the Milosevic government had done. But they're paying the price and we are not protecting any of the Kosovars who we said we were launching this campaign to protect.

Now, I think the central issue is this one, that the Ambassador has put forth very clearly: Where do we go from here? What next? I think from the general feel of things, the atmosphere that I found in Belgrade, the sort of sotto voce conversations I had with various people there and from what we read in the New York Times and the Washington Post this morning, something is happening, something is about to happen. You won't have all of this flurry of activity without something coming out of it. What it will be is yet to be seen.

Our talks in Belgrade, beyond those of just getting the soldiers released, were a worthy mission in itself, though some people criticized us very severely for trying and told us quite confidently that we'd never succeed. Well, we did succeed. They told us it was risky and our lives would be in danger, the U.S. government could do nothing to protect us. OK, we said ''fine.'' We went there, we came back. But we had the opportunity to explore ideas among people within the leadership of this Milosevic government. We sampled public opinion from talking to a variety of people there, and I simply want to share with you a few of those impressions.

Trying to read Mr. Milosevic's mind is an arcane kind of skill that I think none of us have or are likely to acquire. But he's not a stupid man. He's a highly intelligent man, he's a highly manipulative man, and he's done terrible things and is capable of doing more terrible things. But it is perfectly clear that there is going to be a willingness on his part to move towards something very close to what NATO is demanding of him, specifically, he is prepared to agree to the return of all the refugees whom he's driven out. That's going to be a difficult, costly task to carry out. He's going to agree to the return of the relief and development agencies who also were withdrawn from Kosovo, and he'll agree to free access for them to do their job. He wants very much and will certainly agree to a resumption of negotiations on an autonomy agreement. The nature of autonomy he would agree to is of course not totally clear; he does want to make sure that Kosovo would remain within Serbia. That's one of his central demands. Whether he would settle for it simply being a republic within Yugoslavia, I don't know, but that's one of the other options. He will resist tenaciously the idea of an independent Kosovo, and quite honestly, I think we should too. I think that would be a terribly disturbing, destabilizing outcome of this conflict.

The big sticking points are these: the withdrawal of Serb troops, police forces and special groups from this terrible activities in Kosovo. He knows he will have to withdraw. He will try tenaciously to keep some presense there. He will insist that we've got to have some Serb police as part of this peacekeeping force. And he will have a certain logic to that. But how do you constrain them, control them, I don't know. That's one of the issues. He's going to be very tough in bargaining about total or substantial withdrawal. He's going to fight for some presence to be maintained there.

The other thing is, of course, the composition of the international peace keeping police service (whatever you call it, semantics do have some place) he wants some kind of fig leaf to cover him. So, that will be one of the things that will be a stumbling block. But I think in the end he will agree to a multinational, armed policing service. Probably he would like, of course, it not to carry the NATO flag and label, but he knows it will have to have a substantial NATO component within it. He will be of course very cagey in how he finalizes his commitments, and he will hope that he will be able to remain in power and be a party to the signing of whatever agreement is finally made. I think that we need to step up our negotiating efforts and indeed I think they are in fact taking place.

One of the things that bothers me is the fear that a lot of the American public, the American media, some members of the Congress in both parties, will be amused with this need to show how tough and strong we are, and how we must not weaken and we must not give in. We must be careful that we don't be made to seem like fools manipulated by this evil man. We are in danger of taking counsel of our fears instead of mounting courage of our convictions and our hopes for a better world and for a solution.

I think that a solution that we could accept is possible. It will take hard bargaining, it will take tenacious attention to details, and here's one thing I want to say finally, Mr. Chairman. I think we need to give much more attention to the issue of the process by which we accomplish these things. We have an illusion that somehow if you could get the top leaders together around the table facing each other, they can produce the document which they will then sign that will solve the problem.

That's one of the troubles with the Dayton agreement. We got the people together, we locked them up for two weeks, we browbeat them into so-called negotiating and gave them a document to sign. The document was enormously complicated and lengthy which outlined a constitution for a state and all the rest of it. We gave it to them and said: ''Now you sign here and we're going out and implementing it.'' The Dayton agreement has flaws but it really isn't as bad as its application has turned out to be. We didn't really enforce it and we didn't carry it out in all kinds of ways.

I think we need to have a step by step process set in motion in which specialists can come forth with proposals of how these issues can be dealt with and how to involve all of the parties who must be a part of the final framing of that agreement and signing it. The idea that you can make peace by a dicta is not a viable concept of international diplomacy, it simply won't work. That is not real diplomacy nor will it produce peace and stability in the region.

The final thing is that we've got to ingrain in our policy and in our actions the return of the refugees to their homes. This is the heart of the problem also in Bosnia. It is the heart of the problem if we cannot deliver on this obligation to enable people to go back to where they came from. That above everything else is what they want. Don't let anybody tell you, Henry Kissinger or anyone else, that the refugees don't want to go home, that's nonsense. And if we can't deliver that, we are bankrupt in terms of creative diplomatic ideas, and we expose our posturing of power as a hollow, hollow thing.

A TRIBUTE TO VICTOR A. KOVNER

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mrs. LOWEY. Mr. Speaker, I rise today to express my great admiration for Victor A. Kovner, a remarkable leader and citizen who this year receives the Stanley M. Isaacs Human Relations Award from the New York Chapter of the American Jewish Committee.

A man of high principle, piercing intelligence, and extraordinary ability, Mr. Kovner has touched countless lives in the New York area through a variety of professional and civic activities, while also promoting the cause of peace and justice throughout the world.

A senior partner with the law firm of Davis Wright Tremaine, Mr. Kovner is widely respected for his legal experience and skill, qualities evident during his service as Corporation Counsel of the City of New York, and in a wide range of other important positions such as Chair of the New York State Commission on Judicial Conduct, as well as Chair of the New York City Bar Association's Committees on the Judiciary and Communications & Media Law.

But despite this stellar professional record, it is Mr. Kovner's extra-professional accomplishments in which his character and dedication are most apparent. He has been instrumental in advancing the cause of Middle-east peace as a member of the board of Americans for Peace Now and as a leader with the Israel Policy Forum.

In the United States, Mr. Kovner has been a tireless advocate for social justice and progress. He helped found the Black-Jewish Coalition, chaired the board of Planned Parenthood, and worked to advance such important goals as artistic creativity, environmental protection, and civil liberties.

In short, Victor Kovner is a man of national and international stature, whose vision and

leadership have made a material difference to many individuals—and inspired even more to demonstrate a similar devotion to social and community ideals.

I am proud to join in recognizing Mr. Kovner and confident that he will remain a leading light for many years to come.

CONGRATULATIONS TO REGGIE CROSS

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Ms. CARSON. Mr. Speaker, I rise today to congratulate and bestow much deserved recognition to Reggie Cross of Arlington High School located in my hometown of Indianapolis, Indiana.

Reggie exemplifies what it means to be a student-athlete. As a student, Reggie has satisfied the National Collegiate Athletic Association's Scholastic Aptitude Requirements and will be able to go to the college of his choice and pursue his goal of a psychology degree.

As an athlete, Reggie has excelled in both basketball and track. In basketball, Reggie helped the Arlington Knights win the city championship, and earned a spot on the city All-Star team. As Captain of the Arlington Track team, Reggie set the 400 meter record for both the North Central Sectional and the City Championship. At the State Track and Field Meet, Reggie blew away the rest of the field to win the State 400 meter championship.

I can pay no greater tribute to Reggie than his track coach, Harold Grundy did when he said ''Nobody works harder than Reggie.'' Reggie shows us that hard work and determination are the best way for young people to achieve their dreams.

Mr. Speaker, at a time when many people are looking down at young people, we can all look to the Reggies' of our communities and know that the future of America is still looking up.

HONORING MS. ESTHER KRAUS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. MORAN of Kansas. Mr. Speaker, today I would like to recognize the dedication of Mrs. Esther Kraus to the young people of Kansas. She has served with distinction for ten years as the coordinator of the We the People . . . Program for Kansas' First congressional District.

Mrs. Kraus' superior efforts on behalf of this program have far exceeded the normal duties of a district coordinator. She has tirelessly promoted the program, identifying local people who are interested in civics and government and finding ways for them to contribute to the goals of We the People . . . Mrs. Kraus has also provided materials and support to high school government teachers who are interested ion entering their classes in the competitive Citizen and the Constitution hearings. My district has been proud to be represented for the past two years on the national level in this prestigious competition. Mrs. Kraus has also been a dedicated participant in state and national coordinators' meetings related to We the People . . . She has never missed a single state or national meeting.

Esther Kraus has performed a remarkable and valuable service to Kansas' First District. She has tirelessly promoted for young citizens an understanding of the United States Constitution. Through her efforts, the youth of the First District have become aware of this document and the power which it holds. On her tenth anniversary as a district coordinator for the We the People . . . Program, I would like to recognize and commend her for her excellent job promoting education and patriotism among the youth of Kansas.

H.J. RES. 55, THE MAILBOX PRIVACY PROTECTION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. PAUL. Mr. Speaker, because this is small business appreciation week I would like to remind my colleagues of the importance of enacting HJ Res 55, the Mailbox Privacy Protection Act. HJ Res 55 repeals recently enacted Post Office regulations requiring Commercial Mail Receiving Agencies (CMRAs) to collect personal information about their customers, such as their name, address, social security number, and photograph. These regulations not only force small businesses to intrude into their customer's privacy, they could impose costs as high as $1 billion on small businesses during the initial six-month compliance period. The long term costs of this rule are incalculable, but could conceivably reach several billion dollars in the first few years. Some small businesses may even be forced into bankruptcy.

Businesses like Mailboxes, etc., must turn the collected information over to the Post Office. Mr. Speaker, what business in America would not leap at the chance to force their competitors to provide them with their customer names, addresses, social security numbers, and photographs? The Post Office could even mail advertisements to those who use private mail boxes explaining how their privacy would not be invaded if they used a government box.

It is ironic that this regulation comes at a time when the Post Office is getting into an ever increasing number of enterprises not directly related to mail delivery. So, while the Postal Service uses its monopoly on first-class mail to compete with the private sector, it works to make life more difficult for its competitors in the field of mail delivery.

Mr. Speaker, Congress must do more than talk about how it appreciates small business, it must work to lift the burden of big government from America's job-creating small businesses. Passing HJ Res 55 and protecting Commercial Mail Receiving Agencies from the Post Offices' costly and anti-competitive regulations would be a great place to start.

CONGRATULATING ALEXANDER GRAHAM BELL ELEMENTARY FOR RECEIVING THE BLUE RIBBON SCHOOL DESIGNATION

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. INSLEE. Mr. Speaker, Alexander Graham Bell Elementary is an outstanding elementary school in the First Congressional District of the State of Washington. The students and staff of Alexander Graham Bell Elementary recently received the Blue Ribbon School designation awarded by the U.S. Department of Education.

The Blue Ribbon School designation is a very prestigious award. It is given to schools who are especially effective in meeting local, state and national education goals. Blue Ribbon Schools, such as Alexander Graham Bell Elementary, serve as models for other schools seeking to improve the quality of education for their students.

The staff, students and parents at Alexander Graham Bell Elementary are committed to achieving high academic standards. Over 75% of their fourth graders met the state standard on the Washington Assessment of Student Learning in reading this year. Their math scores also doubled from last year's results.

Clearly these remarkable achievements do not occur by chance. More than 100 parents volunteer at Alexander Graham Bell Elementary. These dedicated parents mentor students, serve as ''lunch buddies'' and assist teachers. Education at Alexander Graham Bell Elementary is a community priority, and its teachers, parents and staff should be commended for the commitment they have made to our children.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Ms. CARSON. Mr. Speaker, I was unavoidably absent for one vote on Thursday, May 27, 1999, missing rollcall 166 on approving the Journal. Had I been present, I would have voted ''yes.''

A TRIBUTE TO WILLIAM E. RAPFOGEL

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mrs. LOWEY. Mr. Speaker, I rise today to express my great admiration for William E. Rapfogel, a remarkable leader and citizen who this year receives the Distinguished Community Service Award at the Centennial Anniversary National Dinner of the Orthodox Union.

A man of high principle, piercing intelligence, and extraordinary skill, Mr. Rapfogel

has touched countless lives in the New York area through a variety of professional and civic activities.

For seven years, Mr. Rapfogel has been the Executive Director of the Metropolitan New York Coordinating Council on Jewish Poverty, one of New York City's largest not-for-profits. Through the Met Council, Mr. Rapfogel has been instrumental in expanding home care, housing, and employment opportunities, while also providing crisis intervention and other services to deserving recipients.

Mr. Rapfogel's commitment to social progress is matched by a life-long devotion to the Jewish community. He has been the Executive Director of the Institute for Public Affairs of the Orthodox Union and of the American Jewish Congress Metropolitan Region.

In addition, Mr. Rapfogel contributed his time and energy to all New Yorkers by serving as an able and effective Assistant Comptroller of New York City.

We are a stronger community thanks to William Rapfogel's vision and leadership. I am confident that Mr. Rapfogel's exceptional example will remain a source of guidance and inspiration to his colleagues and admirers for many years to come.

IN HONOR OF THE 25TH ANNIVERSARY OF THE OHIO BOYCHOIR

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the 25th Anniversary of the Ohio Boychoir, a community choir rich with talent, passion for music and community pride.

Established in 1974, the Ohio Boychoir is a very distinguished non-profit organization open for all boys from third grade to voice change regardless of race, creed or economic status. The major goals of the Ohio Boychoir are to develop appreciation for music and vocal quality. One of Ohio's most prized cultural assets, the Ohio Boychoir is supported by contributions and grants from individuals, corporations foundations and other organizations.

Over the past 25 years the Boychoir has been invited to give concerts at many prestigious venues. In 1982, the choir sang at National Christmas Tree Lighting at the White House and at the Bach Festival at the Kennedy Center. Based on their incredible performance in the past, the choir was invited to sing at a High Mass at Notre Dame Cathedra in Paris, France and at the Franciscan Church in Salzburg, Austria in 1984. They have also sung at the Air Force Academy Cadet Chapel in Colorado Springs.

In addition to the many tours and concerts, the Ohio Boychoir has been recognized with a very unique international award. The Ohio Boychoir was selected to be presented with the Gold Award at the Munich International Music Festival.

The Boychoir of Ohio has brought countless hours of entertainment across the world. They have filled the hearts of thousands with joy and excitement through their music.

My fellow colleagues, please join me in honoring the Ohio Boychoir on the 25th Anniversary and wish them luck on future performances.

