were added as cosponsors of amendment No. 3202 intended to be proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 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.

AMENDMENT NO. 3213
At the request of Mr. BENNETT, the name of the Senator from Hawaii (Mr. NUNN) was added as a cosponsor of amendment No. 3213 intended to be proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 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.

AMENDMENT NO. 3267
At the request of Mrs. LINCOLN, her name was added as a cosponsor of amendment No. 3267 proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 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.

SENATE CONCURRENT RESOLUTION 122—RECOGNIZING THE 60TH ANNIVERSARY OF THE UNITED STATES NONRECOGNITION POLICY OF THE SOVIET TAKEOVER OF ESTONIA, LATVIA, AND LITHUANIA, AND CALLING FOR POSITIVE STEPS TO PROMOTE A PEACEFUL AND DEMOCRATIC FUTURE FOR THE BALTIC REGION

Mr. DURBIN (for himself, Mr. GOR- TON, Mr. ROBB, Mr. GRAMS, and Mr. VOINOVICH) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 122
Whereas in June 1940, the Soviet Union occupied the Baltic countries of Estonia, Latvia, and Lithuania and forcibly incorporated them into the Union of Soviet Socialist Republics;
Whereas throughout the occupation, the United States maintained that the acquisition of Baltic territory by force was not permissible under international law and refused to recognize Soviet sovereignty over these lands;
Whereas on July 15, 1940, President Franklin D. Roosevelt issued Executive Order No. 8484, which froze Baltic assets in the United States to prevent them from falling into Soviet hands;
Whereas on July 23, 1940, Acting Secretary of State Sumner Welles issued the first public statement of United States policy of non-recognition of the Soviet takeover of the Baltic countries, condemning that act in the strongest terms;
Whereas the United States took steps to allow the diplomatic representatives of Estonia, Latvia, and Lithuania in Washington to continue to represent their nations throughout the Soviet occupation;
Whereas Congress on a bipartisan basis strongly and consistently supported the policy of nonrecognition of the Soviet takeover of the Baltic countries during the 50 years of occupation;
Whereas in 1989, Congress designated the third week in November as “Captive Nations Week”, and authorized the President to issue a proclamation declaring June 14 as “Baltic Freedom Day”;
Whereas in December 1975, the House of Representatives and the Senate adopted resolutions declaring that the Final Act of the Commission for Security and Cooperation in Europe, which accepted the inviolability of borders in Europe, did not alter the United States nonrecognition policy;
Whereas during the struggle of the Baltic countries for the restoration of their independence in 1989, Congress passed a number of resolutions that underscored its continued support for the nonrecognition policy and for Baltic self-determination;
Whereas since then the Baltic states have successfully built democracy, ensured the rule of law, developed free market economies, and consistently pursued a course of integration into the community of free and democratic nations by seeking membership in the European Union and the North Atlantic Treaty Organization;
Whereas the Russian Federation has extended formal recognition to Estonia, Latvia, and Lithuania as independent and sovereign states; and
Whereas the United States, the European Union, and the countries of Northern Europe have supported regional cooperation in Northern Europe among the Baltic and Nordic states and the Russian Federation in addressing commercial, legal, military, environmental, law enforcement, and public health problems, and in promoting civil society and business and trade development: Now, therefore, be it
Resolved by the Senate (the House of Representatives concurring), That Congress—
(1) recognizes the 60th anniversary of the United States nonrecognition policy of the Soviet takeover of the Baltic states and the contribution that policy made in supporting the aspirations of the people of Estonia, Latvia, and Lithuania to reassert their freedom and independence;
(2) commends Estonia, Latvia, and Lithuania for the enactment of their independence and the role they played in the disintegration of the former Soviet Union in 1989 and 1991;
(3) commends Estonia, Latvia, and Lithuania for their success in implementing political and economic reforms, which may further speed the process of their entry into the European and Western institutions; and
(4) supports regional cooperation in Northern Europe among the Baltic and Nordic states and the Russian Federation and calls for further cooperation in addressing commercial, legal, military, environmental, law enforcement, and public health problems, and in promoting civil society and business and trade development, and similar efforts that promote a peaceful and non-military future for Europe, Russia and the Nordic-Baltic region.

CONGRESSIONAL RECORD—SENATE  June 14, 2000

SENATE RESOLUTION 323—DESIGNATING MONDAY, JUNE 19, 2000, AS NATIONAL EAT-DINNER-WITH-YOUR-CHILDREN DAY

Mr. BIDEN (for himself, Mr. GRASSLEY, Mr. JEFFORDS, Mr. LEVIN, Mr. BRYAN, Mr. KENNEDY, Mrs. MURRAY, Mr. MOYNIHAN, Mr. SESSIONS, Mr. DEWINE, Mr. HELMS, Mr. THURMOND, Mr. SCHUMER, and Mr. INOUYE) submitted the following resolution; which was considered and agreed to:
S. RES. 323
Whereas the use of illegal drugs and the abuse of substances such as alcohol and nicotine constitute the single greatest threat to the health and well-being of American children;
Whereas surveys conducted by the National Center on Addiction and Substance Abuse at Columbia University have found for each of the past 4 years that children and teenagers who routinely eat dinner with their families are far less likely to use illegal drugs, cigarettes, and alcohol;
Whereas teenagers from families that seldom eat dinner together are 72 percent more likely than the average teenager to use illegal drugs, cigarettes, and alcohol;
Whereas teenagers from families that eat dinner together are 31 percent less likely than the average teenager to use illegal drugs, cigarettes, and alcohol;
Whereas the correlation between the frequency of family dinners and the decrease in substance abuse risk is well documented;
Whereas parental influence is known to be one of the most crucial factors in determining the likelihood of teenage substance abuse; and
Whereas family dinners have long constitu ted a substantial pillar of American family life: Now, therefore, be it
Resolved, That the Senate—
(1) recognizes that eating dinner as a family is a critical step toward raising healthy, drug-free children; and
(2) designates Monday, June 19, 2000, as National Eat-Dinner-With-Your-Children Day.

AMENDMENTS SUBMITTED

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

MR. WARNER (for Mr. LOTT) proposed an amendment to the bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 353, between lines 15 and 16, insert the following:

SEC. 914. MANAGEMENT OF NAVY RESEARCH FUNDS BY CHIEF OF NAVAL RESEARCH.

(a) CLARIFICATION OF DUTIES.—Section 5022 of title 10, United States Code, is amended—
(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and
(2) by inserting after paragraph (1) of subsection (a) the following:
SEC. 222. TECHNOLOGIES FOR DETECTION AND TRANSPORT OF POLLUTANTS AT ATTRACTIBLE TO LIVE-FIRE ACTIVITIES.
(a) INCREASE IN AMOUNT.—The amount authorized by section (a) of such section is amended by striking "(a)(1)" and inserting "(a)".

KENNEDY AMENDMENT NO. 3383

Mr. LEVIN (for Mr. KENNEDY) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 49, between lines 20 and 21, insert the following:

(2) conforming amendment.—Subsection (a) of such section is further amended—
(1) by striking "subsection (a)" and inserting "subsections (a) and (b)(1)";
(2) in paragraph (3), by striking "subsection (b)" and inserting "subsection (b)(1)"; and
(3) in paragraph (4), by striking "clause (2) of such subsection" and inserting "subsection (a)".

HUTCHEON AMENDMENT NO. 3387

Mr. WARNER (for Mrs. HUTCHISON) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 251, between lines 6 and 7, insert the following:

SEC. 714. IMPROVEMENT OF ACCESS TO HEALTH CARE UNDER THE TRICARE PROGRAM.

(a) WAIVER OF NONAVAILABILITY STATEMENT OR PREAUTHORIZATION.—In the case of a covered beneficiary under chapter 55 of title 10, United States Code, enrolled in TRICARE Standard, the Secretary of Defense may not require with regard to authorized health care services (other than mental health services) under any new contract for the provision of health care services under such chapter that the beneficiary—
(1) obtain a nonavailability statement or preauthorization; or
(2) obtain a nonavailability statement for care in specialized treatment facilities outside the 20-mile radius of a military medical treatment facility.
(b) NOTICE.—The Secretary may require that the covered beneficiary inform the primary care manager of the beneficiary of any health care received from a civilian provider or in a specialized treatment facility.
(c) EXCEPTIONS.—Subsection (a) shall not apply if—
(1) the Secretary demonstrates significant cost avoidance for specific procedures at the affected military medical treatment facility in order to receive the services from a civilian provider; or
(2) the Secretary determines that a specific procedure must be maintained at the affected military medical treatment facility to ensure the proficiency levels of the practitioners at the facility; or
(3) the lack of nonavailability statement data would significantly interfere with TRICARE contract administration.
(d) EFFECTIVE DATE.—This section shall take effect on October 1, 2001.

LOTT AMENDMENT NO. 3385

Mr. WARNER (for Mr. LOTT) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 58, between lines 7 and 8, insert the following:

SEC. 313. WEATHERPROOFING OF FACILITIES AT KESSELER AIR FORCE BASE, MISSISSIPPI.

The total amount authorized to be appropriated by section 303(d), $2,800,000 is available for the weather-proofing of facilities at Keesler Air Force Base, Mississippi.

HARKIN AND OTHERS AMENDMENT NO. 3386

Mr. LEVIN (for Mr. HARKIN (for himself, Mr. LUIGAR, and Mr. LEAHY)) proposed an amendment to the bill, S. 2549, supra; as follows:

SEC. 656. MODIFICATION OF TIME FOR USE BY CERTAIN MEMBERS OF THE SELECTED RESERVE OF ENLISTMENT ASSISTANCE.

(a) IN GENERAL.—Subsection (a) of section 16133 of title 10, United States Code, is amended by striking "(1) at the end and all that follows through the end and inserting "on the date the person is separated from the Selected Reserve.
(b) CERTAIN MEMBERS.—Paragraph (1) of subsection (b) of that section is amended in the flush text following subparagraph (B) by striking "shall be determined" and all that follows through the end and inserting "shall expire on the later of (i) the 10-year period beginning on the date on which such person becomes entitled to educational assistance under this chapter, or (ii) the end of the 4-year period beginning on the date such person is separated from, or ceases to be, a member of the Selected Reserve.
(c) CONFORMING AMENDMENTS.—Subsection (b) of that section is amended by inserting "subsection (a)" and inserting "subsection (a) and (b)(1)".

STEVENS AMENDMENT NO. 3389

Mr. WARNER (for Mr. STEVENS) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 239, following line 22, add the following:

SEC. 656. RECOGNITION OF MEMBERS OF THE ALASKA TERRITORIAL GUARD AS VETERANS.

(a) IN GENERAL.—Section 106 of title 38, United States Code, is amended by adding at the end the following new subsection:
(2) Service as a member of the Alaska Territorial Guard during World War II of any individual who was honorably discharged therefrom under section 656(b) of the National Defense Authorization Act for Fiscal Year 2001 shall be considered active duty for purposes of all laws administered by the Secretary.
(b) DISCHARGE.—(1) The Secretary of Defense shall issue to each individual who served as a member of the Alaska Territorial Guard during World War II a discharge from such service under honorable conditions if the Secretary determines that the nature and duration of the service of the individual concerned as described in this paragraph:
(2) A discharge under paragraph (1) shall designate the date of discharge. The date of discharge shall be the date, as determined by the Secretary, of the termination of service of the individual concerned as described in that paragraph.
(c) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits shall be paid to any individual for any period before the date of the enactment of this Act by reason of the enactment of this section.

FEINGOLD AMENDMENT NO. 3390

Mr. LEVIN (for Mr. FEINGOLD) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 239, following line 22, add the following:

SEC. 656. MODIFICATION OF TIME FOR USE BY CERTAIN MEMBERS OF THE SELECTED RESERVE OF ENLISTMENT ASSISTANCE.

(a) IN GENERAL.—Subsection (a) of section 16133 of title 10, United States Code, is amended by striking "(1) at the end and all that follows through the end and inserting "on the date the person is separated from the Selected Reserve.
(b) CERTAIN MEMBERS.—Paragraph (1) of subsection (b) of that section is amended in the flush text following subparagraph (B) by striking "shall be determined" and all that follows through the end and inserting "shall expire on the later of (i) the 10-year period beginning on the date on which such person becomes entitled to educational assistance under this chapter, or (ii) the end of the 4-year period beginning on the date such person is separated from, or ceases to be, a member of the Selected Reserve.
(c) CONFORMING AMENDMENTS.—Subsection (b) of that section is further amended—
(1) by striking "subsection (a)" and inserting "subsection (a) and (b)(1)"
(2) in paragraph (3), by striking "subsection (a)" and inserting "subsection (a) and (b)(1)";
(3) in paragraph (4), by striking "clause (2) of such subsection" and inserting "subsection (a)".

STEVENS AMENDMENT NO. 3389

Mr. WARNER (for Mr. STEVENS) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 239, following line 22, add the following:

SEC. 656. RECOGNITION OF MEMBERS OF THE ALASKA TERRITORIAL GUARD AS VETERANS.

(a) IN GENERAL.—Section 106 of title 38, United States Code, is amended by adding at the end the following new subsection:
(2) Service as a member of the Alaska Territorial Guard during World War II of any individual who was honorably discharged therefrom under section 656(b) of the National Defense Authorization Act for Fiscal Year 2001 shall be considered active duty for purposes of all laws administered by the Secretary.
(b) DISCHARGE.—(1) The Secretary of Defense shall issue to each individual who served as a member of the Alaska Territorial Guard during World War II a discharge from such service under honorable conditions if the Secretary determines that the nature and duration of the service of the individual concerned as described in this paragraph:
(2) A discharge under paragraph (1) shall designate the date of discharge. The date of discharge shall be the date, as determined by the Secretary, of the termination of service of the individual concerned as described in that paragraph.
(c) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits shall be paid to any individual for any period before the date of the enactment of this Act by reason of the enactment of this section.
On page 220, between lines 13 and 14, insert the following:

SEC. 622. ENTITLEMENT OF MEMBERS OF THE NATIONAL GUARD AND OTHER RESERVES NOT ON ACTIVE DUTY TO RECEIVE SPECIAL DUTY ASSIGNMENT PAY.