PERSONAL EXPLANATION

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. MCGOVERN. Mr. Speaker, because of weather-related travel difficulties, I was unfortunately detained in Massachusetts on Monday, May 24, 1999 and missed votes as a result. Had I been here, I would have voted in the following way: I would have voted "yea" on rollcall votes 145 and 146.

CENTRAL NEW JERSEY BENEFITS FROM THE CONTRIBUTIONS OF BARRY FISHER

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. HOLT. Mr. Speaker, I rise today in recognition of the accomplishments of Barry Fisher and his contributions to our central New Jersey community. Mr. Fisher has been active in his community for many years and continues to give his time and efforts.

Mr. Fisher was recognized by the Marlboro Jewish Community Center at a ceremony on June 5, 1999.

Barry Fisher has been active and involved in many civic organizations. He is on the board of the Federation of Greater Monmouth County and the Western Monmouth Advisory Board. He is vice president of the Freehold Hebrew Benefits Society, vice president of the New Jersey branch of the United Synagogues of Conservative Judaism, and he is on the board of trustees of the Western Monmouth Jewish Community Center. He held the position of president of the Marlboro Jewish Center and served on the board of directors of the Freehold Center Partnership.

Mr. Fisher also maintains his business, Ace Aluminum, which his family opened when they moved to Monmouth County in 1953. He and his wife Rose have raised four children, including twins.

Barry Fisher's work over the years has contributed to the growth and well being of the central New Jersey community as a whole. I urge all my colleagues to join me in recognizing Barry Fisher and his accomplishments.

IN HONOR OF DANIEL J. BADER OF MILWAUKEE

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. BARRETT of Wisconsin. Mr. Speaker, on June 2, 1999, the American Jewish Committee, Milwaukee Chapter, will host a dinner in honor of one of Milwaukee's kindest and most generous citizens, Mr. Daniel J. Bader.

Dan is the President of the Helen Bader Foundation, a charitable foundation named for his mother, Helen Bader, a true philanthropist who passed away in 1989. After her death, Dan and his family sought to create a lasting way to fulfill her dream of making Milwaukee and the world better places for human growth and development. Since the inception of the foundation in 1992, more than $50 million in grants have been awarded with the expressed intention of advancing the well-being of people and promoting successful relationships with their families and communities.

As President, Dan spearheads the foundation's every-day interaction with projects and programs here in the United States, mainly in Wisconsin, and abroad in Israel. He also holds a seat on the seven-member Board of Directors, which evaluates grant proposals and provides strategic oversight of the foundation's grant programs, mainly in the areas of Alzheimer's disease and dementia, early childhood development in Israel, economic development, education, Jewish life and learning, and supportive programs for central city children and youth.

Dan Bader's commitment to education, the strengthening of our communities, and the improvement of life in Israel and in Wisconsin make him a bright light of opportunity to disadvantaged families in Wisconsin and in Israel. In fact, the American Jewish Committee considers his work to be a complement to its own vital human relations agenda. And that is why the AJC is honoring Dan Bader on June 2.

Dan Bader is a successful businessman and family man. His decision to maintain his family's commitment to their fellow man speaks volumes about his character. Thousands of people in Wisconsin and around the world have benefitted from his work and generosity. We in Milwaukee are proud to call him colleague, neighbor, and friend. I congratulate him on his accomplishments and I join with the American Jewish Committee of Milwaukee in thanking him.

HONORING THE BEACON HOUSE ASSOCIATION OF SAN PEDRO

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. KUYKENDALL. Mr. Speaker, I rise today to recognize the Beacon House Association of San Pedro, a licensed, nonprofit alcohol and drug recovery program located within my district. This month, the Association is celebrating its 25th year in operation. It is a distinguished program that has assisted over 3,000 individuals seeking help for substance abuse problems.

For 25 years, the Beacon House Association has provided residential services to newly recovering alcoholics and addicts. The facility has been so successful due to its culture that one must do "whatever it takes" to complete the rigorous program. The success rate for the individuals of the Beacon House is exceptional, with nearly 70% of those treated remaining substance free following the program.

The Beacon House Association is also very active within the San Pedro community. The individuals undergoing treatment devote nearly 20,000 hours each year to volunteer community service. They are actively involved in tutoring local students, removing graffiti from the community, and staffing local festivals and functions, among other things.

Drug and alcohol abuse is a serious problem afflicting our society, but programs like the Beacon House Association provide the appropriate rehabilitative care to those individuals with the greatest need for help, ultimately returning them to the community as fully productive citizens.

I commend the Beacon House Association of San Pedro for an outstanding twenty-five years and I wish them continued success.

PERSONAL EXPLANATION

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. OXLEY. Mr. Speaker, I was unavoidably absent from the House Chamber for four rollcall votes held on Wednesday, May 26. Had I been present, I would have voted ''nay'' on rollcall votes 158, 159, 160, and 161.

IN HONOR OF REV. JAMES M. LYNCH'S 25TH ANNIVERSARY OF ORDINATION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Reverend James M. Lynch for 25 years of Ordination.

Reverend Lynch was born in Cleveland, Ohio and attended St. Edward High School. He went on to study at Borromeo College and St. Mary's Seminary. Throughout his career Reverend Lynch has worked hard to serve his community. By going on many international missions he has also helped less fortunate people throughout the world. Recently, he took a permanent oath in the Maryknoll Missionaries and is unfortunately no longer a priest of the diocese of Cleveland.

Since 1911, thousands of concerned Catholics across the United States have responded to the worldwide cry of the poor by becoming Maryknoll Missionaries. Today, world renowned Maryknollers help many people overseas build communities of faith. Some work in war zones with refugees, others minister to the sick, the elderly, orphans or people with AIDS. Through lives of dedicated service, Maryknollers translate the gospel of love into different languages and in different cultures. Reverend Lynch is currently helping people in need as a Maryknoll Missionary in Puno, Peru.

Reverend Lynch is a wonderful example of being a man for others. Through his dedication and work Reverend Lynch has changed hundreds of lives for the better. His example is truly something to be recognized and praised.

My fellow colleagues, please join me in honoring this man for twenty-five years of dedicated service.

THE SPIRIT OF STONEWALL

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mrs. MALONEY of New York. Mr. Speaker, I rise to commemorate the thirtieth anniversary of the modern gay rights movement. On Friday, June 27, 1969, the New York City Police Department raided and attempted to close the Stonewall Inn for the perceived crime of operating a dance bar that catered to homosexuals. Recall, that in 1969 New York it was illegal for men to dance with men, although, oddly, it was legal for women to dance with women.

In New York City and almost everywhere, police raids on gay bars were routine. Usually, the patrons scurried, fearful of the repercussions of being caught in a gay bar. On this night, brave young men and women stood up to the police. They were no longer willing to accept daily harassment and the abridgement of their civil rights.

The Police operated in their customary fashion, hurling a string of homophobic comments, as they evicted the bar patrons one by one. As patrons and onlookers gathered outside, the crowd grew. A parking meter was uprooted and used to barricade the door. Thirteen gay people were arrested that first night.

This was the beginning of a number of nights of demonstrations that drew national attention. Moreover, it demonstrated to the gay community that there was an alternative to continued oppression. It also showed the community at large that gays were no longer willing to be silent in the face of injustice. After that night the movement to protect the rights of gays, lesbians, bisexuals and the transgendered gained strength and respectability.

In the last thirty years, much has changed. Gay bars can be found in almost every town—from Anchorage, Alaska to Wheeling, West Virginia. More important, bookstores, hotlines and support groups have appeared in smaller communities to ease the isolation previously felt by many gays. The legacy of Stonewall can be seen in the lives of hundreds of thousands of men and women who are able to live their lives honestly and out of the closet. The Stonewall Revolution inspired men and women to ''come out'' and showed young gays and lesbians that they are not alone. Today, an openly gay person is no longer automatically disqualified from holding public office or other positions of trust. Now, numerous communities have embraced the post-Stonewall reality by passing laws specifically protecting against discrimination based on real or perceived sexual preference.

I am proud to represent thousands of gay and lesbians, in Manhattan and Queens and I am proud of my close relationships with an support of the Stonewall Veterans Association, a group of those actually present on that fateful night.

As we celebrate the anniversary of the modern gay rights movement, we recognize the expansion of freedom has not been uniform and much remains to be done. So we celebrate the important, but incomplete, steps toward equality for those previously banished to the closet. Much more remains to be done to eliminate irrational prejudice against those who are different. And we must recommit ourselves to the fight against all types of bigotry whether based on race, religion, national origin, sex or perceived sexual preference.

IN HONOR OF BETTY BAUMAN

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. DEUTSCH. Mr. Speaker, I rise today to honor Betty Bauman, soon to be named Woman of the Year by the American Sportfishing Association (ASA). Ms. Bauman's extraordinary vision and enthusiasm has made her an exemplary contributor to the sportfishing community, and I congratulate her on this well deserved award.

Betty Bauman has become a fishing guru to thousands of women through her ''Ladies, Let's Go Fishing!'' weekend saltwater fishing seminars in Florida. Ms. Bauman's ''no-yelling school of fishing'' features a non-intimidating environment, hands-on training, a real fishing expedition, and a fish filleting and cooking class. Held in conjunction with the Florida Department of Environmental Protection, Division of Marine Fisheries, the program is in its third year and now attracts more than 600 women annually.

Betty Bauman's success in attracting women to her fishing weekends demonstrates her intense dedication to increasing the overall participation in sportfishing, a fundamental goal of the ASA. Furthermore, her life-long enthusiasm for the sport is reflected in her notoriety within the fishing community. Through her efforts she has successfully cultivated a love of sportfishing within new participants, introducing a broader cross-section of society to the complete fishing experience.

Mr. Speaker, through her unique vision and entrepreneurial spirit, Betty Bauman has contributed a great deal to the sportfishing community, making her especially deserving of this award. I wish to convey a heartfelt congratulations to Betty and her family for this honor, as well as many thanks to her for working to enrich the lives of the entire South Florida community.

IN HONOR OF MR. AND MRS. ABRAHAM ZUCKERMAN ON THE 50TH ANNIVERSARY OF THEIR ARRIVAL TO THE UNITED STATES

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Mr. Abraham Zuckerman and his

wife, Mina, as they prepare to celebrate the 50th Anniversary of their emigration to the United States.

Fifty years ago, Mr. and Mrs. Zuckerman left behind the degradation of the Nazi regime and the loneliness and disdain of the displacement camps and headed to America to start a new life—one without bitterness and without hatred.

The Zuckerman's relocated to New Jersey and raised their family, which has now grown to three children, eight grandchildren, and one great-granddaughter. The Zuckerman's flourished in their new homeland but they have continued to bear witness to the horrors they endured during the Holocaust.

Mr. Zuckerman's commitment to bearing witness to the honest and truthful portrayal of the Holocaust has spanned a lifetime. He has made it his quest to educate people about both the atrocities and the heroism of the era. Mr. Zuckerman has been dedicated to honoring the memories of the 6 million Jews who perished in the Holocaust, including countless friends and relatives, as well as honoring the memory of the man to whom he says he owes his life—Oskar Schindler.

Well before Oskar Schindler was a household name, Mr. Zuckerman had been personally responsible for the renaming of more than 20 streets in the State of New Jersey after the German industrialist and remarkable humanitarian. In fact, Mr. Zuckerman committed his tory to prose in a truly extraordinary and captivating book, ''A Voice in the Chorus: Memories of a Teenage Saved by Schindler.''

In addition, Mr. Zuckerman is a founding member of the United States Holocaust Memorial Museum in Washington, DC, a member of the Executive Committee of the Holocaust Research Center at Kean College in New Jersey, and is the President of the Jewish Education Center of Elizabeth, New Jersey.

Mr. and Mrs. Zuckerman have overcome unimaginable obstacles and they have done it with love, compassion, understanding, and, most importantly, hope. For these tremendous accomplishments, I ask that you all join me in honoring Mr. and Mrs. Zuckerman on this momentous occasion.

JEWISH COMMUNITY CENTER OF MONMOUTH COUNTY HONORS RUTH HYMAN

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. HOLT. Mr. Speaker, I rise today in recognition of the contributions of Ruth Hyman to the Jewish Community Center of Monmouth County. Ruth has been involved with the Jewish Community Center's Capital Campaign since its inception.

The Community Center will be holding several events to honor Ruth's work. The Capital Campaign's building will be named after her to recognize her commitment.

Ruth's efforts to help the Jewish Community Center have made her a leader to the community. She is a member of the Board of Trustees, Board of Governors, and a Benefactor on a variety of committees. Ruth is President of Hadassah. Her insight and encouragement provide an example and inspiration to many.

Ruth is a Life Member of B'nai Brith and has received awards from many organizations, including the Jewish Federation Women's Campaign. The Jewish Federation selected her as ''Lay Leader of the Year''.

In addition to her community work, Ruth Hyman worked for four decades on her own clothing business. The quality of her merchandise and her concern for each of her customers helped her gain a loyal base of customers, many of whom became her close friends.

Ruth Hyman has demonstrated dedication to our community. I hope that all of my colleagues will join me in recognition of her work.

IN RECOGNITION OF ALICIA DENIHAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to congratulate an outstanding young woman, Miss Alicia Denihan, on her graduation from Valley Forge High School in Parma, Ohio.

Her graduation is an achievement that took tremendous strength and determination. In December 1995, while walking home from a friend's house, Alicia was struck by a drunk driver, leaving her with multiple and critical injuries. She was in critical condition for days and suffered severe head trauma and injuries which included a broken hip, cheekbone and lacerated liver. Once involved in numerous athletic activities such as ballet, karate, ice skating, gymnastics and volleyball, Alicia lay comatose for two months.

Initially her prognosis was not promising. Doctors did not expect she would ever wake up, walk, talk, read or write. However, Miss Denihan far exceeded those expectations. After months of hard work in speech and physical therapy Alicia was able to return to school by April of 1996. This miracle young person used only a walker as an aid.

As a result of Alicia's courage and the support of her family members, teachers, doctors, and therapists, Alicia will attend her high school graduation ceremony on June 8. She plans to attend Cuyahoga Community college where she will major in creative marketing.

Mr. Speaker, I ask that my fellow colleagues join me in congratulating this remarkable young woman on her accomplishments. I wish her continued success in her recovery and future endeavors.

THE NEED FOR EARLY DETECTION OF PROSTATE CANCER

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. MURTHA. Mr. Speaker, there has been a lot of discussion about the benefits versus risks of the Prostate Specific Antigen (PSA) test in the early detection of prostate cancer. Some have opposed regular PSA testing for the general male population that falls outside of any high-risk category because they argue it will find many slow-growing cancers that should not be treated. They say this is because the risk of serious side effects such as impotency or decrease in urinary function that may result from treatment is greater than the risk of dying of the cancer if it is slow-growing.

I recently raised this question with a good friend of mine, Arnold Palmer, who has been an advocate of increased education and awareness of the issue of prostate cancer due to his own personal experience. I would not that he strongly believes the early detection of prostate cancer due to a PSA test saved his life.

I would like to share with you his as well as his doctor's response to the question of whether to promote regular PSA testing. Their response supports what I have argued in promoting Medicare coverage of regular PSA testing: because it detects cancer early, it saves lives. I think that has to be the bottom line.

YOUNGSTOWN, PA,
May 11, 1999.

Hon. JOHN P. MURTHA,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN MURTHA: I have just heard back from my medical specialists in the prostate cancer field at the Mayo Clinic with a response to your inquiry generated by the recent article in the New York Times on the subject of PSA testing.

Dr. Robert Myers, the surgeon who performed my prostatectomy, has given me his opinion, which was relayed to me by his associate, Dr. Ian Hay, with whom I have been in frequent contact over the last two years and who has been out of the country; hence the delay in this response to you. Let me quote directly from Dr. Myers' comments:

''Any prostate cancer no matter how small it is can be lethal if left long enough. There is no way to predict which ones will be life threatening in individual patients, especially younger men. Cure is certain in those patients who have cancer truly confined to the prostate and it is removed surgically. The smaller the cancer the better in terms of successful surgery.

''The PSA test allows discovery of the smallest cancers years before they can be detected any other way. Thus, it stands to reason that if PSA is detecting more small cancers and they are removed surgically, the death rate from prostate cancer will fall. This is exactly what is being recorded in the last few years. The surgery needs to be performed by surgeons who are highly skilled in removing the prostate without affecting either urinary control or sexual function.

''The best long-term survivals (more than 10 years) from prostate cancer death are associated with surgery as a solution to treating this cancer.''

Jack, I hope that this provides you with the sort of expert opinion on this very important matter that you wished. I think that it is very succinct and to the point. It encourages me to continue to publicly urge men to submit to PSA testing on a regular basis as I have been doing since my surgery more than two years ago.

I trust that your Congressional duties are permitting you time to play some golf. I

send you my best personal regards and good wishes.

Sincerely,

ARNOLD PALMER.

HONORING THE COLORADO CLASS 3A STATE BASEBALL CHAMPIONS—LAMAR HIGH SCHOOL

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to extend my heartiest congratulations to the Lamar High School boys baseball team on their impressive Class 3A state-championship. The 10–2 victory over Eaton School was a superb contest between two talented and deserving teams. In championship competition, though, one team must emerge victorious, and Lamar proved themselves the best in their class—truly second to none.

The Class A state-championship is the highest achievement in high school baseball. This coveted trophy symbolizes more than just the team and its coach, as it also represents the staunch support of the players' families, fellow students, school personnel and the community. From now on, these people can point to the 1999 boys baseball team with pride, and know they were part of a remarkable athletic endeavor. Indeed, visitors to this town and school will see a sign proclaiming the Class 3A champions, and know something special had taken place there.

The Lamar baseball squad is a testament to the old adage that the team wins games, not individuals. The combined talents of these players coalesced into a dynamic and dominant baseball force. Each team member also deserves to be proud of her own role. These individuals are the kind of people who lead by example and serve as role-models. With the increasing popularity of sports among young people, local athletes are heroes to the youth in their home towns. I admire the discipline and dedication these high schoolers have shown in successfully pursuing their dream.

The memories of this storied year will last a lifetime. I encourage all involved, but especially the Lamar players, to build on this experience by dreaming bigger dreams and achieving greater successes. I offer my best wishes to this team as they move forward from their Class 3A state-championship to future endeavors.

THANKS TO ''FRAU'' JANE EMPEY-THEEP

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. BARRETT of Wisconsin. Mr. Speaker, I appreciate this opportunity to share with my colleagues my appreciation for the dedicated service of Ms. Jane Empey-Theep. On June 8th, her family, friends and colleagues are gathering in Milwaukee to celebrate her career and wish ''Frau'' Empey-Theep well as she retires as Principal of the Milwaukee German Immersion School.

Milwaukee German Immersion School (MGIS) is one of several schools in the Milwaukee Public Schools system offering total language immersion programs that attract children from all over the city. Its success directly reflects the determination and ingenuity of Principal Jane Empey-Theep.

Ms. Empey-Theep began her career with Milwaukee Public Schools over 20 years ago, and when she became MGIS' Principal in 1989, she brought a wealth of experience to the job. She knew that, to truly excel, MGIS needed to involve and empower students and their parents. Under her direction, that is exactly what MGIS has done. Last year, the Milwaukee PTA chose an MGIS teacher as Teacher of the Year and an MGIS parent as Parent of the Year. The school also won recognition from Redbook Magazine and several other distinctions, including what is perhaps the highest honor: designation by U.S. Department of Education as a Blue Ribbon School.

Jane Empey-Theep has been actively and personally involved in leading MGIS toward excellence. She hasn't spent her time firmly seated behind her desk. She has been out interacting with the students and the staff, meeting with parents and educators and students. She has worked not only to execute troubleshooting, but also to identify and implement strategies for improvement, and she has empowered the educators, staff, parents and students of MGIS to do the same.

Now, after over two decades of service to Milwaukee Public Schools and 10 years as Principal, Jane Empey-Theep is hanging up her hall passes. Along with many others in our community, I commend her for the work to push the boundaries of educational excellence and admire her efforts to cultivate the talents of the students at MGIS.

As the parent of two MGIS students, I thank Jane Empey-Theep for making school a place where all kids can learn, grow and excel, and a place where they look forward to going. I am proud to join her friends and admirers in expressing appreciation for her career of dedicated service to our community, to our schools, and to our children.

A TRIBUTE TO THOMAS L. CONLAN, JR.

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. PORTMAN. Mr. Speaker, I rise to recognize the achievements of a distinguished constituent and friend, Thomas L. Conlan, Jr. Tom is retiring as co-founder, President and CEO of Student Loan Funding Resources, Inc., which is headquartered in Cincinnati, Ohio. Tom has helped to open the doors of college opportunity to hundreds of thousands of young people throughout Ohio and the nation during his nearly two decades of dedicated service in education.

In so many areas of his life, Tom's commitment has been to access and opportunity. He has played an important role in the development of the National Underground Railroad Freedom Center in Cincinnati. A newly-created Ohio foundation, named for his father, Thomas L. Conlan, made a leadership gift to support and advance the Freedom Center's educational programs for both students and educators. The grant funds will be used to help develop a curriculum for school children focusing on the Underground Railroad, as well as highlighting struggles for freedom across the globe.

In the 1970s, prior to founding SLFR, Tom was Executive Director of the Ohio Energy Advisory Committee, where he led the development of the Ohio winter heating assistance program. He also authored the Federal Home Assistance Program Plan for Ohio, In this work Tom testified before Congress and the Ohio General Assembly on energy assistance for low-income citizens.

His civic involvement over the years includes a founding membership in Ohio Concerned Citizens for the Arts; service on the City of Cincinnati's Energy Conservation Committee; the Ohio Department of Natural Resources Advisory Council to the Little Miami River; and co-chairmanship of the first Little Miami River (Cleanup involving 4,000 volunteers. In 1997, he chaired the Education Visioning Committee of the Greater Cincinnati Olympic Commission.

Tom is Vice President of the Hamilton County Alcohol and Drug Addiction Services Board. He is a former trustee of the Queen City Foundation; the Greater Cincinnati Tall Stacks Commission; and the Catholic Big Brothers Association of Cincinnati.

Tom is also devoted to his family—his wife and partner, Nan; his stepchildren, Kate and Matt; his granddaughter, Morgan Ann; his brother, John, John; five sisters, Gretta, Maureen, Mary Carol, Ginny and Chris; and his nieces and nephews. He also carries dear the memory of his parents.

Nowhere has Tom been more directly responsible for improving the lives of people in need than in this stewardship of the education loan financing company, SLFR, that he cofounded. During his tenure, SLFR has provided funds and support services to more than 600,000 students. Tom has been a national leader in fashioning education loan policy to benefit America's students and their families.

In 1993, he helped establish the Coalition for Student Loan Reform that has been a beacon for industry self-reform nationwide. He advocated the superiority of the Federal Family Education Loan Program (FFELP), a longstanding public-private partnership involving private funds, localized administration and loan guarantees from Washington.

Under Tom's leadership, SLFR developed innovative education loan credit products in Ohio that represent affordable education financing options. The Supplemental Student Loan Program of Ohio, which provides low-cost loans for students and families whose financing needs exceed the amount of assistance available through federal and state financial aid programs, and the Jump Start Loan, which rewards borrowers with a sharply reduced interest rate, are examples of these options.

Perhaps Tom's most important legacy will be the Thomas L. Conlan Education Foundation. The Foundation was established in June of 1998 from the re-organization of the original Student Loan Funding Corporation, which was co-founded by Tom and his father in 1981. The Foundation helps many Ohioans obtain an affordable, high quality education.

All of us in Cincinnati wish Tom well in his retirement. We expect his retirement years will reflect the same civic spirit that he has carried throughout his life.

HONORING THE FUTURES ACADEMY OF BENTON HARBOR AREA SCHOOLS

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. UPTON. Mr. Speaker, it is a great pleasure for me to rise today to honor the Futures Academy of the Benton Harbor Area Schools in Benton Harbor, Michigan. This organization is dedicated to providing education, guidance and new opportunities for students in my hometown.

Now, more than ever, as random acts of violence in our schools terrorize our schools, we must look to our communities for creative ways to keep kids on the right path, giving them a hopeful, bright future.

For two years now, this highly successful program has given students a chance to learn many of life's essential lessons that cannot always be taught in the classroom. In weekly discussions, they meet to discuss morality, values, and responsibility.

They learn respect for each other, respect for the community, and respect for themselves. In short, the skills and lessons they will need for the future. If the future is in the hands of these young adults, I think we are all in good hands.

They are visiting Washington, D.C. this week to learn more about their government and civic responsibility.

Mr. Speaker, I urge my colleagues here in the House to take notice of this great organization. By working together, Benton Harbor has put in place a successful program that is helping children grow from students into responsible, motivated young adults. It is formula that I would encourage my colleagues to promote in their own districts and communities.

These are really terrific kids. I am so impressed to see how they have dedicated themselves and agreed to work hard toward some very very important goals. Again, Mr. Speaker, please join me in celebrating the Futures Academy of Benton Harbor.

INTERNATIONAL TAX SIMPLIFICATION FOR AMERICAN COMPETITIVENESS ACT

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. LEVIN. Mr. Speaker, today I am introducing along with my colleagues Representatives HOUGHTON, MATSUI, SAM JOHNSON, HERGER, ENGLISH, and CRANE to introduce our bill, ''The International Tax Simplification for American Competitiveness Act of 1999.'' There has been general agreement that the current U.S. rules for taxing international income are unduly complex. This legislation addresses these problems by rationalizing and simplifying the international tax provisions of the U.S. tax laws by simplifying foreign tax credits; encouraging exports; providing incentives for performance of research and developing in the United States; enhancing U.S. competitiveness in other industrialized countries; and minimizing revenue loss.

Our current tax policies are out of synch with our trade policies and the realities of the global marketplace. In the early 1960s, U.S. companies focused their manufacturing and marketing strategies in the United States, which at the time was the largest consumer market in the world. U.S. companies generally could achieve economies of scale and rapid growth-selling exclusively into the domestic market. In the early 1960s, foreign competition in U.S. markets generally was inconsequential.

The picture today is completely different. First, U.S. companies now face strong competition at home. Since 1980, foreign direct investment in the United States has increased by a factor of six (from $216 billion to $752 billion in 1997), and imports have tripled as a share of GDP from an average of 3.2 percent in the 1960s to an average of over 9.6 percent over the 1990 97 period.

Second, foreign markets are more attractive today than they were in the past. For example, from 1986 to 1997, foreign sales of S&P 500 companies grew 10 percent a year, compared to domestic sales growth of just 3 percent annually. Foreign markets also afford increasingly attractive investment opportunities.

From the perspective of the 1960s, there was little apparent reason for U.S. companies to direct resources to penetrating foreign markets, since U.S. companies should achieve growth and profit levels that were the envy of their competitors with minimal foreign operations. By contrast, in today's economy, competitive success requires U.S. companies to execute global marketing and manufacturing strategies with the result that provisions of our tax system designed when foreign operations were viewed as presumptively tax-motivated have become increasingly outmoded.

It is because of the great changes in global trade that we involved ourselves in this issue. The current rules guiding our international tax policies were written at a time when the focus was on preventing tax avoidance, not on promoting international competitiveness. Our main goal this year is to build on the successes that we had in the 105th Congress. This will be our fourth bill in this area, and our third with our Senate counterparts, Senators HATCH and BAUCUS. It includes some new provisions, but in many ways reflects the reality that much has been done to correct some of the problems facing U.S. industries in this arena, but there is a great deal of work left to be done.

Our first order of business is to simplify the international tax regime to ensure American competitiveness both at home and abroad. The tax provisions that we are introducing today will significantly affect the national welfare and will enhance the participation of the United States in the global economy of the 21st century. I look forward to working with my House and Senate colleagues to pass this important piece of legislation into law.

THE ASSOCIATION HOUSE OF CHICAGO CELEBRATES 100 YEARS

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. GUTIERREZ. Mr. Speaker, I rise to pay tribute to the Association House of Chicago as it celebrates its 100th anniversary on June 8, 1999. Association House has been serving the community I represent since before the turn of the century. It was founded by more than one hundred women and served as a settlement house and social service agency for immigrants arriving in Chicago.

Throughout its century of public service, the mission and goals of Association House of Chicago have expanded. Association House continues to provide vital services, programs and assistance to families, children, seniors and immigrants throughout our community. Each year, Association House assists nearly 20,000 individuals and families throughout the Chicago area, providing services ranging from the most basic of necessities to managing larger government contracts. The expansion of Association House's services during the past two decades led the agency to buy a second facility last year. This growth helps immigrants take naturalization classes, learn English and master trades.