(a) AUTHORITY.—Section 307(a) of title 37, United States Code, is amended by inserting after “is entitled to basic pay” in the first sentence the following: “, or is entitled to compensation under section 206 of this title in the case of a member of a reserve component not on active duty.”.

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

HUTCHISON AMENDMENT NO. 3391

Mr. WARNER (for Mrs. HUTCHISON) proposed an amendment to the bill, S. 2549, as follows:

On page 270, between lines 16 and 17, insert the following:

SEC. 744. SERVICE AREAS OF TRANSFEREES OF FORMER UNITED STATES SERVICES HEALTH CARE DELIVERY SYSTEM.

Section 722(e) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended—

(1) by inserting “(1) “after “(e) SERVICE AREA.”; and

(2) by adding at the end the following:

(2) The Secretary may, with the agreement of the procuring activity, expand the service area of the designated provider as the Secretary determines necessary to permit covered beneficiaries to enroll in the designated provider’s managed care plan. The expanded service area may include one or more contiguous areas.

THOMPSON (AND OTHERS) AMENDMENT NO. 3392

Mr. WARNER (for Mr. THOMPSON (for himself, Mr. LIEBERMAN, Mr. WARNER, and Mr. LEVIN)) proposed an amendment to the bill, S. 2549, supra; as follows:

In section 801(a), strike “The Secretary of Defense shall ensure that, not later than 180 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation is revised” and insert “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 (41 U.S.C. 405 and 421) shall be revised”.

At the end of title VIII, add the following:

SEC. 814. REVISION OF THE ORGANIZATION AND AUTHORITY OF THE COST ACCOUNTING STANDARDS BOARD.

(a) ESTABLISHMENT WITHIN OMB.—Paragraph (1) of subsection (a) of section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422) is amended by striking “Office of Federal Procurement Policy” in the first sentence and inserting “Office of Management and Budget”.

(b) COMPOSITION OF BOARD.—Subsection (a) of such section is further amended—

(1) by striking the second sentence of paragraph (3) and

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) The Board shall consist of five members appointed as follows:

“(A) A Chairman, appointed by the Administrator of the Office of Management and Budget, from among knowledgeable persons in cost accounting matters for Federal Government contracts.

“(B) One member, appointed by the Secretary of Defense, from among Department of Defense personnel.

“(C) One member, appointed by the Administrator of the Federal Acquisition Service, from among executive agencies other than the Department of Defense, with the concurrence of the head of the executive agency concerned.

“(D) One member, appointed by the Chairman from among persons (other than officers and employees of the United States) who are in the accounting or accounting education profession.

“(E) One member, appointed by the Chairman from among persons in industry.”.

(c) TERM OF OFFICE.—Paragraph (3) of such subsection, as redesignated by subsection (b)(2), is amended—

(1) in subparagraph (A)—

(A) by striking “, other than the Administrator for Federal Management and Budget,”;

(B) by striking clause (i);

(C) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(D) in clause (i), as so redesignated, by striking “individual who is appointed under paragraph (1)(A)” and inserting “officer or employee of the Federal Government who is appointed as a member under paragraph (2)”;

(2) by striking subparagraph (C).

(d) OTHER BOARD MEMBERS.—Subsection (b) of such section is amended to read as follows:

“(b) SENIOR STAFF.—The Chairman, after consultation with the Board, may appoint an executive secretary and two additional staff members without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and in the excepted service.

“(1) The Chairman may appoint such staff members without regard to the provisions of chapter 53 of such title and section 5376 of such title (relating to the rates of basic pay under the General Schedule and for senior-level positions, respectively), except that no individual so appointed may receive pay in excess of the maximum rate of basic pay payable for a senior-level position under such section 5376.

“(2) Subsections (c) and (d)(2), and the third sentence of subsection (e), of such section are amended by striking “Administrator” and inserting “Chairman”.

“(e) COST ACCOUNTING STANDARDS AUTHORITY.—(1) Paragraph (1) of subsection (f) of such section is amended by inserting “subject to direction of the Director of the Office of Management and Budget,” after “exclusive authority”.

“(2) Paragraph (2)(B)(iv) of such subsection is amended by striking “more than $7,500,000” and inserting “$7,500,000 or more”.

“(3) Paragraph (3) of such subsection is amended in the first sentence—

(A) by striking “Administrator, after consultation with the Board,” and inserting “Chairman, with the concurrence of a majority of the members of the Board”; and

(B) by inserting before the period at the end of the following, as provided in clause (ii).

“(ii) The head of a procuring activity, in the case of a firm, fixed price contract or subcontract for which the requirement to obtain cost or pricing data under subsection (a) of section 2936 of the Federal Acquisition Regulations System, or subsection (a) of section 542A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b) is waived under the pilot program (b)(1)(C) of such section, respectively.”.

(4) Paragraph (3)(C) of such subsection is amended to read as follows:

“(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 a level in the executive agency as follows:

“(i) The senior policymaking level, except as provided in clause (ii).

“(ii) The head of a procuring activity, in the case of a firm, fixed price contract or subcontract for which the requirement to obtain cost or pricing data under subsection (a) of section 2936 of the Federal Acquisition Regulations System, or subsection (a) of section 542A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b) is waived under the pilot program (b)(1)(C) of such section, respectively.”.

(5) Paragraph (5)(E) of such subsection is amended by inserting before the period at the end of such clause “the Board.”.

(d) REQUIREMENTS FOR STANDARDS.—(1) SERVICE CONTRACTS.—Subsection (a) of section 710 of the Office of Federal Procurement Policy Act is amended by inserting before the semicolon at the end the following: “, together with a certification of compliance”.

(2) INTEREST RATE APPLICABLE TO CONTRACT PRICE ADJUSTMENTS.—Subsection (h)(4) of such section is amended by inserting “after “622C” both places that it appears.”

(e) REPEAL OF REQUIREMENT FOR ANNUAL REPORT.—Such section is further amended by striking subsection (i).

(f) EFFECTS OF BOARD INTERPRETATIONS AND REGULATIONS.—Subsection (j) of such section is amended—

(1) by striking paragraph (1), by striking “promulgated by the Cost Accounting Standards Board under section 719 of the Defense Production Act of 1950 (50 U.S.C. App. 2168)” and inserting “that are in effect on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001”; and

(2) in paragraph (5), by striking “under the authority set forth in section 6 of this Act” and inserting “exercising the authority provided in section 6 of this Act in consultation with the Chairman.”.

(g) RATE OF PAY FOR CHAIRMAN.—Section 5315 of title 5, United States Code, is amended by adding at the end the following:

“(f) CHAIRMAN, Cost Accounting Standards Board.”.

(k) TRANSITION PROVISION FOR MEMBERS.—Each member of the Cost Accounting Standards Board who serves on the Board under paragraph (1) of section 26(a) of the Office of Federal Procurement Policy Act, as in effect on the day before the date of the enactment of this Act, shall continue to serve as a member of the Board until the earlier of—

(1) the expiration of the term for which the member was so appointed; or

(2) the date on which a successor to such member is appointed under paragraph (2) of such section 26(a), as amended by subsection (b) of that section.

SEC. 815. REVISION OF AUTHORITY FOR SOLUTIONS-BASED CONTRACTING PILOT PROGRAM.

(a) PILOT PROJECTS UNDER THE PROGRAM.—Section 5312 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1192) is amended—

(1) in subsection (a), by striking “subparagraph (d)(2) and inserting “subparagraph (d)”;

(2) by striking subsection (d) and inserting the following:

“(d) PILOT PROGRAM PROJECTS.—The Administrator shall authorize to be carried out under the pilot program—

June 14, 2000
SEC. 816. APPROPRIATE USE OF PERSONNEL EXPERIENCE AND EDUCATIONAL REQUIREMENTS IN THE PROCUREMENT OF INFORMATION TECHNOLOGY SERVICES.

(a) AMENDMENT OF THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date the amendment to this Act, the Federal Acquisition Regulation shall be amended, in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 46 and 421) to be amended to address the minimum personnel experience and educational requirements in the procurement of information technology services.

(b) CONTENT OF AMENDMENT.—The amendment issued pursuant to subsection (a) shall—

(1) provide that a solicitation of bids on a performance-based contract for the procurement of information technology services may not set forth any minimum experience or educational requirement for contractor personnel that a bidder must satisfy in order to be eligible for award of the contract; and

(2) specify—

(A) the circumstances under which a solicitation of bids for other contracts for the procurement of information technology services may set forth any such minimum requirement for that purpose; and

(B) the circumstances under which a solicitation of bids for other contracts for the procurement of information technology services may not set forth any such minimum requirement for that purpose.

(c) CERTIFICATION OF REGULATION.—The amendment issued pursuant to subsection (a) shall include a rule of construction that a prohibition included in the amendment under paragraph (2)(B) does not prohibit the consideration of the experience and educational levels of the personnel of bidders in the selection of a bidder to be awarded a contract.

(d) GAO REPORT.—Not later than 1 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—

(1) executive agency compliance with the regulations; and

(2) conformity of the regulations with existing law, together with any recommendations that the Comptroller General considers appropriate.

(e) DEFINITIONS.—In this section:

(1) the term ‘‘executive agency’’ has the meaning given that term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 463).

(2) the term ‘‘performance-based contract’’ means a contract that includes performance work and that, in lieu of forth contract requirement in clear, specific, and objective terms with measurable outcomes.

(3) the term ‘‘information technology’’ has the meaning given that term in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

At the end of subtitle A of title X, insert the following:

"SEC. 1010. TREATMENT OF PARTIAL PAYMENTS UNDER SERVICE CONTRACTS.

For the purposes of the regulations prescribed under section 3903(a)(5) of title 31, United States Code, partial payments other than progress payments, that are made on a contract for the procurement of services shall be treated as being periodic payments.

WARNER AMENDMENT NO. 3393

Mr. WARNER proposed an amendment to the bill, S. 2549, supra; as follows:

On page 54, line 11, strike ‘‘$19,028,531,000’’ and insert ‘‘$19,931,831,000’’.

On page 54, line 11, strike ‘‘$11,973,569,000’’ and insert ‘‘$11,971,069,000’’.

LIEBERMAN AMENDMENT NO. 3394

Mr. LIEBERMAN (for Mr. LIEBERMAN) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 462, between lines 2 and 3, insert the following:

"SEC. 1210. SUPPORT OF CONSULATIONS ON ARAB AND ISRAELI ARMS CONTROL AND REGIONAL SECURITY ISSUES.

Of the amount authorized to be appropriated by section 301(b), up to $1,000,000 is available for the support of programs to promote informal region-wide consultations among Arab, Israeli, and United States officials and experts on arms control and security issues concerning the Middle East region.

DEWINE AMENDMENT NO. 3395

Mr. DEWINE (for Mr. DEWINE) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 353, between lines 15 and 16, insert the following:

"SEC. 914. UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.

(a) AUTHORITY.—(1) Part III of subtitle D of title 10, United States Code, is amended by—

(2) by inserting at the end of section 4184—

"CHAPTER 904—UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY

"Sec. 9321. Establishment; purposes.

"9322. Sense of the Senate.

SEC. 9321. ESTABLISHMENT; PURPOSES.

"(a) ESTABLISHMENT.—There is a United States Air Force Institute of Technology in the Department of the Air Force.

"(b) PURPOSES.—The purposes of the Institute are as follows:

(1) To perform research.

(2) To provide advanced instruction and technical education for employees of the Department of Air Force and members of the Air Force (including those reserve components) in their practical and theoretical duties.

"SEC. 9322. SENSE OF THE SENATE REGARDING THE UTILIZATION OF THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.

"(a) It is the sense of the Senate that in order to insure full and continued utilization of the United States Air Force Institute of Technology, the Secretary of the Air Force should, in consultation with the Chief of Staff of the Air Force and the Commander of the Air Force Materiel Command, review the following areas of organized structure and operations at the Institute:

(1) The grade of the Commandant.

(2) The chain of command of the Commandant of the Institute within the Air Force.

(3) The employment and compensation of civilian professors and experts on arms control and security issues concerning the Middle East region.

(4) Post graduation opportunities for graduates of the Institute.

(5) The policies and practices regarding the admission of—

(A) officers of the Army, Navy, Marine Corps, and Coast Guard;

(B) employees of the Department of the Army, Department of the Navy, and Department of Transportation;

(C) personnel of the armed forces of foreign countries;

(D) enlisted members of the Armed Forces of the United States; and

(E) others eligible for admission.

ROBERTS AMENDMENT NO. 3396

Mr. WARNER (for Mr. ROBERTS) proposed an amendment to amendment No. 3237 proposed by Mr. WARNER (for Mr. ROBERTS) to the bill, S. 2549, supra; as follows:

On page 2, line 15, strike ‘‘$1,500,000’’ and insert ‘‘$1,500,000’’.

MUKOWSKI (AND OTHERS) AMENDMENT NO. 3397

Mr. WARNER (for Mr. MUKOWSKI (for himself, Mr. CRAIG, Mr. BENGAMAN, Mr. ENZI, Mr. BAUCUS, Mr. REID, Mr. STEVENS, Mr. CRAPO, Mr. HUTCHINSON, and Mr. THOMAS)) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 251, between lines 6 and 7, insert the following:

"SEC. 714. ENHANCEMENT OF ACCESS TO TRICARE IN RURAL STATES.

(a) HIGHER MAXIMUM ALLOWABLE CHARGE.—Section 1079(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ‘‘paragraphs (2) and (3)’’ in the first sentence and inserting ‘‘paragraphs (2), (3), and (4)’’;

(2) by redesignating paragraph (4) as paragraph (5);

(3) by inserting after paragraph (3) the following new paragraph (4):

'(4)(A) The amount payable for a charge for a service provided by an individual health care professional or other noninstitutional health care provider in a rural State for which a claim is submitted under a plan contracted for under subsection (a) shall be equal to 80 percent of the customary and reasonable charge for services of that type when provided by such a professional or other provider, as the case may be, in that State.