In addition to the programs Association House offers in education, citizenship and job readiness training, Association House offers after-school programs and activities for children. The agency also provides foster care and adoption services, addiction recovery programs and provides emergency food and clothing. The staff of Association House is truly dedicated to their programs and the people they benefit.

Mr. Speaker, I commend the Association House of Chicago for building a strong tradition of service toward others. The work that Association House has accomplished since its first days cannot be measured. For one hundred years, Association House has been assisting, teaching and counseling people of all ages, races, cultures and ethnic backgrounds. From preparing people to enter the workforce to teaching them to speak English to caring for at-risk children, Association House has served as a shining beacon of hope in Chicago. I am honored to commend Association House on a

century of unequaled service to the people of our city.

INTERNATIONAL TAX SIMPLIFICATION FOR AMERICAN COMPETITIVENESS ACT OF 1999

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. HOUGHTON. Mr. Speaker, today I am joined by my colleagues, Messrs. LEVIN, SAM JOHNSON, HERGER, MATSUI, CRANE, and ENGLISH in introducing our bill, ''International Tax Simplification for American Competitiveness Act of 1999''. The world economy is globalizing at a pace unforseen only a few years ago. Our trade laws and practices have encouraged the expansion of U.S. business interests abroad, but our tax policy lags decades behind—in fact, in many cases, our international tax policy seems to promote consequences that are contrary to the national interest.

In the 1960s, the United States accounted for more than 50 percent of cross-border direct investment. By the mid-1990s, that share had dropped to about 25 percent. Similarly, of the world's 20 largest corporations (ranked by sales), 18 were U.S.-headquartered in 1960. By the mid-1990s, that number had dropped to eight. The 21,000 foreign affiliates of U.S. multinationals now compete with about 260,000 foreign affiliates of multinationals headquartered in other nations. The declining dominance of U.S.-headquartered multinationals is dramatically illustrated by the recent acquisitions of Amoco by British Petroleum, the acquisition of Chrysler by Daimler-Benz, the acquisition of Bankers Trust by Deutsche Bank, and the acquisition of Case by New Holland. These mergers have the effect of converting U.S. multinationals to foreign-headquartered companies.

Ironically, despite the decline of U.S. dominance of world markets, the U.S. economy is far more dependent on foreign direct investment than ever before. In the 1960s, foreign operations averaged just 7.5 percent of U.S. corporate net income. By contrast, over the 1990–97 period, foreign earnings represented 17.7 percent of all U.S. corporate net income.

Over the last three decades, the U.S. share of the world's export market has declined. In 1960, one of every six dollars of world exports originated from the United States. By 1996, the United States supplied only one of every nine dollars of world export sales. Despite a 30 percent loss in world export market share, the U.S. economy now depends on exports to a much greater degree. During the 1960s, only 3.2 percent of national income was attributable to exports, compared to 7.5 percent over the 1990–97 period.

Foreign subsidiaries of U.S. companies play a critical role in boosting U.S. exports—by marketing, distributing, and finishing U.S. products in foreign markets. U.S. Commerce Department data show that in 1996 U.S. mulitnational companies were involved in 65 percent of all U.S. merchandise export sales. In the 1960s, the foreign operations of U.S. companies were sometimes viewed as disconnected from the U.S. economy or, worse, as competing with domestic production and jobs. In today's highly integrated global economy, economic evidence points to a positive correlation between U.S. investment abroad and U.S. exports.

At the end of the 20th century, we confront an economy in which U.S. multinationals face far greater competition in global markets, yet rely on these markets for a much larger share of profits and sales, than was the case even a few years ago. In light of these changed circumstances, the effects of tax policy on the competitiveness of U.S. companies operating abroad is potentially of far greater consequence today than was formerly the case.

As we begin the process of re-examining in fundamental ways our income tax system, we believe it imperative to address the area of international taxation. In an Internal Revenue Code stuffed with eye-glazing complexity, there is probably no area that contains as many difficult and complicated rules as international taxation. Further, I cannot stress enough the importance of continued discussion between the Congress and Treasury of simplifying our international tax laws; and in making more substantial progress in regard to eliminating particular anomalies such as with the allocation of interest expense between domestic and foreign source income for computation of the foreign tax credit or in regard to how our antiquated tax rules deal with new integrated trade areas such as the European Union.

None of us is under any illusion that the measure which we introduced removes all complexity or breaks bold new conceptual ground. We believe, however, that the enactment of this legislation would be a significant step in the right direction. The legislation would enhance the ability of America to continue to be the preeminent economic force in the world. If our economy is to continue to create jobs for its citizens, we must ensure that the foreign provisions of the United States income tax law do not stand in the way.

There are many aspects of the current system that should be reformed and greatly improved. These reforms would significantly lower the cost of capital, the cost of administration, and therefore the cost of doing business for U.S.-based firms. This bill addresses a number of such problems, including significant anomalies and provisions whose administrative effects burden both the taxpayers and the government.

The focus of the legislation is to put some rationalization to the international tax area. In general, the bill seeks in modest but important ways to: (1) simplify this overly complex area, especially in subpart F of the Code and the foreign tax credit mechanisms; (2) encourage exports; (3) enhance U.S. competitiveness in other industrialized countries.

The bill would, among other necessary and important adjustments, make permanent the provision regarding the subpart F exception for active financial services income, modify other provisions that apply subpart F of the Code in inappropriate ways, eliminate double taxation by extending the periods to which excess foreign tax credits may be carried, restore symmetry to the treatment of domestic and foreign losses, and make needed adjustments to the so-called ''10/50 company'' provisions that burden the joint venture relationships that many of our companies form in their international business relations.

In summary, the law as now constituted frustrates the legitimate goals and objective of American business and erects artificial and unnecessary barriers to U.S. competitiveness. Neither the largest U.S. based multinational companies nor the Internal Revenue Service is in a position to administer and interpret the mine numbing complexity of many of the foreign provisions. Why not then move toward creating a set of international tax rules which taxpayers can understand, and the government can administer? Therefore the proposed changes we believe represent a creditable package and a ''down payment'' on further reform in the international tax area. We urge our colleagues to join us in cosponsoring this important legislation.

TRIBUTE TO RETIRED COLONEL ALICE GRITSAVAGE

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. STEARNS. Mr. Speaker, I rise to take notice of a special citizen, Retired Colonel Alice Gritsavage. She is a one of a kind person that deserves special recognition.

Ms. Gritsavage resides in my hometown of Ocala, Florida and she has had a remarkable life. Ms. Gritsavage served our nation as a nurse in both World War II and the Korean War. In fact, her outstanding record as an executive Army nurse in World War II influenced General Douglas McArthur to request that she be named to his staff as Chief Nurse of the Far East Command at the start of the Korean conflict.

I would like to quote from the congratulatory letter Col. Gritsavage received on the date of her departure from the Korean Command on May 28, 1953 from General Mark Clark, Commander in Chief of the United States Army at that time.

General Clark wrote:

> You had been in the theatre only a short time when the Communist aggressors threatened world peace by their unprovoked invasion of South Korea. This event required a tremendous build up of medical and hospital facilities, both in Japan and Korea, to care for the wounded of the United Nations. Since that time the standards of the Army Nurse Corps in the Command have reached a level unparalleled in the Corps. Your untiring efforts, outstanding leadership and devotion to duty have set a brilliant example and have been directly responsible for the excellent services performed by our gallant Army Nurses in this, the United Nations first armed bid for world peace.

Col. Gritsavage's dedicated service to our nation led our local chapter of Korean War Veterans to name their chapter after Ms. Gritsavage. At the time of this dedication in 1995, the Ocala chapter was the only one in the nation to be named after a woman—reflecting the importance of Col. Gritsavage to our community.

I thank Colonel Gritsavage on behalf of my district and on behalf of our nation for her wonderful service in her remarkable life.

IN HONOR OF MS. FEN LEWIS AND MS. LOIS KLAMAR FOR RECEIVING PRESIDENTIAL AWARDS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Ms. Fen Lewis of Strongville High School and Lois Klamar of Jamison CompuTech Center for receiving presidential teaching awards. Ms. Lewis and Ms. Klamar will receive their awards at a White House ceremony the week of June 7, 1999.

The Presidential Teaching Awards program recognizes a special group of elementary and secondary teachers for their commitment and dedication to nurturing student interest in science and mathematics. Ms. Lewis and Ms. Klamar are indeed very devoted teachers and are well deserving of these prestigious awards.

They have set an example for all teachers across the nation to follow. We need more teachers like Ms. Lewis and Ms. Klamar to help our kids strive for excellence in the classroom. The students of these two schools should be honored and proud to have these people as their teachers and role models. Both teachers are excellent representatives of their schools because of their considerable accomplishments with their students. These teachers have been presented with one of the highest honors in their field and should be given their rightful recognition.

My fellow colleagues, please join me in honoring both of these outstanding teachers on receiving presidential awards.

SIXTH REPORT OF THE SPEAKER'S TASK FORCE ON THE HONG KONG TRANSITION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. BEREUTER. Mr. Speaker, this Member rises today to submit the Sixth Report of the Speaker's Task Force on the Hong Kong Transition. It has been almost two years since Hong Kong reverted to Chinese sovereignty on July 1, 1997. Prior to that historic event, at the request of Speaker Gingrich, this Member formed the House Task Force on Hong Kong's Transition. In addition to myself as Chairman, the bipartisan Task Force includes Representatives HOWARD BERMAN (D–CA), SHERROD BROWN (D–OH), ENI FALEOMAVAEGA (D–AS), ALCEE HASTINGS (D–FL), DON MANZULLO (R–IL), and MATT SALMON (R–AZ).

To date, the Task Force has prepared six quarterly reports assessing how the reversion has affected Hong Kong. The sixth report, which I submit today, covers the period of October through March 31, 1999, during which time this Member, as Task Force Chairman, visited Hong Kong in January 1999.

Mr. Speaker, this Member submits the following Task Force report for the RECORD.

THE SPEAKER'S TASK FORCE ON THE HONG KONG TRANSITION, SIXTH REPORT

This is the sixth report of the Task Force on the Hong Kong Transition. It follows the first report dated October 1, 1997, the second reported dated February 25, 1998, the third report dated May 22, 1998, the fourth report dated July 23, 1998, and the fifth report dated February 2, 1999. This report focuses on events and development relevant to United States interests in the Hong Kong Special Administrative Region (HKSAR) between October 1, 1998, and March 31, 1999, and incorporates findings drawn from the Task Force Chairman's visit to Hong Kong in January, 1999.

Hong Kong's ongoing economic recession marked the six months covered by this report as the consequences of the Asian Financial Crisis continued to be felt. Hong Kong's gross domestic product (GDP) declined by 5.1 percent in real terms in 1998, its first annual contraction on record. Unemployment and trade figures were correspondingly negative. Despite the difficulties. Hong Kong authorities operated independently in all areas of economic decision making, and there was no evidence of any attempt to intervene by Beijing. Opinion on the Hong Kong government's controversial August 1998 intervention in the currency, stock and futures markets turned increasingly positive as equities regained much of their lost value and the currency exchange rate held steady.

In the legal-political realm, Chinese officials' public expressions of unhappiness over a controversial decision by Hong Kong's Court of Final Appeal raised concern about the future independence of the Hong Kong judiciary. Discussions between Hong Kong and Beijing authorities, combined with a ''clarification'' issued by the court, appeared to have succeeded in settling the matter, at least temporarily, without serious damage to the ''one country, two systems'' concept. The practical consequences of the court decision, which could permit a large number of persons now in China to claim the right to reside in Hong Kong, had not yet been dealt with at the end of March. The Hong Kong Government's obvious displeasure with the ruling, combined with public fears of the consequences of renewed mass immigration, led to fears that the Government would seek Beijing's assistance in rolling back the decision in a manner that would undermine Hong Kong's judicial independence and the rule of law.

ECONOMIC DEVELOPMENTS

Hong Kong continued to suffer the negative effects of the Asian Financial Crisis, posting its fourth consecutive quarter of negative growth, as its first recession in thirteen years showed no sign of coming to a quick end. Preliminary estimates showed GDP dropped 5.7 percent in real terms in the fourth quarter of 1998 following a decline of 6.9 percent in the third quarter. For 1998 as a whole, Hong Kong's GDP fell by 5.1 percent, the first annual economic contraction in Hong Kong since such statistics have been calculated. Spending for private consumption continued to fall steeply, declining 9.3 percent in the fourth quarter of 1998, as consumer confidence remained affected by rising unemployment and stagnating personal income. Weak demand and dropping asset values brought about significant deflation, with consumer prices declining for four consecutive months beginning in November. In February, the consumer price index dropped by 1.7 percent. Unemployment reached 6.2 percent in the first quarter of 1999, the highest level recorded in twenty-five years. An early economic turnaround continued to appear unlikely, with most analysts predicting an upturn no earlier than the last quarter of 1999. Many view the official Hong Kong government's forecast of 0.5 percent GDP growth in 1999 as too optimistic, with some private analysts predicting a decline of as much as 3 percent.

The government's budget for the 1999–2000 fiscal year that began April 1, 1999, projects a budget deficit of HK $36.3 billion (US $4.7 billion). This comes on top of an estimated deficit of HK $32 billion (US $4.1 billion) in fiscal year 1998–1999. The government anticipates running a deficit for the next two years before returning to a balanced budget in fiscal 2001–2002, but maintains this is a prudent and modest use of Hong Kong's sizable reserves during difficult economic times. While the general consensus among analysts is that a modest deficit is justifiable in view of the current recession, some have voiced concern about the impact three consecutive years in the red would have on Hong Kong's reputation for fiscal prudence. Some also attribute the fiscal deficit in part to Hong Kong's continued reliance on an excessively narrow, property-focused revenue base.

There was some positive economic news during the reporting period. The tourism market continued to cover, with January 1999 visitor arrivals up nearly 11 percent over the previous year. The liquidity crunch in the banking sector showed signs of easing, and interest rates began to move downward, although real interest rates remain high by historical standards. Improved international investor confidence helped the stock market to recover much of the ground it had lost since the onset of the financial crisis, and the Hang Seng index stood above 11,000 at the end of March. The renewed buoyancy in the equity markets turned the government's August 1998, market intervention into an extremely profitable venture, with shares acquired by the government appreciating by 20 percent or more. The real estate market also showed signs of bottoming out. The government announced it would resume land sales in April, ending the suspension it imposed in June 1998 to reduce downward pressure on property values. Hong Kong's hard currency reserves also remained substantial.

By the end of March, however, these encouraging signs had yet to translate into improvements in Hong Kong's real economy. Concerns remained about Hong Kong's continued dependence on entrepot trade and the relative lack of growth in sectors with high value-added, such as the high-tech industry. The government sought to address the latter problem by announcing an ambitious ''Cyperport'' project aimed at attracting world class information technology companies, but opinions varied as to the commercial viability of the proposal. An increasing percentage of Hong Kong's visitors for tourism are coming from China (27 percent in 1998 versus 22 percent the previous year and 19 percent in 1993). Chinese visitors are believed to spend substantially less than tourists from more affluent countries such as Japan and the U.S., whose numbers have stagnated or declined over the same period. In the short term, Hong Kong's exports (both domestic and transhipments) will probably remain depressed due to the weakened economies of some of its key trading partners and

its higher cost of production relative to competitors that have devalued their currencies. The problems of certain mainland companies and financial institutions, highlighted by the insolvency of the Guangdong International Trust and Investment Corporation, also have the potential to negatively affect Hong Kong. With a return to growth apparently still some time off and credit still extremely tight for small and medium sized businesses, more pay cuts and layoffs are likely in the months ahead. Although pressure has clearly eased since the August intervention, the Hong Kong dollar remains vulnerable to speculative attacks. Renewed instability in regional financial markets could seriously set back Hong Kong's prospects for recovery.

REVISITING THE AUGUST 1998 MARKET INTERVENTION

One of the key events described in the Fifth Task Force report was the Hong Kong government's massive intervention in the stock, currency and futures markets on August 14, 1998. On that Friday afternoon, Financial Secretary Donald Tsang invested the equivalent of an estimated US $15 billion of Hong Kong's reserves in the market in what proved to be a successful effort to defend against outside speculators betting against Hong Kong's ability to sustain its currency's peg to the U.S. dollar. Although controversial at the time, over the subsequent months the intervention has increasingly come to be viewed as a regrettable but necessary action, even by many who questioned it initially. During the Task Force Chairman's visit to Hong Kong in January, it was evident that even the sharpest critics of the intervention had changed their opinion and believed the government made the right decision. Direct discussions with those involved also made it abundantly clear that the Hong Kong authorities acted entirely independently in undertaking the intervention. While they informed their interlocutors in Beijing of their actions, they did not consult them beforehand or seek their agreement before proceeding.

As noted above, the equities purchased by the government have appreciated significantly in value during the recent recovery in the Hong Kong stock market. To allay fears that this sizable portfolio will be manipulated for political purposes or will come to influence government decision making, the authorities have placed the equities in the hands of an independent appointed board of senior figures. The problem of how to liquidate the holdings remains to be resolved. It appears likely that it will have to be done gradually, and a residual may be retained, with appropriate safeguards, to support the government pension plan.

POLITICAL DEVELOPMENTS

As described in previous Task Force reports, the Basic Law that effectively serves as the Hong Kong Special Autonomous Region's constitution provides for a gradual increase in the number of members of the Legislative Council (LegCo) chosen by direct election. Twenty of the 60 members of the Council that took office in July 1998 were directly elected from geographic constituencies, with the remainder coming from ''functional constituencies'' with limited voter pools. Under the Basic Law, the number of directly elected members will increase to 24 in the year 2000 and 30 in 2004. In 2008, the Basic Law allows for (but does not require) the remaining 30 functional constituency seats to be converted to directly elected positions. Similarly, it would also permit, but not mandate, the direct election of the Chief Executive beginning in 2008.

Heartened by their strong showing in last year's election, political parties favoring more rapid movement toward elections by universal suffrage continue to call for the immediate amendment of the Basic Law to provide for direct election of the full LegCo and the Chief Executive at the end of their present terms of office (2000 and 2002 respectively). Chief Executive C.H. Tung and the Hong Kong government oppose such proposals, arguing that public consultations on the pace and scope of democratization should wait until after the 2000 LegCo election. Advocates of a faster move to direct elections across the board have not renewed their attempt to put the LegCo on the record in favor of their position since the defeat of an earlier motion last July.

Another point of contention is the relative power of the LegCo vis-a-vis the Chief Executive and government. Reformers argue that the Basic Law unduly restricts the LegCo's clout by barring it from introducing many types of legislation and by requiring concurrent majorities of directly and functionally elected members to pass certain bills. Defenders of the current arrangement cite Hong Kong's long tradition of ''executive-led'' colonial governance in which legislative authority was strictly limited. Senior civil servants, in particular, take a dim view of efforts to increase the LegCo's clout, claiming that the legislature simultaneously demands greater power while fleeing the responsibility that such power entails. Within the constraints under which it currently operates, the LegCo has successfully brought its influence to bear on the government's policies and actions, for example, by carrying out an independent inquiry into the chaotic opening of the new Chep Lap Kok airport. Unhappiness over the Government's handling of several legal and judicial matters also prompted the LegCo to mount a no confidence motion against the Secretary for Justice, Elsie Leung. The Government ultimately blocked the motion, but only after an intense lobbying campaign. In combination with Hong Kong's lively and free press, the LegCo's willingness to criticize and challenge government actions clearly has served to further public debate and increase transparency. Opinion surveys suggest, however, that the ongoing recession is taking a toll on the popularity of the Chief Executive, the Civil Service and the legislature, while the increasingly adversarial relationship between the Government and the LegCo remains a subject of widespread concern.

The Government also continued to receive for criticism for moving to reduce the opportunity for Hong Kong residents to choose their own representatives at lower public administration levels. Following its earlier decision to abolish the two largely elected Municipal Councils at the end of 1999, the Government in December announced plans to increase the percentage of appointed (versus elected) positions on Hong Kong's 18 District Boards (to be renamed District Councils) beginning in the year 2000. In March, the Government proposed to transfer the Municipal Council's responsibilities for arts and cultural services to a government appointed commission and a newly created department, leading to complaints that this would be a step toward centralized control of cultural affairs and the discouragement of non-mainstream views.

RULE OF LAW AND JUDICIAL INDEPENDENCE

A fair and independent judicial system is a critical element of international confidence in Hong Kong. The Basic Law provides for judicial independence and grants Hong Kong's courts jurisdiction over all cases except those involving ''acts of state,'' such as defense and foreign affairs. A Court of Final Appeal, consisting of five justices, was created on July 1, 1997, to replace the United Kingdom's Privy Council as Hong Kong's highest court. Since the reversion to Chinese sovereignty, Hong Kong's judiciary generally has continued to operate independently and without taint of political interference.

The response by officials in Hong Kong and Beijing to a controversial January 29, 1999, decision by the Court of Final Appeal (CFA), however, for the first time raised substantial doubts about the Hong Kong judicial system's future independence. The case concerned the ''right of abode,'' that is, the right of children of legal Hong Kong residents to join their parents in Hong Kong. The CFA decided upon a generous interpretation of the provisions of the Basic Law concerning the right of abode, granting the right to reside in Hong Kong to all children of legal Hong Kong residents, regardless of whether the children are legitimate or illegitimate or whether they were born before or after their parents attained legal resident status. In making this ruling, the Court clearly opened the door to the legal influx of a large number of persons now residing in China, where it is assumed many Hong Kong residents have children born inside or outside of wedlock. Just how many persons could qualify to reside in Hong Kong under the terms of the CFA decision, both now and in the future, remains a subject of considerable controversy. Critics charged the Government with needless alarmism about the numbers involved, questioning both the methodology of the estimates and the Government's assumption that the new residents will make heavy demands on welfare and other public services.

Much of the initial reaction to the CFA decision, however, focused not on the practical concern of a massive influx of new residents but on the question of the Court's authority vis-a-vis that of China's National People's Congress. The CFA sparked this furor by the somewhat gratuitous inclusion of language in its decision which asserted its right to rule on actions by China's National People's Congress that affected Hong Kong if such actions breach provisions of the Basic Law. In apparent response to this portion of the decision, four Chinese legal experts who had participated in the drafting of the Basic Law, together with an official from China's State Council, labeled the CFA ruling an attack on the authority of the National People's Congress and a serious breach of the ''one country, two systems'' principle. The Hong Kong Government, in turn, reacted to the expressions of Chinese displeasure by dispatching the Justice Secretary to Beijing for urgent consultations. Subsequently, on February 24, the Government made an unprecedented request to the CFA for a ''clarification'' of the portion of the ruling which touched upon the CFA's authority to review acts of the National People's Congress (NPC) and its Standing Committee. Two days later, on February 26, the CFA complied, issuing a short statement of clarification in light of what it called ''an exceptional situation.'' The clarification did not address the substance of the original January 29 ruling, but merely asserted that nothing in the decision questioned the authority of the NPC Standing Committee to make an interpretation of the Basic Law binding upon the Hong Kong courts. In its concluding sentence, the clarification stated ''the court accepts that it cannot question the authority of the NPC or

the Standing Committee to do any act which is in accordance with the provisions of the Basic Law and the procedure therein.''

The Hong Kong Government's decision to request the clarification caused considerable criticism from some legal experts and from opposition party leaders, who charged that it served to undermine the autonomy of the Hong Kong's judicial system. The Chief Executive, on the other hand, defended the action as entirely in keeping with the ''one country, two systems'' concept, citing other legal scholars who argued the CFA's initial decision had made overreaching claims regarding the court's own authority.

In general, the consensus appeared to be that the CFA's ''clarification'' had succeeded in defusing the initial controversy in a way that did little or no harm to the underlying principle of rule of law in Hong Kong. With that question disposed of, however, attention increasingly turned to the practical dimension of the CFA decision. By the end of March, the Government's increasingly dire warnings about the potential consequence of large scale immigration and its refusal to draft procedures to implement the decision were drawing criticism from opponents who argued that it reflected disrespect for the authority of the courts. Opinion surveys consistently showed strong public opposition to the admission of large numbers of new residents under the ruling, but the question of whether or how to go about seeking to overturn or modify the terms of the CFA decision remained deeply controversial. The options under discussion included asking the CFA to review the substance of its original decision, requesting that the NPC amend the Basic Law, or seeking an interpretation of the existing Basic Law provisions by the NPC Standing Committee. While there are provisions for the latter two options in the Basic Law, critics charge it would be improper for the Hong Kong Government, rather than the courts, to request the Standing Committee to interpret the Basic Law, since that would amount to executive branch intervention to overturn a judicial decision. It is important to note that Chinese officials have shown no inclination to intervene unilaterally in the controversy over the practical aspects of the court decision, and have consistently expressed the hope that Hong Kong would find a way to solve the matter internally without involving Beijing.

Another emerging area of concern is that of the prosecution of individuals in China for crimes committed in Hong Kong. The subject rose to public attention with the conviction and execution in China of two persons, one a Hong Kong resident and the other a Chinese national. The Hong Kong resident was a notorious gangster who was convicted by the Chinese court of a number of crimes, committed both in Hong Kong and in China. The Chinese national was convicted of crimes committed while visiting Hong Kong. Chinese law permits the prosecution of Chinese citizens for crimes committed outside of its jurisdiction, and both individuals had traveled to China voluntarily prior to being apprehended. Hong Kong authorities are admittedly reluctant to request the return of criminal suspects from China for fear of having to reciprocate when China makes similar requests. As a matter of policy, the Hong Kong government does not return suspected criminals wanted in China, largely due to public concern about China's application of the death penalty. (There is no death penalty in Hong Kong.) In contrast, Chinese officials have unilaterally returned persons wanted for crimes committed in Hong Kong, as long as they were not subject to criminal proceedings in China. Negotiations on a formal agreement on the rendition of criminal suspects between China and Hong Kong are said to be underway, but prospects for a successful conclusion are not clear.

INDIVIDUAL LIBERTIES

Elsewhere in the legal and judicial area, the people of Hong Kong continued to enjoy broad freedom of speech. Hong Kong's media airs a wide range of views and opinions, including those critical of the Hong Kong and Chinese governments, without overt interference from the authorities in Hong Kong or Beijing. Concerns regarding self-censorship appear to have eased somewhat since Hong Kong's July 1997 reversion. In its 1998 annual report, the Hong Kong Journalists Association concluded that ''self-censorship may even have abated a little from its evident proliferation in the period leading up to the hand-over.'' The Government has yet to introduce proposed laws on treason, secession, sedition, and subversion, all of which are required under the Basic Law. In a legal case with implications for individual liberties, on March 23 Hong Kong's Court of Appeal threw out convictions under laws forbidding the burning or defacing of the Chinese and HKSAR flags, ruling that the laws unconstitutionally breached the Basic Law's protections of freedom of expression. The Hong Kong Government announced plans to appeal the case to the Court of Final Appeal. Also in March, a number of well known exiled Chinese dissidents applied for Hong Kong visas to attend an NGO organized conference in May on the future of democracy in China. Although several of the dissidents had visited Hong Kong prior to the reversion, it was unclear if the Government would approve the applications. (The Immigration Department subsequently announced the denial of the visas on April 21.)

TRADE AND EXPORT CONTROL ISSUES

Final 1998 trade statistics showed across the board drops in Hong Kong's imports (−11.5 percent), domestic exports (−10.9 percent), and re-exports (−6.9 percent). While much of this is a result of the Asian Financial Crisis, domestic exports are subject to a longer-term downward trend, having now fallen for three straight years and for five years out of the last six. The broader regional crisis has thus served to underscore Hong Kong's continuing dependence on entrepot trade between China and other nations, particularly the U.S. This makes Hong Kong highly vulnerable to disruptions in the U.S.-China trading relationship, and helps explain the nervousness with which Hong Kong officials view political or economic tensions between Beijing and Washington.

The continued widespread availability of pirated movie, audio, and software compact discs and trademark goods remains the most serious bilateral trade issue between the United States and Hong Kong. In January, the Department of Trade and Industry informed the Task Force Chairman that the number of customs officers monitoring Intellectual Property Rights (IPR) enforcement had doubled since June 1997. A significant increase in raids, seizures and prosecutions at all levels, combined with the passage of new, more effective Prevention of Copyright Piracy ordinance, led the U.S. Trade Representative to remove Hong Kong from the Special 301 Watch List after an out-of-cycle review in February 1999. Despite this positive step, much more remains to be done to crack down on the trade in pirated products. Hong Kong's domestic recording and film industries have also begun to demand stricter enforcement, reflecting their growing awareness of the impact of priacy on their own profitability. This domestic support for tougher enforcement is likely to provide impetus for further improvements.