'(B) A customary and reasonable charge shall be determined for the purposes of paragraphs (1) and (2) by the Secretary of Health and Human Services (with the advice of the Secretary of Defense, the Secretary of Agriculture, and the Secretary of Commerce), or as otherwise determined by the Administrator of the Health Care Financing Administration of the Department of Health and Human Services; and

'(C) by adding at the end the following:

'(6) In this subsection the term ‘‘rural State’’ means a State that has, on average, as
determined by the Bureau of the Census in the latest decennial census.

(a) less than 76 residents per square mile; and
(b) less than 211 actively practicing physicians (not counting physicians employed by the United States per 100,000 residents).

(b) REPORT.—(1) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the extent to which physicians are choosing not to participate in contracts for the furnishing of health care in rural States under chapter 56 of title 10, United States Code.

(2) The report shall include the following:
(A) The number of physicians in rural States who are withdrawing from participation, or otherwise refusing to participate, in the health care contracts.
(B) The reasons for the withdrawals and refusals.
(C) The actions that the Secretary of Defense can take to encourage more physicians to participate in the health care contracts.
(D) Any recommendations for legislation that the Secretary considers necessary to encourage more physicians to participate in the health care contracts.

(3) In this subsection, the term ‘‘rural State’’ has the meaning given that term in section 1079(h)(6) of title 10, United States Code (as added by subsection (a)).

FEINGOLD (AND THOMPSON) AMENDMENT NO. 3398

Mr. LEVIN (for Mr. FEINGOLD (for himself and Mr. THOMPSON)) proposed an amendment to the bill, S. 2549, supra; as follows:

At the appropriate place, insert the following:

SEC. 2876. LAND CONVEYANCE, FORMER NATIONAL GROUND INTELLIGENCE CENTER, CHARLOTTESVILLE, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Administrator of General Services may convey, without consideration, to the City of Charlottesville, Virginia (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, formerly occupied by the National Ground Intelligence Center and known as the Jefferson Street Property.

(b) AUTHORITY TO CONVEY WITHOUT CONSIDERATION.—The conveyance authorized by subsection (a) may be made without consideration if the Administrator determines that the conveyance on that basis would be in the best interests of the United States.

(c) PURPOSE OF CONVEYANCE.—The conveyance authorized by subsection (a) shall be for the purpose of permitting the City to use the parcel, directly or through an agreement with a public or private entity, for economic development purposes.

(d) REVERSIONARY INTEREST.—If, during the 5-year period beginning on the date the Administrator makes the conveyance authorized by subsection (a), the City determines that the conveyed real property is not being used for a purpose specified in subsection (c), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and upon such reversion the United States shall have the right of immediate entry onto the property.

(e) INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.—The conveyance authorized by subsection (a) shall not be subject to the following:


(3) The financial resources necessary to support efforts for domestic preparedness against such an attack.

(4) The potential role of advanced communications systems in aiding domestic preparedness against such an attack.

(5) The actions that the Secretary of Defense shall take to prepare for additional research and development in biotechnology to aid domestic preparedness against such an attack.

(6) The potential for additional research and development in biotechnology to aid domestic preparedness against such an attack.

(7) Other measures that should be taken to aid domestic preparedness against such an attack.

(8) The financial resources necessary to support efforts for domestic preparedness against such an attack.

(9) The beneficial consequences of such efforts on—
(A) the treatment of naturally occurring infectious disease;
(B) the efficiency of the United States health care system;
(C) the maintenance in the United States of a competitive edge in biotechnology; and
(D) the United States economy.

ROBB (AND WARNER) AMENDMENT NO. 3490

Mr. LEVIN (for Mr. ROBB (for himself and Mr. WARNER)) proposed an amendment to the bill, S. 2549, supra; as follows:

on page 545, following line 22, add the following:

PART IV—OTHER CONVEYANCES

SEC. 2876. LAND CONVEYANCE, FORMER NATIONAL GROUND INTELLIGENCE CENTER, CHARLOTTESVILLE, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Administrator of General Services may convey, without consideration, to the City of Charlottesville, Virginia (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, formerly occupied by the National Ground Intelligence Center and known as the Jefferson Street Property.

(b) AUTHORITY TO CONVEY WITHOUT CONSIDERATION.—The conveyance authorized by subsection (a) may be made without consideration if the Administrator determines that the conveyance on that basis would be in the best interests of the United States.

(c) PURPOSE OF CONVEYANCE.—The conveyance authorized by subsection (a) shall be for the purpose of permitting the City to use the parcel, directly or through an agreement with a public or private entity, for economic development purposes.

(d) REVERSIONARY INTEREST.—If, during the 5-year period beginning on the date the Administrator makes the conveyance authorized by subsection (a), the City determines that the conveyed real property is not being used for a purpose specified in subsection (c), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and upon such reversion the United States shall have the right of immediate entry onto the property.

(e) INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.—The conveyance authorized by subsection (a) shall not be subject to the following:


(3) The financial resources necessary to support efforts for domestic preparedness against such an attack.

(4) The potential role of advanced communications systems in aiding domestic preparedness against such an attack.

(5) The actions that the Secretary of Defense shall take to prepare for additional research and development in biotechnology to aid domestic preparedness against such an attack.

(6) The potential for additional research and development in biotechnology to aid domestic preparedness against such an attack.

(7) Other measures that should be taken to aid domestic preparedness against such an attack.

(8) The financial resources necessary to support efforts for domestic preparedness against such an attack.

(9) The beneficial consequences of such efforts on—
(A) the treatment of naturally occurring infectious disease;
(B) the efficiency of the United States health care system;
(C) the maintenance in the United States of a competitive edge in biotechnology; and
(D) the United States economy.

GRAMS AMENDMENT NO. 3401

Mr. WARNER (for Mr. GRAMS) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 539, between lines 7 and 8, insert the following:

SEC. 2856. LAND CONVEYANCE, ARMY RESERVE CENTER, WINONA, MINNESOTA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the University Foundation of Winona, Minnesota (in this section referred to as the ‘‘Foundation’’), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, in Winona, Minnesota, containing an Army Reserve Center for the purpose of permitting the Foundation to use the parcel for educational purposes.

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

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

EDWARDS AMENDMENT NO. 3402

Mr. LEVIN (for Mr. EDWARDS) proposed an amendment to the bill, S. 2549, supra; as follows:

At the appropriate place, insert the following:

SEC. 2826. LAND CONVEYANCE, ARMY RESERVE CENTER, WINONA, MINNESOTA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the University Foundation of Winona, Minnesota (in this section referred to as the ‘‘Foundation’’), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, in Winona, Minnesota, containing an Army Reserve Center for the purpose of permitting the Foundation to use the parcel for educational purposes.

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

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.
pay for duty subject to hostile fire or imminence danger (37 U.S.C. 313) would be required to receive the same physical treatment as members serving in combat zones.

HUTCHINSON (AND CLELAND) AMENDMENT NO. 3403
Mr. WARNER (for Mr. Cleland) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 206, between lines 15 and 16, insert the following:

SEC. 610. BASIC ALLOWANCE FOR HOUSING.

(a) APPLICABILITY OF LOW-COST OR NO-COST HOUSING TO MEMBERS WITH DEPENDENTS.—Subsection (b)(7) of section 403 of title 37, United States Code, is amended by striking "without dependents".

(b) ALLOWANCE WHEN DEPENDENTS ARE UNABLE TO ACCOMPANY MEMBERS.—Subsection (d) of such section is amended by striking paragraph (3) and inserting the following:

"(3) In the case of a member with dependents who is assigned to duty in an area that is different from the area in which the member's dependents reside—"

"(A) the member shall receive a basic allowance for housing as provided in subsection (b) or (c), as appropriate;"

"(B) if the member is assigned to duty in an area or under circumstances that, as determined by the Secretary concerned, require the member's dependents to reside in a different area, the member shall receive a basic allowance for housing as if the member were assigned to duty in the area in which the dependents reside or at the member's last duty station, whichever the Secretary concerned determines to be equitable; or"

"(C) if the member is assigned to duty in that area under the conditions of low-cost or no-cost permanent change of station or permanent change of assignment and the Secretary concerned determines that it would be inequitable to base the member's entitlement to and form a part of the account."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 2001, and shall apply with respect to pay periods beginning on and after that date.

DEWEY AMENDMENT NO. 3404
Mr. WARNER (for Mr. DeWine) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 546, after line 13, add the following:

SEC. 2892. ACCEPTANCE AND USE OF GIFTS FOR CONSTRUCTION OF THIRD BUILDING AT UNITED STATES AIR FORCE MUSEUM, WRIGHT-PATTERSON AIR FORCE BASE, OHIO.

(a) ACCEPTANCE AUTHORIZED.—(1) The Secretary of the Air Force may accept from the Air Force Museum Foundation, a private non-profit public benefit corporation, gifts in the form of cash, Treasury instruments, or comparable United States Government securities for the purpose of paying the costs of design and construction of a third building for the United States Air Force Museum at Wright-Patterson Air Force Base, Ohio. The building is listed as an unfunded military construction project for the Air Force for the fiscal year 2002 military construction program of the Air Force.

(2) A gift accepted under paragraph (1) may support in whole or in part the construction of the gift be utilized solely for purposes of the design and construction of a particular portion of the building described in that paragraph.

(b) DEPOSIT IN ESCROW ACCOUNT.—The Secretary, acting through the Comptroller of the Air Force Materiel Command, shall deposit any income on such investments shall be credited to and form a part of the account.

(c) INVESTMENT.—Amounts in the escrow account under subsection (b), including any income on investments of such amounts under subsection (c), shall be invested in public debt securities with maturities suitable to the needs of the account, as determined by the Comptroller of the Air Force Materiel Command, and bearing interest at rates that take into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities. The income on such investments shall be credited to and form a part of the account.

(d) UTILIZATIONS.—(1) Amounts in the escrow account under subsection (b), including any income on investments of such amounts under subsection (c), may be utilized to pay the costs of the design and construction of a particular portion of the building, including progress payments for design and construction.

(2) Subject to paragraph (3), amounts shall be payable under paragraph (1) upon receipt by the Comptroller of the Air Force Materiel Command of a notification from an appropriate officer or employee of the Corps of Engineers that such amounts are required for the timely payment of an invoice or claim for the performance of design or construction activities for which such amounts are payable under paragraph (1).

(3) The Comptroller of the Air Force Materiel Command shall, to the maximum extent practicable consistent with good business practice, limit payment of amounts from the account in order to maximize the return on investment of amounts in the account.

(e) LIMITATIONS.—(1) The Corps of Engineers may not enter into a contract for the design or construction of a particular portion of the building described in subsection (a) without the written approval of an appropriate officer or employee of the Corps of Engineers.

(i) If the Secretary of the Air Force determines that the Corps of Engineers may not enter into such a contract with the Corps of Engineers, the Secretary shall terminate the escrow account under subsection (b), including any income on investments of such amounts under subsection (c), that are attributable to such portion of the building.

(ii) Any amounts in the account upon final payment of invoices and claims as described in paragraph (1) shall be available to the Secretary for deposit in the escrow account under subsection (b).

(f) LIQUIDATION OF ESCROW ACCOUNT.—(1) Upon final payment of all invoices and claims associated with the design and construction of the building described in subsection (a), the Secretary of the Air Force shall terminate the escrow account under subsection (b).

(2) Any amounts in the account upon final payment of invoices and claims as described in paragraph (1) shall be available to the Secretary for deposit in the escrow account under subsection (b).

INHOFE (AND ROBB) AMENDMENT NO. 3405
Mr. WARNER (for Mr. Inhofe) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 123, between lines 12 and 13, insert the following:

SEC. 377. REVIEW OF AH–64 AIRCRAFT PROGRAM.

(a) RECOMMENDATION FOR REVIEW.—The Comptroller General shall conduct a review of the Army’s AH–64 aircraft program to determine the following:

(1) Whether any of the following conditions exist under the program:

(A) Obsolete spare parts, rather than spare parts for the latest aircraft configuration, being procured.

(B) There is insufficient sustaining system technical support.

(C) The technical data packages and manuals are obsolete.

(D) There are unfunded requirements for airframe and component upgrades.

(2) Whether the readiness of the aircraft is impaired by conditions described in paragraph (1) that are determined to exist.

(b) REPORT.—Not later than March 1, 2001, the Comptroller General shall submit to the congressional defense committees a report on the results of the review under subsection (a).

LOTTH AMENDMENT NO. 3406
Mr. WARNER (for Mr. Lott) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 48, between lines 20 and 21, insert the following:

SEC. 222. ACOUSTIC MINE DETECTION.

(a) INCREASE IN AMOUNT.—(1) The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby increased by $2,500,000.

(b) The amount authorized to be appropriated by section 201(1), as increased by paragraph (1), the amount available for Countermine Systems (PE602712A) is hereby increased by $2,500,000, with the amount of such increase available for research in acoustic mine detection.

OFFSET.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation for the Army is hereby reduced by $2,500,000, with the amount of such decrease to be applied to Sensor Guidance Technology (PE607072C).

SNOWE AMENDMENT NO. 3407
Mr. WARNER (for Ms. Snowe) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 543, between lines 19 and 20, insert the following:

SEC. 377. REVIEW OF AH–64 AIRCRAFT PROGRAM.

(a) RECOMMENDATION FOR REVIEW.—The Comptroller General shall conduct a review of the Army’s AH–64 aircraft program to determine the following:

(1) Whether any of the following conditions exist under the program:

(A) Obsolete spare parts, rather than spare parts for the latest aircraft configuration, being procured.

(B) There is insufficient sustaining system technical support.

(C) The technical data packages and manuals are obsolete.

(D) There are unfunded requirements for airframe and component upgrades.

(2) Whether the readiness of the aircraft is impaired by conditions described in paragraph (1) that are determined to exist.

(b) REPORT.—Not later than March 1, 2001, the Comptroller General shall submit to the congressional defense committees a report on the results of the review under subsection (a).

DASCHLE AMENDMENT NO. 3408
Mr. LEVIN (for Mr. Daschle) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 543, strike line 20 and insert the following:
PART III—AIR FORCE CONVEYANCES

SEC. 2861. MODIFICATION OF LAND CONVEYANCE, ELLSWORTH AIR FORCE BASE, SOUTH DAKOTA.