To combat money laundering, U.S. Government agencies continue to urge the Hong Kong Government to adopt mandatory financial transaction and foreign exchange reporting requirements and to explore options for discovering the illicit use of non-bank remittance centers. In early 1999, the Hong Kong Government began the legislative process to bring these centers under regulatory oversight, complete with mandatory reporting requirements. U.S. Government agencies also are urging that Hong Kong establish a mandatory minimum value currency entry and exit reporting requirement and penalties for illicit cross-border currency movements and bank deposits.

At the time of this report, there appeared to be no significant problems between Hong Kong and the United States Government in the area of export controls. Hong Kong continues to vigorously enforce what is widely viewed as a highly regarded trade control regime. The U.S. Government reports no evidence of Chinese interference in Hong Kong's export control decisions. Chinese officials have explicitly recognized that export control matters fall within the trade, rather than the foreign policy, ambit, thereby placing export controls within the Hong Kong Government's exclusive purview. Hong Kong's trade control regime is uniquely strict in a number of its features, including the requirement for import licenses as well as the more common export licenses. This enables Hong Kong authorities to track controlled commodities entering, as well as leaving the HKSAR. Hong Kong also refuses to issue re-export licenses for products unless it is sure that the original exporting country, including, of course, the United States, would export the product to the relevant end-user. In one 1998 case, U.S. Commerce Department agents notified Hong Kong Customs of the re-export of a high performance U.S. computer from Hong Kong to the Changsha Institute in China. Hong Kong Customs undertook an investigation, uncovering a total of eleven shipments by the same Hong Kong company that appeared to violate Hong Kong, if not U.S., export control laws. In February, 1999, Hong Kong officials advised a U.S. interagency export control delegation that it intended to prosecute the case on four counts of violating export control laws.

United States Department of Commerce officials continue to conduct regular pre-license and post-shipment inspections as part of the dual-use licensing process. In addition, U.S. Department of State and U.S. Customs officials carry out pre-license and post-shipment checks of munitions items under the ''Blue Lantern'' program. In all such cases, Hong Kong officials are neither informed of such checks nor are they involved in making them. Hong Kong's Customs and Excise Department conducts routine checks at entry and exit points and searches of vehicles and vessels to ensure that all strategic trade shipments have the required government approval. One concern that has been raised regarding Hong Kong's export control regime has been the lack of customs inspection of Chinese People's Liberation Army (PLA) vehicles when they cross the border between Hong Kong and China. While this poses a potential vulnerability, U.S. Government agencies have no indication that the PLA is using

this process to divert U.S. technology to China. The Task Force Chairman raised this as an area of concern with Hong Kong officials during his visit in January, 1999, and U.S. Government officials have raised it as well.

MACAU

Preparations continue for the reversion of Macau to Chinese sovereignty on December 20, 1999, after 442 years as a colony of Portugal. Like the much larger Hong Kong, Macau with its 414,000 residents, will become a Special Administrative Region under the ''one country, two systems'' formula for the next 50 years. As we noted in our previous quarterly report, the pace of preparation for the transition has been uneven and a number of key elements have yet to be resolved. One factor impeding progress appears to be Portugal's unhappiness with China's unilateral announcement in September 1998 that it planned to station PLA troops in Macau following the reversion. The Portuguese maintain that there is no room for such a garrison in cramped Macau, and that in previous negotiations on the joint declaration concerning Macau the Chinese had agreed no PLA presence was necessary.

On March 19, Portuguese President Jorge Sampaio met in Macau with Chinese Vice Premier Qian Qichen, but indicated that the troop question would be addressed in bilateral talks later in the year. Sampaio indicated it was possible negotiations could be prolonged up until the moment of the handover, and warned he might not attend the ceremony itself if a satisfactory agreement was not reached. Among other important matters still to be settled are the structure of Macau's court of final appeal; the eligibility of certain ethnically Chinese Macau residents to retain Portuguese nationality; legislation implementing Macau's accession to the International Covenant on Civil and Political Rights and the International Convention on Economic, Social, and Cultural Rights; and whether Portuguese will enjoy equal status with Chinese as Macau's official languages. In March, the initial steps were taken toward the nomination of the 200 person selection committee empowered to select Macau's first post-reversion Chief Executive before the end of May. (Subsequent to the date of this report, the selection committee was named during the April meeting of the Preparatory Committee of the Macau Special Administrative Region. On May 15, Edmund Ho, a 44 year-old banker and son of a well-known Macau community leader was selected to be the Chief Executive. He will take office on the date of Macau's reversion to Chinese sovereignty on December 20, 1999.)

While U.S. trade volume with Macau is relatively small, 40 percent of Macau's exports go to the United States. Eighty percent of Macau's total exports consist of textiles, and the U.S. Government has long been concerned about the potential that textiles produced elsewhere are being transhipped through Macau. U.S. Customs officials have visited Macau on a number of occasions to verify local production capacity, and continue to work with the Government of Macus to prevent such transhipment. Intellectual Property Right (IPR) piracy is another key concern, and Macau has been on USTR's Priority Watch List for IPR since April 1998. In response to U.S. suggestions that it intensify and raise the profile of its IPR enforcement actions, the Government of Macau conducted a public destruction of seized pirated goods in March 1999. Other inadequacies in Macau's laws related to trade include a lack of effective legislation and enforcement mechanisms in the areas of money laundering and export controls. These are particularly troubling in view of widespread reports that North Korean operatives currently use Macau as a transit point for shipments of counterfeit U.S. currency.

Finally, problems remain with the overall climate of law and order. Gangland killings and drive-by shootings continue to negatively affect Macau's image and its tourism industry. Responsibility for the high levels of criminal activity have at times been a point of contention between China and Portugal. A failure to bring about improvements in this area could tempt more overt action by Beijing following Macau's reversion, with potentially harmful consequences to the autonomy of the Government of Macau.

CONCLUSION—STILL SO FAR, SO GOOD, WITH SOME NEW CONCERNS

In the months prior to Hong Kong's reversion to Chinese sovereignty in July 1997 many voiced concern that Beijing would rapidly move to undermine the relatively open political system and the free market economy of Hong Kong. There was great suspicion that the Chinese-appointed Provisional Legislature would undermine all of the democratic principles that Hong Kong had embraced. It was argued that, among other things, press freedom and freedom of assembly would be radically curtailed, and that the People's Liberation Army garrison would rapidly interject itself into Hong Kong affairs. Critics also warned that mainland financial interests would rapidly move to manipulate and control the then vibrant Hong Kong economy.

More than twenty months after the reversion, these fears have proven to be unfounded, up to this point. Hong Kong residents have retained the basic freedoms that they enjoyed under British rule. Although buffeted by the Asian Financial Crisis, the business community and the Government, appear united in their desire to keep Hong Kong's market as free as possible. The PLA troops have kept to their barracks, and Beijing has repeatedly displayed a disinclination to involve itself in Hong Kong's internal affairs. Although sharp differences have arisen within Hong Kong, particularly between the Government and opposition legislators to date informed observers see no evidence of any intent by China to violate the tenets of the Basic Law and the ''one country, two systems'' concept.

This is not to say that there is no cause for further concern. As we have noted in this report, the current crisis over the Court of Final Appeal.s's decision on the right of abode has the potential to undermine confidence in Hong Kong's future judicial autonomy and the rule of law. Cautious consideration of the long range implications of any action aimed at addressing the practical implications of the ruling is clearly appropriate. It would appear that improved communication between the Government and the Legislative Council could make a significant contribution to the achievement of a solution, as well as facilitating public consensus on Hong Kong's future political development. Trade related issues, including IPR piracy and money laundering, also deserve continued attention. Hong Kong's excellent export control system is intact, but attention to the potential loophole afforded by cross-border PLA vehicle movements is also needed. Congress should continue its practice of monitoring developments in these and other areas.

THE EXPORT ENHANCEMENT ACT

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. MANZULLO. Mr. Speaker, I was pleased to introduce on May 27th, along with Representatives BOB MENENDEZ, BEN GILMAN, SAM GEJDENSON, and 44 other Republican and Democrat Members of Congress the Export Enhancement Act of 1999.

We are all concerned about the recent anemic export performance of the United States and the ballooning U.S. trade deficit. While this legislation is not a cure-all for this problem, it provides one tool in the effort to promote U.S. exports abroad.

This legislation would reauthorize most commercial export promotion programs of the U.S. government, including the Overseas Private Investment Corporation (OPIC), the Trade and Development Agency (TDA), and the export promotion functions of the International Trade Administration (ITA) at the Department of Commerce.

First, the legislation re-authorizes OPIC for four years and does not raise OPIC's liability ceiling. For 27 years, OPIC has been the U.S. government agency providing political risk insurance and financing for projects that help America compete abroad and promote stability and development in strategic countries and economies around the world.

OPIC's political risk insurance covers three main areas where the government has a proper role to influence—expropriation (loss of an investment due to nationalization or confiscation by a foreign government), currency inconvertibility (inability to remit profits from local currency to U.S. dollars); and political violence (loss of assets or income due to war, revolution or politically-motivated civil strife, terrorism or sabotage).

Since 1971, OPIC supported projects have generated $58 billion in U.S. exports and created more than 237,000 American jobs. Over the last five years, OPIC supported projects will buy about $1 billion worth of goods and services from Illinois suppliers, half of which are small firms, which will create over 3,100 jobs. Companies in the 16th District of Illinois like Coilcraft Inc. of Cary; Oak Industries of Crystal Lake; ESI Limited, the Nylint Corporation, the Barber-Coleman Company, and the Clinton Electronics Corporation of Rockford have all used and benefited from OPIC services in the past. And, unlike most government programs, OPIC operates totally on a user-fee self-sustaining basis at no cost to the taxpayer. OPIC is estimated to bring in $204 million in revenue to the U.S. Treasury next year.

In response to Congressional input, OPIC has undertaken a series of initiatives since its last reauthorization. These include new initiatives in Africa, Central America, the Caribbean, and the Caspian Basin. In addition, OPIC has stepped up efforts to help more small businesses enter the global economy.

As Chairman of the Small Business Exports Subcommittee, I held a hearing last month examining the new small business outreach efforts by OPIC. OPIC is particularly important for small business exporters because unlike

large companies, small business exporters cannot pack up their bags and relocate operations overseas to take advantage of foreign equivalents to OPIC. There are 36 nations that have export credit insurance programs like OPIC. Just like OPIC, most of these nations have local content requirements. If forced to, larger U.S. multinational corporations can pick and choose from one of these other foreign export credit insurance programs. But the work and the jobs, then, are transferred overseas. Small business exporters do not have this luxury. OPIC is needed to maintain the competitive edge of these small business exporters in the United States.

Mr. Speaker, let me give you one concrete example from the hearing last month. Jane Dauffenbach, President of Aquarius Systems, located in North Prairie, Wisconsin, testified how foreign governments constantly try to undermine her small company's export prospects, even to the point of competing against free donations of similar equipment. Aquarius Systems manufactures aquatic weed harvesters. In Asia, Aquarius Systems lost a large equipment sale when the Canadian government gave a ''free'' aquatic weed harvester to the monarch of the country. In Kenya, Ms. Dauffenbach also testified about how the Japanese and the Israeli governments almost snatched another huge export sale from her company to clear water hyacinths clogging Lake Victoria. It was only because she had a World Bank contract, backed by OPIC political risk insurance, that she was able to win and complete the sale. She said, ''(s)imply put, Aquarius Systems is not competing with foreign companies. We are competing with foreign governments . . . It is imperative that the financing and insurance programs from OPIC exist so that we have the necessary tools available to accomplish our goals.''

Second, the legislation reaffirms the importance of Trade Development Agency (TDA). This small 43 person agency, which develops feasibility studies designing in American specifications so that U.S. exporters can win major infrastructure projects in developing countries and emerging economies later down the road, has generated $12.3 billion in exports since its inception in 1981. Every $1 in spending for TDA projects has led to the export of $32 in U.S. goods and services overseas. The Export Enhancement Act requires, to the maximum extent possible, the imposition of ''success fees'' on companies who win export deals thanks to the groundwork laid by a feasibility study conducted by the TDA.

Third, the bill examines the three export promotion arms of International Trade Administration (ITA) at the Commerce Department—the U.S. & Foreign Commercial Service, which as 100 U.S. export assistance centers located throughout the United States and 141 posts located in 76 countries around the world; Trade Development, which monitors trade developments in key industries and supports the United States Trade Representative in key industrial sector trade negotiations; and Market Access and Compliance, which ensures that U.S. companies obtain full market compliance with existing trade agreements with various countries of the world. The Export Enhancement Act makes a few changes to these programs to make sure that the ITA keeps its focus on helping more small businesses export, particularly to underrepresented regions of the world, like Africa, in the most efficient way possible.

Finally, the Export Enhancement Act proposes to make a few changes to the Trade Promotion Coordinating Committee (TPCC) to insure that the 19 federal agencies that are involved in trade promotion operate more in tandem together.

In conclusion, Mr. Speaker, I encourage my colleagues to support the Export Enhancement Act of 1999.

NATIONAL WEATHER SERVICE

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. WATTS of Oklahoma. Mr. Speaker, I stand before you today to honor the work of the National Weather Service of the National Oceanic and Atmospheric Administration (NOAA). The National Weather Service is essential to the safety of the American people by providing weather, water and climate forecasts and warnings for protection of life and property. We saw that service first-hand in Oklahoma just a short two weeks ago.

Without the warnings by the National Weather Service, the number of personal injury and deaths would undoubtedly have been higher. Warnings by the National Weather Service prompted the closure of roads and highways that lead into the path of the slow-moving tornado, saving an untold number of lives. I have heard countless stories of people who, at the prompting of the National Weather Service warnings, took shelter in the center of their homes or fled their homes for the safety of a storm shelter and survived, while their homes were destroyed. I and numerous other Oklahomans are indebted to the service of the National Weather Service.

Yet the ability the Service demonstrated was not an accident; they have been preparing for times such as this for many years, through planning, training, and research and development. New technologies pioneered by NOAA research allowed warnings to be issued up to 30 minutes before the tornadoes struck in Oklahoma. Contrast this with the 6 minute average lead time before the technology was available. Partnerships forged between the National Weather Service, media, law enforcement officials, and emergency managers, and their seamless response to this disaster was critical to the successful warning process that saved countless lives in Oklahoma.

I applaud the work of the National Weather Service, Mr. Speaker, and support the continued generous funding of the Service through this appropriations process.

A TRIBUTE TO THE BLACK CUBAN FOUNDATION

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to take this opportunity to commend the Black Cuban Foundation for its decade of service to the Afro-Cuban community in exile. Over the past ten years, it has pursued a goal of improving relations between Afro-Cubans and our varied communities.