(a) MODIFICATION OF CONVEYANCE.—Subsection (a) of section 2863 of the Military Construction Appropriations Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2010) is amended by striking “Greater Box Elder Area Economic Development Corporation, Box Elder, South Dakota” and inserting “West River Foundation for Economic and Community Development, Sturgis, South Dakota”.

(b) CONFORMING AMENDMENT.—That section is further amended by striking “Corporation” each place it appears in subsections (c) and (e) and inserting “Foundation”.

PART IV—DEFENSE AGENCIES CONVEYANCES

GRAMM AMENDMENT NO. 3409

Mr. WARNER (for Mr. GRAMM) proposed an amendment to the bill, S. 2549, supra, as follows:—

At the end of title XII, add the following:

SEC. 286. AUTHORITY TO CONSENT TO RETURN OF ALTERNATIVE PROTECTION FOR ARMED FORCES CONVEYANCE.

Section 1012 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–51; 113 Stat. 740) is amended—

(1) in subsection (a), by inserting after “HS Rodos (ex-USS BOWMAN COUNTY (LST 391))” the following: “; LST 325, or any other former United States LST that is excess to the needs of that government”; and

(2) in subsection (b)(1), by inserting “retransferred under subsection (a)” after “the vessel”.

CONRAD AMENDMENT NO. 3410

Mr. LEVIN (for Mr. CONRAD) proposed an amendment to the bill, S. 2549, supra, as follows:—

On page 378, between lines 19 and 20, insert the following:

SEC. 1027. REPORT ON GLOBAL MISSILE LAUNCH EARLY WARNING CENTER.

Not later than March 15, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility and advisability of establishing a center at which missile launch early warning data from the United States and other nations would be made available to representatives of nations concerned with the launch of ballistic missiles. The report shall include the Secretary’s assessment of the advantages and disadvantages of such a center and any other matters regarding such a center that the Secretary considers appropriate.

WARNER AMENDMENT NO. 3411

Mr. WARNER proposed an amendment to the bill, S. 2549, supra, as follows:—

On page 378, between lines 19 and 20, insert the following:

SEC. 1027. MANAGEMENT REVIEW OF WORKING-CAPITAL FUND ACTIVITIES.

(a) COMPTROLLER GENERAL REVIEW REQUIRED.—The Comptroller General shall conduct a review of the working-capital fund activities of the Department of Defense to identify any significant changes in current management processes or policies that, if made, would result in a more efficient and economical operation of those activities.

(b) REVIEW TO INCLUDE CARRYOVER POLICY.—The review shall include a review of practices under the Department of Defense policy that authorizes funds available for working-capital fund activities for one fiscal year to be obligated for work to be performed at such activities within the first 90 days of the next fiscal year (known as “carryover policy”). On a case-by-case basis, the Comptroller General shall determine the following:

(1) The extent to which the working-capital fund activities of the Department of Defense have complied with the 90-day carryover policy.

(2) The reasons for the carryover authority under the policy to apply to as much as a 90-day quantity of work.

(3) Whether applying the carryover authority to not more than a 30-day quantity of work would be more economical than carryover operations at the working-capital fund activities early in a fiscal year.

(4) What, if any, savings could be achieved by restricting the carryover authority so as to apply to a 30-day quantity of work.

SOWNE (AND ROBB) AMENDMENT NO. 3412

Mr. WARNER (for Ms. SOWNE (for herself and Mr. ROBB)) proposed an amendment to the bill, S. 2549, supra, as follows:—

Beginning on page 296, after line 22, insert the following:

(e) PHASED IMPLEMENTATION TO COMMENCE DURING FISCAL YEAR 2001.—The Secretary of the Navy shall commence a phased implementation of the Navy-Marine Corps Intranet during fiscal year 2001. For the implementation in that fiscal year—

(1) not more than fifteen percent of the total number of work stations to be provided under the Navy-Marine Corps Intranet program may be provided in the first quarter of such fiscal year; and

(2) no additional work stations may be provided until—

(A) the Secretary has conducted operational testing of the Intranet; and

(B) the Chief Information Officer of the Department of Defense has certified to the Secretary that the results of the operational testing of the Intranet are acceptable.

(f) IMPACT ON FEDERAL EMPLOYEES.—The Secretary shall mitigate any adverse impact of the implementation of the Navy-Marine Corps Intranet on civilian employees of the Department of the Navy who, as of the date of enactment of this Act, are performing functions that are included in the scope of the contract.

(b) DEFENSE LABORATORY DEFINED.—Subsection (e) of that section is amended to read as follows:

(e) IN THIS SECTION:—

(1) The term ‘defense laboratory’ means any laboratory, product center, test center, depot, training and educational organization, or operational command under the jurisdiction of the Department of Defense.

(b) INCREASE IN AMOUNT.—(1) The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby increased by $5,000,000.

(2) Of the amount authorized to be appropriated by section 201(1), as increased by paragraph (1), the amount available for Concept Experimentation Program (PE605326A) is hereby increased by $5,000,000, with the amount of such decrease to be applied to testing of the Army’s future operational technologies for use by mounted maneuver forces.

(b) OFFSET.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation Defense-wide is hereby decreased by $5,000,000, with the amount of such decrease to be applied to Computing Systems and Communications Technology (PE602301E).
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WARNER (AND ROBB) AMENDMENT NO. 3415

Mr. WARNER (for himself and Mr. ROBB) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 546, following line 13, add the following:

SEC. 2802. DEVELOPMENT OF MARINE CORPS HERITAGE CENTER AT MARINE CORPS BASE, QUANTICO, VIRGINIA.

(a) AUTHORITY TO ENTER INTO JOINT VENTURE FOR DEVELOPMENT.—The Secretary of the Navy may enter into a joint venture with the Marine Corps Heritage Foundation, a not-for-profit entity, for the design and construction of a multipurpose facility to be used for historical displays for public viewing, curation, and storage of artifacts, research facilities, classrooms, offices, and associated activities consistent with the mission of the Marine Corps University. The facility shall be known as the Marine Corps Heritage Center.

(b) AUTHORITY TO ACCEPT CERTAIN LAND.—

(1) The Secretary may, if the Secretary determines it to be necessary for the facility described in subsection (a), accept without compensation any portion of the land known as Locust Shade Park which is now offered by the gift of the property of the Countess Elizabeth of Montenegro.

(2) The Secretary may convey the land described in paragraph (1) to the Secretary of Treasury for the purpose of preserving the site as a national park.

(c) LEASE OF FACILITY.—(1) The Secretary may, if the Secretary determines it to be necessary for the facility described in subsection (a), lease, under such terms and conditions as the Secretary considers appropriate, the land described in paragraph (1) to the Secretary under this section without regard to any limitation on its use, or requirement for such use, as may be required for public or governmental use.

(2) The lease authorized by paragraph (1) shall—

(A) be for a term of 10 years, and may be renewed for 2 additional terms of 10 years, as the Secretary may determine; and

(B) allow for the extension of the lease for an additional term of 10 years, in the discretion of the Secretary.

(d) ACCEPTANCE AUTHORITY.—In carrying out the demonstration project, the Secretary shall—

(1) establish and operate distance learning classrooms in communities described in subsection (a), including any support systems required for such classrooms; and

(2) subject to subsection (b), provide Internet access and services in such classrooms through GuardNet, the telecommunications infrastructure of the National Guard.

(e) ACCESS TO INFORMATION.—The Secretary may not make available for public access any information that—

(1) is prepared by the Secretary for the purposes of any demonstration project authorized by this section; or

(2) is prepared by any other Federal agency for the purposes of any demonstration project authorized by this section.

(3) Notwithstanding any other provision of law, the Secretary may not make any information available for public access unless it is made available pursuant to a written agreement with a duly constituted State or local government agency, or with an organization representing a State or local government agency.

(f) ADDITIONAL TERMS AND CONDITIONS.—

The Secretary may enter into additional terms and conditions in connection with the joint venture authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

MURRAY AMENDMENT NO. 3416

Mr. MURRAY (for Mr. MURRAY) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 58, between lines 7 and 8, insert the following:

SEC. 1201. DEMONSTRATION PROJECT FOR INTERNET ACCESS AND SERVICES IN RURAL COMMUNITIES.

(a) IN GENERAL.—The Secretary of the Army, acting through the Chief of the National Guard Bureau, shall carry out a demonstration project to provide Internet access and services to rural communities that are underserved or unserved by the Internet.

(b) PROJECT ELEMENTS.—In carrying out the demonstration project, the Secretary shall—

(1) establish and operate distance learning classrooms in communities described in subsection (a), including any support systems required for such classrooms; and

(2) subject to subsection (c), provide Internet access and services in such classrooms through GuardNet, the telecommunications infrastructure of the National Guard.

(c) AVAILABILITY OF ACCESS AND SERVICES.—Under the demonstration project, Internet access and services shall be available to the following:

(1) Personnel and elements of governmental emergency management and response entities located in communities served by the demonstration project.

(2) Members and units of the Army National Guard located in such communities.

(d) LOCAL MATCH FUNDING.—Any funds appropriated by this Act for the demonstration project shall be matched on a 2 to 1 basis by the participating communities.

(e) FUNDING.—(1) The amount authorized to be appropriated by section 301(10) for operation and maintenance of the Army National Guard is hereby increased by $15,000,000.

(2) Of the amount authorized to be appropriated by section 301(10), $15,000,000 shall be available for the demonstration project required by this section.

(3) It is the sense of Congress that requests for additional funds for the Army National Guard for fiscal years after fiscal year 2001 should provide for sufficient funds for the continuation of the demonstration project required by this section.

INHOFE AMENDMENT NO. 3417

Mr. INHOFE (for Mr. INHOFE) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 60, between lines 20 and 21, insert the following:

SEC. 222. AIR LOGISTICS TECHNOLOGY.

(a) AVAILABILITY OF AMOUNT.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, the amount available for Generic Logistics Research and Development Technology Demonstrations (PE060712S) is hereby increased by $300,000, with the amount of such increase available for air logistics technology.

(b) OFFSET.—Of the amount authorized to be appropriated by section 201(4), the amount available for Computing Systems and Communications Technology (PE062201E) is hereby decreased by $300,000.

CLELAND AMENDMENT NO. 3418

Mr. CLELAND (for Mr. CLELAND) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 415, between lines 2 and 3, insert the following:

SEC. 1061. AWARD OF CONGRESSIONAL GOLD MEDAL TO GENERAL WESLEY K. CLARK.

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

(1) While serving as Supreme Allied Commander in Europe, General Wesley K. Clark demonstrated the highest degree of professionalism and leadership, leading American forces and the forces of 37 countries in military operations against the Federal Republic of Yugoslavia (Serbia and Montenegro).

(2) General Clark's 34 years of outstanding service as an Army officer gave him the ability to effectively mobilize and command multinational air and ground forces in the Balkans.

(3) The forces led by General Clark succeeded in halting the Serbian government's human rights abuses in Kosovo and permitted a safe return of refugees to their homes.

(4) Under the leadership of General Clark, NATO forces launched successful air and ground attacks against Serbian military forces with a minimum of losses.

(5) As the Supreme Allied Commander in Europe, General Clark continued the history of the American military of defending the rights of all people to live their lives in peace and freedom, and he should be recognized for his tremendous achievements by the award of a Congressional Gold Medal.

(b) CONGRESSIONAL GOLD MEDAL.—

(1) PRESENTATION AUTHORIZED.—The President is authorized to present the Congressional Gold Medal, with appropriate inscription, to General Wesley K. Clark, in recognition of his outstanding leadership and service as Supreme Allied Commander in Europe during the military operations against the Federal Republic of Yugoslavia (Serbia and Montenegro).

(2) DESIGN AND STRIKING.—For the purpose of the presentation referred to in paragraph (1), the Secretary of the Treasury shall—

(A) strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary;

(B) DUPLICATE MEDALS.—The Secretary shall—

(1) strike and sell duplicates in bronze of the medal struck pursuant to subsection (b) under such regulations as the Secretary may prescribe, and at a price sufficient to cover the President's expenses, including labor, materials, dies, use of machinery, overhead expenses, and the cost of the gold medal.

(4) NATIONAL MEDALS.—The medals struck pursuant to this section are national medals for purposes of section 31 of title 31, United States Code.

(c) DUPLICATE MEDALS.—The Secretary shall—

(1) strike and sell duplicates in bronze of the gold medal struck pursuant to subsection (b) under such regulations as the Secretary may prescribe, and at a price sufficient to cover the President's expenses, including labor, materials, dies, use of machinery, overhead expenses, and the cost of the gold medal.

(d) NATIONAL MEDALS.—The medals struck pursuant to this section are national medals for purposes of section 31 of title 31, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS; PROCEEDS OF SALE.—

June 14, 2000
CONGRESSIONAL RECORD—SENATE
June 14, 2000

EDWARDS (AND TORRICEILLI)
AMENDMENT NO. 3421
Mr. LEVIN (for Mr. EDWARDS (for himself and Mr. TORRICEILLI)) proposed an amendment to the bill, S. 2549, supra; as follows:

At the appropriate place, insert the following:

SEC. 1061. DEPARTMENT OF DEFENSE PROCESS FOR DECISIONMAKING IN CASES OF FALSE CLAIMS.
(a) POLICIES AND PROCEDURES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe policies and procedures for Department of Defense decisionmaking on claims arising under sections 3729 through 3733 of title 31, United States Code, in cases of claims submitted to the Department of Defense that are suspected or alleged to be false.

(b) REFERRAL AND INTERVENTION DECISIONS.—The policies and procedures shall specifically require that—
(1) an official at an appropriately high level in the Department of Defense make the decision on whether to refer to the Attorney General a case involving a claim submitted to the Department of Defense or to recommend that the Attorney General intervene in, or seek dismissal of, a qui tam action involving the claim;
(2) before making any such decision, the official determined appropriate under the policies and procedures take into consideration the applicable laws, regulations, and agency guidance implementing the laws and regulations, and an examination of all of the available alternative remedies;
(c) Review.—(1) Not later than February 1, 2001, the Secretary of Defense shall submit to Congress a report on the Qui Tam Review Panel, including its status.
(2) For the purposes of paragraph (1), the Qui Tam Review Panel is the panel that was established by the Secretary of Defense for an 18-month trial period to review extraordinary cases of qui tam actions involving false contract claims submitted to the Department of Defense.

WARNER AMENDMENT NO. 3419
Mr. WARNER proposed an amendment to the bill, S. 2549, supra; as follows:

On page 200, after line 23, insert the following:

SEC. 566. VERBATIM RECORDS IN SPECIAL COURTS-MARTIAL.
(a) WHEN REQUIRED.—Subsection (c)(1)(B) of section 854 of title 10, United States Code (article 54 of the Uniform Code of Military Justice) is amended by inserting after "bad conduct discharge" the following: "... confinement for more than six months, or forfeiture of pay for more than six months"
(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of April 1, 2000, and shall apply with respect to charges referred on or after that date to trial by special courts-martial.

INHOFE AMENDMENT NO. 3420
Mr. WARNER (for Mr. INHOFE) proposed an amendment to the bill, S. 2549, supra; as follows:

On page 415, between lines 2 and 3, insert the following:

SEC. 1061. DEPARTMENT OF DEFENSE PROCESS FOR DECISIONMAKING IN CASES OF FALSE CLAIMS.
(a) POLICIES AND PROCEDURES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe policies and procedures for Department of Defense decisionmaking on claims arising under sections 3729 through 3733 of title 31, United States Code, in cases of claims submitted to the Department of Defense that are suspected or alleged to be false.

(b) REFERRAL AND INTERVENTION DECISIONS.—The policies and procedures shall specifically require that—
(1) an official at an appropriately high level in the Department of Defense make the decision on whether to refer to the Attorney General a case involving a claim submitted to the Department of Defense or to recommend that the Attorney General intervene in, or seek dismissal of, a qui tam action involving the claim;
(2) before making any such decision, the official determined appropriate under the policies and procedures take into consideration the applicable laws, regulations, and agency guidance implementing the laws and regulations, and an examination of all of the available alternative remedies;
(c) Review.—(1) Not later than February 1, 2001, the Secretary of Defense shall submit to Congress a report on the Qui Tam Review Panel, including its status.
(2) For the purposes of paragraph (1), the Qui Tam Review Panel is the panel that was established by the Secretary of Defense for an 18-month trial period to review extraordinary cases of qui tam actions involving false contract claims submitted to the Department of Defense.

FITZGERALD (AND OTHERS)
AMENDMENT NO. 3422
Mr. WARNER (for Mr. FITZGERALD (for himself, Mr. SCHUMER, Mr. GRASSLEY, Mrs. LINCOLN, Mr. HUTCHINSON, Mr. DURBIN, Mr. MOYNIHAN, and Mr. HARKIN)) proposed an amendment to the bill, S. 2549, supra; as follows:

At the end of title III, subtitle D insert the following:

SEC. 566. VERBATIM RECORDS IN SPECIAL COURTS-MARTIAL.
(a) WHEN REQUIRED.—Subsection (c)(1)(B) of section 854 of title 10, United States Code (article 54 of the Uniform Code of Military Justice) is amended by inserting after "bad conduct discharge" the following: "... confinement for more than six months, or forfeiture of pay for more than six months"
(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of April 1, 2000, and shall apply with respect to charges referred on or after that date to trial by special courts-martial.

Mr. WARNER (for Mr. FITZGERALD (for himself, Mr. SCHUMER, Mr. GRASSLEY, Mrs. LINCOLN, Mr. HUTCHINSON, Mr. DURBIN, Mr. MOYNIHAN, and Mr. HARKIN)) proposed an amendment to the bill, S. 2549, supra; as follows:

At the appropriate place, insert the following:

SEC. 1061. DEPARTMENT OF DEFENSE PROCESS FOR DECISIONMAKING IN CASES OF FALSE CLAIMS.
(a) POLICIES AND PROCEDURES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe policies and procedures for Department of Defense decisionmaking on claims arising under sections 3729 through 3733 of title 31, United States Code, in cases of claims submitted to the Department of Defense that are suspected or alleged to be false.

(b) REFERRAL AND INTERVENTION DECISIONS.—The policies and procedures shall specifically require that—
(1) an official at an appropriately high level in the Department of Defense make the decision on whether to refer to the Attorney General a case involving a claim submitted to the Department of Defense or to recommend that the Attorney General intervene in, or seek dismissal of, a qui tam action involving the claim;
(2) before making any such decision, the official determined appropriate under the policies and procedures take into consideration the applicable laws, regulations, and agency guidance implementing the laws and regulations, and an examination of all of the available alternative remedies;
(c) Review.—(1) Not later than February 1, 2001, the Secretary of Defense shall submit to Congress a report on the Qui Tam Review Panel, including its status.
(2) For the purposes of paragraph (1), the Qui Tam Review Panel is the panel that was established by the Secretary of Defense for an 18-month trial period to review extraordinary cases of qui tam actions involving false contract claims submitted to the Department of Defense.
SEC. REGARDING LAND CONVEYANCE, MARINE CORPS BASE, CAMP LEJEUNE, NORTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, to the city of Jacksonville, North Carolina (City), all right, title and interest of the United States in and to real property, including improvements thereon, and currently leased to Norfolk Southern Corporation (NSC), consisting of approximately 50 acres, known as the railroad right-of-way, lying within the City between Highway 24 and Highway 17, at the Marine Corps Base, Camp Lejeune, North Carolina, for the purpose of permitting the City to develop the parcel for initial use as a bikeway/green way trail.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall reimburse the Secretary such amounts (as determined by the Secretary) equal to the costs incurred by the Secretary in carrying out the provisions of this section, including, but not limited to, planning, design, surveys, engineering assessment and compliance, supervision and inspection of construction, severing and realigning utility systems, and other prudent and necessary actions, prior to the conveyance authorized by subsection (a). Amounts collected under this subsection shall be credited to the account(s) from which the expenses were paid. Amounts so credited shall be merged with funds in such account(s) and shall be available for the same purposes and subject to the same limitations as the funds with which merged.

(c) CONDITION OF CONVEYANCE.—The right of the Secretary of the Navy to retain such easements, rights of way, and other interests in the property conveyed and to impose such restrictions on the property conveyed as are necessary to ensure the effective security, maintenance, and operations of the Marine Corps Base, Camp Lejeune, North Carolina, and to protect human health and the environment.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property authorized to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

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

FITZGERALD (AND OTHERS) AMENDMENT NO. 3425 (Ordered to lie on the table.)

Mr. FITZGERALD (for himself, Mr. SCHUMER, Mr. OSSASLY, Mr. LINCOLN, Mr. DURBIN, Mr. HUTCHINSON, Mr. MOYNIHAN, and Mr. HARKIN) submitted an amendment intended to be proposed by them to the bill, S. 2549, supra; as follows:

At the end of title III, subtitle D insert the following:

SEC. UNUTILIZED AND UNDERUTILIZED PLANT-CAPACITY COSTS OF UNITED STATES ARSENALS.

(a) UNUTILIZED AND UNDERUTILIZED PLANT-CAPACITY COSTS OF UNITED STATES ARSENALS.—S. 2549 is amended by adding the following:

(b) UNUTILIZED AND UNDERUTILIZED PLANT-CAPACITY COSTS OF UNITED STATES ARSENALS.—

(1) The Secretary shall submit to Congress each year, together with the President’s budget for the fiscal year beginning in such year under section 1105(a) of title 31, an estimate of the funds to be required in the fiscal year in order to cover the costs of operating and maintaining unutilized or underutilized plant capacity at United States arsenals.

(2) Funds appropriated to the Secretary for a fiscal year for costs described in paragraph (1) shall be utilized by the Secretary in such fiscal year only to cover such costs.

(3) Notwithstanding any other provision of law, the Secretary shall not include unutilized or underutilized plant-capacity costs when evaluating an arsenal’s bids for purposes of the arsenal’s contracting to provide a good or service to a United States government organization. When an arsenal is subcontracting to a private-sector entity on a good or service to be provided to a United States government organization, the cost charged by the arsenal shall not include unutilized or underutilized plant-capacity costs that are funded by a direct appropriation.

(c) DEFINITION OF UNUTILIZED AND UNDERUTILIZED PLANT-CAPACITY COST.—

For purposes of this section, the term “unutilized and underutilized plant-capacity cost” shall mean the cost associated with operating and maintaining arsenal facilities and equipment that the Secretary of the Army determines are required to be kept for mobilization needs, in those months in which unutilized or underutilized facilities and equipment are not used or are used only 20% or less of available work days.

ENZI AMENDMENT NO. 3424

Mr. WARNER (for Mr. ENZI (for himself and Mr. THOMAS)) proposed an amendment to the bill, S. 2549, supra, as follows:

On page 503, between lines 5 and 6, insert the following:

SEC. 2602. AUTHORIZATION FOR CONSTRUCTION OF NEW AIRPORT TOWER, CHEYENNE AIRPORT, CHEYENNE, WYOMING.

(a) INCREASE IN AMOUNT AUTHORIZED FOR AIR NATIONAL GUARD.—The amount authorized to be appropriated by section 2601(3)(A) is hereby increased by $1,450,000.

(b) OFFSET.—The amounts authorized to be appropriated by section 2601(a), and by paragraph (2) of that section, are hereby reduced by $1,450,000. The amount of the reduction shall be allocated to the project authorized in May 1999 by the Tri-Care Management Agency for the Naval Support Activity, Naples, Italy.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

SHELBY (AND LAUTENBERG) AMENDMENT NO. 3426

Mr. SHELBY (for himself and Mr. LAUTENBERG) proposed an amendment to the bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, $1,800,000.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, $550,000.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $9,000,000.

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY

For necessary expenses of the Office of the Assistant Secretary for Policy, $2,500,000.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Aviation and International Affairs, $7,000,000: Provided, That notwithstanding any other provision of law, there may be credited to this appropriation up to $1,250,000 in funds received in user fees.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET

For necessary expenses of the Office of the Assistant Secretary for Budget and Programs, $6,500,000, including not to exceed $60,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided, That not more than $15,000 of the official reception and representation funds shall be available for obligation prior to January 20, 2001.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, $2,000,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, $17,800,000.

OFFICE OF PUBLIC AFFAIRS

For necessary expenses of the Office of Public Affairs, $1,500,000.

EXECUTIVE SECRETARIAT

For necessary expenses of the Executive Secretariat, $1,811,000.

BOARD OF CONTRACT APPEALS

For necessary expenses of the Board of Contract Appeals, $466,000.
For necessary expenses for the Office of Small and Disadvantaged Business Utilization, $1,192,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, development, development activities, and making grants, to remain available until expended, $5,300,000, of which $1,400,000 shall only be available for planning for the 2001 Special Winter Olympics; and $2,000,000 shall only be available for the purpose of section 228 of Public Law 106-181.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard’s environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $15,500,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to unappropriated surplus, $80,371,000:

RESERVY TRAINING

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation for the Reserve System, $25,000,000:

FEDERAL AVIATION ADMINISTRATION

For necessary expenses for the Federal Aviation Administration, as authorized by law, $2,320,000, to remain available until expended, of which $5,500,000 shall be derived from the Oil Spill Liability Trust Fund; Provided, That none of the funds made available under this heading may be transferred to Coast Guard “Operating expenses” or otherwise made available to reimburse the Coast Guard. The Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the United States Coast Guard Reserve, which includes funding for each budget line item for fiscal years 2002 through 2006, with total funding for each of the plan years charged to the funding targets for those years as estimated and approved by the Office of Management and Budget.
aviation navigation, facilities, and equipment, include the cost of aeronautical charts and maps sold to the public, and carrying out the provisions of subchapter I of chapter 471 of title 49, United States Code, or other programs of the Federal Aviation Administration to enter into a capital lease or grant, $183,343,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2003:
Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, and private sources, for expenses incurred by the Federal Aviation Administration for the administration and air traffic services program activities; for administration of programs under section 4717; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 4706 of title 49, United States Code, and under other law authorizing such obligations and the planning or execution of programs the obligations for which are in excess of $1,200,000,000 in fiscal year 2001, notwithstanding section 4717(h) of title 49, United States Code: Provided further, That notwithstanding any other provision of law, not more than $173,000,000 of funds limited under this heading shall be obligated for administration and air traffic services program activities if such funds are necessary to maintain aviation safety.

GRANTS-IN-AID FOR AIRPORTS
(LIMITATION ON OBLIGATIONS)
(INTERNATIONAL AIRPORT PROGRAM)
Of the unobligated balances authorized under 49 U.S.C. 44503, as amended, $579,000,000 are rescinded.

AVIATION INSURANCE REVOLVING FUND
The Secretary of Transportation is hereby authorized to make, on a yearly- and semi-yearly basis, and in such amounts as are necessary, advances from such fund to the aviation insurance activities if such funds are necessary to maintain aviation safety.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
Necessary expenses for administration and operation of the Federal Highway Administration not to exceed $396,657,840 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration, limited to $10,000,000, and such amounts by the National Historic Covered Bridge Preservation Program under section 222 of Public Law 103-168, as amended, $20,153,100 shall be available for the Indian Reservation Roads Program under section 204 of title 23, $20,153,100 shall be available for the Park Roads and Parkways Program under title 23, $183,343,000 shall be available for the Federal Airport and Airway Trust Fund and to remain available until September 30, 2003:
Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, and private sources, for expenses incurred by the Federal Aviation Administration for the administration and air traffic services program activities; for administration of programs under section 4717; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 4706 of title 49, United States Code, and under other law authorizing such obligations and the planning or execution of programs the obligations for which are in excess of $1,200,000,000 in fiscal year 2001, notwithstanding section 4717(h) of title 49, United States Code: Provided further, That notwithstanding any other provision of law, not more than $173,000,000 of funds limited under this heading shall be obligated for administration and air traffic services program activities if such funds are necessary to maintain aviation safety.

GRANTS-IN-AID FOR AIRPORTS
(INTERNATIONAL AIRPORT PROGRAM)
Of the unobligated balances authorized under 49 U.S.C. 44503, as amended, $579,000,000 are rescinded.