The Black Cuban Foundation was founded on July 30th, 1989 and promptly began to promote its important and unique role in Cuban and American culture through educational workshops, cultural events, and works of charity. Their success has been recognized by various groups, including the United Negro College Fund, Florida Memorial College, the Cuban Municipalities in Exile, the Human Rights Commission, and the City of Miami.

Currently the Black Cuban Foundation is working harder than ever to highlight Afro-Cuban contributions within our community, including fostering a sense of belonging as new American citizens. This group has also allied itself with the Universal Declaration of Human Rights of the United Nations.

In recognition of its lofty goals, I would like to applaud the fervent work of Lucia Rojas, president; Oscar Martinez, vice president; and Laddies Moraleza, treasurer and secretary. The work of Felipe Gonzalez, Juan A. Woods, and Regla Fernandez should receive equal praise in the Black Cuban Foundation.

HONORING RETIRING FENTON HIGH SCHOOL PRINCIPAL DR. KEN WENSEL

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Ms. STABENOW. Mr. Speaker, this week Principal Ken Wensel will retire after a 30-year career at Fenton High School. During those years, Dr. Wensel touched the lives of countless young people—encouraging, advising, inspiring and serving as a role model.

I would like to thank Dr. Wensel personally for his commitment to young people and education. Today I join Fenton Area Public Schools in declaring June 12, 1999 Ken Wensel Day. In addition, I would like to read the following resolution into the CONGRESSIONAL RECORD on behalf of the Fenton Area Public Schools:

Whereas Dr. Wensel served the Fenton Area Public Schools with distinction and honor for 30 years and;

Whereas Ken Wensel has served in the positions of community education director, athletic director, assistant principal and, for 12 years as principal of Fenton High School and;

Whereas Ken Wensel has been an unwavering advocate for young men and women throughout this tenure as an administrator and;

Whereas Ken Wensel has taken Fenton High School to great heights in academic and extra curricular achievement unparalleled in the Metro League and;

Whereas Ken Wensel has been a constant supporter of high school journalism and was named the Michigan Interscholastic Press Association Administrator of the Year for 1999 and;

Whereas Ken Wensel is recognized for his high level of commitment and drive to make Fenton High School the best it could be and;

Whereas Fenton High School's accomplishments are in large measure a result of Ken Wensel's talent and commitment and are a source of pride to the community of Fenton.

Therefore, the Congress of this United States of America declares June 12, 1999, as Dr. Kenneth Wensel Day in the community, state and nation.

A TRIBUTE TO NORMAN H. LOUDENSLAGER

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to pay tribute to Mr. Norman H. Loudenslager, who recently retired as Treasurer of the Democratic County Executive Committee of Philadelphia, a position in which he served for 14 years. Throughout his life, Norman has demonstrated a steadfast and resolute commitment to working people through his leadership in organized labor and the Democratic Party. He has been an active member of the Democratic Party for over 40 years, serving as Committeeman in Philadelphia's 25th Ward and for ten years as Leader of the 25th Ward.

Norman's dedication to the needs of working men and women, however, has never been limited to his activities in the Democratic Party. For over 50 years, Norman has been an active member of the Philadelphia Chapter of the International Association of Machinist & Aerospace Workers, serving as President, Vice President, Secretary Treasurer, and the Directing Business Representative for the Philadelphia Area, Southern New Jersey and Delaware Machinist Lodges. He has also served as a Delegate to the Philadelphia AFL–CIO for more than 30 years, and as a Delegate to the Pennsylvania Department of Labor and Industry. As we all know, the Democratic Party and organized labor have a special relationship in American politics—Norman is one of the persons responsible for that bond. As a union member myself, I would like to extend my sincere gratitude to him for standing up for working people for all these years.

Perhaps most importantly, Norman's commitment to his community has always been hands-on. As with all great leaders, he has led by example, being recognized as the Police Athletic League's Man of the Year in 1980 and earning the City of Hope's Spirit of Life Award. His dedication to Philadelphia is grounded in the understanding that just one man can make a difference.

Mr. Speaker, it is because of persons like Norman Loudenslager that Americans have fair labor standards. It is because of persons like Norman Loudenslager that the Democratic Party remains committed to the working people of this country. It is because of persons like Norman Loudenslager that a new generation of Americans remains committed to their community.

Mr. Speaker, we need more people like Norman Loudenslager.

COMMEMORATION OF DR. HENDERSON D. MABE, IN ERWIN, NORTH CAROLINA

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. ETHERIDGE. Mr. Speaker, I rise today to call the attention of the Congress to commemorate the excellent medical and educational, political and community service rendered by the late Dr. Henderson D. Mabe of Erwin, North Carolina. I also commend the generosity and the personal integrity of Dr. Mabe who passed away in Erwin recently.

Dr. Mabe was born in Kinston, North Carolina. He received his graduate degree in medical sciences at Wake Forest College. At Watts Hospital in Durham, under the supervision of Dr. Ralph Fleming, he served his residency duty. Relocated to Erwin as a temporary substitute for a local doctor recovering from illness, Dr. Mabe became very much attached to the Erwin community. In fact, he spent his entire life at Erwin except when he served his country as a medical doctor in the United States Navy during the Korean Conflict. In addition to his valuable medical contribution, Dr. Mabe was an influential politician. Having demonstrated his leadership skills as president of the student body and president of his senior class, Dr. Mabe ran for the State Legislature where he served one term from 1963 to 1964 as one of the most respected officials.

Dr. Mabe was highly regarded as a distinguished doctor and scholar, politician and community member. He was loved and respected by the community not only because of his excellent medical service but also because of his personal integrity. As the former U.S. Senator Robert Morgan, a close friend of D. Mabe stated: ''Long before Medicaid and Medicare programs were available for the aged and needy, Buster Mabe cared for them and never asked or expected pay. He never turned anyone away if he had to stay at the office until late in the evening, as he often did. We also pay tribute today to one of the most remarkable family doctors this country has ever seen. Dr. Mabe will be sorely missed, but his influence will be felt forever.''

Dr. Mabe's thoughtful dedication and contribution to advance the progress and education in the medical field as well as to strengthen the Erwin community lives on. In his bequest, Dr. Mabe made a gift worth $2 million to the North Carolina Community Foundation for the establishment of the Henderson D. Mabe Jr. Endowment Fund with a special emphasis on the Erwin community. The gift is the largest charitable donation in the history of Harnett County. In his spirit, this fund will be used to provide college scholarships for Harnett area high school seniors with preference to those living in or around Erwin who have planned to pursue a degree or certification in the medical field at a college, university, community or junior college, technical school, nursing school or other post secondary school training. The fund will also support graduates from Harnett County high schools especially from in or around Erwin who are full time students at Bowman Gray, the Medical School of University of North Carolina, East Carolina Medical School or Duke Medical School. In addition, Good Hope Hospital and St. Stephen's Episcopal Church in Erwin where Dr. Mabe has been an active member will benefit as well.

Mr. Speaker, I commend the high achievements and personal integrity of Dr. Henderson D. Mabe. Dr. Henderson D. Mabe lived a rich life as a remarkable and distinguished doctor and scholar, public servant and community member of Harnett County, North Carolina. Dr. Mabe will be sorely missed, but he has left a legacy that will live on for many years to come.

GOOD LUCK AND CONGRATULATIONS TO MAJOR GENERAL MORRIS J. BOYD

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. EDWARDS. Mr. Speaker, I rise to congratulate a great Army officer and soldier—Major General Morris J. ''Morrie'' Boyd—and thank him for his contributions to the Army and the country.

General Morrie Boyd will retire in June after a long and distinguished career. He is a consummate professional whose performance in over three decades of service, in peace and war, has personified those traits of courage, competency and commitment that our nation has come to expect from its Army officers.

Morrie entered service on the 6th of April 1965. He was selected to attend Officer Candidate School and was commissioned as a second lieutenant in 1966. He served as an artillery officer in Vietnam from October 1966 to June 1968 and again from April 1970 to March 1971. While deployed to Vietnam, he served as an assistant firing platoon leader, executive officer of a battery, commanded a howitzer battery, commanded a platoon from the 21st Aviation Company, and was the Intelligence and Security Officer for the 212th Aviation Battalion.

Morrie was again deployed for combat during Operation Desert Shield/Desert Storm. From December 1990 to May 1991, he served as the commander of the 42nd Field Artillery Brigade in Saudi Arabia.

He came to Washington in the mid-90s to serve as the Chief, Army Legislative Liaison from June 1995 to June 1997. From June 1995 to June 1997, he ably assisted the Army's senior leadership in dealing with Members of Congress and their staffs. He was very focused on helping elected officials and their staffs understand the needs of the Army as it

transformed itself from a forward deployed force to a power projection force.

Morrie most recently served as the Deputy Commanding General for III Corps and Fort Hood. Throughout his career, he focused his talent and energy to improve the areas of Warfighting, Training, Modernization, Mobilization, and Quality of Life for soldiers and their families.

On a personal note, I am pleased to call Morrie a close, personal friend. He is a role model for all of us: a man of integrity, decency and compassion.

Let me also say that every accolade to Morrie must also be considered a tribute to his family, his wife of 30 years, Maddie and his son, Ray. As a wife and a mother Maddie has been a true partner in all of his accomplishments.

General Boyd's career has reflected a deep commitment to our nation, which has been characterized by dedicated selfless service, love for soldiers, and a commitment to excellence. I ask Members to join me and offer our heartfelt appreciation for a job well done over the past thirty years and best wishes for continued success, to a great soldier and friend of Congress—General Morris J. Boyd.

INTRODUCTION OF THE MEDICARE PATIENT ACCESS TO TECHNOLOGY ACT OF 1999

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. RAMSTAD. Mr. Speaker, new advances in medical technology are improving the lives of millions of Americans every day:

New implantable devices are restoring and repairing ailing organs.

New diagnostics are permitting rapid detection of life-threatening diseases and allowing physicians to peer inside the human body without surgery.

Miniature surgical devices are allowing patients to recover more quickly and new technologies are empowering patients to monitor and test their conditions from home and reduce or eliminate pain.

Yet many of these life-saving and life-enhancing technologies remain unavailable to the people who need them most, America's nearly 40 million Medicare beneficiaries. This is because of the complex, interwoven systems that Medicare uses to evaluate, approve and pay for new medical technologies.

That's why I am introducing ''The Medicare Patient Access to Technology Act'' to make targeted adjustments in the technical methods and systems that Medicare uses to adopt and pay for new medical products. By correcting and coordinating the payment levels and identification codes, the bill will improve access to needed therapies for millions of Medicare patients, both today and in the future.

As you know, Mr. Speaker, the Food and Drug Administration (FDA) reviews medical technologies to ensure that they are ''safe and effective.'' After passing through FDA, such technologies must also be deemed ''reasonable and necessary'' by HCFA for them to be integrated into the portfolio of services that Medicare makes available to its beneficiaries.

After being approved for coverage, technologies must receive a ''procedure code,'' a four or five digit identifying code that health care providers use in submitting claims to payers.

Finally, Medicare must set a payment level for each technology and treatment through another reimbursement system designed for reimbursing hospitals, physicians, skilled nursing facilities and other care providers.

Unfortunately, a problem at any of these stages can seriously delay a product from reaching Medicare patients.

For example, Mr. Speaker:

Exogen, Inc., a small company that developed an ultrasound device for healing bone fractures, has encountered 4 years of delays in getting Medicare coverage. Oddly enough, the product is currently be reimbursed by more than 800 private insurers and health plans, but not by Medicare.

The Cordis Corporation, a division of Johnson & Johnson, encountered significant problems in obtaining appropriate Medicare coding and payment for coronary stents, which are stainless steel tubes used to treat narrowing of the coronary arteries. The company faced challenges in obtaining a unique code for the stent procedure from HCFA, and once the new code was assigned, Medicare took several more years to place the device in the appropriate payment category. Sadly, the reason for the delay was Medicare's database was only a partial data set and HCFA's precedent did not allow it to use sample data in determining the hospital costs of providing the stent.

A manufacturer of a cochlear ear implant halted active marketing of one model and stopped research on another because of inadequate Medicare reimbursements. According to an article that appeared in The New England Journal of Medicine at the time, payment for the device remained well below its average cost, causing hospitals to ''ration the availability of the device to Medicare patients because of the financial losses involved. Eventually, so few patients received the implant that the manufacturer discontinued its production.'' (Nancy M. Kane, D.B.A., and Paul D. Manoukian, M.D., M.P.H., ''The Effect of the Medicare Prospective Payment System on the Adoption of New Technology,'' The New England Journal of Medicine, November 16, 1989, pp. 1378 1382.)

The most distressing problem in all of these cases, as in many others just like them, is that Medicare patients are being denied access to beneficial therapies.

I am pleased that HCFA is attempting to address the problems associated with its process for making national coverage decisions for new technologies. However, unless the shortcomings in the coding and payment systems are corrected, HCFA will not fully achieve its ultimate goal of improving Medicare's health care delivery system.

Several distinct issues need to be addressed:

Medicare's system for creating and assigning procedure codes to medical technologies is cumbersome and slow.

Medicare's methods of updating Medicare payment levels and payment groups to accommodate changes in medical technology increase the risk that Medicare will lag behind new advances in medical technology.

Medicare's refusal to use data that are developed outside of the Medicare program blinds the program to useful insights about the costs, charges and outcomes of medical technologies.

To address these issues, ''The Patient Access to Medical Technology Act of 1999'' would:

1. Adjust Medicare payment levels and payment categories at least annually to reflect changes in medical practice and technology.

2. Use valid external sources of information to update payment categories if Medicare's data are limited or not yet available. More specifically, the bill directs HCFA to use a valid, statistically representative sample and also to draw on external sources of data when its own dataset is inadequate. It directs HCFA to consider statistically representative data from such sources as private insurers, manufacturers, suppliers and other non-Medicare entities.

3. Update national procedure codes (HCPCs Level II) more frequently to reduce delays and timelags. Without an accurate identifying code, technologies and procedures cannot be reimbursed appropriately by Medicare. It can take HCFA up to 18 months to approve a new code because of the way the agency structures its calendar for making such changes. This bill would make the process more efficient by eliminating the single annual deadline for applications and permitting such requests to be accepted on a rolling, quarterly basis.