AVIATION INSURANCE REVOLVING FUND
The Secretary of Transportation is hereby authorized to make, on a yearly- and semi-yearly basis, and in such amounts as are necessary, advances from such fund to the aviation insurance activities if such funds are necessary to maintain aviation safety.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
Necessary expenses for administration and operation of the Federal Highway Administration not to exceed $396,657,840 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration, limited to $10,000,000, and such amounts by the National Historic Covered Bridge Preservation Program under section 222 of Public Law 103-168, as amended, $20,153,100 shall be available for the Indian Reservation Roads Program under section 204 of title 23, $20,153,100 shall be available for the Park Roads and Parkways Program under title 23.
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excess of $72,000,000 for programs authorized under 23 U.S.C. 410.  

NATIONAL DRIVER REGISTER  
(HIGHWAY TRUST FUND)  
For expenses necessary to discharge the functions of the Secretary with respect to the National Driver Register under chapter 303 of title 49 United States Code, $2,000,000 to be derived from the Highway Trust Fund and to remain available until expended.  

HIGHWAY TRAFFIC SAFETY GRANTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(FEDERAL HIGHWAY TRUST FUND)  
Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 410, and 411 to remain available until expended, $213,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligation for which, in fiscal year 2001, are in excess of $233,000,000 for programs authorized under 23 U.S.C. 402, 405, 410, and 411 and the Secretary shall be for “Highway Safety Programs” under 23 U.S.C. 402, $13,000,000 shall be for “Occupy Protection Incentive Grants” under 23 U.S.C. 405, $36,000,000 shall be for “Alcohol Impaired Driving Countermeasures Grants” under 23 U.S.C. 410, $9,000,000 shall be for the “State Highway Safety Data Grants” under 23 U.S.C. 411: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: Provided further, That not to exceed $7,750,000 of funds made available for section 402, not to exceed $550,000 of the funds made available for section 405, not to exceed $1,800,000 of the funds made available for section 410, and not to exceed $450,000 of the funds made available for section 411 shall be available to NHTSA for administering highway safety grants under chapter 4 of title 23, United States Code: Provided further, That not to exceed $500,000 of the funds made available for section 410 and 411 shall be available to NHTSA for administering highway safety grants under chapter 4 of title 23, United States Code: Provided further, That the Federal Highway Administration, not otherwise provided for, $99,300,000, of which $4,957,000 shall remain available until expended: Provided, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments with respect to the first deed of trust on the Secretary’s behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with such funds: Provided further, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation: Provided further, That the Federal Railroad Administration shall reimburse the Department of Transportation Inspector General $1,500,000 for costs associated with audits and investigations of all rail-related issues and systems.  

RAILROAD RESEARCH AND DEVELOPMENT  
For necessary expenses for railroad research and development, $24,725,000, to remain available until expended.  

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM  
The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2001.  

NEXT GENERATION HIGH-SPEED RAIL  
For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 U.S.C. 24101 and $24,900,000, to remain available until expended.  

ALASKA RAILROAD REHABILITATION  
To enable the Secretary of Transportation to make grants to the Alaska Railroad, $20,000,000 shall be for capital rehabilitation and improvements benefiting its passenger operations, to remain available until expended.  

WEST VIRGINIA RAIL DEVELOPMENT  
For capital costs associated with track, signal, and crossover rehabilitation and improvements on the MARC Brunswick line in West Virginia, $15,000,000, to remain available until expended.  

CAPITAL GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION  
For necessary expenses of capital improvement grants to the National Railroad Passenger Corporation as authorized by 49 U.S.C. 24104(a), $521,000,000 to remain available until expended: Provided, That the Secretary shall not obligate more than $208,400,000 prior to September 30, 2001.  

FEDERAL TRANSIT ADMINISTRATION  
ADMINISTRATIVE EXPENSES  
For necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, $12,800,000: Provided, That no more than $64,000,000 of budget authority shall be available for these purposes: Provided further, That the Federal Transit Administration will reimburse the Department of Transportation Inspector General $3,000,000 for costs associated with audits and investigations of all transit-related issues and systems.  

FORMULA GRANTS  
For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 3302 of the Public Safety Act of 1990, to remain available until expended: Provided, That no more than $3,345,000,000 of budget authority shall be available for these purposes.  

UNIVERSITY TRANSPORTATION RESEARCH  
For necessary expenses to carry out 49 U.S.C. 5505, $1,200,000, to remain available until expended: Provided, That no more than $6,000,000 of budget authority shall be available for these purposes.  

TRANSPORT PLANNING AND RESEARCH  
For necessary expenses to carry out 49 U.S.C. 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322, $22,200,000, to remain available until expended: Provided, That no more than $110,000,000 of budget authority shall be available for these purposes: Provided further, That $5,250,000 is available to provide rural transportation assistance (49 U.S.C. 5311(b)(2)); $4,000,000 is available to carry out programs under the National Transit Institute (49 U.S.C. 5315); $8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)), of which $3,000,000 is available for transit-related research conducted by the Great Cities Universities research consortia; $52,133,600 is available for multiphase planning (49 U.S.C. 5303, 5304, and 5305); $10,886,400 is available for State planning (49 U.S.C. 5315(b)); and $29,500,000 is available for the national planning and research program, (49 U.S.C. 5314): Provided further, That of the total budget authority made available for the national planning and research program, the Federal Transit Administration shall provide the following amounts for the projects and activities listed below:  

Mid-America Regional Council, coordinated transit planning, Kansas City metro area .................. $750,000  
Sacramento Area Council of Governments, regional air quality planning and coordination study .................. 250,000  
Salt Lake Olympics Committee, multimodal transportation planning .................. 1,200,000  
West Virginia University fuel cell technology institute propagation and ITS testing .................. 1,000,000  
University of Rhode Island, Kingston traffic congestion study .................. 150,000  
Georgia Regional Transportation Authority, regional transit study .................. 350,000  
Triliake Washington Island use effectiveness and enhancement review .................. 450,000  
State of Vermont electric vehicle transit demonstration .................. 500,000  
Acadia Island, Maine explorer transit system expansion .................. 150,000  
Traliake Washington Island use effectiveness and enhancement review .................. 950,000  
Southern Nevada air quality planning and research program .................. 800,000  
Southeastern Pennsylvania Transit Authority advanced propulsion control system .................. 3,000,000  
Fairbanks extreme temperature clean fuels research .................. 2,500,000  
National Rural Transit Assistance Program, Mississippi State university bus service expansion plan .................. 100,000  
Bus Rapid Transit administration data collection and analysis .................. 1,000,000  
Project ACTION .................. 3,000,000
CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, $1,058,400,000; there shall be available for the respective projects.

That no more than $2,646,000,000 of budget authority shall be available for these funds: Provided further, That the Administrator of the Federal Transit Administration shall, not later than February 1, 2001, individually submit to the House and Senate Committees on Appropriations the recommendations necessary for the respective projects, from the bus and bus-related facilities and the construction of new fixed guideway systems and facilities; and Provided further, That funds made available under the heading “Capital Investment Grants” in Division A, Section 101(g) of Public Law 106-27 for the “Colorado-North Front Range corridor feasibility study” are to be made available for “Colorado-Eagle Airport to Avon light rail extension;” and provided that funds made available in Public Law 106-69 under “Capital Investment Grants” for buses and bus-related facilities

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West Trenton, New Jersey rail project;
that were designated for projects numbered
14 and 20 shall be made available to the State of
Alabama for buses and bus-related facili-
ties.

DISCRETIONARY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law,
for the payment of obligations incurred in
carrying out 49 U.S.C. 5338(b), $350,000,000,
to remain available until ex-
pended and to be derived from the Mass
Transportation, until September 30, 2003:
Provided, That more than $100,000,000 of
budget authority shall be available for these
purposes.

SAINT LAWRENCE SEAWAY
DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development
Corporation is hereby authorized to make
such expenditures, within the limits of funds
and borrowing authority available to the
Corporation, and in accord with law, and
to make such contracts and commitments with-
out regard to fiscal year limitations as pro-
vided by section 106 of the Government Cor-
poration Control Act, as amended, may be
necessary in carrying out the programs set
forth in the Corporation’s budget for the cur-
rent fiscal year.

OPERATIONS AND MAINTENANCE
(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and
maintenance of those portions of the Saint
Lawrence Seaway operated and maintained
by the Saint Lawrence Seaway Development
Corporation, $12,400,000, to be derived from
the Harbor Maintenance Trust Fund, pursu-
ant to Public Law 102–582.

RESEARCH AND SPECIAL PROGRAMS
ADMINISTRATION

For expenses necessary to discharge the
functions of the Research and Special Pro-
grams Administration, $31,070,000, of which
$6,450,000 shall be derived from the Pipeline
Safety Fund, and of which $4,201,000 shall
remain available until September 30, 2003:
Provided, That none of the funds made avail-
able in this Act shall disseminate driv-
er’s license personal information as defined

$24,325,000 shall remain available until Sep-
tember 30, 2003, of which $2,500,000 shall
be derived from amounts previously col-
lected under 49 U.S.C. 60101:
Provided, That amounts previously collected under 49 U.S.C.
6001 shall be available for damage preven-
tion grants to States.

EMERGENCY PREPAREDNESS GRANTS
(ECONOMIC PREPARENESS FUND)

For necessary expenses to carry out 49
U.S.C. 5127(c), $220,000, to be derived from the
Emergency Preparedness Fund, to remain
available until September 30, 2003:
Provided, That not more than $13,227,000 shall be made
available for obligation in fiscal year 2001 from amounts made available by 49 U.S.C.
5116(c) and 5127(d): Provided further, That
none of the funds made available by 49 U.S.C.
5116(c) and 5127(d) shall be made available for
obligation by individuals other than the Sec-
retary of Transportation, or his designee:
Provided further, That the deadline for the
submission of registration statements and the
accompanying registration, and pro-
cessing fees for the July 1, 2000 to June 30,
2001 registration year described under sec-
tions 107.608, 107.612, and 107.616 of the
Department of Transportation’s formal rule
making, as published in the Federal Regis-

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of
Inspector General to carry out the provisions
of the Inspector General Act of 1978, as
amended, $49,000,000 of which $38,500,000 shall
be derived from transfers of funds from the
United States Coast Guard, the Federal
Aviation Administration, the Federal High-
way Administration, the Federal Railroad
Administration, and the Federal Transit Ad-
mnistration.

SURFACE TRANSPORTATION BOARD
SALARIES AND EXPENSES

For necessary expenses of the Surface
Transportation Board, including services au-
thorized by 5 U.S.C. 1109, $17,000,000:
Provided, That notwithstanding any other provision of
law, not to exceed $564,000 from fees estab-
lished by the Chairman of the Surface Trans-
portation Board shall be credited to this ap-
propriation: Provided further, That such funds
shall be used for necessary and authorized expenses under
this heading.

TITLES II
RELATED AGENCIES
ARCHITECTURAL AND TRANSPOR-
TATION BARRIERS COMPLIANCE
BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectu-
ral and Transportation Barriers Compli-
ance Board, as authorized by section 305 of
the Rehabilitation Act of 1965 (20 U.S.C. 7701 et seq.), for expenses of Federal
Aviation Administration personnel stationed
outside the continental United States at costs for any given area not
in excess of those of the Department of De-
fense, except as otherwise provided in title VI of the
Elementary and Secondary Education Act of
1965 (20 U.S.C. 7701 et seq.), for expenses of primary and secondary schooling for depend-
ents of Federal Aviation Administration per-
sonnel stationed outside the continental
United States at costs for any given area not
in excess of those of the Department of De-
fense, except as otherwise provided in title VI of the
Elementary and Secondary Education Act of
1965 (20 U.S.C. 7701 et seq.).
in 18 U.S.C. 2725(3) except as provided in sub-
section (b)(1). No record shall be maintained by the
Secretary under this subsection or under sub-
section (b)(2) of the person to whom the record
was furnished under subchapter I of chapter 311 of title
49, United States Code.

(b) No recipient of funds made available in this
Act shall disseminate a person's driver's license
number, passport serial number, birth certificate
number, social security number, or information re-
lated to the issuance of such a document, or the
medical or disability information from a motor
vehicle record as defined in 18 U.S.C. 2725(1) without
the express consent of the person to whom such
information pertains, except for uses permitted under 18 U.S.C.
2724(1), 2724(2), 2724(3), and 2724(9).

That shall not in any way affect the use of organ donation information
on an individual's driver's license or affect
the administration of organ donation initia-
tives in the States.

SEC. 310. (a) For fiscal year 2001, the Sec-
retary of Transportation shall—

(1) not distribute from the obligation li-
mitation for Federal-aid Highways amounts au-
thorized for administrative expenses and pro-
grams funded from the administrative take-
down authorized by section 194(a) of title 23, United
States Code, for the Highway Trust Fund (other
than the Mass Transit Account) for the previ-
ous fiscal year.

(b) Exceptions to obligation limitation.

(1) Not distribute the obligation lim-
itation for Federal-aid Highways less the ag-
gregate amounts not distributed under para-
graphs (1) and (2) and amounts distributed
under paragraphs (4) and (5) for Federal-aid
highways and highway safety construction
programs (other than the minimum guar-
antee program, but only to the extent that
such limitation is equal to the amount
imposed under this Act for Federal-aid
highways and highway safety construc-
tion programs for such fiscal year exceed
$2,639,000,000, and the Appalachian develop-
ment highway system program) that are ap-
portioned by the Secretary under title 23, United
States Code, in the ratio that—

(A) the obligation limitation for Federal-
aid Highways is equal to the amount deter-
mined by multiplying the ratio determined
under paragraph (3) by the amounts authorized
to be appropriated for such program for such
fiscal year;

(b) be available to plan, finalize, or im-
plement projects or programs under Federal-aid
Highways and highway safety construc-
tion programs for future fiscal years.

(c) The funds so distributed shall be available
for any purposes described in section 133(b)
of title 23, United States Code.

(f) Special Rule.—Obligation limitation
distributed for a fiscal year under subsection
(a)(4) of this section for a section set forth in
subsection (a)(4) shall remain available until
used and shall be in addition to the amount of
any limitation imposed on obligations for
Federal-aid highway and highway safety con-
struction programs for future fiscal years.

SEC. 311. The limitations on obligations for
the programs of the Federal Transit Admin-
istration under this Act shall not be available
for any purposes described in section 133(b) of
title 23, United States Code.

SEC. 312. None of the funds in this Act shall
be used to implement section 404 of title 23,
United States Code.

SEC. 313. None of the funds in this Act shall
be available to plan, finalize, or implement regu-
lation that would establish a vessel traffic safety
fairway less than five miles wide between the
Santa Barbara Traffic Separation Scheme and the
San Francisco Traffic Separation Scheme.

SEC. 314. Notwithstanding any other provi-
sion of law, airports may transfer, without
consideration, to the Federal Aviation Ad-
mistration (FAA) instrument landing sys-
tems (along with associated approach light-
ing equipment and runway visual range equip-
ment) which conform to FAA design and
performance specifications, the purchase of
which was assisted by a Federal airport-
aid program, airport development aid pro-
gram or airport improvement program grant.

The Federal Aviation Administration shall
accept such equipment, which shall there-
after be operated and maintained by FAA in
accordance with agency criteria.

SEC. 315. None of the funds in this Act shall
be available to award a multiyear contract for
airport end item procurement (for example, economic order quantity or long lead time
material procurement in excess of $10,000,000
in any 1 year of the contract; (2) includes a
cessation charge greater than $10,000,000 which
at the time of obligation has not been
appropriated to the limits of the Government's liability; or (3) includes a require-
ment that permits performance under the
contract during the second and subsequent
years of the contract without conditioning
appropriation of funds: Provided, That this limitation does not apply to a contract in which the
Federal Government incurs no financial liability from not buying additional systems, sub-
systems, or components beyond the basic
contract requirements.

SEC. 316. Notwithstanding any other provi-
sion of law, airports may use proceeds from
roadway modernization projects, funds made
available by this Act under “Federal Transit Ad-
mistration, Capital investment grants” for
projects specified in the Act and identified in
reports accompanying this Act not obligated
by September 30, 2003, and other recoveries,
shall be made available for other projects
under title 23, United States Code.

SEC. 317. Notwithstanding any other provi-
sion of law, any funds appropriated before
out subchapter 1 of chapter 31 of title 49,
United States Code.
October 1, 2000, under any section of chapter 53 of title 49, United States Code, the amount available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 318. None of the funds in this Act may be used to compensate in excess of 320 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2001.

SEC. 319. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by $33,830,000, which limits fiscal year 2001 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than $119,848,000: Provided, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for Transportation Administrative Service Center. In addition to the funds limited in this Act, $54,963,000 shall be available for section 1068(y) of Public Law 102-240.

SEC. 320. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration to operate a demonstrator, counterpoint, or prototype, or to improve existing vessels and facilities, to provide passenger ferryboat service, or to construct new vessels and facilities pursuant to 49 U.S.C. 5309(m)(2)(B) or 5309(z)(1) to the Secretary of Transportation from Office of Management and Budget or other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration’s “Federal-Aid Highways” account, the Federal Transit Administration’s “Transit Planning and Research” account, and to the Federal Railroad Administration’s account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 321. Funds made available for Alaska or Hawaii ferry boats or ferry terminal facilities pursuant to 49 U.S.C. 5309(m)(2)(B) may be used to construct new vessels and facilities or to improve existing vessels and facilities, including both the passenger and vehicle-related elements of such vessels and facilities, utilizing all funds in such account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 322. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses. Provided, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 323. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telephone, letter, printed or written material, radio, television, video presentation, electronic communications, or other device, intended or designed to influence in any manner the Congress or a State legislature to favor or oppose by vote or otherwise, any legislation or appropriation by Congress or a State legislature after the introduction of any bill or resolution in Congress proposing such legislation or appropriation, or after the introduction of any bill or resolution in a State legislature proposing such legislation or appropriation by the legislature after the introduction of any bill or resolution in Congress.

SEC. 324. (a) In General.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) Sense of the Congress; Requirement Regarding Notice.— (1) Purchase of American-Made Equipment and Products.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) Notice to Recipients of Assistance.— In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide notice to the recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

SEC. 325. Not to exceed $1,500,000 of the funds provided in this Act may be used to purchase fractional ownership of aircraft pursuant to 49 U.S.C. 10a–10c).

SEC. 326. Rebates, refunds, incentive payments, minor fees and other funds received by the Department from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department and allocated to elements of the Department using fair and equitable criteria and such funds shall be available until December 31, 2001.

SEC. 327. Notwithstanding any other provision of law, rule, or regulation, the Secretary of Transportation is authorized to allow the lessee of any preferred stock hereafter sold pursuant to the capital restructuring of Amtrak to purchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 328. For necessary expenses of the Amtrak Reform Council authorized under section 203 of Public Law 105–134, $495,000, to remain available until September 30, 2002: Provided, That the Secretary of Transportation shall be available for the departmental or the modal administrations from:

1. Any discretionary grant program of the Federal Highway Administration other than

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the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: Provided, That no notification shall involve funds that are not available for obligation.

SEC. 331. Section 303(b) of the Transportation Equity Act for the 21st Century (Public Law 105–178) is amended by adding at the end the following:

"(72) Wilmington Downtown transit corridor."

"(73) Honolulu Bus Rapid Transit project." Section 335. None of the funds appropriated or made available by this Act or any other Act or hereafter shall be used (1) to consider or adopt any proposed rule or proposed amendment to a rule contained in the Notice of Proposed Rulemaking issued on April 24, 2000 (Docket No. FMCSA–97–2350–953), (2) to consider or adopt any rule or amendment to a rule similar in substance to a proposed rule or proposed amendment to a rule contained in such Notice, or (3) if any such proposed rule or proposed amendment to a rule has been adopted prior to enactment of this Section, to enforce such rule or amendment to a rule.

SEC. 336. Section 1023(h) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127 note) is amended—

(1) in the subsection heading, by inserting "OVER-THE-ROAD BUSES and" before "PUBLIC;"

(2) in paragraph (1), by striking "to any vehicle which" and inserting the following: to—

(A) any over-the-road bus; or

(B) any vehicle that; and

(3) by adding after paragraphs (2) and (3) and inserting the following:"

"(2) STUDY AND REPORT CONCERNING APPLICABILITY OF MAXIMUM AXLE WEIGHT LIMITATIONS TO OVER-THE-ROAD BUSES and PUBLIC TRANSIT VEHICLES.—

"(A) STUDY and REPORT.—Not later than July 31, 2002, the Secretary shall conduct a study of the impacts to Congress a report on the maximum axle weight limitations applicable to vehicles using the Dwight D. Eisenhower National System of Interstate and Defense Highway established under section 127 of title 23, United States Code, or under State law, as the limitations apply to over-the-road buses and public transit vehicles.

"(B) DETERMINATION of APPLICABILITY of VEHICLE WEIGHT LIMITATIONS.—

"(i) In GENERAL.—The report shall include—

(A) a determination concerning how the requirements of section 127 of that title should be applied to over-the-road buses and public transit vehicles; and

(B) short-term and long-term recommendations concerning the applicability of those requirements.

(ii) CONSIDERATIONS.—In making the determination described in clause (1)(i), the Secretary shall consider—

(A) vehicle design standards;

(B) statutory and regulatory requirements including—

(aa) the Clean Air Act (42 U.S.C. 7401 et seq.);

(bb) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

(cc) motor vehicle safety standards prescribed under chapter 301 of title 49, United States Code; and

(iii) the availability of lightweight materials suitable for use in the manufacture of over-the-road buses;"

"(bb) the cost of those lightweight materials relative to the cost of heavier materials in use as of the date of the determination; and

"(cc) any safety or design considerations relating to the use of those materials.

"(C) ANALYSIS of ENCOREGAGEMENT DEVELOPMENT and MANUFACTURE of LIGHTWEIGHT BUSES.—The report shall include an analysis of, and recommendations concerning, means to be considered to encourage the development and manufacture of lightweight buses, including an analysis of—

(i) potential tax incentives for public transit authorities to encourage the purchase of lightweight public transit vehicles using grants from the Federal Transit Administration; and

(ii) potential tax incentives for manufacturers and private operators to encourage the purchase of lightweight over-the-road buses.

"(D) ANALYSIS of CONSIDERATION of RULEMAKINGS of ADDITIONAL VEHICLE WEIGHT.—The report shall include an analysis of cost and safety implications concerning whether Congress should require that each rulemaking by an agency of the Federal Government that affects the design or manufacturer of motor vehicles consider—

(i) the weight that would be added to the vehicle by implementation of the proposed rule;

(ii) the effect that the added weight would have on pavement wear; and

(iii) the resulting cost to the Federal Government and State and local governments.

"(E) COST–BENEFIT ANALYSIS.—The report shall include an analysis relating to the axle weight of over-the-road buses that compares—

(i) the costs of the pavement wear caused by over-the-road buses; with

(ii) the benefits of the over-the-road bus to the environment, the economy, and the transportation system of the United States.

"(3) DEFINITIONS.—In this subsection:

"(A) OVER–THE–ROAD BUS.—The term 'over-the-road bus' shall include any vehicle described in paragraph 1(b)."

"(B) PUBLIC TRANSIT VEHICLE.—The term 'public transit vehicle' includes a vehicle described in paragraph (1)(B)."

"(2) DETERMINATION of APPLICABILITY of VEHICLE WEIGHT LIMITATIONS.—

"(i) In GENERAL.—The report shall include—

(A) a determination concerning how the requirements of section 127 of that title should be applied to over-the-road buses and public transit vehicles; and

(B) short-term and long-term recommendations concerning the applicability of those requirements.

(ii) CONSIDERATIONS.—In making the determination described in clause (1)(i), the Secretary shall consider—

(A) vehicle design standards;

(B) statutory and regulatory requirements including—

(aa) the Clean Air Act (42 U.S.C. 7401 et seq.);

(bb) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

(cc) motor vehicle safety standards prescribed under chapter 301 of title 49, United States Code; and

(iii) the availability of lightweight materials suitable for use in the manufacture of over-the-road buses;"

"(bb) the cost of those lightweight materials relative to the cost of heavier materials in use as of the date of the determination; and

"(cc) any safety or design considerations relating to the use of those materials.

"(C) ANALYSIS of ENCOREGAGEMENT DEVELOPMENT and MANUFACTURE of LIGHTWEIGHT BUSES.—The report shall include an analysis of, and recommendations concerning, means to be considered to encourage the development and manufacture of lightweight buses, including an analysis of—

(i) potential tax incentives for public transit authorities to encourage the purchase of lightweight public transit vehicles using grants from the Federal Transit Administration; and

(ii) potential tax incentives for manufacturers and private operators to encourage the purchase of lightweight over-the-road buses.

"(D) ANALYSIS of CONSIDERATION of RULEMAKINGS of ADDITIONAL VEHICLE WEIGHT.—The report shall include an analysis of cost and safety implications concerning whether Congress should require that each rulemaking by an agency of the Federal Government that affects the design or manufacturer of motor vehicles consider—

(i) the weight that would be added to the vehicle by implementation of the proposed rule;

(ii) the effect that the added weight would have on pavement wear; and

(iii) the resulting cost to the Federal Government and State and local governments.

"(E) COST–BENEFIT ANALYSIS.—The report shall include an analysis relating to the axle weight of over-the-road buses that compares—

(i) the costs of the pavement wear caused by over-the-road buses; with

(ii) the benefits of the over-the-road bus to the environment, the economy, and the transportation system of the United States.

"(3) DEFINITIONS.—In this subsection:

"(A) OVER–THE–ROAD BUS.—The term 'over-the-road bus' shall include any vehicle described in paragraph 1(b)."

"(B) PUBLIC TRANSIT VEHICLE.—The term 'public transit vehicle' includes a vehicle described in paragraph (1)(B)."
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(4) of section 104(b) of title 23, United States Code, is eligible for assistance under section 163(a) of title 23, United States Code. If within three years from the date that the appointment for any State is reduced in accordance with this subsection the Secretary determines that such State is ineligible for assistance under section 163(a) of chapter 1 of title 23, United States Code, the apportionment of such State shall be increased by an amount equal to such reduction. If at the end of such three-year period, any State remains ineligible for assistance under section 163(a) of title 23, United States Code, any amounts so withheld shall lapse. SEC. 343. CONVEYANCE OF AIRPORT PROPERTY TO AN INSTITUTION OF HIGHER EDUCATION IN OKLAHOMA. (a) IN GENERAL.—Notwithstanding any other provision of law, including the Surplus Property Act of 1944 (58 Stat. 765, chapter 479; 50 U.S.C. App. 1622 et seq.), and subject to the requirements of this section, the Secretary (or the appropriate Federal officer) may waive, without charge, any of the terms contained in any deed of conveyance described in subsection (b) that restrict the use of any land described in such a deed that, as of the date of enactment of this Act, is not being used for the operation of an airport traffic. A waiver under the preceding sentence shall be deemed to be consistent with the requirements of section 47133 of title 49, United States Code. (b) DEED OF CONVEYANCE.—A deed of conveyance referred to in subsection (a) is a deed of conveyance issued by the United States from the date of enactment of this Act for the conveyance of lands to a public institution of higher education in Oklahoma. (c) USE OF LANDS SUBJECT TO WAIVER.—(1) IN GENERAL.—Notwithstanding any other provision of law, the lands subject to a waiver under subsection (a) shall not be subject to any term, condition, reservation, or restriction that would otherwise apply to that land as a result of the conveyance of that land by the United States to the institution of higher education. (2) USE OF REVÊNUES.—An institution of higher education that is issued a waiver under subsection (a) shall use revenues derived from the use, operation, or disposal of that land— (A) for the airport; and (B) to the extent that funds remain available, for weather-related and educational purposes that primarily benefit aviation. (d) CONDITION.—An institution of higher education that is issued a waiver under subsection (a), shall agree that, in leasing or conveying any interest in land to which the deed of conveyance described in subsection (b) relates, the institution will receive an amount that is equal to the fair lease value or the fair market value, as the case may be, as determined pursuant to regulations issued by the Secretary. (e) GRANTS.—(1) IN GENERAL.—Notwithstanding any other provision of law, if an institution of higher education that is subject to a waiver under subsection (a) received financial assistance from the Federal Aviation Administration or a predecessor agency before the date of enactment of this Act, then the Secretary may waive the repayment of the outstanding amount of any grant that the institution of higher education would otherwise be required to pay. (2) ELIGIBILITY TO RECEIVE SUBSEQUENT GRANTS.—The paragraph preceding this paragraph shall not affect the eligibility of an institution of higher education that is subject to that paragraph from receiving grants from the Secretary under chapter 71 of title 49, United States Code, or under any other provision of law relating to financial assistance provided through the Federal Aviation Administration. SEC. 344. Interstate Transportation Efficiency Act of 1991. (a) IN GENERAL.—The Interstate Transportation Efficiency Act of 1991 (105 Stat. 2332-2333) is amended by striking paragraph (38) and replacing it with the following— (38) The Ports-to-Plains Corridor from Laredo, Texas to Denver, Colorado as follows: (A) In the State of Texas the Ports-to-Plains Corridor shall generally follow— (i) 1-35 from Laredo to United States Route 83 at Exit 18; (ii) United States Route 83 from Exit 18 to Carrizo Springs; (iii) United States Route 277 from Carrizo Springs to San Angelo; (iv) United States Route 87 from San Angelo to Sterling City; (v) From Sterling City to Lamesa, the Corridor shall follow United States Route 87 and, the corridor shall also follow Texas Route 158 from Sterling City to I-20, then via I-20 to 3-20 West to 3-54 and Texas Route 349 from Midland to Lamesa; (vi) United States Route 87 from Lamesa to Lubbock; (vii) I-1-27 from Lubbock to Amarillo; and (viii) United States Route 287 from Amarillo to the Oklahoma border. (B) In the State of Oklahoma, the Ports-to-Plains Corridor shall generally follow United States Route 287 from the Texas border to the Colorado border. The Corridor shall then proceed into Colorado. This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 2001".