4. Continue to use local procedure codes to ensure availability of the most recent advances in medical technology. Most coverage decisions are made at the local level by local contractors, which use the ''HCPCS Level III Codes'' to describe new technologies that have not yet been incorporated into the national coding process. HCFA has proposed eliminating these useful codes, but this bill would require HCFA to maintain this effective local system.

5. Establish an advisory committee on Medicare coding and payment to ensure that HCFA's coding and payment systems are open, prompt and functioning properly. This panel would complement HCFA's newly formed Medicare Coverage Advisory Committee.

Mr. Speaker, this bill will correct a number of complex but significant problems that currently plague HCFA's coverage, coding and payment systems. Most importantly, it will help ensure that Medicare beneficiaries have timely access to life-enhancing and life-saving medical advances.

Mr. Speaker, I urge my colleagues to support this important legislation.

TRIBUTE TO ROBERT ANDERSON, PRESIDENT OF THE SAN MATEO COUNTY CENTRAL LABOR COUNCIL

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to Mr. Robert Anderson, who is retiring after two distinguished decades as President of the San Mateo County Central Labor Council. During his remarkable tenure as San Mateo's top advocate for working people, innumerable working men and women have benefited enormously from Mr. Anderson's dedication to improving working and living conditions for families in San Mateo County and for employees of the airline industry nationwide.

Bob Anderson, a member of International Association of Machinists, Local Lodge 1781, is a former United Airlines Mechanic, and currently he serves as ground safety coordinator for IAM District 141. His outstanding career as a labor advocate includes his efforts to establish, build and chair the San Francisco Airport Labor Coalition and its predecessor, the Airport Health and Safety Coalition. He has served on the advisory boards of the California Occupational Safety and Health Administration and the Labor Occupational Health Program at the University of California, Berkeley.

Mr. Speaker, the labor movement's involvement and effectiveness in our community has been greatly strengthened through Bob Anderson's dedication and service on the Central Labor Council's Committee on Political Action, which supports local, state and national officeholders who share labor's progressive social values. He worked tirelessly against the passage of Proposition 226, the anti-working family initiative which was rightly rejected by California voters in June of 1998.

Bob Anderson's most memorable achievement is the establishment of PALCARE, San Mateo County's community based, flexibly scheduled childcare center which opened in 1993. For twelve years Bob was undeterred in his determination to establish this affordable, high-quality, around-the-clock childcare for working parents at San Francisco International Airport and other work sites where employees must work non-traditional hours. Mr. Anderson leaves an enduring legacy through his establishment of this safe, happy haven for the children of those who contribute to San Mateo's thriving economy.

Mr. Speaker, Bob Anderson will be honored at the 20th Annual Banquet of the Committee on Political Education on Saturday, June 12,1999. I join with those who commend his lifelong, selfless quest to better the lives of his fellow working men and women, and I extend my most enthusiastic wishes for a blissful and happy retirement as he embarks on this new chapter in his life.

AKRON, OHIO, AREA SKI RESORT WINS ENERGY CONSERVATION AWARD

HON. TOM SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. SAWYER. Mr. Speaker, I rise to commend the Boston Mills/Brandywine Resort, located in my congressional district, just north of Akron, Ohio. The Boston Mills/Brandywine Resort is being honored this week for excellence in energy conservation.

This is remarkable for two reasons, one obvious and one not so obvious. First, Ohio is not the location many would imagine when thinking of award-winning ski areas. But to my colleagues from the higher elevation, I highly recommend Ohio to you. It is actually possible, in Ohio's 14th District, to work all day in downtown Akron and ski in the evening. Moreover, the twin resorts at Boston Mills and Brandywine are located within the boundaries of the Cuyahoga Valley National Recreation Area, and are one of its important amenities.

But it is surprising that Boston Mills was singled out because of its size. Being a small ski area makes it hard to compete against larger operations like Vail and Aspen. But Boston Mills won the energy conservation award over both of these sites.

Boston Mills found that its energy needs were causing problems for its neighbors. Neighbors actually found their lights got dim when snowmaking equipment was turned on full force. Responding to these and other energy related problems, Boston Mills developed an ambitious $1.5 million system providing maximum power efficiency and snow production. Making snow now costs 69.5 percent less. They also located new grooming machines which use 33 percent less fuel. Boston Mills calculates total energy savings at 962,000 kilowatt hours of electricity and 9,404 gallons of gas.

Boston Mills/Brandywine Resort will receive the Golden Eagle Award from the Times Mirror Co. this week, one of only five awards being made this year. I hope their conservation initiative will be an example to private recreation providers across our land.

SALUTE TO THE TONY MODICA PIZZA DANCE FOUNDATION AND ONE WORLD–ONE HEART, INC.

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. TOWNS. Mr. Speaker, I rise today to salute the contributions of the Tony Modica Pizza Dance Foundation and One World-One Heart, Inc., organizations which exemplifies our nation's direction of unity and cultural exchange through inter-generational activities and programs.

Tony Modica came to this country as an immigrant and became successful in the pizza industry. This Foundation is a means for him to give back to the community through a program that benefits the elderly and the youth. Pizza is a favorite food of both young and old and its incorporation into a program which features song, dance and pizza makes for an enjoyable experience for all involved. Modica uses the pizza as an international symbol of unity. The Foundation has created programs that promote unity; and encourages children to stay in school and improve their grades. After his lectures, the students and seniors are treated to pizza and a lesson in the Foundations' original Pizza Dance—a step choreographed to mimic the art of pizza making. The Pizza is used as a symbol because of it's varied toppings and delectable enjoyment that is recognized by all cultures and ethnic groups. The positive messages are enhanced through dance and the enjoyable feast and taste of pizza!

One World-One Heart, Inc. serves to provide access to educational; recreational; cultural and intergenerational programs for participants from all ethnic, religious, economic and cultural backgrounds. The founders, Catherine Laporte and Steven Kaplansky have over 30 years of experience of providing nonprofit; social and recreational services to communities at large.

One World-One Heart, Inc. has joined with The Tony Modica Pizza Dance Foundation to promote unity and cultural appreciation through free public activities and have mobilized others to support a unified message of respect and appreciation of all people. The combined efforts are a great model of how government, not-for-profits; religious and private sectors can work together for the good of the public.

Pizza is undoubtedly the world's most popular food. The positive messages are enhanced through song, dance and an enjoyable feast of Pizza. The Mayor and City Council have recognized the organization's efforts in New York. By taking this program to a national level with it's fun spirited message. The Tony Modica Pizza Dance Foundation and One World-One Heart, Inc., are positive examples of how private citizens and not-for-profit organizations can make a difference in the community with the support of business and government.

I implore my colleagues on both sides of the aisle to join me in recognizing the ''Pizza''; ''The Tony Modica Pizza Dance Foundation; and One World-One Heart, Inc.'' and in proclaiming June National ''Taste of Pizza'' Month.

TRIBUTE TO CHRISTINE AND STAN PENTON

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to pay tribute to Mr. and Mrs. Christine and Stan Penton, founders of a remarkable program for disabled individuals. The Pegasus Program helps people overcome disabilities through hippotherapy (therapy through horses). They recently held a ground breaking for a new facility at Normandy Farms and Stables in Littleton, Colorado. I was heartened to

learn about the new home for the Pegasus Program for handicapped riders, particularly after working hard to pass a law which directs a study on ways to improve disabled access to outdoor recreation on public lands.

The Pegasus Program is indeed intriguing. I commend Mr. and Mrs. Penton for their creativity and for their innovative approach to bettering the lives of the disabled. The Pegasus Program, however, benefits more than just the disabled. They use wild horses trained by inmates at the Canon City correctional facility. Because wild horses have no natural predators, they tend to overpopulate and overgraze public lands. Sadly, these symbols of the American West out-compete wildlife, and eventually themselves. What a unique opportunity through the Pegasus Program to help wild horses, give prison inmates constructive and rewarding work, and help the disabled overcome their physical limitations. With heartfelt pride, I thank Mr. and Mrs. Penton for their work.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 8, 1999 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 9

9:30 a.m.
Environment and Public Works
Transportation and Infrastructure Subcommittee
To resume hearings on the implementation of the Transportation Equity Act for the 21st century.
SD–406

Small Business
Business meeting to markup S. 918, to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small business.
SR–428A

Indian Affairs
To hold oversight hearings on internet gambling.
SR–485

Appropriations
District of Columbia Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2000 for the government of the District of Columbia.
SD–192

Commerce, Science, and Transportation
To hold hearings on S. 837, to enable drivers to choose a more affordable form of auto insurance that also provides for more adequate and timely compensation for accident victims.
SR–253

Year 2000 Technology Problem
To hold hearings to examine Y2K compliance issues within the health care industry.
SD–138

10 a.m.
Finance
To hold oversight hearings to examine risk adjustment methodology and other implementation issues relating to Medicare+Choice.
SD–215

Foreign Relations
To hold hearings on the nomination of Donald Keith Bandler, of Pennsylvania, to be Ambassador to the Republic of Cyprus; the nomination of M. Michael Einik, of Virginia, to be Ambassador to The Former Yugoslav Republic of Macedonia; the nomination of Donald W. Keyser, of Virginia, for Rank of Ambassador during tenure of service as Special Representative of the Secretary of State for Nagorno-Karabakh and New Independent States Regional Conflicts; the nomination of Joseph Limprecht, of Virginia, to be Ambassador to the Republic of Albania; the nomination of Richard L. Morningstar, of Massachusetts, to be the Representative of the United States of America to the European Union; the nomination of Larry C. Napper, of Texas, for Rank of Ambassador during tenure of service as Coordinator of the Support for East European Democracy (SEED) Program; and the nomination of Thomas J. Miller, of Virginia, to be Ambassador to Bosnia and Herzegovina.
SD–562

Banking, Housing, and Urban Affairs
To hold hearings on issues relating to financial privacy.
SD–538

Governmental Affairs
To resume closed oversight hearings on the national security methods and processes relating to the Wen-Ho Lee espionage investigation.
S–407 Capitol

2 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold oversight hearings on the process to determine the future of the four lower Snake River dams and conduct oversight on the Northwest Power Planning Council's Framework Process.
SD–366

Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
Business meeting to markup proposed legislation making appopriations for the Departments of Commerce, Justice and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999.
SD–146 Capitol

3 p.m.
Foreign Relations
To hold hearings on the nomination of Gwen C. Clare, of South Carolina, to be Ambassador to the Republic of Ecuador; the nomination of Oliver P. Garza, of Texas, to be Ambassador to the Republic of Nicaragua; the nomination of Frank Almaguer, of Virginia, to be Ambassador to the Republic of Honduras; the nomination of John R. Hamilton, of Virginia, to be Ambassador to the Republic of Peru; and the nomination of Prudence Bushnell, of Virginia, to be Ambassador to the Republic of Guatemala.
SD–562

JUNE 10

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings on S. 798, to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of national security.
SR–253

Energy and Natural Resources
To hold oversight hearings on the report of the National Recreation Lakes Study Commission.
SD–366

10 a.m.
Judiciary
Business meeting to markup S. 467, to restate and improve section 7A of the Clayton Act; S. 606, for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Ker-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation); S. 692, to prohibit Internet gambling; S. Res. 98, designating the week beginning October 17, 1999, and the week beginning October 15, 2000, as ''National Character Counts Week''; and S.J. Res. 21, to designate September 29, 1999, as ''Veterans of Foreign Wars of the United States Day''.
SD–226

Finance
To hold hearings on the impact of the Balanced Budget Act provisions on the Medicare Fee-for-Service program.
SD–215

Health, Education, Labor, and Pensions
To resume hearings on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, focusing on serving special populations.
SD–628

Foreign Relations
Near Eastern and South Asian Affairs Subcommittee
To hold hearings to examine the United States policy towards Iraq.
SD–562

Governmental Affairs
To hold hearings on dual use and munitions list export control processes and implimentation at the Department of Energy.
SD–342

Banking, Housing, and Urban Affairs
To hold oversight hearings on export control issues in the Cox Report.
SD–538

2 p.m.
Judiciary
Antitrust, Business Rights, and Competition Subcommittee
To hold hearings on the competitive implications of the proposed Goodrich/Coltec merger.
SD–226

Governmental Affairs
Investigations Subcommittee
To hold hearings to examine the impact of the new Medicare Interim Payment System on certain home health agencies.
SD–342

3 p.m.
Appropriations
Business meeting to markup proposed legislation making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, proposed legislation making appropriations for the Legislative Branch for the fiscal year ending September 30, 1999, and proposed legislation making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year ending September 30, 1999.
SD–106

JUNE 14

9:30 a.m.
Joint Economic Committee
To hold hearings on issues relating to the High-Technology National Summit.
SH–216

JUNE 15

9:30 a.m.
Joint Economic Committee
To continue hearings on issues relating to the High-Technology National Summit.
SH–216

Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–628

2:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold oversight hearings on issues related to vacating the record of decision and denial of a plan of operations for the Crown Jewel Mine in Okanogan County, Washington.
SD–366

JUNE 16

Time to be announced
Indian Affairs
Business meeting to consider pending calendar business; to be followed by hearings on S. 944, to amend Public Law 105–188 to provide for the mineral leasing of certain Indian lands in Oklahoma; and S. 438, to provide for the settlement of the water rights claims of the Chippewa Cree Tribe of the Rocky Boy's Reservation.
SR–485

9:30 a.m.
Joint Economic Committee
To continue hearings on issues relating to the High-Technology National Summit.
SH–216

Energy and Natural Resources
To hold hearings on pending calendar business.
SD–366

JUNE 17

9:30 a.m.
Environment and Public Works
To hold hearings on S. 533, to amend the Solid Waste Disposal Act to authorize local governments and Governors to restrict receipt of out-of-State municipal solid waste; and S. 872, to impose certain limits on the receipt of out-of-State municipal solid waste, to authorize State and local controls over the flow of municipal solid waste.
SD–406

10 a.m.
Health, Education, Labor, and Pensions
To hold joint hearings with the House Committee on Education and Work Force on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, focusing on research and evaluation.
SD–106

JUNE 23

9:30 a.m.
Indian Affairs
To hold oversight hearings on General Accounting Office report on Interior Department's trust funds management.
SR–485

JUNE 30

9:30 a.m.
Indian Affairs
To hold oversight hearings on National Gambling Impact Study Commission Report.
Room to be announced

SEPTEMBER 28

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.
345 Cannon Building

POSTPONEMENTS

JUNE 17

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings on mergers and consolidations in the communications industry.
SR–253

Energy and Natural Resources
To hold hearings on S. 1049, to improve the administration of oil and gas leases on Federal land.
SD–366