DORGAN (AND ASHCROFT)
AMENDMENT NO. 3427

Mr. DORGAN proposed an amendment to amendment No. 3426 proposed by Mr. SHELBY to the bill, H.R. 4475, supra; as follows:

At the appropriate place, insert the following:

SEC. 38. INTERSTATE TRANSPORTATION OF DANGEROUS CRIMINALS. (a) Short Title. This section may be cited as the "Interstate Transportation of Dangerous Criminals Act of 1999" or "Jeanne's Act." (b) FINDINGS.—Congress finds that— (1) increasingly, States are turning to private companies to transport violent prisoners; (2) often times, these trips can last for days if not weeks, a violent prisoner can be dropped off and picked up at a network of hubs across the country; (3) escapes by violent prisoners during transport by private prisoner transport companies have not been uncommon; and (4) oversight by the Attorney General is required to address these problems. (c) DEFINITIONS.—In this section— (1) CRIME OF VIOLENCE.—The term "crime of violence" has the same meaning as provided in section 924(c)(3) of title 18, United States Code. (2) DRUG TRAFFICKING CRIME.—The term "drug trafficking crime" has the same meaning as provided in section 924(c)(2) of title 18, United States Code. (3) PRIVATE PRISONER TRANSPORT COMPANY.—The term "private prisoner transport company" means any entity other than the United States, a State, or the inferior political subdivisions of a State which engages in the business of the transporting for compensation, individuals committed to the custody of any State or of the inferior political subdivisions of a State, or any attempt thereof. (4) VIOLENT PRISONER.—The term "violent prisoner" means any individual in the custody of a State or the inferior political subdivisions of a State who has previously been convicted of or is currently charged with a crime of violence, a firearm offense, or a violation of the Gun Control Act of 1968, or any similar statute of a State or the inferior political subdivisions of a State, or any attempt thereof. (d) FEDERAL REGULATION OF PRISONER TRANSPORT COMPANIES.— (1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall promulgate regulations relating to the transportation of violent prisoners in or affecting interstate commerce. (2) STANDARDS AND REQUIREMENTS.—The regulations shall include, at a minimum— (A) minimum standards for background checks on all potential employees; (B) minimum standards for factors that disqualify employees or potential employees similar to standards required of Federal correction officers; (C) minimum standards for the length and type of training that employees must undergo before they can perform the service; (D) restrictions on the number of hours that employees can be on duty during a given time period; (E) minimum standards for the number of personnel that must supervise violent prisoners; (F) minimum standards for employee uniforms and identification, when appropriate; (G) standards requiring that violent prisoners wear brightly colored clothing clearly identifying them as prisoners, when appropriate; (H) minimum requirements for the restraints that must be used when transporting violent prisoners, to include leg shackles and double-locked handcuffs, when appropriate; (I) a requirement that when transporting violent prisoners, private prisoner transport companies notify local law enforcement officials 24 hours in advance of any scheduled stops in their jurisdiction and that if unscheduled stops are made, local law enforcement should be notified in a timely manner, when appropriate; (J) minimum standards for the markings on conveyance vehicles, when appropriate; (K) a requirement that in the event of an escape by a violent prisoner, private prisoner transport company officials shall immediately notify appropriate law enforcement officials in the jurisdiction where the escape occurs, and the governmental entity that contracted with the private prisoner transport company for the transport of the escapee. (L) minimum standards for the safety of violent prisoners; and (M) any other requirement that the Attorney General finds to be necessary to ensure the safety of violent prisoners and ensure public safety. (3) FEDERAL STANDARDS.—Except for the requirements of paragraph (2)(G), the regulations promulgated under this section shall not provide stricter standards with respect to...
to private prisoner transport companies than are applicable to Federal prisoner transport entities.

(e) ENFORCEMENT.—Any person who is found in violation of the regulations established by this section shall be liable to the United States for a civil penalty in an amount not to exceed $10,000 for each violation and, in addition, to the United States for the costs of prosecution. In addition, such person shall make restitution to any entity of the United States, of a State, or of an inferior political subdivision of a State, which is responsible for the purpose of apprehending any violent prisoner who escapes from a prisoner transport company as the result, in whole or in part, of a violation of regulations promulgated pursuant to subsection (d)(1).

HARKIN (AND GRASSLEY) AMENDMENT NO. 3428

Mr. SHELBY (for Mr. HARKIN (for himself and Mr. GRASSLEY)) proposed an amendment No. 3428 proposed by Mr. SHELBY to the bill, H.R. 4475, supra; as follows:

At the appropriate place in title III, insert the following:

SEC. 3. MODIFICATION OF HIGHWAY PROJECT IN POLK COUNTY, IOWA.

The table contained in section 1602 of the Transportation Equity Act for the 21st Century is amended in item 1086 (112 Stat. 294) by striking “Extend NW 86th Street from NW 70th Street” and inserting “Construct a road from State Highway 114”.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

BINGAMAN AMENDMENT NO. 3429

(Ordered to lie on the table)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, S. 2549, supra; as follows:

On page 25, between lines 13 and 14, insert the following:

SEC. 111. NATIONAL HOMELAND SECURITY TECHNOLOGY AND TRAINING CENTER.

(a) ESTABLISHMENT.—The Secretary of the Army, acting through the Chief of the National Guard Bureau, shall establish a center to be known as the “National Homeland Security Technology and Training Center” (in this section referred to as the “Center”). The Center shall have the functions set forth in subsection (d).

(b) LOCATION.—The Center shall be located at Kirtland Air Force Base, New Mexico.

(c) ADMINISTRATION.—(1) The Center shall be administered by Sandia National Laboratories, New Mexico.

(2) In administering the Center, Sandia National Laboratories may utilize the capabilities, expertise, and other resources of other appropriate entities in the State of New Mexico, including Los Alamos National Laboratory, and the University of New Mexico School of Medicine, and the Lovelace Respiratory Research Center.

(d) FUNCTIONS.—The functions of the Center shall be—

(1) to provide technology and training support to Weapons of Mass Destruction Civil Support Teams (WMD-CSTs) and to Federal agencies with responsibilities for responding to domestic emergencies relating to weapons of mass destruction;

(2) to provide such other support for such teams and agencies as the Secretary considers appropriate.

(e) COMMENCEMENT OF OPERATIONS.—The Center shall commence the provision of support to Federal agencies and to WMD-CSTs not later than October 1, 2001.

(f) FUNDING.—Of the amounts authorized to be appropriated by section 1015(g), $3,500,000 shall be available for the establishment and activities of the Center, including activities relating to the establishment of detailed plans for future activities of the Center.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Allard (and Others) Amendment No. 3430

(Ordered to lie on the table.)

Mr. ALLARD (for himself, Mr. VOINOVICH, Mr. GRAMS, and Mr. ENZI) submitted an amendment intended to be proposed by them to the bill, H.R. 4475, supra; as follows:

On page 25, after line 1, insert the following:

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

SUPPLEMENTAL APPROPRIATION FOR FISCAL YEAR 2000

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount for fiscal year 2000 into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $12,200,000,000.

CERTIFIED DEVELOPMENT COMPANY PROGRAM IMPROVEMENTS ACT OF 2000

BOND AMENDMENT NO. 3431

Mr. ALLARD (for Mr. BOND) proposed an amendment to the bill (H.R. 2614) to amend the Small Business Investment Act of 1958 to make improvements to the certified development company program, and for other purposes; as follows:

At the end of the bill, add the following:

SEC. 9. TIMELY ACTION ON APPLICATIONS.

(a) AUTOMATIC APPROVAL OF PENDING APPLICATIONS.—An application by a State or local development company to expand its operations under Sec. 41743 in title 49, U.S.C.; to the Secretary, or to any nonmetropolitan county that has been or is eligible to be a nonmetropolitan county, to be provided for under paragraphs (2) and (3) of subparagraph (B) of paragraph (4) of section 7 of the Small Business Act (15 U.S.C. 636), is automatically approved if the application has not been reviewed by the Secretary within 90 days after the date on which it was submitted.

(b) DEFINITIONS.—In this section—

(1) the term “Administration” means the headquarters of the Small Business Administration; and

(2) the term “development company” has the same meaning as in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662).

SEC. 10. USE OF CERTAIN UNOBLIGATED AND UNEXPENDED FUNDS.

(a) TRANSFER OF FUNDS.—Notwithstanding any other provision of law, unobligated and unexpended balances of the funds described in subsection (b) are transferred to and made available to the Small Business Administration to fund the costs of guaranteed loans under section 7(a)(3) of the Small Business Act.

(b) SOURCES.—Funds described in this subsection are—

(1) funds transferred to the Business Loan Program Account of the Small Business Administration from the Department of Defense under the Department of Defense Appropriations Act, 1995 (Public Law 103-335) and section 507(g) of the Small Business Reauthorization Act of 1996 (15 U.S.C. 632 note) for the DELTA Program under that section 507; and

(2) funds previously made available under the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (110 Stat. 1321 et seq.) and the Omnibus Consolidated Appropriations Act, 1997 (110 Stat. 3309 et seq.) for microloan guarantee programs under section 7(m) of the Small Business Act.

SEC. 11. HUBZONE REDESIGNATED AREAS.

Section 3(p) of the Small Business Act (15 U.S.C. 632) is amended—

(1) in paragraph (1), by striking “or” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; or”; and

(3) in paragraph (6), by striking the end the following:

“(C) redesignated area.—The term ‘designated area’ means any census tract that ceases to be qualified under subparagraph (A) and any nonmetropolitan county that ceases to be qualified under subparagraph (B), except that a census tract or a nonmetropolitan county may be a ‘designated area’ only for the 3-year period following the date on which the census tract or nonmetropolitan county ceased to be so qualified.”.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

DOMENICI AMENDMENT NO. 3432

(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill, H.R. 4475, supra; as follows:

Page 16, under the heading “FACILITIES AND EQUIPMENT (AIRPORT AND AIRWAY TRUST FUND)” after “under this heading,” add “Community Air Service Development Pilot program under Sec. 41743 in title 49, U.S.C.”;

Page 16, after the last proviso under the heading “Provided further, That notwithstanding any other provision of law, not more than
Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. The purpose of this hearing is to receive testimony on S. 1649, a bill to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa; S. 2547, a bill to provide for the establishment of the Great Sand Dunes National Park and the Great Sand Dunes National Preserve in the State of Colorado, and for other purposes.

The hearing will take place on Thursday, June 22, 2000 at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Jim O'Toole or Kevin Clark of the Committee staff at (202) 224-6969.

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, June 14, 2000, to conduct a roundtable discussion on “Accounting for Goodwill.”

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet on Wednesday, June 14, 2000 at 10:16 a.m. to conduct a joint oversight hearing. The Committees will receive testimony on the Loss of National Security Information at the Los Alamos National Laboratory.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, June 14, 2000, for an Open Executive Session to mark up H.R. 3916 (Repeal of the Federal Communications Excise Tax); S. 652, the Breast and Cervical Cancer Treatment Act; and, S. Res , expressing the sense of the Senate that the President should initiate negotiations with the members of the European Union to resolve the current dispute regarding the foreign sales corporation provisions of the Internal Revenue Code and to modify World Trade Organization rules governing the border adjustability of taxes to ensure that such rules do not place United States exporters at a competitive disadvantage.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 14, 2000 at 10 a.m. and 3:30 p.m. to hold two hearings (agenda attached).

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 14, 2000 at 10 a.m. for a business meeting to consider pending Committee business.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, June 14, 2000 at 2:30 p.m. in room 465 of the Russell Senate Building to mark up the following: S. 1586, Indian Land Consolidation Act Amendments; S. 2351, Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act; S. Res. 277, Commemorating the 30th Anniversary of the Policy of Indian Self-Determination; S. 2506, the Colorado Ute Indian Water Settlement Act Amendments of 2000; and H.R. 3051, Jicarilla Water Feasibility Study, to be followed by a hearing, on S. 2382, to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the Department of Agriculture.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, June 14, 2000 at 10:15 a.m. to hold an open hearing on intelligence matters.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, June 14, 2000 at 2:30 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Select Committee on Antitrust, Business Rights and Competition be authorized to meet during the session of the Senate on Wednesday, June 14, 2000 at 10 a.m., in SD226.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust, Business Rights and Competition be authorized to meet to conduct a hearing on Wednesday, June 14, 2000, at 10 a.m., in SD226.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety be authorized to meet during the session of the Senate on Wednesday, June 14,